

A regular meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, January 12, 2010, beginning at 5:30 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 Commissioner Mills, 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 Robert M. (Robby) Mills
Commissioner Robert N. Pruitt

ABSENT: Commissioner Jim White

ALSO IN ATTENDANCE INCLUDED:

Mr. Russell R. Sights, City Manager
Mr. Joseph E. Ternes, Jr., City Attorney
Ms. Maree Collins, Acting City Clerk
Mr. Frank Boyett, *The Gleaner*
Mr. Bruce Shipley, HWU General Manager
Mr. Leason Neel, HWU Chief Financial Officer
Mr. Steve Austin, HWU Board Chair
Mr. Tom Williams, HWU Board Member
Mr. Jeff Gregory, Human Relations Executive Director
Mr. Scott Miller, Airport Board Chair
Ms. Peggy Wood, Planning Commission Executive Director
Mr. William L. Newman, Jr., Assistant City Manager
Mr. Robert Gunter, Finance Director
Ms. Connie Galloway, Human Resources Director
Ms. Pam Whitter, Mass Transit Director
Interested Citizens

RECOGNITION OF VISITORS: Mayor Davis extended a cordial welcome to the visitors in attendance. Mr. Lewis Dixon, CDP Engineers, Inc., Lexington, Kentucky requested to address the Board of Commissioners. He indicated that he is originally from Hopkins County and would like to introduce himself and his firm to the Commission and will be actively pursuing work in the area.

PROCLAMATION: "50th ANNIVERSARY OF THE KENTUCKY COMMISSION ON HUMAN RIGHTS"

MAYOR DAVIS acknowledged and reaffirmed our deep commitment to helping those who toil for liberty, justice and equality and join the great Commonwealth in celebrating the "50th Anniversary of the Kentucky Commission on Human Rights" and urged all citizens to mark these observances with appropriate ceremonies and activities. Accepting the proclamation was Mr. Jeff Gregory, Human Relations Executive Director.

APPROVAL OF CONSENT AGENDA:

MAYOR DAVIS presented the following for approval:

Minutes: December 8, 2009, Regular Meeting
December 15, 2009, Called Meeting

Resolutions: Resolution No. 01-2010 – Awarding Bid for Purchase of Police Uniforms and Accessories to Bluegrass Uniforms Inc, Bowling Green, Kentucky in the Amount of \$22,349

Resolution No. 02-2010 – Awarding Bid for Purchase of Limestone and Sand from Mulzer Crushed Stone, Inc., Tell City, Indiana

Resolution No. 03-2010 – Awarding Bid for Purchase of Concrete Labor to First Impressions Lawn Services, Inc. of Owensboro, Kentucky

Resolution No. 04-2010 – Awarding Bid for HART Facility 2009-2010 Stimulus Upgrade to ARC Construction Company, Inc. of Evansville, Indiana, in the Amount of \$266,280

Resolution No. 05-2010 – Authorizing the Submittal of Grant Application to the Kentucky Justice and Public Safety Cabinet for Enforcement of Underage Drinking Laws in the Amount of \$14,000

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

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:

ORDINANCE NO. 01-2010: FIRST READING

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSON FOR PROPERTY LOCATED ON SAND LAND AND BEING A ONE ACRE PORTION OF NEWMAN PARK (PREVIOUSLY A ONE ACRE PORTION OF LOT 8 F OF THE HENDERSON CORPORATE PARK SUBDIVISION), FROM LIGHT INDUSTRIAL TO AGRICULTURAL

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

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 Ordinance adopted on its first reading and ordered that it be presented for a second reading at a meeting of the Board of Commissioners.

