

CITY OF MURRAY
MINUTES OF THE COMMON COUNCIL

MURRAY, KY. October 11, 1962

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The Common Council of the City of Murray, Kentucky, met in a regular session at 7:30 P. M., Central Standard Time, at the regular meeting place in the City Hall. The Mayor of the City presided, and the following duly qualified and acting members of the Common Council were present:

James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan, Roy Starks, Richard Tuck, Leonard Vaughn and Haron West.

Absent: None.

The minutes of the September 21st meeting were read and on motion by Mr. Baker, seconded by Mr. Allbritten and unanimous vote, the minutes were approved as read.

Minutes of the special meeting held on October 5th were read and on motion by Mr. Dick, seconded by Mr. Lancaster and unanimous vote, the minutes were approved as read.

The Mayor recognized E. W. Page who presented a proposal for the City to participate in the organization of a Mother's Patrol Unit to assist the City police in school traffic. Chief Parker explained the procedure for organization and operation of such units. Mr. Baker made a motion for the Council to offer their complete cooperation, and assistance as far as possible, seconded by Mr. Vaughn, the vote was unanimous in favor of the motion.

The Mayor asked Mr. Ordway to make a report on the results of interviews with engineers in connection with the Federal Works Program, designed to give aid to needed municipal improvements. After a resume of the conferences was given, Mr. Ordway made a motion to employ Rowe & Company and Evans C. McGraw's engineers to make necessary plans for the formal application for funds. Mr. Baker seconded the motion and the vote taken resulted in the following:

YEAS: James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan, Roy Starks, Richard Tuck, Leonard Vaughn and Haron West.

NAYS: None.

Mr. West made a motion to request the same Committee, composed of Mr. Ordway, Mr. Dick, Mr. Lassiter and the Mayor to continue to work with Mr. McGraw and make project recommendations later. The motion was seconded by Mr. Lancaster and the vote was unanimous in favor of the motion.

Thereupon, there was caused to be read in full on its second reading an ordinance entitled:

ORDINANCE NO. 393, AN ORDINANCE OF THE CITY OF MURRAY, KENTUCKY, AUTHORIZING, APPROVING AND FIXING THE INTEREST RATE OR RATES ON THE \$320,000 VOTED HOSPITAL BONDS, DATED SEPTEMBER 1, 1962, AND DESIGNATING THE DEPOSITORIES IN CONNECTION WITH SUCH BONDS,

a true copy of which is attached to the minutes of a meeting of the Common Council held on October 5, 1962, at which meeting such ordinance was given its first reading. Councilman Baker thereupon moved that such ordinance be declared passed upon its final reading, which motion was seconded by Councilman Vaughn. After due consideration thereof, the Mayor put the question, and upon the roll being called the vote was as follows:

YEAS: James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan Roy Starks, Richard Tuck, Leonard Vaughn and Haron West.

NAYS: None.

Thereupon, the Mayor declared that the motion had duly carried, that the yeas and nays be entered upon the journal and that such ordinance had passed on its second reading, and same was declared finally passed. Thereupon, such ordinance having been correctly and legibly engrossed by the Clerk, it was presented to the Mayor for his approval. Thereupon, the Mayor, approving the ordinance, signed the same, and it was ordered to be placed of record in the proper Ordinance Book of said City.

Thereupon, there was caused to be read in full on its second reading an ordinance entitled:

ORDINANCE NO. 394, AN ORDINANCE AMENDING AN ORDINANCE AUTHORIZING THE CITY OF MURRAY, KENTUCKY, TO EXECUTE A DEED TO AND A CONTRACT, LEASE AND OPTION WITH THE MURRAY-CALLOWAY COUNTY PUBLIC HOSPITAL CORPORATION AND ANY OTHER INSTRUMENTS NECESSARY TO CARRY OUT A PLAN OF FINANCING THE CONSTRUCTION OF A HOSPITAL BUILDING AND HOSPITAL FACILITIES AND IMPROVEMENTS AND APPROVING THE PUBLIC SALE OF BONDS TO BE EXECUTED BY THE MURRAY-CALLOWAY COUNTY PUBLIC HOSPITAL CORPORATION,"

a true copy of which ordinance is attached to the minutes of the meeting of the Common Council held on October 5, 1962, at which meeting such ordinance was given its first reading. Councilman Allbritten thereupon moved that such ordinance be declared passed upon its final reading, which motion was seconded by Councilman Lancaster. After due consideration thereof the Mayor put the question, and upon the roll being called the vote was as follows:

YEAS: James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan, Roy Starks, Richard Tuck, Leonard Vaughn and Haron West.

