

**MINUTES OF COUNCIL MEETING**  
**FEBRUARY 26, 2009**  
**6:30 P.M.**

The Murray City Council met in regular session on Thursday, February 26, 2009, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

**Council Members Present:** Pete Lancaster, Dan Miller, Linda Cherry, Jeremy Bell, Pat Scott, John Bowers, Robert Billington, Greg Anderson, Butch Seargent, Jane Brandon, Danny Hudspeth, and Bill Wells.

**Council Members Absent:** None.

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

Minutes of the council meeting held February 12, 2009, were presented for approval. **Mr. Scott moved, seconded by Mr. Bowers,** 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 Robert Billington, Chairman of the Health Insurance Committee and requested that he provide a report. Mr. Billington stated the committee met to discuss options. He stated that any decision that is made will be coupled with an open line of communication with the employees. He stated the employees will be involved in any decisions that are made. Mr. Billington stated the council has made no decision as of yet but assured everyone that it will be conveyed to the employees in detail if any changes are made. He stated the Mayor has tasked the committee with being proactive and not reactive and that is the approach the committee is taking.

Mayor Rushing recognized Bill Wells, Chairman of the Finance/Personnel Committee and requested that he provide a report. Mr. Wells stated the committee met to review recommended changes to the Anti-Drug and Alcohol Policy. He stated the committee approved the changes unanimously. **Mr. Wells moved, as unanimously recommended by the Finance/Personnel Committee** to approve Municipal Order 2009-008 regarding the Drug and Alcohol Free Workplace Policy. **Mr. Billington seconded the motion.** Cathy Morris, Personnel Officer, stated that the policy was amended to obtain the drug free workplace certification. 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 review bids for eight (8) digital in-car video systems and nine (9) digital video flashlights. He stated the committee received the following two bids:

**Digital Ally**

Digital in-car video system..... \$32,200  
Digital video flashlight..... \$9,090

For a total cost of \$41,290 (this includes a 2 year warranty and installation)

**Emergency Equipment Specialists Inc.**

Digital in-car video system and  
Digital video flashlights.....\$42,260 (this includes a 3 year warranty and installation)

Digital in-car video system and  
Digital video flashlights.....\$31,840 (no installation; 2 year warranty)

**Mr. Hudspeth moved, as unanimously recommended by the Public Safety Committee, to accept the bid of Digital Ally in the amount of \$41,290. Mr. Bell seconded the motion.** Mr. Hudspeth stated that the equipment will be purchased with a COPS technical grant. With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

The following names were presented to the council for Position #6 to the Board of Commissioners for the Murray Calloway County Hospital. Said term is for four years and will expire March 31, 2013: Vernon Anderson, Jeremy Boyd, Pat Cherry, Robert Greg Delancey, John Mitchell, Stuart Poston, James Thompson, and Joe Ward.

The council was polled, and the vote is as follows:

- Jeremy Boyd:** John Bowers and Danny Hudspeth.
- Pat Cherry:** Linda Cherry and Jane Brandon.
- John Mitchell:** Butch Seargent.
- Stuart Poston:** Jeremy Bell, Dan Miller, Pat Scott, and Robert Billington.
- Joe Ward:** Pete Lancaster, Greg Anderson, and Bill Wells.

The council was again polled and asked to vote on the two individuals who received the most votes. Said vote is recorded as follows:

- Stuart Poston:** Jeremy Bell, Dan Miller, Pat Scott, Robert Billington, Butch Seargent, and Danny Hudspeth.
- Joe Ward:** Pete Lancaster, Linda Cherry, Jane Brandon, Greg Anderson, John Bowers, and Bill Wells.

The vote was tied which required the Mayor to cast his vote. Mayor Rushing cast his vote for Joe Ward. **Mr. Lancaster moved, seconded by Mr. Bowers** to appoint Joe Ward to serve a four year term for Position #6 to the Board of Commissioners of the Murray Calloway County Hospital. Said term will expire March 31, 2013. Mayor Rushing declared Joe Ward appointed.

**Ordinance Number 2009-1480** (second reading) an ordinance amending Zoning Ordinance 794 to create a new section for the Historic Overlay District was presented to the council on a second reading. **Mr. Anderson moved, seconded by Mr. Lancaster** to adopt said ordinance. With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Pete Lancaster, Dan Miller, Jane Brandon, Linda Cherry, Jeremy Bell, Pat Scott, John Bowers, Robert Billington, Greg Anderson, Butch Seargent, Danny Hudspeth, and Bill Wells.

**NAYES:** None.

Mayor Rushing declared said ordinance adopted on a second reading and recorded in Ordinance Book Number \_\_\_\_\_, Page \_\_\_\_\_.

**Ordinance Number 2008-1481** (second reading) an ordinance amending Ordinance Number 793, City of Murray Sewer Use Ordinance, codified as Section 52.05, relating to chemical constituents permitted in wastewater was presented to the council on a second reading. **Mr. Bowers moved, seconded by Mr. Scott** to adopt said ordinance. With no further discussion, Mayor Rushing calls for the roll call vote which is recorded as follows:

**AYES:** Pete Lancaster, Dan Miller, Linda Cherry, Jeremy Bell, Pat Scott, John Bowers, Robert Billington, Greg Anderson, Butch Seargent, Jane Brandon, Danny Hudspeth, and Bill Wells.

