City of Henderson, Kentucky
Board of Commissioners
Tuesday, February 25, 2020

Municipal Center
Third Floor Assembly Room
222 First Street
5:30 P.M

AGENDA

1. Invocation: Rev. Larry Butler, Victory Baptist Church

2. Roll Call:

3. Recognition of Visitors:

4. Appearance of Citizens:

5. Proclamations:

6. Presentations: Mr. Chris Winstead, Henderson City-County Ambulance Service

7. Public Hearings:

8. Consent Agenda:

   Minutes: January 21, 2020, Work Session
             January 28, 2020, Regular Meeting

   Resolutions: Resolution Amending Henderson Vision Plan by Adding
                Henderson Downtown Master Plan Appendix
                Resolution Authorizing the Execution of the Municipal Road Aid
                Cooperative Program Agreement
                Resolution Authorizing Submittal of Application for Homeland
                Security Grant for HPD

   Municipal Orders: Municipal Order Authorizing Lease for Dixon Hall Facility

9. Ordinances, Municipal Orders and Resolutions:

   Second Readings: Ordinance Amending Sec. 22-62, Limited Free Parking

   First Readings: Ordinance Amending the Fiscal Year 2020 Budget and Appropriations

Please mute or turn off all cell phones for the duration of this meeting.
Ordinance Relating to HWU Rate Changes from Cubic Feet to Gallons

**Resolutions:**

Resolution Authorizing Submittal of Application for FEMA Assistance to Firefighters Grant Program

Resolution to Provide Legal Services to Establish a Development Area Tax Increment Finance District (TIF)

**Municipal Orders:**

10. Bids & Contracts:

Municipal Order Awarding Bid for Mowing of Group A-City Properties

Municipal Order Approving Changer Order #4 to the Contract with Motorola Solutions Regarding the 911 Communication Radio Upgrade Project

Municipal Order Authorizing Purchase of Three (3) Police Vehicles

11. Unfinished Business:

12. City Manager’s Report:

13. Commissioner’s Reports:

14. Appointments:

15. Executive Session:

16. Miscellaneous:

17. Adjournment

*Please mute or turn off all cell phones for the duration of this meeting.*
February 19, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. "Buzzy" Newman, Jr., City Manager

SUBJECT: Presentations

Under the Presentations section of the agenda for Tuesday, February 25th, Mr. Chris Winstead, Ambulance Service Director, will be in attendance to request approval to let bids for a new ambulance. This is a budgeted expense.
February 19, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. "Buzzy" Newman, Jr., City Manager

SUBJECT: Consent Agenda

The Consent Agenda for the meeting of February 25, 2020 contains the following:

Minutes:
- January 21, 2020, Work Session
- January 28, 2020 Regular Meeting

Resolutions:
- Resolution Amending Henderson Vision Plan by Adding Henderson Downtown Master Plan Appendix
- Resolution Approving Municipal Aid Cooperative Agreement with the Kentucky Transportation Cabinet for Maintenance and Construction of City Streets in Fiscal Year 2020-2021
- Resolution Authorizing Submittal of Grant Application to the Kentucky Office of Homeland Security (KOHS) for Funds in the Amount of $25,000.00, and Acceptance of Grant if Awarded; and Authorizing Mayor to Execute Documents and to Act as Authorized Correspondent for the Project

Municipal Orders:
- Municipal Order Authorizing Lease Between the City of Henderson and the Housing Authority of Henderson, Kentucky, for the Dixon Hall Facility Located at 341 South Adams Street, Henderson, Kentucky: and Authorizing Mayor to execute Same on Behalf of City
A Work Session of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, January 21, 2020, at 5:30 p.m. in the third floor Assembly Room, Municipal Center, 222 First Street, Henderson, Kentucky.

There were present Mayor Steve Austin presiding.

PRESENT:

ABSENT:
Commissioner Patti Bugg
Commissioner X R. Royster, III
Commissioner Bradley S. Staton
Commissioner Austin P. Vowels

CITY STAFF MEMBERS included Dawn Kelsey, City Attorney; Maree Collins, City Clerk; Donna Stinnett, Community Relations Manager/Public Information Officer; Robert Gunter, Acting City Manager/Finance Director; Brian Williams, Public Works Director; Sam Lingerfelt, Sanitation Superintendent; Connie Galloway, Human Resources Director; Trace Stevens, Parks Recreation and Cemeteries Director; Ray Nix, Code Administrator; Theresa Richey, Administrative Liaison; and Leslie Blandford, Police Officer.

ALSO PRESENT: Kevin Knight, City Commissioner Candidate; and Douglas White, The Gleaner

THE FOLLOWING AGENDA ITEMS WERE DISCUSSED:

1. Sanitation Operations Report:

✓ Mayor Austin indicated that staff has reviewed possible cost saving actions and has recommended four possible options for changes to the sanitation operations. He also indicated that there would be a follow up review and discussion at the February mid-year budget review work session.

✓ Robert Gunter outlined the four options with Annual Gain/Loss (for the FY2021 budget) and Cumulative Gain/Loss (through the FY 2025 budget):
  - Option A: Current Operation (no changes) with an estimated FY 2021 gain of $161,179.00 and a cumulative gain of $12,053.00 – a new rear-loader truck will be necessary biennially, no loss of employees.
  - Option B: Keep Collections, Privatize landfill with an estimated FY 2021 gain of $192,797.00 and a cumulative gain of $241,982.00 – a new rear-loader truck will be necessary biennially, loss of three full-time positions at landfill, no loss of positions in collections.
  - Option C: Privatize both landfill and partial privatization of collections, keeping some personnel for use as a bulk crew and transition to all privatization over a two year period with a FY 2021 loss of $88,738.00 and a cumulative gain of $88,429.00 – purchase of four tote lifters for existing trucks, the company provides totes, loss of three full-time positions at landfill, loss of seven full-time positions in collections over two year period.
  - Option D: Complete privatization with a FY 2021 gain of $343,981.00 and a cumulative gain of $958,024.00 – privatization of landfill (CDD material moved to transfer station), company provides totes, annual increase of all services for life of contract is 3% per year, loss of 17.5 full-time positions.

