

Bob Rogers
Mayor



City of Murray



AMENDED

COUNCIL MEETING AGENDA June 27, 2019 6:30 P.M.

- 1) **Call to Order**, welcome to guest, and moment of reflection
- 2) **Pledge of Allegiance to the Flag** Burton Young
- 3) **Minutes** Council meeting of June 13, 2019 (Voice Vote)
- 4) **Mayor Report**
 - a) Sanitation Holiday Hours
 - b) Brush Pick Up Report – Ron Allbritten
 - c) Public Works Capital Projects and WWTP Report – Tom Kutcher
 - d) **Special Recognitions**
- 5) **Report** Personnel and Finance Committee Chair, Danny Hudspeth (Roll Call Vote)
- 6) **Report** Public Works Committee Chair, Danny Hudspeth (two Voice Votes)
- 7) **Resolution Number 2019-009** 2019 Community Development Block Grant (Voice Vote)
- 8) **Ordinance Number 2019-1779** (second reading) an ordinance amending Chapter §156, The City of Murray Zoning Ordinance specifically, §156.100: Intent; §156.101: Definitions; §156.102(A); §156.102(F) and §156.102(G): Procedure and §156.103(E); §156.103(H); §156.103(I) and §156.103(L): Required Conditions and §156.999(A)(1) Penalty in order to update text to include the City's Mobile Food Vendor Pilot Program, effective June 1, 2019. (Roll Call Vote)
- 9) **Consent Agenda** (Voice Vote)
 - a) **Municipal Order Number 2019-037** reappointing Pat McMullin to the Electric Plant Board for a four (4) year term. Said term expires July 9, 2023.
 - b) **Municipal Order Number 2019-038** reappointing Ruth Daughaday to the Senior Citizens Board for a one (1) year term. Said term expires July 13, 2020.
 - c) **Municipal Order Number 2019-039** reappointing Amos McCarty to the Senior Citizens Board for a one (1) year term. Said term expires July 13, 2020.
 - d) **Municipal Order Number 2019-040** reappointing Glen Van Sickle to the Senior Citizens Board for a one (1) year term. Said term expires July 13, 2020.
 - e) **Municipal Order Number 2019-041** appointing Rich Lake to the Convention and Visitors Bureau for a three (3) year term. Said term will expire July 14, 2022.
 - f) **Municipal Order Number 2019-042** reappointing Priyesh Nathu to the Convention and Visitors Bureau for a three (3) year term. Said term will expire July 14, 2022.

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- g) **Municipal Order Number 2019-043** appointing Tim Thurmond to the Convention and Visitors Bureau for a three (3) year term. Said term will expire July 14, 2022.
- h) **Municipal Order Number 2019-044** appointing Adam Clark to the Cable Commission to fill the unexpired term of John Yates. Said term will expire January 1, 2020.

10) Adjournment (Voice Vote)

Personnel & Finance Committee Meeting

5:30 – 6:10

Danny Hudspeth, Chair; Wesley Bolin; Rose Elder; Monty McCuiston; Dan Miller; Pat Seiber

Fire Station Funding

Public Works Committee Meeting

6:10 – 6:20

Danny Hudspeth, Chair; Jeremy Bell; Rose Elder; John Mark Roberts; Alice Rouse; Terry Strieter