**NAYES:** None.

Mayor Rushing declared said ordinance adopted on a second reading and recorded in Ordinance Book Number \_\_\_\_\_, Page \_\_\_\_\_.

**Ordinance Number 2009-1482** (first reading) an ordinance amending Section 32, Architectural Review Board, of the City of Murray Code of Ordinances, in order to bring it in line with the current zoning regulations and Architectural Review Board By-Laws was presented to the council on a first reading. **Mr. Billington moved, seconded by Mr. Wells** to approve said ordinance. Dr. Miller questioned why the requirement of an annual report was removed. Matt Mattingly, Director of Administration, stated all the records of the Architectural Review Board are already public record and the committee felt that it would not be efficient to generate a report. However, if anyone wants to see the data a report can be provided. Mr. Anderson stated his concern was that he would like to see that the annual report be required at least for the first year.

**Mr. Anderson moved, seconded by Dr. Miller** to strike the deletion of the annual report requirement. Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Pete Lancaster, Dan Miller, Linda Cherry, Jeremy Bell, Pat Scott, John Bowers, Robert Billington, Greg Anderson, Butch Seargent, Jane Brandon, and Bill Wells.

**NAYES:** Danny Hudspeth.

Mayor Rushing declared the motion to amend said ordinance approved by a vote of 11 to 1.

Mayor Rushing then entertained a motion to approve Ordinance Number 2009-1482 as amended. **Mr. Billington moved, seconded by Mr. Wells** to approve said ordinance as amended and the vote is recorded as follows:

**AYES:** Pete Lancaster, Linda Cherry, Jeremy Bell, Pat Scott, John Bowers, Robert Billington, Greg Anderson, Butch Seargent, Jane Brandon, Danny Hudspeth, and Bill Wells.

**NAYES:** Dan Miller.

Mayor Rushing declared Ordinance Number 2009-1482, as amended, approved on a first reading.

**Recommendation** from the Murray Planning Commission recommending the acceptance of 911.22 feet of North Elementary Drive for maintenance by the City of Murray based on the fact that the street has been constructed to the City standards that are in accordance with the City of Murray Subdivision Regulations and said street lies within the corporate city limits of Murray was presented to the council for approval. **Mr. Billington moved, seconded by Mr. Lancaster** to approve said recommendation. Dennis Thompson, Project Manager, stated that it is a public street. He stated that the street would revert back to Howard Brandon on March 1<sup>st</sup> if the City did not accept the street for maintenance. Mr. Brandon deeded this property to the school and they paid for and installed and paid for the construction of the street to our standards. With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Resolution Number 2009-004** a resolution authorizing the Mayor to execute any and all documents necessary for a grant in the amount of \$280,000 for the Poor Farm Road waterline was presented to the council for approval. **Mr. Bell moved, seconded by Mr. Bowers** to approve said Resolution. With no further discussion, Mayor Rushing called for the roll vote which is recorded as follows:

**AYES:** Pete Lancaster, Dan Miller, Linda Cherry, Jeremy Bell, Pat Scott, John Bowers, Robert Billington, Greg Anderson, Butch Seargent, Jane Brandon, Danny Hudspeth, and Bill Wells.

**NAYES:** None.

Mayor Rushing declared said resolution approved.

**Resolution Number 2009-005** a resolution authorizing the Mayor to execute any and all documents necessary for a grant in the amount of \$250,000 for the industrial park sewer project was presented to the council for approval. **Mr. Bell moved, seconded by Mr. Scott** to approve said Resolution. With no further discussion, Mayor Rushing called for the roll vote which is recorded as follows:

**AYES:** Pete Lancaster, Dan Miller, Linda Cherry, Jeremy Bell, Pat Scott, John Bowers, Robert Billington, Greg Anderson, Butch Seargent, Jane Brandon, Danny Hudspeth, and Bill Wells.

**NAYES:** None.

Mayor Rushing declared said resolution approved.

**Resolution Number 2009-006** a resolution authorizing the Mayor to execute any and all documents necessary for a grant in the amount of \$100,000 for the industrial park sewer project was presented to the council for approval. **Mr. Billington moved, seconded by Mr. Lancaster** to approve said Resolution. With no further discussion, Mayor Rushing called for the roll vote which is recorded as follows:

**AYES:** Pete Lancaster, Dan Miller, Linda Cherry, Jeremy Bell, Pat Scott, John Bowers, Robert Billington, Greg Anderson, Butch Seargent, Jane Brandon, Danny Hudspeth, and Bill Wells.

**NAYES:** None.

Mayor Rushing declared said resolution approved.

Bill Wells stated the next Make a Difference Day is scheduled for March 14<sup>th</sup>.

With no further business to come before the council, the meeting adjourned at 7:10 p.m.

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H. Thomas Rushing, Mayor

Attest:

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Harla McClure, City Clerk