

A regular meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, February 9, 2010, beginning at 5:00 p.m., prevailing time, in the third floor Assembly Room located in the Municipal Center Building at 222 First Street, Henderson, Kentucky.

INVOCATION was given by Pastor Vernon Rigsby, Apostolic Bread of Life Church, followed by Mayor Thomas E. Davis leading the assemblage in the recitation of the Pledge of Allegiance to our American Flag.

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There were present Mayor Thomas E. Davis presiding:

PRESENT: Commissioner Mike Farmer  
Commissioner Robert M. (Robby) Mills  
Commissioner Robert N. Pruitt

ABSENT: Commissioner Jim White

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ALSO IN ATTENDANCE INCLUDED:

Mr. Russell R. Sights, City Manager  
Mr. Joseph E. Ternes, Jr., City Attorney  
Ms. Carolyn Williams, City Clerk  
Mr. Frank Boyett, *The Gleaner*  
Mr. Steve Austin, HWU Board Chair  
Mr. Bruce Shipley, HWU Director  
Ms. Peggy Wood, Planning Commission Executive Director  
Mr. William L. Newman, Jr., Assistant City Manager  
Ms. Connie Galloway, Human Resources Director  
Ms. Emily Gilliam, Parks and Recreation Director  
Mr. Alan Taylor  
Mr. Greg Gibson, Housing Authority of Henderson  
Mr. Larry Griffin, International Paper

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

MAYOR DAVIS introduced Ms. Peggy Wood, Planning Commission Executive Director, to explain the booklet that was prepared by the Planning and Codes divisions for individuals interested in opening a new business as well as including planning and codes' criteria.

MS. WOOD presented the Board of Commissioners a check for \$10,646.50 that represents the City's one-half of the Planning Commission's budget for fiscal year ending July 1, 2009.

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APPROVAL OF CONSENT AGENDA:

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

Minutes: January 26, 2010, Regular Meeting

Resolutions:

Resolution No. 11-2010 – Approving Amendments to City of Henderson Employee Health Plan Whereby Attorney for Henderson Municipal Power and Light is an Eligible Participant and Clarifying Other Language in Eligibility Provisions

Resolution No. 12-2010 – Authorizing Mayor to Execute Acknowledgement and Agreement of Instructions for Redemption of Bonds for Pleasant Point Project Series 1999A

MOTION by Commissioner Farmer, seconded by Commissioner Mills, to approve the items on the Consent Agenda as enumerated.

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

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

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ORDINANCE NO. 02-2010: SECOND READING  
AN ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS IN FOX RUN  
SUBDIVISION – SECTIONS 4, 5-A, AND 5-B CONSISTING OF STREETS AND  
SIDEWALKS

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

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

Commissioner Farmer ----- Aye:  
Commissioner Mills ----- Aye:  
Commissioner Pruitt ----- Aye:  
Commissioner White ----- 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  
February 9, 2010

ATTEST:  
Carolyn Williams, City Clerk

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ORDINANCE NO. 03-2010: SECOND READING  
AN ORDINANCE AMENDING SECTION 23-43 OF DIVISION 3. WATER AND  
SEWER COMMISSION, OF CHAPTER 23, UTILITIES, OF THE CODE OF ORDINANCES  
OF THE CITY OF HENDERSON BY PROVIDING THAT DIRECTOR OF ENGINEERING  
SHALL BE EMPLOYED BY WATER AND SEWER COMMISSION, AND THAT  
DIRECTOR OF ENGINEERING SHALL NOT BE UNDER CIVIL SERVICE SYSTEM

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

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

Commissioner Farmer ----- Aye:  
Commissioner Mills ----- Aye:  
Commissioner Pruitt ----- Aye:  
Commissioner White ----- 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  
February 9, 2010

ATTEST:  
Carolyn Williams, City Clerk

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RESOLUTION NO. 13-2010  
RESOLUTION AUTHORIZING DONATION OF SURPLUS REAL PROPERTY  
LOCATED AT 701 DR. MARTIN LUTHER KING, JR. TO HOUSING AUTHORITY OF  
HENDERSON FOR COMMUNITY ACCESS TO CHILD HEALTH PROGRAM (CATCH  
PROGRAM)

MOTION by Commissioner Pruitt, seconded by Commissioner Farmer to adopt the resolution authorizing the donation of property at 701 Dr. Martin Luther King, Jr. Boulevard to the Housing Authority of Henderson. Mr. Greg Gibson represented the Housing Authority of Henderson and explained the proposed uses for this property.