NAYS: None.

Thereupon, the Mayor declared the motion duly carried, that the yeas and nays be entered upon the journal and that such ordinance had passed on its second reading, and same was declared finally passed. Thereupon, such ordinance having been correctly and legibly engrossed by the Clerk, it was presented to the Mayor for his approval. Thereupon, the Mayor, approving the ordinance, signed the same, and it was ordered to be placed of record in the proper Ordinance Book of said City.

The quarterly report for Police Court fines, submitted by Judge Dunn, was read. The report showed total revenues for the third quarter to be \$3,796.50. Mr. Lancaster made a motion to approve the report, seconded by Mr. Tuck, the vote was unanimous in favor of the motion.

Mr. Ordway made a motion for the Street Committee, the Attorney and the Mayor to make a study and make a recommendation for a policy for sidewalk maintenance in the City. The motion was seconded by Mr. Allbritten and the vote was unanimous in favor of the motion.

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The following Governing Regulations for the operation of the Murray-Calloway County Hospital were read:

ARTICLE I

SECTION I: The right, privilege and easement be and the same is now granted to Calloway County, Kentucky, acting by and through its Fiscal Court, and to the City of Murray, Kentucky, acting by and through its Common Council, to erect, conduct, operate and maintain for the benefit of all of the people of the County at and upon a location and site in connection with the present community hospital upon the South side of Poplar Street and between Eighth and Ninth Streets in the City of Murray on what is now commonly known as the Murray Community Hospital property, so that the present community hospital, together with the one now proposed to be erected with the funds voted by the people, shall be conducted, operated and maintained as a single and common unit under the provisions of this Article and subject to the provisions of said bond issue of \$430,000 of Calloway County bonds and \$320,000 of the City of Murray bonds, it being understood that each are separate obligations of the County and City.

SECTION II: The purpose of this Article is to have erected, conducted, maintained and operated by the Commission, a school for nurses and/or a home for nurses, for the benefit of the City of Murray and the County of Calloway and such shall be registered and approved by the American College of Surgeons and the American Hospital Association.

SECTION III: The administrator and cashier for the Murray-Calloway County Hospital shall be required to execute bonds in the sum of \$25,000 each for the faithful performance of their duties and to faithfully account for all monies coming into their hands belonging to the city or county or such hospital. Premiums to be paid out of hospital funds.

ARTICLE II

SECTION I: For the government, conduct, operation and maintenance of said Murray-Calloway County Hospital there shall be by this Article and by the orders of the Fiscal Court of Calloway County and the Common Council of the City of Murray, Kentucky, appointed a Commission of nine members, which commission shall be known as the Murray-Calloway County Hospital Commission.

SECTION II: The first commission shall be appointed for terms as is hereinafter set forth and said commission shall be selected for terms of one to five years tenure on a staggered basis as is hereinafter set forth:

- | | |
|---------------------------------|---------------------------|
| 1. Mayor of Murray | Permanent Member |
| 2. Judge of Calloway County | Permanent Member |
| 3. <u>Udell Erwin</u> | For a term of five years |
| 4. <u>Nat Ryan Hughes</u> | For a term of five years |
| 5. <u>Leonard Vaughn</u> | For a term of four years |
| 6. <u>Randell Patterson</u> | For a term of four years |
| 7. <u>James Rudy Allbritten</u> | For a term of three years |
| 8. <u>Dr. Ralph Woods</u> | For a term of two years |
| 9. <u>James Garrison</u> | For a term of two years |