- a) Chemical Bid
- b) Rock and Stone Bid

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- 5) **Report** Personnel and Finance Committee Chair, Danny Hudspeth (Roll Call Vote)
- 6) **Report** Public Works Committee Chair, Danny Hudspeth (three Voice Votes)
- 7) **Resolution Number 2019-009** 2019 Community Development Block Grant (Voice Vote)
- 8) **Ordinance Number 2019-1779** (second reading) an ordinance amending Chapter §156, The City of Murray Zoning Ordinance specifically, §156.100: Intent; §156.101: Definitions; §156.102(A); §156.102(F) and §156.102(G): Procedure and §156.103(E); §156.103(H); §156.103(I) and §156.103(L): Required Conditions and §156.999(A)(1) Penalty in order to update text to include the City's Mobile Food Vendor Pilot Program, effective June 1, 2019. (Roll Call Vote)
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 - b) **Municipal Order Number 2019-038** reappointing Ruth Daughaday to the Senior Citizens Board for a one (1) year term. Said term expires July 13, 2020.
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 - f) **Municipal Order Number 2019-042** reappointing Priyesh Nathu to the Convention and Visitors Bureau for a three (3) year term. Said term will expire July 14, 2022.
 - g) **Municipal Order Number 2019-043** appointing Tim Thurmond to the Convention and Visitors Bureau for a three (3) year term. Said term will expire July 14, 2022.

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- h) **Municipal Order Number 2019-044** appointing Adam Clark to the Cable Commission to fill the unexpired term of John Yates. Said term will expire January 1, 2020.

10) Adjournment (Voice Vote)

Personnel & Finance Committee Meeting

5:30 – 6:10

Danny Hudspeth, Chair; Wesley Bolin; Rose Elder; Monty McCuiston; Dan Miller; Pat Seiber

Fire Station Funding

Public Works Committee Meeting

6:10 – 6:20

Danny Hudspeth, Chair; Jeremy Bell; Rose Elder; John Mark Roberts; Alice Rouse; Terry Strieter

- a) Chemical Bid
- b) Rock and Stone Bid
- c) Paving Bid

MINUTES OF THE COUNCIL

June 13, 2019

6:30 P.M.

The Murray City Council met in regular session on Thursday, June 13, 2019, 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, John Mark Roberts, Alice Rouse, Pat Seiber, Terry Strieter, Burton Young

Council Members Absent: Dan Miller

Staff Present: Ron Allbritten, Jeremy Buchanan, Bob Byczynski, Dannetta Clayton, Marilynn Downey, City Attorney Warren Hopkins, Tom Kutcher, Jeff Liles, Bennett Moore, Jim Osborne, Eric Pologruto, Zach Warren, Kim Wyatt.

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

After a moment of reflection, Pat Seiber led the Pledge of Allegiance to the Flag.

The minutes of the Council meeting of May 23, 2019 were presented for approval. **Mr. Roberts moved for approval; seconded by Dr. Strieter. All members present voted Aye.**

Mayor Rogers recognized Public Works Committee Chair Danny Hudspeth. Chair Hudspeth reported the Committee had a meeting prior to the Council meeting with one item on the agenda: SCADA bid. He stated the Committee unanimously voted to accept the SCADA bid from Marcum Engineering in the amount of \$38,300.00 for the monitoring of the clearwell high pressure pumps. **Mr. Hudspeth moved for approval; seconded by Ms. Rouse. All members present voted Aye.**

Mayor Rogers recognized Public Safety Committee Chair Wesley Bolin. Chair Bolin reported the Committee had a meeting prior to the Council meeting with one item on the agenda: Fire Facilities. Chair Bolin stated Mr. Roberts made a motion suggesting the construction of a new fire station on 16th Street, which was seconded by Ms. Rouse. **Mr. Bolin made a motion to forward the suggestion to construct a new fire station on 16th Street to the Personnel and Finance Committee for discussion of financing the station; seconded by Ms. Cherry. All members present voted Aye.**

Mayor Rogers recognized Transportation Committee Chair Jeremy Bell. Chair Bell reported the Committee had a meeting prior to the Council meeting with three items on the agenda: parking on Olive Blvd at 14th Street, parking restrictions downtown, and N. 16th Street. Chair Bell stated the first two items were tabled. Chair Bell stated the Committee heard a recommendation to install speed tables on N. 16th Street. **Mr. Bell made a motion for the Mayor and Mr. Osborne to apply for emergency funds for the installation of speed tables on N. 16th Street; seconded by Ms. Cherry. All members present voted Aye.**

Ordinance Number 2019-1779 (first reading) an ordinance amending Chapter §156, The City of Murray Zoning Ordinance specifically, §156.100: Intent; §156.101: Definitions; §156.102(A); §156.102(F) and §156.102(G): Procedure and §156.103(E); §156.103(H); §156.103(I) and §156.103(L): Required Conditions and §156.999(A)(1) Penalty in order to update text to include the

City's Mobile Food Vendor Pilot Program, effective June 1, 2019.