DISCUSSION WAS HELD with Commissioners asking questions relating to each option and brief discussion of previously presented options; all of the estimates are based on current tonnages, current wages, estimated COLA and merit increases, estimated purchase price of equipment and costs provided in the RFPs; and that no decision would be forthcoming until after...
a second work session review was conducted with further information as requested from this meeting.

NO FORMAL ACTION WAS TAKEN BY THE BOARD OF COMMISSIONERS.

2. Smoking Ordinance:

✓ Dawn Kelsey reported that she and Trace Stevens had reviewed several other city ordinances relating to smoking and determined that they range from very restrictive to ones similar to what we currently have. Some communities have incorporated smoking regulations in the Park Rules and Regulations instead of by ordinance.

✓ Ms. Kelsey suggested that prohibition of smoking in and near public transportation shelters be included in the ordinance.

DISCUSSION WAS HELD with Commissioner Staton indicating that he was not in favor of prohibition for the adult ball fields; Commissioner Bugg asked that special events that allow a smoking area include guidance on the location of the area; and it was determined that staff would move forward with drafting an amended ordinance to prohibit smoking in all city owned parks/recreation areas and public transportation shelters.

NO FORMAL ACTION WAS TAKEN BY THE BOARD OF COMMISSIONERS.

MEETING ADJOURN:

MOTION by Commissioner Royster, seconded by Commissioner Vowels to adjourn.

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

Commissioner Staton ---- Aye:
Commissioner Vowels --- Aye:
Commissioner Bugg ----- Aye:
Commissioner Royster -- Aye:
Mayor Austin ------------- Aye:

WHEREUPON Mayor Austin declared the work session adjourned at approximately 6:25 p.m.

ATTEST:  Steve Austin, Mayor
          February 25, 2020

Maree Collins, CKMC
City Clerk,
A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, January 28, 2020, 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 Dr. Tim Hobbs, Community Baptist Church, followed by recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Steve Austin presiding:

PRESENT:
Commissioner X R. Royster, III
Commissioner Bradley S. Staton
Commissioner Austin P. Vowels

ABSENT:
Commissioner Patti Bugg

ALSO PRESENT:
Mr. William L. "Buzzy" Newman, Jr., City Manager
Ms. Dawn Kelsey, City Attorney
Ms. Maree Collins, City Clerk
Mrs. Donna Stinnett, Community Relations Manager/Public Information Officer
Mr. Scott Foreman, Fire Chief
Mrs. Sarah Foreman
Ms. Ally Foreman
Mrs. Pam Foreman
Mr. Joshua Farris, Fire Captain/Instructor/Safety Officer
Mrs. Tara Farris
Mr. Donald Farris
Judge Sheila Nunley-Farris
Ms. Jordan Webb, Emergency Communications Director
Mrs. Connie Galloway, Human Resources Director
Mr. Ray Nix, Code Administrator
Mr. Greg Nunn, Information Technology Director
Mr. Brian Williams, Public Works Director
Mr. Trace Stevens, Parks Recreation and Cemeteries Director
Mr. Robert Gunter, Finance Director
Mr. Dylan Ward, Project Manager
Mrs. Theresa Richey, Administrative Liaison
Mrs. Donna Veazey, Fire Dept., Secretary
Mrs. Cindy Phillips, Fire Dept., Administrative Secretary
Ms. Stephanie Weiner, Administrative Clerk
Mr. Brian Bishop, Chair, Downtown Master Plan Committee
Mr. Kevin Knight, City Commission Candidate
Ms. Debbie Edwards, Humane Society Executive Director
Ms. Abby Dixon, Henderson Tourist Commission Executive Director
Ms. Lindsay Locasto, Downtown Henderson Partnership Executive Director
Ms. Missy Vanderpool, Association Executive for Henderson Audubon Board of Realtors
Reverend Charles Johnson, Henderson City-County Human Rights Commission Director
Dr. Tim Hobbs, Community Baptist Church
Ms. Leslie Blanford, Police Officer
News 14 Cameraman
Mr. Doug White, the Gleaner
CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on January 28, 2020

PRESENTATION: “20-Year Service Award”

MAYOR AUSTIN expressed appreciation to Fire Captain/Instructor/Safety Officer Joshua Farris for his 20 years of service and dedication to the City of Henderson.

PRESENTATION: “20-Year Service Award”

MAYOR AUSTIN expressed appreciation to Fire Chief Scott Foreman for his 20 years of service and dedication to the City of Henderson.

SCOTT FOREMAN, Fire Chief, thanked the Commissioners, fire department personnel, his family and everyone for their support and encouragement throughout the years. He indicated that it is amazing how fast time goes by as it seems like just yesterday that he and Josh were out making runs as new recruits. He especially thanked his family for living with this lifestyle of public service and getting called out at all hours of the night.


ROBERT GUNTER, Finance Director, introduced Mr. Mac Neel with Alexander Thompson Arnold, PLLC indicating that Mr. Neel and his team had been very helpful and patient with our staff as we struggle to move forward with the loss of our audit guru, John Stier.

MALCOLM NEEL, III, ATA CPA LLC, presented the FY2019 Comprehensive Annual Financial Report. He indicated that an audit is more than just the review of the City’s finances. An Audit Risk Assessment which includes control environment and activities, accounting records, quality of information provided, and monitoring, are all reviewed. Mr. Neel gave a ‘clean’ opinion of the financial statements and indicated that the city is on solid financial ground despite multiple issues such as increased pension requirements and escalating employee health costs. He noted that the ending days fund balance is 127.1 days or $8.9 million of expenditures, down from a high in 2016 of 172.79 days or $11.5 million. The Government Finance Association recommends 60 days and the standard rule-of-thumb recommends 90 days. Mr. Neel indicated that currently the City has a good credit rating, but it is worth noting that the General Fund’s balance has decreased $2.55 million since 2017, with the current year deficit of $1.2 million. Consideration of Moody’s methodology should be a key factor in making decisions related to tax revenue as fund balance trend, cash balances, and cash balance trend are 30% of the weight placed on the City’s rating. A fourth consecutive year fund balance decrease could decrease the City’s credit rating from the current Aa3.

