

Jack Rose  
Mayor



# City of Murray



## COUNCIL MEETING AGENDA October 26, 2017 6:30 P.M.

- 1) **Call to Order**, welcome to guests, and moment of silence
- 2) **Pledge of Allegiance to the Flag** Dan Miller
- 3) **Minutes** Council meeting of October 12, 2017
- 4) **Mayor's Report**  
Capital Projects and Waste Water Treatment Plant Report Tom Kutcher
- 5) **Public Comment** (Prior arrangement through the Mayor's Office)
- 6) **Report** Public Works Committee Chair, Danny Hudspeth
- 7) **Ordinance Number 2017-1747** (2nd reading) An ordinance amending City of Murray Code of Ordinances CHAPTER 112 Insurance Companies, specifically §112.02 Payment of License Tax, in order to reduce the insurance premium tax percentage
- 8) **Municipal Order 2017-027** Reappointing Craig Fortenbery to the Murray Calloway County Airport Board
- 9) **Municipal Order 2017-028** Reappointing Bobby Futrell to the Murray Calloway County Airport Board
- 10) **Adjournment**

**Public Works Committee Meeting  
6:00-6:25**

**Danny Hudspeth, Chair; Jeremy Bell; Johnny Bohannon; Dan Miller; Jane Shoemaker; Burton Young**

- a. Plainview Acres Drainway Rehabilitation Bid
- b. Diuguid Drive Culvert Replacement Bid
- c. Clear Well #1 Caustic Tanks Bid
- d. Leaf Truck Bid

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## MINUTES OF COUNCIL

October 12, 2017

6:30 P.M.

The Murray City Council met in regular session Thursday, October 12, 2017, at 6:30 p.m. in the Council Chambers of City Hall with Mayor Jack Rose presiding.

**Council Members Present:** Jeremy Bell, Johnny Bohannon, Wesley Bolin, Dan Miller, Jason Pittman, John Mark Roberts, Pat Scott, Jane Shoemaker, Burton Young.

**Council Members Absent:** Robert Billington, Linda Cherry, Danny Hudspeth

**Staff Present:** Danna Clayton, Chris Garland, Tonya Guidry, City Attorney Warren Hopkins, Tom Kutcher, Chief Jeff Liles, Cathy Morris, Jim Osborne, Tammy Roberts, Marilyn Downey, Zachary Warren and Kim Wyatt

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

After a moment of silence, Jeremy Bell led the Pledge of Allegiance to the Flag.

The Minutes of the Council Meeting of September 28, 2017, were presented for approval. **Ms. Shoemaker moved; seconded by Mr. Bohannon.** All present voted Aye.

### Mayor's Report

Mayor Rose reported on the Kentucky League of Cities conference. Mayor Rose advised the Council that a big issue discussed at the conference was pension reform. He reported that he had received information prior to the Council meeting that it appeared that separation of CERS was not going to be part of the bill introduced in the legislature. He reiterated his support for the separation of the plan. Mayor Rose went on to report that he was in the process of getting a letter drafted to Senator Humphries and Representative Imes asking them to be aware of the nearly \$1,000,000.00 dollars in extra expense to the City of Murray based on the reported proposal. Mayor Rose expressed his frustration with the edict and the repercussions it would have on the City of Murray and other cities and counties.

**Public Comment** Mayor Rose reported that there were no requests for public comment.

Mayor Rose recognized John McConnell with McConnell insurance who spoke to the Council regarding the employee health insurance plan. Mr. McConnell stated that there was an uptick in claims this year over the same period last year. Mr. McConnell stated that due to MedBen's claims adjudication and mitigation, the City of Murray only saw about a 2% increase over the last year and therefore the trust balance was being maintained and moving in the right direction. Mr. McConnell reported that the renewal offer received was a good one and it offered more protection to the City of Murray trust fund. Mayor Rose then recognized Cathy Morris to speak about the insurance proposal. Ms. Morris stated that the City of Murray was currently using MedBen as the third party administrator for insurance claims. Ms. Morris stated that based off MedBen's performance and diligence with City of Murray claims, it was the recommendation of the Mayor's Office to continue the contract with MedBen for calendar year 2018. Ms. Morris also reported that the Mayor's Office recommended that U.S. Fire be the provider of the stop loss coverage for the City due to the protection it offered the trust fund balance. Ms. Morris went on to report that those two recommendations netted an increase in cost of approximately \$27,000.00 but due to trust fund performance it was the recommendation of the Mayor's office that the trust fund absorb that cost increase and keep premiums the same for City of Murray employees. Ms. Morris closed her report by advising the Council that the Internal Revenue Service is changing the deductible amounts for health savings plans. These deductibles are changing to \$2700.00 for single plans and \$5400.00 for family plans. Due to that change Ms. Morris stated that it was the recommendation of the Mayor's Office that the City of Murray contribution to employee health savings accounts be increased to \$800.00 for single plans and \$1850.00 for family plans. Ms. Morris reported that these changes netted an increased cost of \$11,000.00 to the City of Murray. **Mr. Bohannon moved; Dr. Miller seconded.**

Mayor Rose called for a voice vote. All present voted Aye.

Mayor Rose recognized Personnel and Finance Committee Chairman Johnny Bohannon. Mr. Bohannon reported that the Committee had a meeting scheduled prior to the Council meeting, however the Committee did not have a quorum and no business was conducted. Mr. Bohannon went on to state that it was his recommendation that the entire Council review Ordinance 2017-1747 which would reduce the insurance premium tax percentage to 8.5% initially. Mayor Rose reported that was a reduction of 1%. Mayor Rose explained that the City of Murray was bound by Commonwealth of Kentucky statutes on when this reduction could occur and the change would take effect July 1, 2018. Mayor Rose went on to state that the Mayor's Committee to Review Needs, Expenditures and Revenue Sources had recommended a 2.25% reduction and this was the first step towards implementing that. Mayor Rose reported that it was his desire to revisit the issue after revenues are reviewed and make the second reduction at a later time.