Mayor Rogers recognized Jim Osborne for a brief explanation. Mr. Osborne stated this ordinance changes the zoning to accommodate the Mobile Food Vendor Pilot Program.

Ordinance Number 2019-1777 (second reading) an ordinance amending City of Murray Code of Ordinances, §110 General License Requirements, specifically §110.10(C) License Tax, and §110.15(B) Change of Location in order to include mobile food vendors and to improve, modify, clarify and revise provisions addressing the Historic Overlay District to better serve the community.

Mayor Rogers recognized Jim Osborne for a brief explanation. Mr. Osborne stated the ordinance updates are to add the fee for mobile food vendors, which will be the same as other businesses, and to remove the \$35 fee for a business relocating in the downtown historic overlay district.

Mr. Hudspeth moved for approval; seconded by Mr. Bell.

Mayor Rogers called for a roll call.

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

Nays: None

Ordinance Number 2019-1778 (second reading) an ordinance amending City of Murray Code of Ordinances Chapter 32, Departments, Boards, and Commissions, specifically §32.71(A); Cable Communication Commission, Membership, to clarify composition and to ensure compliance with other ordinances.

Mayor Rogers recognized Jim Osborne for a brief explanation. Mr. Osborne stated the Cable Commission has recently changed their by-laws to have five members, which requires the ordinance update.

Mr. Bell moved for approval; seconded by Mr. Roberts.

Mayor Rogers called for a roll call.

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

Nays: None

Municipal Order Number 2019-036 to reappoint Robert Parker to the Murray Calloway County Airport Board for a three (3) year term. Said term will expire June 11, 2022. **Dr. Young moved for approval; seconded by Ms. Rouse. 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 6:42 p.m.

Bob Rogers, Mayor

ATTEST

Dannetta Clayton, City Clerk

RESOLUTION 2019-009

CITY OF MURRAY

Whereas the Commonwealth of Kentucky administers the Community Development Block Grant funding;

Whereas those funds can be used for community facilities projects such as the construction of a new fire station;

Whereas, the Murray City Council endeavors to support all efforts to improve the social and physical environment of Murray;

Whereas, the Murray City Council strives to improve the city's community facilities;

Whereas, the Murray City Council seeks opportunities to improve its emergency operations capabilities;

Now therefore be it resolved, the Murray City Council hereby approves the submittal of an application for the 2019 Community Development Block Grant funding to assist in the construction of a new fire station.

June 27, 2019
Date

Bob Rogers, Mayor

ATTEST:

Dannetta Clayton, City Clerk

ORDINANCE 2019-1779

AN ORDINANCE AMENDING CHAPTER §156, THE CITY OF MURRAY ZONING ORDINANCE SPECIFICALLY, §156.100: INTENT; §156.101: DEFINITIONS; §156.102(A); §156.102(F); AND §156.102(G): PROCEDURE AND §156.103(E); §156.103(H); §156.103(I) AND §156.103(L): REQUIRED CONDITIONS AND §156.999(A)(1) PENALTY IN ORDER TO UPDATE TEXT TO INCLUDE THE CITY'S MOBILE FOOD VENDOR PILOT PROGRAM, EFFECTIVE JUNE 1, 2019.

WHEREAS, the Murray Planning Commission met in regular session on MAY 21, 2019 to discuss possible text amendments to the current zoning ordinance. A public hearing on the proposed amendments was held on MAY 31, 2019. Following the public hearing, the Commission voted 6-0 to recommend that the following text amendments be made to the following Sections.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURRAY AS FOLLOWS, TO-WIT:

AMENDMENT I:

The City of Murray Zoning Ordinance, §156.100 INTENT shall be amended to read, in its entirety, as follows:

§156.100 INTENT.

