

MINUTES OF THE COUNCIL

August 13, 2020

6:30 P.M.

The Murray City Council met in regular session on Thursday, August 13, 2020 at 6:30 p.m. in the Council Chambers of City Hall with Mayor Bob Rogers presiding.

Council Members Present: Jeremy Bell, Wesley Bolin, Linda Cherry, Rose Elder, Danny Hudspeth, Monty McCuiston, Dan Miller, John Mark Roberts, Alice Rouse, Pat Seiber, Terry Strieter, Burton Young

Council Members Absent: None

Staff Present: Bob Byczynski, Dannetta Clayton, City Attorney Warren Hopkins, Jeff Liles, James Oakley, Jim Osborne, Eric Pologruto, Justin Smith, Zach Warren, Kim Wyatt

Mayor Rogers called the meeting to order and welcomed Council members and guests.

After a moment of reflection, Dan Miller led the Pledge of Allegiance to the Flag.

The minutes of the Council meeting of July 23, 2020 were presented for approval. **Mr. Roberts moved for approval; seconded by Dr. Strieter. All members present voted Aye.**

Mayor's Report

Mayor Rogers congratulated Chief Jeff Liles for his appointment by the Governor to the Kentucky Law Enforcement Council.

Mayor Rogers recognized John Wright for the good job he did of representing Murray Kentucky on "*Comment on Kentucky*", which is on the KET channel.

Mayor Rogers congratulated Council member Alice Rouse on her 50th wedding anniversary.

Mayor Rogers stated only 64% of Murray has filled out their census form. Mayor Rogers stated the census means a lot to our community, and asked citizens to go to "[2020 census.gov](https://www.census.gov)" to complete their census form.

Mayor Rogers stated in August there has been 96 cases of COVID 19 in Calloway County. He asked everyone to please wear a mask and social distance to protect yourself and your families.

Public Hearing for an appeals process of a 2.08 acre of land located at 1003 N 4th Street, from PO (Professional Office District) Zone to B-2 (Highway Business District) Zone. **Mr. Roberts moved to open the Public Hearing; seconded by Mr. Hudspeth. All members present voted Aye.**

Justin Smith came forward and was sworn in. Mr. Smith stated on July 21, 2020 the Planning Commission had a public hearing to hear the request to rezone the property located at 1003 North 4th Street, from PO (Professional Office District) Zone to B-2 (Highway Business District) Zone. He stated the Planning Commission denied the request, and the owner, Ken Andrus has filed an appeal. He stated a majority vote of the Council can overrule the Planning Commission's decision.

Mayor Rogers asked if anyone wanted to speak in favor of granting the appeal.

Ken Andrus came forward and was sworn in. Mr. Andrus stated he has looked at putting the land located at 1003 North 4th Street on the market for sale and was told by a realtor that a larger variety of businesses could be in a B-2 zone. He stated he cannot see the surrounding properties because of the wooded area that separates the properties.

Being no others to speak in favor of granting the appeal, Mayor Rogers asked if anyone wanted to speak against granting the appeal.

Dannetta Clayton came forward and read a letter received on August 3, 2020 from Norma Sue and Richard Smith against granting the appeal.

Being no others to speak against granting the appeal, **Dr. Miller made a motion to close the Public Hearing; seconded by Mr. Roberts. All members present voted Aye.**

Mr. McCuiston made a motion to approve the zone amendment request for the subject property of Ken Andrus located at 1003 North 4th Street for 2.08 acres to be rezoned from PO (Professional Office District) to B-2 (Highway Business District). The testimony presented in this public hearing has shown that the proposed zoning classification is in agreement with the underlying comprehensive plan; seconded by Ms. Cherry.

Mayor Rogers called for a roll call vote.

Ayes: Mr. Bell, Mr. Bolin, Ms. Cherry, Ms. Elder, Mr. McCuiston, Dr. Miller, Mr. Roberts, Ms. Rouse, Ms. Seiber, Dr. Young

Nays: Mr. Hudspeth, Dr. Strieter

Mayor Rogers recognized Public Works Committee Chair, Danny Hudspeth. Chair Hudspeth reported the Public Works Committee had a meeting prior to the Council meeting, with two items on the agenda: a Brooklyn Drive Stormwater Project bid, and a Stormwater Inspection Camera bid.

Chair Hudspeth stated the Committee voted unanimously to accept the low bid from LMD in the amount of \$29,836.60 for the Brooklyn Drive Stormwater project. **Mr. Hudspeth moved for approval; seconded by Mr. Bell. All members present voted Aye.**

Chair Hudspeth stated the Committee voted unanimously to accept the low bid from Brown Equipment Company in the amount of \$41,598.00 for the stormwater inspection camera. **Mr. Hudspeth moved for approval; seconded by Ms. Elder. All members present voted Aye.**

Mayor Rogers recognized Personnel and Finance Committee Chair, Danny Hudspeth. Chair Hudspeth reported the Personnel and Finance Committee had a meeting prior to the Council meeting with four items on the agenda: a request from Mark Manning; a Cable Franchise Recommendation; a Fire Station bid; and a discussion on the financing plan for the Fire Station.

Chair Hudspeth stated the Committee heard a request from Mark Manning for the Council to look at the Insurance Premium Tax Ordinance as it pertains to large fleet organizations. Chair Hudspeth stated that a draft ordinance will be presented to the Council at the next council meeting.

Chair Hudspeth recognized Mr. Osborne. Mr. Osborne stated the Cable Commission has been contacted by Charter Spectrum to renegotiate their franchise agreement. He stated the Cable Commission recommends moving forward with the "Louisville" hybrid communication franchise,

which is for all cable and telecommunication providers. **Mr. Hudspeth moved for approval; seconded by Mr. Roberts. All members present voted Aye.**

Mayor Rogers stated the City received six bids for the new Fire Station. He stated there was a base bid for three bays, and an alternative bid for four bays. Mayor Rogers stated the recommendation from the architect is to approve the combined low bid from Princeton Lumber Company. He stated three bids were received for inspections. Mayor Rogers stated the recommendation from the architect is to approve the low bid from Associated Engineers. **Mr. Hudspeth moved for approval; seconded by Mr. Roberts. All members present voted Aye.**

Chair Hudspeth stated the Committee discussed the financing plan of the new fire station. **Mr. Hudspeth made a motion to approve the budget for the new fire station and for the City to move forward with securing the financing for the fire station; seconded by Mr. Roberts. All members present voted Aye.**

Executive Session pursuant to KRS 61.810(1) (c) for the purpose of discussions of pending litigation against or on behalf of the City of Murray. **Mr. Roberts moved to enter executive session; seconded by Ms. Rouse. All members present voted Aye (7:08 p.m.). Dr. Miller moved to leave executive session; seconded by Mr. Bell. All members present voted Aye. (7:43 p.m.)**

Dr. Miller made a motion to give the Mayor the authorization and approval to complete the mediation agreement between BFC and the City of Murray; seconded by Ms. Elder. All members present voted Aye.

With no other business before the Council, **Mr. Bell moved to adjourn; seconded by Ms. Elder. All members present voted Aye.**

The meeting adjourned at 7:45 p.m.



Bob Rogers, Mayor

ATTEST



Dannelta Clayton, City Clerk