Without objection the report was accepted.

PRESENTATION: “Year In Review”

DONNA STINNETT, Community Relations Manager/Public Information Officer, presented the first Our Year in Review for the fiscal year ending June 30, 2019. This document blends information from the Popular Annual Financial Report (PAFR), which follows a very specific format that is presented to the Government Financial Officers Association (GFOA) for certification, and information provided from the various city department heads to give a broader overview of their department’s accomplishments during the year. She reported that currently we are one of only three cities in Kentucky that have the distinction of having all three reports (Budget, Comprehensive Annual Financial Report (CAFR) and PAFR) certified by the GFOA.

Mrs. Stinnett further reported that she was excited to be able to tell everyone about a unique opportunity for Henderson. This year Henderson’s zip code is represented on the calendar on Friday, April 24th. The plan is to celebrate everything Henderson by designating a
day of community spirit, a celebration of community pride ... Love where you live day. Several community organizations, individuals, businesses, civic clubs and others have been contacted to come up with their own version of celebrating 4/24/20. If anyone is interested in participating and needs assistance with a project, please don’t hesitate to contact Mrs. Stinnett.

PRESENTATION: “Police Foundation”

HEATH COX, Police Chief, came before the Board of Commissioners to request support for the formation of a police department foundation. He explained that a foundation is a partnership between a community police department and citizens who wish to assist the police in accomplishing their multi-faceted and complex mission. He reported that as the department head of the police department it was his duty to help address budget issues and find needed resources and this is one way for the community to participate in supplementing the needs of the department. He indicated that the citizens of Henderson have been very generous in the past in supporting Cops Connecting with Kids, Shop with a Cop and 9-1-1 Gives Hope projects and he is sure that there will be community support for this foundation as well. The foundation would be a 501c3, have a board of directors with its own mission and would be independent of the police department. Several other communities have these foundations to enhance the budgetary needs of the department as well as enhance community participation.

MAYOR AUSTIN asked if there were any objections to Chief Cox moving forward with the project. Hearing none, Mayor Austin indicated that the Board was in agreement with the creation of a Henderson Police Foundation.

PRESENTATION: “Vision Plan Addendum – Downtown Master Plan”

BRIAN BISHOP, Chair of the Downtown Master Plan Committee, MISSY VANDERPOOL, LINDSAY LOCASCO and ABBY DIXON reported that a group of eighteen people began meeting to create a master plan for the downtown business district with the goal that it be a continuation of the ideas already generated for the Vision Plan. The Committee solicited ideas and input from the community meeting with downtown merchants, professionals, restaurant owners, a panel from the high school and middle schools and various civic organizations on not only the Vision Plan listed projects but also gave voice for new and different suggestions. After community feedback was compiled, the top five Downtown Master Plan projects are: downtown event center; arts district with theater; more murals and alleyway cleanup; creative sidewalk and crosswalk art; sports complex (not in the CDB); and café type lighting along 2nd Street from Green to Water Streets and along Main Street from Washington to Third Streets. As a side note—hanging flower baskets at the corner of Second and Main and Second and Elm Streets will be installed as part of a Leadership Henderson Initiative downtown beautification project.

MAYOR AUSTIN thanked the group for all their work on this Plan that will be officially adopted as an Appendix to the Vision Plan at a future Board of Commissioners meeting.

PRESENTATION: “Humane Society Quarterly Report”

DEBBIE EDWARDS, Humane Society Executive Director, invited everyone to come out and see all the changes happening at the shelter. She reported that they received a grant and are refinishing the floors to assist in holding down the spread of disease and their Board has eliminated the Shelter Manager position in order to run as lean as possible.

MAYOR AUSTIN indicated that the number of complaint calls continues to be reduced year after year. He thanked Ms. Edwards and her staff for the great job they are doing.
PRESENTATION: “State Tourism Legislative Agenda”

ABBY DIXON, Henderson Tourist Commission Executive Director, updated the Commissioners on legislative issues that she and other members of the Kentucky Travel Industry Association will be discussing at the Capital in February. Some of the items up for discussion are: Restaurant tax; transient room tax; sports gaming; hotelier workforce; and human trafficking.

Ms. Dixon passed out copies of the Kentucky Official Visitor’s Guide 2020 with a page bookmarked for our region that includes the WC Handy Bluegrass Blues and BBQ festival, Farmer & Frenchman Vineyard & Winery, Boucherie Winery, Henderson Brewing, and John James Audubon State Park. She indicated there is no better place to experience great live music and world class festivals than Henderson in the summertime.

MAYOR AUSTIN thanked her for all her hard work and enthusiasm.

APPROVAL OF CONSENT AGENDA:

MAYOR AUSTIN asked the City Clerk to read the Consent Agenda.

Minutes: January 14, 2020, Regular Meeting

Resolutions: 04-20: Resolution Authorizing the Submission of Grant Application to Transportation Cabinet, Kentucky Office of Highway Safety, in the Amount of $28,600.00 for the Police Department, and Acceptance of Grant if Awarded

Municipal Order: 02-20: Municipal Order Awarding Bid for Mowing of City Cemeteries to Knight’s Landscaping, L.L.C of Henderson, Kentucky

Motion by Commissioner Staton, seconded by Commissioner Royster, to approve the items on the Consent Agenda as presented.

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

Commissioner Staton ---- Aye:
Commissioner Vowels --- Aye:
Commissioner Bugg ----- Absent:
Commissioner Royster -- Aye:
Mayor Austin ---------- Aye:

WHEREUPON, Mayor Austin declared the consent agenda items approved.