The purpose of the Transient Business Regulations section is to establish minimum guidelines for transient (ie. Temporary, mobile) businesses wishing to conduct business within the city limits. The section provides requirements that promote the health, safety, ~~moral~~, and general welfare of the citizens and establish reasonable and uniform regulations for transient businesses.

AMENDMENT II:

The City of Murray Zoning Ordinance, §156.101 DEFINITIONS shall be amended to include the following definition:

§156.101 DEFINITIONS.

“MOBILE FOOD VENDING UNIT”. An enclosed unit, truck, or trailer, cart, or similar vehicle-mounted unit that is: (a) mobile or capable of being moved by a licensed motor vehicle; (b) independent with respect to water, waste water, and power utilities; and (c) used for the preparation, sale, or donation of food products and beverages; and no larger than thirty-five (35) feet in length.

AMENDMENT III:

The City of Murray Zoning Ordinance, §156.102 PROCEDURE shall be amended to amend Paragraph (A) and include a new Paragraph (G) as follows:

§156.102 PROCEDURE.

(A) Anyone wishing to operate a transient business must first obtain a business license Application from the Murray Planning Department. No person shall operate a transient business in the city without an issued license, including, but not limited to Vendors of Mobile Food Vending Units, who

shall obtain all applicable permits in accordance with the City of Murray Code of Ordinances, Chapter 115, specifically §115.06: Mobile Food Vendor Pilot Program Policy.

(F) It shall be the duty of the Chief of Police and the Police department and/or the Code Enforcement Officer, to see that any person, firm, corporation, partnership, or other entity which engages in, does or transacts any temporary or transient business in the City have the license and/or permit required and shall cause a citation to be issued for any person not having an appropriate license and/or permit.

(G) Mobile Food Vendors shall operate within the guidelines as established by the pilot program ordinance, Chapter 115, specifically §115.06.

AMENDMENT IV:

The City of Murray Zoning Ordinance, §156.103 REQUIRED CONDITIONS shall be amended to amend Paragraph "E" and Paragraph "H" and to include a new Paragraph "L", as follows:

§156.103 REQUIRED CONDITIONS.

(E) The maximum length of time a transient business or mobile food vendor will be allowed at an approved location will be 90 consecutive days. The owner/operator may reapply for a permit at the end of that period, but the transient business or mobile food vendor must be relocated at a minimum of 500 feet (measured in radial distance) from the prior location. The owner/operator may return to a previous location after 90 consecutive days.

(H) ~~If a transient business distributes or prepares food products, All mobile food vendors must display a copy of the vendor's current health permit issued by the Calloway County Health Department or the Commonwealth of Kentucky. is required to be produced and must be displayed.~~ Any revocation of the health permit ~~may shall constitute~~ result in revocation of the vendor's vending permit.

(I) Failure to comply with this ordinance could result in revocation of the transient business license and/or permit or a penalty as prescribed in §110.99 of the City of Murray Code of Ordinances.

(L) Mobile Food Vending Units are permitted uses in B-2 (Highway Business); B-3 (Central Business; B-4 (Medium Density Business), and I (Industrial) and are conditional uses in B-1 (Neighborhood Business), subject to all requirements set forth in the City of Murray Code of Ordinances, Chapter 115, specifically §115.06: Mobile Food Vendor Pilot Program Policy.

AMENDMENT V:

The City of Murray Zoning Ordinance, §156.999 PENALTY, Paragraph (A)(1) shall be amended as follows:

§156.999 PENALTY.

(A)(1) Any person who so violates this zoning code or fails to comply with any of its requirements, including the compliance with any official notice of violation, shall be subject to a fine as detailed in the

City of Murray Code of Ordinances, Chapter 40, §40.39 and Chapter 115, §115.99, respectively, except as provided in ~~division~~ Paragraph (A)(2) below. A separate civil fine shall be assessed for each day a violation continues.

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.