SECTION III: APPOINTMENT OF SUCCESSORS TO THE FIRST COMMISSION: Upon the expiration of any term, qualified members shall be appointed for terms of three years and such appointment shall be made by resolution of the Common Council of Murray, Kentucky, and orders of the Fiscal Court of Calloway County, which two bodies shall consent and agree. However, all such new appointments shall be made as follows, to-wit:

1. At least thirty days before the expiration of the term of member No. 9, the then constituted Hospital Commission shall request the Chamber of Commerce of Murray, Kentucky, to nominate five persons to the Common Council of Murray, Kentucky, for appointment. The term of office of the said appointee shall be for three years, and the successor shall be chosen in like manner for each three-year term.
2. At least thirty days before the expiration of Member No. 8, the then constituted Hospital Commission shall request the Farm Bureau of Calloway County, Kentucky, to nominate five persons to the Fiscal Court for appointment. The term of office of said appointee shall be for three years and the terms of successors shall be chosen in like manner at the end of each three-year period.
3. At least thirty days before the expiration of the term of Member No. 7, the then constituted Hospital Commission shall request the Common Council of the City of Murray, Kentucky, to nominate five persons and from said persons the Common Council of Murray, Kentucky, shall appoint Member No. 7, and the term of office of said appointment shall be for three years and the successor shall be chosen in like manner at the end of each three-year term.
4. At least thirty days before the expiration of the term of Member No. 6, the Hospital Commission shall request the Fiscal Court of Calloway County to nominate five persons and from such nominees appoint Member No. 6 for a term of three years and the successor shall be chosen in like manner at the end of each three-year term.
5. At least thirty days before the expiration of the term of Member No. 5, the Hospital Commission shall request the Junior Chamber of Commerce of the City of Murray, Kentucky, to nominate five persons to the Common Council of the City of Murray and the Common Council shall from such nominations appoint Member No. 5 for a term of three years and the successor shall be chosen in like manner at the end of each three-year term.

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6. At least thirty days before the expiration of the term of Member No. 4, the Hospital Commission shall request the Principals of College High School, Murray High School and Calloway County High School to nominate five persons which said nominations shall be submitted to the Common Council of the City of Murray and said Common Council shall, from such list, appoint Member No. four for a term of three years and the terms of the successors shall be chosen in like manner at the end on each three-year term.

7. At least thirty days before the expiration of the term of Member No. 3, the Hospital Commission shall request the Calloway County Bar Association to nominate two persons to the Fiscal Court of Calloway County and from such nominations the Fiscal Court shall appoint Member No. 3 for a term of three years and the successors shall be chosen in like manner at the end of each three-year term.

SECTION IV: EFFECT OF FAILURE OR ORGANIZATION TO NOMINATE; ELECTION BY COURT AND COUNCIL; PURPOSE OF SECTION. In the event the sponsoring organizations such as the Chamber of Commerce, the Junior Chamber of Commerce, the Farm Bureau, the Calloway County Bar Association or the various High School principals should cease to exist as such, the Hospital Commission shall request the Common Council of Murray, Kentucky, and the Fiscal Court of Calloway County, Kentucky, to name the organization to take the place of the one which ceases to exist. Should any of the abovementioned organizations fail to nominate as indicated above, the Hospital Commission shall so advise the Common Council of Murray and the Fiscal Court of Calloway County and the appointment may be made by these bodies without nominations. In the event any member for any reason is unable to serve or refuses to serve or in the event of the death of any member, then the vacancy of the unexpired term shall be filled in the same manner as though a term set out above had expired. It being the purpose of this section that the Hospital Commission shall be constituted of one person representing the Common Council, one person representing the Fiscal Court, one person representing the Calloway County Farm Bureau, one person representing the Murray Chamber of Commerce, and one person representing the Murray Junior Chamber of Commerce and one representing the Calloway County Bar Association.

SECTION V: It shall be necessary that the person nominated by the various organizations named herein be a member of any of the organizations nominating such person.