/s/ Steve Austin
Steve Austin, Mayor

January 28, 2020

ATTEST:

Maree Collins, CKMC, City Clerk

January 28, 2020
ORDINANCE NO. 01-20: FIRST READ
ORDINANCE AMENDING CODE OF ORDINANCES PERTAINING TO SMOKING
AN ORDINANCE AMENDING ARTICLE IV-SMOKING IN PUBLIC PLACES AND
PLACES OF EMPLOYMENT, SECTION 16-51. DEFINITIONS, TO ADD DEFINITION OF
CITY PARK; AND SECTION 16-54, PROHIBITION OF SMOKING IN OUTDOOR ARENAS
AND STADIUMS, TO ADD SMOKING PROHIBITION IN CITY PARKS AND TO AMEND
SMOKING DESIGNATED AREAS TO PERMITTED SPECIAL EVENTS, OF CHAPTER 16
OFFENSES OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON,
KENTUCKY

MOTION by Commissioner Vowels, seconded by Commissioner Royster, that the
ordinance be adopted.

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

    Commissioner Staton ---- Nay:
    Commissioner Vowels --- Aye:
    Commissioner Bugg ----- Absent:
    Commissioner Royster -- Aye:
    Mayor Austin ------------- Aye:

WHEREUPON, Mayor Austin 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.

ORDINANCE NO. 02-20: FIRST READ
ORDINANCE AMENDING CODE OF ORDINANCES REGARDING SPECIAL
EVENTS
AN ORDINANCE AMENDING CHAPTER 17, PARKS AND RECREATION,
ARTICLE III, SPECIAL EVENTS, SECTION 17-50 APPLICATION FOR PERMIT
SUBSECTION (B)(12) AND SUBSECTION (C)(13) OF THE CODE OF ORDINANCES OF
THE CITY OF HENDERSON TO REQUIRE SPECIAL EVENT PERMITS FOR EVENTS IN
CITY TO DESIGNATE WHETHER IT WILL HAVE A DESIGNATED SMOKING AREA

MOTION by Commissioner Royster, seconded by Commissioner Vowels, that the
ordinance be adopted.

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

    Commissioner Staton ---- Aye:
    Commissioner Vowels --- Aye:
    Commissioner Bugg ----- Absent:
    Commissioner Royster -- Aye:
    Mayor Austin ------------- Aye:

WHEREUPON, Mayor Austin 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.

CITY MANAGER’S REPORT:

WILLIAM L. "BUZZY" NEWMAN, JR., City Manager, explained that in late 2019 the
parking ordinance for the downtown business district was amended with a sunset clause that will
revert back on March 1st. At a recent Downtown Henderson Partnership Board meeting, they
determined to recommend to the Board of Commissioners to leave the current three hour parking
with the five times counted in a one-week period and not to let the ordinance revert back to the
two hour parking with ten counts. This would require a special called meeting in February for a
second reading of the ordinance due to the cancellation of the February 11th meeting.
DISCUSSION WAS HELD relating to the number of times to be counted in a one-week period; the number of calls received during this trial period relating to the expanded hours for parking and also calls regarding scatter tickets issued; and that it is the Mayor’s recommendation to move forward with an ordinance of three hour parking with seven times in a one-week period for the scatter or time evading prohibition.

CITY ATTORNEY’S REPORT:

DAWN KELSEY, City Attorney, reminded everyone that the next four mass foreclosure properties will go to the Master Commissioner for sale tomorrow, Wednesday, January 29th. Those properties are 1409 and 1411 O’Byrne Street and 1032 and 1038 First Street.

APPOINTMENT: City Utility Commission:
Mr. Mark Weaver – Term to Expire April 24, 2020

Motion by Commissioner Staton, seconded by Commissioner Royster, upon recommendation of Mayor Steve Austin, to appoint Mr. Mark Weaver to fill the unexpired term of Gary Bell on the City Utility Commission. Said term to expire April 24, 2020.

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

Commissioner Staton ---- Aye:
Commissioner Vowels --- Aye:
Commissioner Bugg ---- Absent:
Commissioner Royster -- Aye:
Mayor Austin ----------- Aye:

MEETING ADJOURN:

MOTION by Commissioner Staton, seconded by Commissioner Royster, to adjourn the meeting.

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

Commissioner Staton ---- Aye:
Commissioner Vowels --- Aye:
Commissioner Bugg ---- Absent:
Commissioner Royster -- Aye:
Mayor Austin ----------- Aye:

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 6:30 p.m.

ATTEST: Steve Austin, Mayor
February 25, 2020

Maree Collins, CKMC
City Clerk
February 19, 2020

TO: Mayor Steve Austin and the Board of Commissioners
FROM: William L. "Buzzy" Newman, Jr., City Manager
SUBJECT: Henderson Vision Plan – Appendix, Downtown Master Plan

The accompanying resolution accepts amendments to the Henderson Vision Plan by adding the Henderson Downtown Master Plan as an appendix.

As you may remember from the January 28, 2020 meeting, Missy Vanderpool, Vision Group Chair, presented the Downtown Master Plan which was the result of the hard work of a group representing several community organizations. The group was organized to expand the 2015 Henderson Vision Plan to concentrate and focus on the Riverfront and Downtown Engagement theme.

Your approval of this resolution is requested.

c: Donna Stinnett
RESOLUTION NO. _______

RESOLUTION AMENDING HENDERSON VISION PLAN BY ADDING HENDERSON DOWNTOWN MASTER PLAN APPENDIX

WHEREAS, in 2018 a group representing a number of community organizations was organized to expand on the 2015 Henderson Vision Plan to concentrate and focus on the Riverfront and Downtown Engagement theme to create a “Downtown Master Plan”; and

WHEREAS, the master plan would be an extension and continuation of the Henderson Vision Plan and become an appendix to that document; and

WHEREAS, the group tasked with this assignment has completed its Downtown Master Plan and presented it to the Board of Commissioners; and

WHEREAS, the City Manager recommends approval of the Henderson Downtown Master Plan Appendix to Henderson Vision Plan (a copy which is attached hereto).