BOB ROGERS, MAYOR

ATTEST:

DANNETTA CLAYTON, CITY CLERK

Introduced by the City Council on _____.

Adopted by the City Council on _____.

Published in the Murray Ledger and Times on _____.

Bob Rogers
Mayor



City of Murray

MUNICIPAL ORDER NUMBER 2019-037

Be it hereby ordered by the Murray City Council, duly assembled this date, that Pat McMullin is reappointed to the Electric Plant Board for a four (4) year term. Said term expires on July 9, 2023.

ADOPTED BY THE MURRAY CITY COUNCIL ON THE 27TH DAY OF JUNE, 2019.

Bob Rogers, Mayor

ATTEST:

Dannetta Clayton, City Clerk

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City of Murray



MUNICIPAL ORDER NUMBER 2019-038

Be it hereby ordered by the Murray City Council, duly assembled this date, that Ruth Daughaday is hereby reappointed to the Senior Citizens Board for a one (1) year term. Said term expires July 13, 2020.

ADOPTED BY THE MURRAY CITY COUNCIL ON THE 27th DAY OF JUNE, 2019.

Bob Rogers, Mayor

ATTEST:

Dannetta Clayton, City Clerk

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MUNICIPAL ORDER NUMBER 2019-039

Be it hereby ordered by the Murray City Council, duly assembled this date, that Amos McCarty is reappointed to the Senior Citizens Board for a one (1) year term. Said term expires July 13, 2020.

ADOPTED BY THE MURRAY CITY COUNCIL ON THE 27th DAY OF JUNE, 2019.

Bob Rogers, Mayor

ATTEST:

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MUNICIPAL ORDER NUMBER 2019-040

Be it hereby ordered by the Murray City Council, duly assembled this date, that Glen Van Sickle is reappointed to the Senior Citizens Board for a one (1) year term. Said term expires July 13, 2020.

ADOPTED BY THE MURRAY CITY COUNCIL ON THE 27th DAY OF JUNE, 2019.

Bob Rogers, Mayor

ATTEST:

Dannetta Clayton, City Clerk

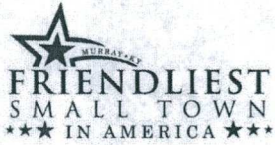
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MUNICIPAL ORDER NUMBER 2019-041

Be it hereby ordered by the Murray City Council, duly assembled this date, that Steve Alley is reappointed to the Convention and Visitors Bureau Board for a three (3) year term. Said term will expire July 14, 2022.

ADOPTED BY THE MURRAY CITY COUNCIL ON THE 27TH DAY OF JUNE, 2019.

Bob Rogers, Mayor

ATTEST:

Dannetta Clayton, City Clerk

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Bob Rogers
Mayor



City of Murray



MUNICIPAL ORDER NUMBER 2019-042

Be it hereby ordered by the Murray City Council, duly assembled this date, that Priyesh Nathu is reappointed to the Convention and Visitors Bureau Board for a three (3) year term. Said term will expire July 14, 2022.

ADOPTED BY THE MURRAY CITY COUNCIL ON THE 27TH DAY OF JUNE, 2019.

Bob Rogers, Mayor

ATTEST:

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MUNICIPAL ORDER NUMBER 2019-043

Be it hereby ordered by the Murray City Council, duly assembled this date, that Tim Thurmond is appointed to the Convention and Visitors Bureau Board for a three (3) year term. Said term will expire July 14, 2022.

ADOPTED BY THE MURRAY CITY COUNCIL ON THE 27TH DAY OF JUNE, 2019.

Bob Rogers, Mayor

ATTEST:

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MUNICIPAL ORDER NUMBER 2019-044

Be it hereby ordered by the Murray City Council, duly assembled this date, that Adam Clark is hereby appointed to the Cable Commission to fill the unexpired term of John Yates. Said term will expire January 1, 2020.

ADOPTED BY THE MURRAY CITY COUNCIL ON THE 27TH DAY OF JUNE, 2019.

Bob Rogers, Mayor

ATTEST:

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