

A regular meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, December 8, 2009, beginning at 5:30 p.m., prevailing time, in the third floor Assembly Room located in the Municipal Center at 222 First Street, Henderson, Kentucky.

INVOCATION was given by Dr. Tim Hobbs, Community Baptist, followed by Mayor Thomas E. Davis leading the assemblage in the recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Thomas E. Davis presiding:

PRESENT: Commissioner Mike Farmer
Commissioner Jim White

ABSENT Commissioner Robert M. Mills
Commissioner Jim White

ALSO IN ATTENDANCE INCLUDED:

- Mr. Russell R. Sights, City Manager
- Mr. Joe Ternes, City Attorney
- Mrs. Carolyn Williams, City Clerk
- Mr. Frank Boyett, *The Gleaner*

RECOGNITION OF VISITORS: Mayor Davis extended a cordial welcome to the visitors in attendance.

PRESENTATION: 20-YEAR SERVICE AWARD

MAYOR DAVIS expressed appreciation to Steven A. Gibson, Police Sergeant, for 20 years of service and dedication to the City.

PRESENTATION: 2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT

MR. MAC NEEL OF NEEL, CRAFTON, & PHILLIPS, LLP appeared before the Board of Commissioners to present the Independent Auditor’s Report for the year ended June 30, 2009. This information had been reviewed by the Audit Committee. It is noteworthy to mention that the City has received a *Certificate of Achievement for Excellence in Financial Reporting* for the 10th consecutive year for the Fiscal Year ending June 30, 2008. In addition, The City has been presented a *Distinguished Budget Presentation Award* for the fiscal year beginning July 1, 2009. This is the first year that this award has been received by the City.

MOTION by Commissioner Pruitt, seconded by Commissioner Farmer, to adopt the 2009 Comprehensive Annual Financial Report..

The vote was called. On roll call, the vote stood:

- Commissioner White ----- Absent:
- Commissioner Farmer ----- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Pruitt----- Absent:
- Mayor Davis ----- Aye:

APPROVAL OF CONSENT AGENDA:

MAYOR DAVIS directed Carolyn Williams, City Clerk, to read the following items included on the Consent Agenda:

Minutes: November 24, 2009, Regular Meeting

Resolution: Resolution No. 91-09 – Adoption of a Resolution by the Board of Commissioners of the City of Henderson, Kentucky, Authorizing the Filing of a Renaissance on Main Grant Application to the Department for Local Government (DLG), for the Downtown Henderson Project; in the Amount of \$39,868; Authorizing and Directing the Mayor to Execute any Documents Which are Deemed Necessary by DLG to Carry Out This Project Including Grant Agreement Execution; and Authorizing the Mayor to Act as the Authorized Correspondent for this Project

MOTION by Commissioner Farmer, seconded by Commissioner Pruitt, to approve the item on the Consent Agenda as enumerated by the City Clerk.

The vote was called. On roll call, the vote stood:

Commissioner White -----	Absent:
Commissioner Farmer -----	Aye:
Commissioner Mills -----	Absent:
Commissioner Pruitt-----	Aye:
Mayor Davis -----	Aye:

ORDINANCE NO. 18-09: SECOND READING
ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS IN FOX RUN SUBDIVISION – SECTION 6, CONSISTING OF STREETS AND SIDEWALKS

On second reading of the Ordinance, it was moved by Commissioner Farmer, seconded by Commissioner Pruitt, that the Ordinance be adopted.

The vote was called. On roll call, the vote stood:

Commissioner White -----	Absent:
Commissioner Farmer -----	Aye:
Commissioner Mills -----	Aye:
Commissioner Pruitt-----	Absent:
Mayor Davis -----	Aye:

WHEREUPON Mayor Davis declared the Ordinance adopted, affixed his signature and the date thereto and ordered that the same be recorded.

/s/ Thomas E. Davis
Thomas E. Davis, Mayor
December 8, 2009

ATTEST:
Carolyn Williams, City Clerk

COMMISSIONER FARMER asked that Ms. Julie Turnipseed, Downtown Henderson Project, be allowed to address the Board. Ms. Turnipseed explained that she was delivering a miniature detailed resin piece based on John James Audubon’s painting “Wild Turkey Cock”/Plate 1, a gift from Commissioner Farmer to the Board as well as the City Manager, City Attorney, and City Clerk.

RESOLUTION NO. 92-09:

RESOLUTION APPROVING ACCEPTANCE OF OWNERSHIP AND MAINTENANCE OF BYPASSED SECTION OF SOUTH "Y" RESULTING FROM RECONSTRUCTION OF U.S. 41A/U.S.60 INTERSECTION UPON COMPLETION OF PROJECT BY THE STATE OF KENTUCKY

MOTION by Commissioner Farmer, seconded by Commissioner Pruitt, adopting a resolution authorizing the transfer of ownership and maintenance responsibilities of a bypassed section of the "Y" resulting from reconstruction of the U. S. 41A/U.S. 60 intersection from the Kentucky Transportation Cabinet to the City of Henderson.

DISCUSSION WAS HELD. VERBATIM DISCUSSION IS ON TAPE OF THIS MEETING.