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the recommendation of the City Manager is hereby accepted, and the attached copy of the Henderson Downtown Master Plan Appendix to Henderson Vision Plan, is hereby approved.

On motion of Commissioner __________________________, seconded by Commissioner __________________________, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: _______  Commissioner Royster: _______
Commissioner Vowels: _______  Mayor Austin: _______
Commissioner Bugg: _______

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

__________________________________
Steve Austin, Mayor
Date: ______________________________

ATTEST:

__________________________________
Maree Collins, CKMC,
City Clerk
APPROVED AS TO FORM AND LEGALITY THIS 17 DAY OF FEBRUARY, 2020.

By: Dawn S. Kelsey
City Attorney
ACKNOWLEDGMENTS

The Henderson Downtown Master Plan was created by community leaders who engaged in a visioning process to define where the downtown should be headed in the future. A special thanks to those listed below for the effort they contributed to the Plan.

DOWNTOWN PLAN COMMITTEE
Brian Bishop
Abby Dixon
Jennifer Drennan
Lindsay Locasto
Chandler Marshall
Caleb May
Holli Melton
Buzzy Newman
Ray Nix
Tim Skinner
Donna B. Stinnett
Dylan Townsend
Missy Vanderpool
Claudia Wayne

STAFF & CONSULTANT TEAM
Henderson City-County Planning Commission
Downtown Henderson Partnership
Taylor Siefker Williams Design Group
In July of 2018, a group of representing a number of community organizations was organized and convened to begin discussion about a Downtown Master Plan. The idea explored at that initial meeting was to expand on the 2015 Henderson Vision Plan and dig deeper into the Riverfront and Downtown Engagement theme to create a “Downtown Master Plan.” This master plan would be an extension and continuation of the Henderson Vision Plan and become an appendix to that document.

After the initial meeting, the Henderson City-County Planning Commission and the Downtown Henderson Partnership took the lead in organizing and conducting informational sessions and “mobile meetings” to engage local businesses owners and leaders as well as everyday citizen groups for their ideas on identifying:

1. Catalyst projects that need timely focus in order to advance Downtown Henderson;
2. Priorities to move those projects forward; and
3. Next steps needed to implement the Downtown Master Plan including responsible parties, funding and time lines.

Multiple groups provided leadership and input in creating the Downtown Master Plan, including:

- Henderson City-County Planning Commission staff
- Downtown Henderson Partnership staff and board members
- Henderson Vision Group and board members
- Henderson Audubon Board of Realtors
- Henderson Tourist Commission
- City of Henderson City Manager and staff members
- Henderson County Public Library staff
- Downtown business leaders, including Field & Main and Rookies
The Downtown Master Plan references the Catalyst Projects identified in the Henderson Vision Plan and aimed to expand and move many of these projects forward. The initial Vision Plan identified seven catalyst projects within the “Riverfront & Downtown Engagement” theme as well as 16 other supporting projects that would further downtown redevelopment and reinforce downtown as a destination. These projects are listed below. Details on each project and the current status can be found in the Vision Plan and 2019 Vision Plan Report Card.

**Vision Plan Catalyst Projects:**
- Arts Education Center & Gallery
- Boutique Hotel
- Downtown Events & Programming
- Downtown Living Options
- Events Center
- Redevelopment Opportunities
- Transient Dock/Marina

**Other Vision Plan Supporting Projects:**
- Additional Downtown Parking (Parking Garage)
- Alcohol Permits for Events
- Amphitheatre/Outdoor Performance Space
- Atkinson Park Expanded Programming
- Dog Park
- Downtown Trolley
- Entertainment & Arts District
- Hospital Engagement with Riverfront, Hospital/Health Services Facilities
- Main Street Tree Planting
- Micro-Brewery/Distillery
- Promenade/Boardwalk
- Restaurants & Retail
- Riverfront Gateway/Landmark Feature
- Riverwalk Trail Extension
- Season Ice Skating Rink

- Not Started
- In Progress
- Completed
The geographic boundaries of downtown were identified and the above projects from the Vision Plan were mapped, allowing the working committee to identify additional projects or areas that needed additional improvement.
A "wish list" of ideas was generated that expanded upon the Vision Plan projects and is organized by the themes used in the Henderson Vision Plan. The updated "wish list" of projects for downtown was expanded to include the following:

**Riverfront & Downtown Engagement**
- Amphitheatre/stage built in
- Boutique hotel
- Parking garage
- Trees
- Riverfront seating and interaction
- Uniform open signs for all merchants
- Experience-driven merchants
- Permanent outdoor entertainment venue
- Retail options
- Atmosphere (landscaping, lights, public arts and crosswalks)

**Community Viability**
- Sports complex
- Organic/fresh grocery/farmers market
- Arts district with downtown theatre
- Museum of some sort

**Access & Mobility**
- Trolley
- Wayfinding signs (including indicators for parking, restrooms)
- Creative sidewalks
- Bike trails, bike share
- Accessibility for bike and pedestrians into downtown

**Landmarking & Sense of Place**
- Lighting
- Distillery on bourbon trail
- Murals and alley way cleanup

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Second Street & Main Street Historical Photo

Historical Marker on Main Street
In the Spring of 2019, the working committee began an intensive input process to determine the priority of projects that should occur in downtown. Through "mobile meetings" as well as a display that moved around the community, residents and business owners were able to rank each project on the "wish list" for downtown. Presentations were made during mobile meetings to the following organizations:

- Downtown Merchants.
- Downtown Professionals.
- Downtown Restaurant Owners.
- Henderson Community College.
- Henderson Rotary Club.
- Henderson Lions Club.
- Henderson Leadership Initiative.
- A panel of Henderson County High School and Middle School students recruited by the school administration.
- Henderson Vision Group.
- Rotaract.
- Downtown Henderson Partnership Breakfast.
- City-County Cooperative Study Team.