SECTION VI: No person shall be appointed a member of the Hospital Commission who has within the last two years before their appointment been elected to any city, county, state or federal office or who is related within the first degree to the Mayor or any member of the Common Council of the City or the County Judge or any member of the Fiscal Court of the County, but this section shall not apply to registered nurses, nurses aids or other employees of the hospital.

SECTION VII: No officer or employee of the City or County, except members of City or County Boards or Commissions, whether holding a paid or unpaid office, shall be eligible to be a member of the Commission, but the County Judge of Calloway County and the Mayor of Murray shall be members of the Commission during their respective terms.

SECTION VIII: The members of the Commission shall be citizens, taxpayers and legal voters of the City of Murray or of Calloway County, Kentucky, and at least one being at all times a citizen of the City of Murray and at least two being at all times residents outside the City of Murray but of Calloway County, Kentucky.

SECTION IX: If at any time during the term of office any member of the Commission becomes a candidate for or is elected by popular vote to any public office, he is automatically to vacate his position upon such Commission and another person shall be appointed thereto.

SECTION X: No member of the Hospital Commission shall be interested in any contract for the furnishing of supplies or of service of any kind to the hospital.

SECTION XI: ORGANIZATION; ELECTION AND DUTIES OF OFFICERS; RULES AND REGULATIONS; MEETINGS. Within a reasonable time after this instrument has been passed and adopted by the Common Council of the City of Murray, Kentucky, and by the Fiscal Court of Calloway County, Kentucky, the members of this Commission shall meet and organize. They shall elect one of their members as chairman, another as vice-chairman, and they shall also elect a secretary and treasurer, which two offices may be held by the same person if the commission so declares. These officers may hold office for the term of one year and until their successors are elected and qualify. It is deemed desirable that these offices be rotated among the members of the commission. It shall be the duty of the commission to adopt such resolution setting forth the duties of each of the above officers and to adopt such rules and regulations as they may deem necessary and advisable, with authority to make changes from time to time at a regular meeting of such commission, each member, having been first notified of any changes proposed to be made.

SECTION XII: POWERS; CASH RESERVE. Such commission shall provide rules, regulations and by-laws for the management of said hospital including its equipment and shall, out of the revenues of the hospital, pay necessary or proper operating expenses, current repairs and additions and provide a sufficient cash reserve to insure that the hospital is kept in good and safe and sanitary condition and to further provide against any emergency that may arise. It is understood, however, that provisions for the above cash reserve shall be made only out of net earnings of the hospital for the year in which the reserve is established, and such cash reserves shall be created merely by transferring cash from the bank account on which checks for operating expenses are drawn to a special bank account so labeled as to indicate its purpose and function.

SECTION XIII: AUTHORITIES TO PROVIDE HOSPITAL STAFF. The said commission shall, under its supervision and by the proper rules and regulations, provide for a hospital medical staff to be composed of reputable physicians of the city and county, to the end of enlisting the aid and cooperation of the medical fraternity in the conduct, operation and maintenance of such hospital for the benefit of all the people.

SECTION XIV: DUTY TO FIX SERVICE CHARGES; KEEP ACCOUNTS; SUBMIT REPORTS; ADMINISTER FINANCES.

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1. Charges: Receipt and Disbursement. The said commission shall fix all charges for services rendered by the hospital or its employees and collect and receive, keep and preserve the same, pay out such money for the necessary and proper conduct of the hospital as herein required.

2. Monthly report. The commission shall keep careful accounts of all charges received and expenditures and make monthly reports thereof to the Common Council of the City and to the Fiscal Court of Calloway County by the 15th of the following month.

3. Annual Audit report. In addition, an annual audit report shall be prepared by a reputable certified public accountant or a firm of certified public accountants for each fiscal year, the end of which is hereby agreed upon as April 30th, and copies of same presented to the Common Council of the City of Murray and the Fiscal Court of Calloway County. The cost of such annual audits must be paid for out of the hospital commission money.