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

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

- Commissioner Farmer ----- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Pruitt ----- Aye:
- Commissioner White ----- Absent:
- 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  
February 9, 2010

ATTEST:  
Carolyn Williams, City Clerk

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RESOLUTION NO. 14-2010  
A RESOLUTION OF SUPPORT FOR GRANT APPLICATION OF  
INTERNATIONAL PAPER TO THE KENTUCKY CABINET OF ECONOMIC  
DEVELOPMENT FOR FUNDING OF WATER REDUCTION PROJECT

MOTION by Commissioner Mills, seconded by Commissioner Farmer to approve the Resolution approving support for the grant application of International Paper to the Kentucky Cabinet for Economic Development for funding of a water reduction project. Mr. Larry Griffin of International Paper was present to answer several questions regarding this water reduction project.

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

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

- Commissioner Farmer ----- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Pruitt ----- Aye:
- Commissioner White ----- Absent:
- 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  
February 9, 2010

ATTEST:  
Carolyn Williams, City Clerk

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RESOLUTION NO. 15-2010:  
RESOLUTION OF CITY OF HENDERSON APPROVING AWARD OF BID FOR  
CANOE CREEK WIDENING PROJECT TO HAZEX CONSTRUCTION COMPANY, INC.  
IN THE AMOUNT OF \$608,910

MOTION by Commissioner Pruitt, seconded by Commissioner Mills to approve the Resolution authorizing the award of bid to Hazex Construction Company, Inc., Henderson, for services on the Canoe Creek Widening project. The total estimated value of the award is \$608,910.

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

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

- Commissioner Farmer ----- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Pruitt ----- Aye:
- Commissioner White ----- Absent:
- 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  
February 9, 2010

ATTEST:  
Carolyn Williams, City Clerk

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RESOLUTION NO. 16-2010:  
RESOLUTION AUTHORIZING PURCHASE OF POSITRON VOICE OVER  
INTERNET PROTOCOL FOR EMERGENCY RESPONSE (VIPER) FOR THE PRICE OF  
\$55,573 UNDER KENTUCKY STATE MASTER AGREEMENT

MOTION by Commissioner Pruitt, seconded by Commissioner Farmer to approve the Resolution authorizing the purchase of a Positron Voice over Internet Protocol for Emergency Response (VIPER) telephone/data system for the 911 call center in the amount of \$55,573.

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

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

- Commissioner Farmer ----- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Pruitt ----- Aye:
- Commissioner White ----- Absent:
- 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  
February 9, 2010

ATTEST:  
Carolyn Williams, City Clerk

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RESOLUTION NO. 17-2010:  
RESOLUTION AUTHORIZING PURCHASE OF A TRACTOR FROM JOHN DEERE COMPANY, CARY, NORTH CAROLINA, FOR THE STATE CONTRACT PRICE OF \$14,350.32

MOTION by Commissioner Farmer, seconded by Commissioner Pruitt to authorize the purchase of a tractor from John Deere Company, Cary, North Carolina, in the Kentucky state contract price of \$14,350.32.

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

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

- Commissioner Farmer ----- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Pruitt ----- Aye:
- Commissioner White ----- Absent:
- 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  
February 9, 2010

ATTEST:  
Carolyn Williams, City Clerk

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CITY MANAGER’S REPORT:

MR. RUSSELL R. SIGHTS, CITY MANAGER, asked Ms. Emily Gilliam, Parks and Recreation Director, to step forward to receive the Board’s congratulations upon being elected to serve on the Kentucky Recreation and Parks Society Board of Directors representing the 23 counties in the western district of the society.

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MR. RUSSELL R. SIGHTS, CITY MANAGER, explained that recently a bid for the HART garage facility interior renovation and upgrade project was awarded in the amount of \$266,280. The total grant funds were in the amount of \$330,000 leaving approximately \$63,720 remaining. Terry Stone, Municipal Facilities Superintendent, and Buzzy Newman, Assistant City Manager, discussed the scope of work necessary to move and upgrade the break room and have determined that an architect or engineer should be hired to design the masonry and concrete mezzanine floor above the area involved.

MOTION by Commissioner Pruitt, seconded by Commissioner Farmer, to direct staff to proceed with this project and authorized staff to engage an architect to prepare specifications.

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

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

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

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COMMISSIONER PRUITT expressed his appreciation for the job done by the road crews in handling the snow storm. Commissioner Farmer echoed his statement.

MAYOR DAVIS stated that he was in Frankfort this past week and participated in a reception with other communities up and down the I-69 corridor and hopes that the governor will keep notice on western Kentucky.

MEETING ADJOURN:

WITHOUT OBJECTION Mayor Davis declared the meeting adjourned.

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Thomas E. Davis, Mayor  
 February 23, 2010

ATTEST:

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Carolyn Williams, City Clerk