Additionally, the boards used during the mobile meetings were also displayed at the following locations to allow additional input:

- Henderson County Public Library.
- Henderson Municipal Center.
- Field & Main Bank.
- Henderson Tourist Commission office.
- The Gathering Place senior citizens center.
- Housing Authority of Henderson.
- Independence Bank.
Following the data collection period, results were tallied by the Henderson City County Planning Commission staff and the projects were assigned a score, ranking them within their respective categories. The project rankings included (lowest number indicating most popular):

<table>
<thead>
<tr>
<th>RIVERFRONT &amp; DOWNTOWN ENGAGEMENT</th>
<th>RANKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boutique hotel</td>
<td>2.4</td>
</tr>
<tr>
<td>Trees</td>
<td>2.4</td>
</tr>
<tr>
<td>Atmosphere landscaping lights public art — crosswalks for example</td>
<td>4.0</td>
</tr>
<tr>
<td>Uniform open signs for all Merchants</td>
<td>4.8</td>
</tr>
<tr>
<td>Experience driven merchants</td>
<td>5.0</td>
</tr>
<tr>
<td>Permanent outdoor entertainment venue</td>
<td>5.2</td>
</tr>
<tr>
<td>Amphitheatre/ stage built in</td>
<td>6.0</td>
</tr>
<tr>
<td>Retail options</td>
<td>6.6</td>
</tr>
<tr>
<td>Riverfront seating and interaction</td>
<td>6.6</td>
</tr>
<tr>
<td>Parking garage</td>
<td>9.2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMUNITY INVESTMENT</th>
<th>RANKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Event Center</td>
<td>1.2</td>
</tr>
<tr>
<td>Arts District</td>
<td>2.0</td>
</tr>
<tr>
<td>Convention Center</td>
<td>2.8</td>
</tr>
<tr>
<td>Preservation Area - Green Space</td>
<td>3.4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COMMUNITY VIABILITY</th>
<th>RANKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arts district with downtown theatre</td>
<td>1.6</td>
</tr>
<tr>
<td>Sports Complex</td>
<td>2.2</td>
</tr>
<tr>
<td>Organic/fresh grocery/farmers market</td>
<td>3.0</td>
</tr>
<tr>
<td>Museum of some sort</td>
<td>3.2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACCESS &amp; MOBILITY</th>
<th>RANKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessibility for bike and pedestrian into downtown</td>
<td>2.2</td>
</tr>
<tr>
<td>Creative sidewalks</td>
<td>3.0</td>
</tr>
<tr>
<td>Trolley</td>
<td>3.2</td>
</tr>
<tr>
<td>Bike trails - bike share</td>
<td>3.2</td>
</tr>
<tr>
<td>Way finding signs</td>
<td>3.4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LANDSCAPING &amp; SENSE OF PLACE</th>
<th>RANKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murals and alley way cleanup</td>
<td>1.8</td>
</tr>
<tr>
<td>Lighting</td>
<td>2.0</td>
</tr>
<tr>
<td>Distillery on bourbon trail</td>
<td>2.2</td>
</tr>
</tbody>
</table>
In addition to the ideas vetted through the public, a number of additional projects were identified but were not included in the recommendations of the Downtown Plan. These suggestions are less tangible in nature but could still contribute to the quality of life and are included for reference.

Riverfront & Downtown Engagement

- Escape Room, Arcade.
- Piano/Recreation Area.
- Family Entertainment Center (similar to one in Newburgh, Ind.).
- Vertical Escape.
- Paintball or laser tag venue.
- Riverfront cleanup.
- List of downtown businesses that offer free Wi-Fi.
- Place to study or hangout.
- Food trucks on the riverfront.
- Mini-Carnival more often.
- Zoo.
- Programming, more activity.
- Little beach, sand area at Redbanks Park.

Community Investment

- Pool in the downtown area.
- Homeless Shelter.
- Solar panels.
- A downtown Fine Arts Center.
- Restaurant discounts for youth.
- Science Center/Discovery Center or a CMOE.
- Mall with more shopping opportunities.
- More advertising for our downtown.
- Youth town halls to discuss current events or politics.
- Downtown living options.
- Showcase for functional arts, crafts (in addition to fine arts).
- Bourbon museum.
- Spectator seating at tennis courts.
- Updated Calisthenics gym.

Community Viability

- Community garden.
- Boutiques for shopping.
- Brighter downtown roads.
- Free music events.
- Movies geared at teens.

Access & Mobility

- Safe place to hang out.
- Instagram or Twitter as a way to promote events to younger generations.
- Concerts after football games.
- More exotic food choices.
- 10-10-10 concept: 10 eateries, 10 retail shops in three blocks with 10 open after 6 p.m.
- Pick one block as a demonstration project for a makeover.
- Expand free parking hours.
- Beautification and curb appeal (hanging flowers, planters, benches, signs).
- Inventory of community intellectual assets (tour guides specializing in various topics, visual artists, musicians, culinary artist, etc.) that could provide unique experiences.
- New features for Christmas in the Park.

Landmarking & Sense of Place

- Amusement park or a Ferris wheel.
- Guitar sculpture.
- Historic or Wax Museum.
- Downtown brick crosswalks/pathfinding.
- Maintaining historic nature of downtown.
- Marking downtown gateway.
- Giving downtown a name/identity aligned with branding.
Bringing this vision for Downtown Henderson to reality will require many partners and a number of years to accomplish. Based on the priorities identified during this planning process, input from residents, businesses and elected officials, and potential funding, the following action steps have been identified to continue building momentum and complete the highest priority projects.

**Plan Maintenance**

A plan is created in a single point in time. It paints a long-term picture of where the community wants to go and attempts to anticipate change but responding to unforeseen change can be difficult. The following action steps are necessary to continually monitor the plan direction, gauge success or challenges, and reassess key projects for the next year.