RESOLUTION NO. 06-2010

RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE OF GRANT FROM THE UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION, FOR THE HENDERSON CITY-COUNTY AIRPORT IN THE AMOUNT OF \$450,000; AND GRANTING AUTHORITY TO OBTAIN BANK LOAN IN THE AMOUNT OF \$150,000 AND TO PLEDGE PROPERTIES AS SECURITY FOR LOAN

MOTION by Commissioner Mills, seconded by Commissioner Farmer, upon recommendation by the City Manager, to adopt the resolution authorizing the Henderson City-County Airport Board to apply for and accept grant funds in the amount of \$450,000 from the U.S. Economic Development Administration; and granting authority for the Airport Board to pledge properties to secure a loan in an amount up to \$150,000.

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
January 12, 2010

ATTEST:
Maree Collins, Acting City Clerk

RESOLUTION NO. 07-2010

RESOLUTION AUTHORIZING SALE OF SURPLUS PROPERTY LOCATED AT CORNER OF BARRET BOULEVARD AND BARRET COURT; AND AWARDED BID TO BRAD T. FULKERSON FOR PURCHASE OF THE PROPERTY FOR THE SUM OF \$50,000; AND AUTHORIZING MAYOR TO EXECUTE DOCUMENTS NECESSARY TO COMPLETE SALE

MOTION by Commissioner Farmer, seconded by Commissioner Mills, upon recommendation by the City Manager, to approve the sale of surplus property located at the corner of Barret Boulevard and Barret Court to Brad T. Fulkerson for the sum of \$50,000 and authorizing Mayor Davis to execute necessary documents to complete the sale.

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
January 12, 2010

ATTEST:
Maree Collins, Acting City Clerk

CITY MANAGER’S REPORT:

MR. RUSSELL R. SIGHTS, CITY MANAGER, reported that the January Commission Work Session topic would be the Six-month Financial Report for the mid-year budget projections. This report was initiated last year to help with the budgeting process.

COMMISSIONER’S REPORT:

COMMISSIONER PRUITT wished the citizens of Henderson a Happy New Year and wanted to convey that he was committed to working even harder in 2010 for them.

COMMISSIONER FARMER requested that Bruce Shipley come to the podium to answer questions relating to Stormwater Activities reports he had recently received. Mr. Shipley and Mr. Leason Neel responded to Commission Farmer’s questions on how items related to stormwater are expensed. After a great deal of discussion it was agreed that the report included dollar amounts that would not necessarily be charged/expensed to stormwater. Some of the dollar amounts on the report would be apportioned to sewer expense. The report probably included all stormwater related work orders, including combined stormwater/sewer, and therefore could also include sewer related expenses. Mr. Shipley said that he and HWU staff members would meet to determine if a more accurate report could be produced for City Commissioners review. (Verbatim discussion is on tape of this meeting.)

MAYOR DAVIS recognized that there were a couple of Boy Scouts, and hopefully potential future leaders of Henderson, in the audience familiarizing themselves with the workings of local government. He also recognized Mr. Scott Davis, Chairman of the Airport Board, in the audience and reported to him that their request had been approved and his work on the project was appreciated. Mayor Davis recognized Pam Whitter, Mass Transit Director, for all the hard work she does for the HART system and congratulated her on having one of the premier systems in Kentucky. Mayor Davis reported that he received notification from Henderson Municipal Power and Light that effective January 31, 2010, Mr. C. B. West will step down as legal counsel. Mayor Davis thanked Mr. West for all his hard work and many years of service to HMPL.

EXECUTIVE SESSION: PROPOSED OR PENDING LITIGATION

Motion by Commissioner Farmer, seconded by Commissioner Mills pursuant to the provisions of KRS 61.810(c) that the Board of Commissioners go into Executive Session for the purpose of deliberation on proposed or pending litigation.

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

MEETING RECONVENE:

The Board of Commissioners reconvened in regular session at 6:30 p.m.

A Regular

January 12, 2010

MEETING ADJOURN:

Mayor Davis declared the meeting adjourned at approximately 6:40 p.m.

Thomas E. Davis, Mayor
January 26, 2010

ATTEST:

Carolyn Williams, City Clerk