

**MINUTES OF COUNCIL MEETING
DECEMBER 13, 2008
6:30 P.M.**

The Murray City Council met in regular session on Thursday, December 13, 2008, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: David Ramey, Danny Hudspeth, Jeremy Bell, Dan Miller, Pat Scott, Butch Seargent, Linda Cherry, Pete Lancaster, Jason Pittman, Robert Billington, Jane Brandon, and Bill Wells.

Council Members Absent: None.

Staff Present: Chief Ken Claud, J. L. Barnett, Ron Allbritten, Don Rogers, Philip Morris, Dennis Thompson, Cathy Morris, Michael Skinner, Alan Lanier, Matt Mattingly, and Harla McClure.

Minutes of the council meeting held November 25, 2008, were presented for approval. **Mr. Ramey moved, seconded by Mr. Pittman**, to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized David Richardson with Murray Electric System. Mr. Richardson was present to provide the council and the listening audience more information regarding the FCC requirements for digital television. He stated that at the end of the year the big issue is on the retransmission or the must carry which are the off air channels – 2, 3, 4, 5 which are the ones you would pick up with an antenna. Murray Electric has been in negotiations with these companies for approximately the last year and many people are not aware that we are actually paying the companies right now to carry those and retransmit them to the public through the Murray Electric System. He stated that Murray Electric has two choices – pay the fees to carry the channels, which will be a pass through directly to the customers, or drop the channels. He stated Murray Electric is still negotiating and have been paying over the past year for two channels and the cost was absorbed. Mr. Richardson stated there is the possibility some of the channels will go away on January 1st if an agreement cannot be reached with the networks. He stated it is not a matter of if it is going to happen but when and Murray Electric will either carry the channels or drop them.

Mayor Rushing recognized Rick Melton, CPA with Howe and Melton and requested that he report on the audit for fiscal year ending June 30, 2008 (see attached presentation). **Mr. Billington moved, seconded by Mr. Pittman** to approve the audit as presented. With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Mayor Rushing recognized Danny Hudspeth, Chairman of the Public Safety Committee and requested that he provide a report. Mr. Hudspeth stated the committee met to discuss bids for a burn trailer for the fire department which will be purchased via a FEMA grant in the amount of \$91,385.00. The committee only received one bid from Fire Facilities in the amount of \$88,425.00. Since the bid was below the amount of the grant, Chief Skinner is recommending that a Class “A” stainless steel burn prop in the amount of \$3,665.00 also be included in the

purchase. The total amount of the purchase would be \$92,090.00 with the federal share being 90% of the total or \$82,247.00. Therefore, the 10% match would be \$9843.00 and Vanderbilt Chemical is going to donate \$500.00 toward the 10% match and Calloway County Fire Rescue is paying a portion of the remaining balance in the amount of \$4500, leaving a balance for the City of Murray in the amount of \$4,843.00 **Mr. Hudspeth moved, as unanimously recommended by the Public Safety Committee** to accept the bid of Fire Facilities in the amount of \$92,090.00 for the burn trailer and Class "A" burn prop. **Mr. Ramey seconded the motion.** Chief Skinner stated that the Hazel Fire Department will also be able to utilize this burn trailer. With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Ordinance Number 2008-1477 (second reading) an ordinance amending Section 118.40, Alcoholic Beverage Control, Hours of Sale, by extending the retail sale for consumption of alcohol to 12:15 a.m. only on January 1, 2009, New Year's Day was presented to the council on a second reading. This will be for one year only. **Mr. Pittman moved, seconded by Mr. Lancaster** to adopt said ordinance.

Mr. Seargent reiterated that he is not in favor of compromising any of our present laws. He still questions why the change is only recommended for one year.

Ms. Cherry stated that her concern is that we adopted a drug free workplace policy and now we want to extend the drinking hours on New Year's Eve and it seems like a contradiction to do that.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Pete Lancaster, Dan Miller, Pat Scott, Robert Billington, Jason Pittman, David Ramey, and Bill Wells.

NAYES: Danny Hudspeth, Jeremy Bell, Linda Cherry, Jane Brandon and Butch Seargent.

Mayor Rushing declared said ordinance adopted on a second reading by a vote of 7 to 5 and recorded in Ordinance Book Number 7, Page _____.

Municipal Order 2008-024 reappointing Richard Vanover to the Murray Planning Commission for a four year term which will expire January 1, 2013 was presented to the council for approval. **Mr. Billington moved, seconded by Mr. Lancaster** to approve said recommendation. With no further discussion Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 2008-025 reappointing Marc Peebles to the Murray Planning Commission for a four year term which will expire January 1, 2013 was presented to the council for approval. **Mr. Pittman moved, seconded by Mr. Ramey** to approve said recommendation. With no further discussion Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Municipal Order 2008-026 appointing Mary Anne Medlock to the City of Murray Board of Zoning Adjustments for a four year term which will expire January 1, 2013 was presented to the council for approval. **Mr. Ramey moved, seconded by Mr. Scott** to approve said recommendation. With no further discussion Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Resolution Number 2008-013 a resolution designating and authorizing the Mayor to execute any and all documents which are deemed necessary by the Federal Emergency Management Agency and the Kentucky Division of Emergency Management to obtain federal assistance under the Disaster Relief Act for wind damage sustained in the City during Hurricane Ike was presented to the council for approval. **Mr. Bell moved, seconded by Mr. Lancaster** to approve said resolution. With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Pete Lancaster, Dan Miller, Pat Scott, Robert Billington, Jason Pittman, David Ramey, Danny Hudspeth, Jeremy Bell, Linda Cherry, Jane Brandon, Butch Seargent and Bill Wells.

NAYES: None.

Mayor Rushing declared said resolution approved.

Mayor Rushing recognized Don Rogers, Sanitation Superintendent, and requested that he provide a report on the litter abatement project. Mr. Rogers stated that there were approximately 20 groups that took part in the project this year which was around 500 people and a total of 1660 hours. He stated that there were four tons of litter picked up for the year. Mr. Rogers also wanted to inform the citizens that the sanitation department will pick up only cardboard boxes on December 31st. He stated that the individuals will need to contact him to put their name on a list so the workers will know what addresses to pick up from.

With no further business to come before the council, the meeting adjourned at 7:30 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure, City Clerk