1. **Downtown Henderson Partnership (DHP), Economic Vitality Committee Meetings.**

   As this plan is completed, project implementation is transitioning to DHP. This committee should continue to meeting at least quarterly in order to gauge progress, overcome project obstacles and continue to move projects forward. The progress meetings should focus on task lists and actions needed to complete the upcoming key projects.

2. **Identify Available Funding & Finalize Key Projects Annually.**

   This plan identifies dozens of projects that would impact downtown and the greater community. However, they cannot all be implemented at once due to resources, volunteer time, and funding. While some projects can be started and completed quickly, others will require large investments in planning, design, volunteers or construction. These factors should be considered as projects move forward.

   The projects outlined in this plan should be aligned with available funding sources, including local, state, federal and private. Through this process, the key projects that should be initiated, continued and/or started in 2020 (and each year after) should be determined. Key projects for each year should, at a minimum, include:

   - Continuing projects that are currently underway that have funding secured;
   - Completing at least one “quick win” project that could be started and completed in one year;
   - Beginning at least one long-term project that requires multiple steps to complete; and
   - Setting up projects that have potential funding sources in order to submit a competitive grant application.
2020 Key Project Action Step Plan

While the DHP committee will refine and finalize the list of key projects for 2020, the following provides an outline of suggested projects that should occur or move forward in the next year. This list is based on continuing current projects as well as the input collected during this planning process. This list can be expanded and/or refined once the list of key projects for 2020 is finalized.

KEY PROJECT 1: Events Center

The events center was consistently identified as a catalyst project during the Vision Plan as well as this downtown plan. While discussions have occurred recently, a more formal action plan specifically for the events center needs to be created. This would include the larger tasks that would be required over the life of the project as well as a detailed task list for the upcoming year. Additionally, funding sources, responsible parties and partners should be outlined for each task for the upcoming year.
KEY PROJECT 2: Arts District with Downtown Theatre

There is a desire to create a distinct arts district in downtown with a theatre that anchors the district. The vision for this district should be defined and the next steps for finalizing location and partner for the new theatre should be identified.
KEY PROJECT 3: Lighting on Main Street

Café-style lighting was recently added to Central Park that add not only lighting for security but also add to the ambiance and user experience at the park. This type of lower-cost lighting could be extended along Main Street. Specific areas or sites should be identified and funding should be secured to complete a second phase of café-style lighting in 2020.

Commercial Street - Nevada City, CA

Granby Street - Norfolk, VA
KEY PROJECT 4: Murals & Alley Way Cleanup

A current mural is underway in downtown in partnership with the Hugh Edward Sandefur Training Center. Additional sites for murals should be identified with the intention of completing one more mural in 2020. New murals can also incorporate alley ways to make these connections more inviting and friendly. Mural designs should be vetted through the DHP committee to make sure this art reinforces the desired character of downtown.
KEY PROJECT 5: Creative Sidewalks & Crosswalks

Sidewalk or crosswalk projects not only improve safety for pedestrians but they can also be a creative way to display a community’s character and create a unique sense of place. A current crosswalk project is funded in downtown to improve a themed-block crossing on Second Street between Main Street and Elm Street. At least one additional sidewalk or crosswalk project should be identified to complete in 2020 with a focus on improving safety and bringing a creative atmosphere to downtown.

Southwark Street - London

Brick Paver Crosswalk
KEY PROJECT 6: Sports Complex

While this project is not located in downtown, the impact from the number of visitors will be seen downtown. As families come for sports activities and games, they will also have a need for entertainment, dining and just being tourists. The sports complex project was identified in the Vision Plan and significant progress has been made over the past few years. The DHP committee should participate as the project progresses and identify what projects are needed in downtown to support the sports complex.
February 19, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. “Buzzy” Newman, Jr, City Manager

SUBJECT: Municipal Aid Cooperative Agreement

The accompanying resolution authorizes the execution of a Municipal Aid Cooperative Agreement with the Kentucky Transportation Cabinet for fiscal year 2020-2021.

The agreement provides for an initial apportionment of $346,747.00, after a three percent set-aside for an emergency fund. The funds are restricted to the maintenance, construction, or reconstruction of city streets. This includes materials, labor, and equipment necessary for the city to accomplish maintenance, repairs, and improvements on city streets.

The initial apportionment is 60 percent of the projected revenue to be made available to the City during the fiscal year commencing July 1, 2020. Additional monies will be provided as they may become available in subsequent apportionment from the Commonwealth. A total of approximately $595,785.70 is anticipated next year.

The receipt of these funds is crucial to the continued maintenance of city streets. Your approval of the attached resolution is requested.

c: Brian Williams
   Robert Gunter
   Dylan Ward
Dear Mayor,

The Department for Rural and Municipal Aid would like to extend an invitation to participate in the Cooperative Program for fiscal year 2021. Participation in the Cooperative Program allows you to enter into an agreement with the Kentucky Transportation Cabinet for the expenditure of your allotted share of the Municipal Road Aid Funds. This program provides the eligible opportunity to receive emergency funding assistance for unforeseen municipal emergencies. Three percent (3%) of each participating municipality's apportionment is placed into the emergency fund for emergency needs.

Municipalities that choose to participate in the Cooperative Program will receive three payments annually. For participating governments during fiscal year 2021, we will make sixty percent (60%) of the total projected revenue available on August 1, 2020. The remaining funds will be made available later in the fiscal year with the final payment being made at the end of the fiscal year after the actual motor fuel receipt collections are tabulated. Please note there are no administrative charges to the program. Municipalities which choose not to participate in the program will receive Municipal Road Aid funds monthly through the Department for Local Government (502-892-3487). The monthly funds received are based on the motor fuel sales of the preceding month.

If you are interested in participating in the Cooperative Program, you must print, sign and return the ORIGINAL version of the enclosed agreement and resolution to our office by April 1, 2020. If you require additional information, please feel free to contact our office by phone at (502) 564-2060, option no. 2, or email the Department at RuralandMunicipalAid@ky.gov.