**Ordinance Number 2017-1747** An ordinance amending City of Murray Code of Ordinances CHAPTER 112 Insurance Companies, specifically §112.02 Payment of License Tax, in order to reduce the insurance premium tax percentage. **Mr. Bohannon moved; Mr. Pittman seconded.**

Mayor Rose called for a roll call vote.

**Ayes:** Mr. Bell, Mr. Bohannon, Mr. Bolin, Dr. Miller, Mr. Pittman, Mr. Roberts, Mr. Scott, Ms. Shoemaker, Dr. Young.

**Nays:** None

Mayor Rose made a **Recommendation** to appoint Jim Osborne as City Administrator effective November 1, 2017. **Mr. Bohannon moved; Mr. Roberts seconded.** Mayor Rose called for a voice vote.

All present voted Aye.

Mayor Rose made a **Recommendation** to appoint Danna Clayton to fill the vacant City Clerk position effective November 1, 2017. **Mr. Roberts moved; seconded by Ms. Shoemaker.** Mayor Rose called for a voice vote.

All present voted Aye.

**Municipal Order 2017-024** Reappointing Gayle Balentine to the City of Murray Code Enforcement Board. **Mr. Roberts moved; seconded by Mr. Pittman.** Mayor Rose called for a voice vote.

All present voted Aye.

**Municipal Order 2017-025** Reappointing Mike Basiak to the City of Murray Code Enforcement Board. **Mr. Bolin moved; seconded by Mr. Scott.** Mayor Rose called for a voice vote.

All present voted Aye.

**Municipal Order 2017-026** Reappointing Gerald Washington to the Human Rights Commission. **Mr. Bell moved; seconded by Mr. Pittman.** Mayor Rose called for a voice vote.

All present voted Aye.

**Set Halloween Hours** Mayor Rose opened the floor for discussion of Halloween hours. After a brief discussion **Dr. Miller moved; seconded by Ms. Shoemaker** to set Halloween hours from 5:30 p.m. to 7:30 p.m. on October 31, 2017. Mayor Rose called for a roll call vote.

All present voted Aye.

With no other business before the Council, **Mr. Roberts** moved to adjourn; **seconded by Mr. Bohannon**. All voted aye. The meeting adjourned at 6:55 p.m.

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Jack Rose, Mayor

ATTEST

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Jim Osborne, City Clerk

ORDINANCE 2017-1747

AN ORDINANCE AMENDING CITY OF MURRAY CODE OF ORDINANCES CHAPTER 112 INSURANCE COMPANIES, SPECIFICALLY §112.02 PAYMENT OF LICENSE TAX, IN ORDER TO REDUCE THE INSURANCE PREMIUM TAX PERCENTAGE.

WHEREAS, the City of Murray desires to amend Chapter 112, §112.02 in order to reduce the insurance premium tax percentage.

WHEREAS, the Murray City Council has reviewed and discussed the following proposed changes to Chapter 112, §112.02 of the City Of Murray Code Of Ordinances and believe the changes are reasonable and necessary.

BE IT ORDAINED by the City Council of the City of Murray, as follows:

AMENDMENT I. ADDITIONS, ASSERTIONS & CHANGES:

CHAPTER 112: INSURANCE COMPANIES

Subchapter §112.02 is amended to read in its entirety as follows:

§112.02 PAYMENT OF LICENSE TAX.

The license fee imposed upon each insurance company which issues any insurance policy which is not health, accident insurance, or workers' compensation insurance shall be ~~9.50~~<sup>8.50</sup>% of the premiums actually collected within each calendar quarter by reason of the issuance of such policies on risks located within the corporate limits of the city on those classes of business which the company is authorized to transact, less all premiums returned to policy holders. Any license fee or tax imposed upon premium receipts shall not include premiums received for insurance employers against liability for personal injuries to their employees or death caused thereby under the provisions of the Workers' Compensation Act, and shall not include premiums received on policies of group health insurance provided for state employees under KRS 18A.225(2).

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of the Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

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JACK D. ROSE, MAYOR

ATTEST:

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JAMES OSBORNE, CITY CLERK

Introduced by the City Council on \_\_\_\_\_, 2017.  
Adopted by the City Council on \_\_\_\_\_, 2017.  
Published in the Murray Ledger and Times on \_\_\_\_\_, 2017.

Jack Rose  
Mayor



# City of Murray



## MUNICIPAL ORDER NUMBER 2017-027

Be it hereby ordered by the Murray City Council, duly assembled this date that Craig Fortenberry is reappointed to the Murray Calloway County Airport Board for a term of three (4) years to expire 11/14/2021.

**ADOPTED BY THE MURRAY CITY COUNCIL ON THE 26<sup>th</sup> DAY OF OCTOBER 2017.**

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Jack Rose, Mayor

ATTEST:

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Jim Osborne, City Clerk

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Jack Rose  
Mayor



# City of Murray



## MUNICIPAL ORDER NUMBER 2017-028

Be it hereby ordered by the Murray City Council, duly assembled this date that Bobby Futrell is reappointed to the Murray Calloway County Airport Board for a term of three (4) years to expire 11/14/2021.

**ADOPTED BY THE MURRAY CITY COUNCIL ON THE 26<sup>th</sup> DAY OF OCTOBER 2017.**

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Jack Rose, Mayor

ATTEST:

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