The vote was called. On roll call, the vote stood:

Commissioner White ----- Absent:
Commissioner Farmer ----- Aye:
Commissioner Mills ----- Absent:
Commissioner Pruitt----- Aye:
Mayor Davis ----- Aye:

WHEREUPON Mayor Davis declared the Resolution adopted, affixed his signature and the date thereto, and ordered that the same be recorded

/s/ Thomas E. Davis
Thomas E. Davis, Mayor
December 8, 2009

ATTEST:
Carolyn Williams, City Clerk

RESOLUTION NO. 93-09:
RESOLUTION AWARDDING BID FOR PURCHASE OF IBM POWER 520 SYSTEM TO THE SYSTEM SPECIALIST, INC. OF OWENSBORO, KENTUCKY, IN THE AMOUNTS OF \$24,179.00 AND \$5,974.51 AND APPROVAL OF RELATED EXPENSES

MOTION by Commissioner Farmer, seconded by Commissioner Pruitt, adopted the resolution authorizing the purchase of an IBM Power System including hardware, software, and optional second and third year maintenance service from The Systems Specialists, Owensboro, Kentucky, in the amounts of \$24,179.00 and \$5,974.51.

The vote was called. On roll call, the vote stood:

Commissioner White ----- Absent:
Commissioner Farmer ----- Aye:
Commissioner Mills ----- Absent:
Commissioner Pruitt----- Aye:
Mayor Davis ----- Aye:

WHEREUPON Mayor Davis declared the Resolution adopted, affixed his signature and the date thereto, and ordered that the same be recorded

/s/ Thomas E. Davis
Thomas E. Davis, Mayor
December 8, 2009

ATTEST:
Carolyn Williams, City Clerk

CITY MANAGER'S REPORT:

MR. RUSSELL R. SIGHTS, CITY MANAGER, introduced Mr. Buzzy Newman, Assistant City Manager, to discuss an update on the Riverfront Project. Mr. Newman continued by stating that a conference call with the Kentucky Transportation Cabinet and Stantec was conducted on December 1, 2009. The purpose was to discuss the status of the project and request direction on the “environmental document” or (NEPA). The Kentucky Transportation Cabinet advised that the NEPA document must include all proposed projects under the agreement signed between Kentucky Transportation Cabinet and the City of Henderson. Therefore, the City originally intended to have a phased approach to these projects based upon financial consideration, it was recommended that we identify the remaining projects and the exact location of each. Mr. Newman asked for approval to proceed with these proposed future projects through both the NEPA and design phase at this time.

Mr. Newman added that he has asked for a one-year extension from the original September 30, 2010, deadline and felt comfortable that this would be approved by the state.

DISCUSSION WAS HELD. VERBATIM DISCUSSION IS ON TAPE OF THIS MEETING.

MOTION by Commissioner Pruitt, seconded by Commissioner Farmer, to amend the City’s Riverfront Project phase program to conform with the Kentucky Transportation Cabinet’s requirements.

The vote was called. On roll call, the vote stood:

- Commissioner White ----- Absent:
 - Commissioner Farmer ----- Aye:
 - Commissioner Mills ----- Absent:
 - Commissioner Pruitt----- Aye:
 - Mayor Davis ----- Aye:
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MR. SIGHTS continued by explaining the results obtained through the recent Customer Survey outcome. Staff has attempted to follow up with every person who made a comment on the survey. If a name or phone number was given, personal follow ups have either been completed or are in process. (Some calls have not been returned). Active files are being kept and are available for review by members of the Board of Commissioners. The Human Resource staff and the Assistant City Manager have arranged for customer service training for all city employees. These sessions are in two hour segments and between 20-25 sessions are scheduled. Special thanks was given to Sam Lingerfelt for his attention to this effort with the assistance of Ms. Connie Galloway. In conclusion, staff was very pleased with the survey results and believe the effort was very much worthwhile.

EXECUTIVE SESSION: REAL ESTATE

MOTION by Commissioner Farmer, seconded by Commissioner Pruitt, and pursuant to provisions of KRS 61.810(1)(b) that the Board of Commissioners go into Executive Session for deliberations on the future acquisition or sale of real property by the City in Henderson located off the east side of north Green Street in an area between Fifth Street and Kimsey Lane as well as property located in Henderson Corporate Park.

The vote was called. On roll call, the vote stood:

- Commissioner White ----- Absent:
- Commissioner Farmer ----- Aye:
- Commissioner Mills ----- Absent:
- Commissioner Pruitt----- Aye:
- Mayor Davis ----- Aye:

MEETING RECONVENE:

MOTION by Commissioner Farmer, seconded by Commissioner Pruitt, the Board of Commissioners reconvened in regular session.

The vote was called. On roll call, the vote stood:

Commissioner White -----	Absent:
Commissioner Farmer -----	Aye:
Commissioner Mills -----	Absent:
Commissioner Pruitt-----	Aye:
Mayor Davis -----	Aye:

MEETING ADJOURN:

MOTION by Commissioner Farmer, seconded by Commissioner Pruitt, to adjourn the meeting.

The vote was called. On roll call, the vote stood:

Commissioner White -----	Absent:
Commissioner Farmer -----	Aye:
Commissioner Mills -----	Absent:
Commissioner Pruitt-----	Aye:
Mayor Davis -----	Aye:

WHEREUPON: Mayor Davis declared the meeting adjourned at approximately 6:33 p.m.

Thomas E. Davis, Mayor
January 12, 2010

ATTEST:

Carolyn Williams, City Clerk