4. Bookkeeping and Accounting. It is further provided that a double entry system of bookkeeping shall be maintained for the hospital operations, and that the accrual basis of accounting shall be followed.

5. Profit and Loss determined. In preparing all reports to the Common Council and to the Fiscal Court, and in determining the profit or loss from the hospital operations, provisions shall be made for depreciation on the hospital building and the equipment of the hospital, the intention being that the profit or loss shall be determined in the same manner and following the same accounting principles as is required of any other business enterprise; furthermore, the records shall reflect in a surplus account and the accumulated profits or losses from the operation of the hospital.

SECTION XV: The members of the commission shall be compensated to the extent of \$25.00 for each meeting attended.

SECTION XVI: These rules and regulations shall become effective on and after the date of occupancy of the new Murray-Calloway County Hospital after said structure shall have been finally approved and accepted by all interested parties.

SECTION XVII: These rules and regulations may be amended by the joint and concurrent action of the Calloway County Fiscal Court and the Common Council of the City of Murray, Kentucky.

Mr. Vaughn made a motion to adopt the above Regulations, seconded by Mr. Baker, the result of the vote is as follows:

YEAS: James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan, Roy Starks, Richard Tuck, Leonard Vaughn and Haron West.

NAYS: None.

After discussion, Mr. Vaughn made a motion for the Council to go on record as favoring Section XV of the above Regulations to read \$25.00 per month, rather than \$25.00 per meeting. The motion was seconded by Mr. Lancaster and the result of the vote is as follows:

YEAS: James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan, Roy Starks, Richard Tuck, Leonard Vaughn and Haron West.

NAYS: None.

Mayor Ellis announced that an agreement had been reached to build a sidewalk on the West side of North 16th Street between Farmer and Miller, in accordance with established City policy, and finish a block between Main and Farmer.

Mr. Ryan made a motion that if an agreement could not be worked out with the State Highway Department to pave a small section of Story Avenue, between Liberty Super Market and Jerry's Drivain, for the City to proceed with the paving. The motion was seconded by Mr. Ordway and the vote taken resulted in the following:

YEAS: James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan, Roy Starks, Richard Tuck, Leonard Vaughn and Haron West.

NAYS: None.

Mr. Lassiter presented a proposal by the Rudd Equipment Company to deliver a used street sweeper to Murray and permit the City to use same for a period of two months at a rental fee of \$250.00 per month. If, at the end of the two month period, the City decided to purchase the sweeper, 94% of the rentals could be applied on the purchase price of \$5,000. If the sweeper was not purchased, the City would be asked to return the machine to Louisville, Kentucky, at a transportation cost of \$100.00. After due consideration, Mr. Allbritten made a motion to accept the proposal as stated, seconded by Mr. Tuck, the result of the vote is as follows:

YEAS: James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan, Richard Tuck, Leonard Vaughn and Haron West.

NAYS: Roy Starks.

The Mayor declared the motion carried.

Requests for street lights were granted at 19th and College Farm Road and on the West end of Hamilton Avenue.

The Mayor stated that the State Highway Department had agreed to install an actuated traffic light at the Five Point intersection, at no expense to the City. However, for a cost of approximately \$200.00 the light could be installed on steel poles, which the Electric System recommended. Mr. Vaughn made a motion for the City to reimburse Murray Electric System for the extra expense of the steel poles, seconded by Mr. Dick, the vote taken resulted in the following:

YEAS: James R. Allbritten, Charles M. Baker, Jack Belote, Joe Dick, Frank Lancaster, Prentice Lassiter, Preston Ordway, Frank Ryan, Roy Starks, Richard Tuck, Leonard Vaughn and Haron West.

NAYS: None.

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Mr. Ordway asked the Council to express any preference they might have concerning the proposed Public Works Project.

There being no further business to come before the Council, on motion by Mr. Allbritten, seconded by Mr. Ryan, the meeting was declared adjourned.

ATTEST:

Stanford Andrus
Stanford Andrus, City Clerk

Holmes Ellis
HOLMES ELLIS, Mayor, City of Murray, Ky.