Sincerely,

Craig Caudill, Executive Director
Office of Rural and Secondary Roads
Kentucky Transportation Cabinet
Department of Rural and Municipal Aid
6th Floor - East
200 Meri Street
Frankfort, Kentucky 40601

Enclosed: FY 2021 Municipal Cooperative Agreement

CAC:SLP

AN EQUAL OPPORTUNITY EMPLOYER M/F/D
RESOLUTION NO. ______

RESOLUTION APPROVING MUNICIPAL AID COOPERATIVE AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET FOR MAINTENANCE AND CONSTRUCTION OF CITY STREETS IN FISCAL YEAR 2020-2021

WHEREAS, the Kentucky Transportation Cabinet provides funds to municipalities for the maintenance, construction, and reconstruction of City streets; and

WHEREAS, the receipt of said funds is crucial to the continued maintenance of the City’s streets; and

WHEREAS, the City Manager recommends approval of the attached contract.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the recommendation of the City Manager is hereby accepted, and the attached contract for Mutual Aid Funds with the Kentucky Transportation Cabinet, for Fiscal Year 2020-2021, is hereby approved, and the Mayor is authorized to execute the contract on behalf of the City.

On motion of Commissioner ________________, seconded by Commissioner ________________, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: ______
Commissioner Vowels: ______
Commissioner Bugg: ______
Commissioner Royster: ______
Mayor Austin: ______

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

ATTEST:

Steve Austin, Mayor
Date: ________________________

Maree Collins, CKMC,
City Clerk

APPROVED AS TO FORM AND LEGALITY THIS ___ DAY OF FEBRUARY, 2020.

By: ________________
Dawn S. Kelsey
City Attorney
MUNICIPAL ROAD AID COOPERATIVE
PROGRAM AGREEMENT

THIS AGREEMENT, entered into as of the date of the signature below of the Secretary of the Transportation Cabinet, is made by and between the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid ("the Department"), and the Legislative Body of the Incorporated City of HENDERSON, Kentucky (the "City").

WHEREAS, Kentucky Revised Statutes (KRS) § 177.365(1) provides that 7.7% of revenue resulting from the imposition of motor fuel taxes on taxpayers pursuant to KRS § 138.220(1)(2), KRS § 138.660(1)(2), and KRS § 234.320 shall be set aside by the Finance and Administration Cabinet for the construction, reconstruction, and maintenance of urban roads and streets, and for no other purpose ("Municipal Road Aid Funds"), and

WHEREAS, the City has accepted an invitation from the Department to allow it to participate in a cooperative program to aid the City in the construction, reconstruction, and maintenance of certain roads and bridges using its share of the Municipal Road Aid Funds apportioned to it by the Department as provided below (the "Cooperative Program"), and

NOW THEREFORE, in consideration of the terms and conditions contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Department and the City agree as follows:

1. **Apportionment of Municipal Road Aid Funds.** The City's apportionment of Municipal Road Aid Funds shall be based on revenue estimates supplied by the Office of State Budget Director. For the Fiscal Year beginning July 1, 2020, this amount is **$595,785.70** (the "Apportionment"). The Apportionment shall be distributed by the Department to the City in accordance with the terms of this Agreement.
2. **Assignment of the Apportionment.** The City hereby assigns all of its right, title and interest in and to the Apportionment to the Transportation Cabinet’s Division of Accounts for Fiscal Year 2021.

3. **Distribution of Municipal Road Aid Funds.** The City and the Department agree that the Apportionment shall be distributed by the Department to the City as follows:
   
a. **First Distribution.** The Department shall initially distribute to the City sixty percent (60%) of the Apportionment, less three percent (3%) of the Apportionment set aside for the emergency fund below. This initial amount is $346,747.00.
   
b. **Second Distribution.** The Department shall distribute up to and including an additional thirty percent (30%) of the Apportionment to the City, less three percent (3%) of the Apportionment set aside for the emergency fund below. The amount of the second distribution will depend on how actual revenues compare to revenue estimates.
   
c. **Final Distribution.** The Department shall allocate and distribute the remaining balance of the Apportionment, less three percent (3%) set aside for the emergency fund below. The Final Distribution shall be based on actual revenues tabulated after the end of the fiscal year (June 30).

4. **Emergency Fund.** The City agrees that three percent (3%) of the Apportionment shall be withheld by the Department in an emergency fund (the “Emergency Fund”). The Emergency Fund shall include three percent (3%) of the total apportionments of all participants in the Cooperative Program, plus any remaining balances from previous fiscal years. The Department, upon written application from a duly authorized representative of the City, may disburse these funds to the City for the purpose of it using said funds for emergency roadway and bridge projects designated by the City and lying within city limits. The Department may disburse
up to fifty percent (50%) of the approved funds to the City for the purpose of using said funds for emergency roadway and bridge projects designated by the City. Following the completion of the project, after final cost documentation has been submitted and processed, the Department will then distribute the determined remaining amount. If the actual cost of an emergency project is less than the amount of Emergency Funds disbursed by the Department, then the City shall reimburse the difference to the Department.

5. **Disbursement of Funds.** Upon execution of this Agreement, the Department will disburse the foregoing allocated funds directly to the City to pay for materials, labor and equipment necessary for the City to accomplish construction, reconstruction, and maintenance on streets designated by the City and lying within city limits. This assistance is extended insofar as funds are available from the Apportionment. The City shall be responsible for all costs associated with the construction, reconstruction and maintenance of roadways and bridges in excess of the amount of the Apportionment allocated and disbursed by the Department to the City. The Department may assist the City in fulfilling its needs by disbursing funds to the City for materials and work performed by contract, for materials obtained by contract and for the rental or purchase of road maintenance and construction equipment. Any rental rates shall be based on current edition of the "Blue Book for Rental of Equipment" or the Department’s official rental rates. The Department may also disburse funds to the City for the hourly rate for personnel who perform the work. This rate may include employee fringe benefits such as leave overlay, retirement, social security, insurance, etc.

6. **Use of Municipal Road Aid Funds.** The City agrees and certifies that the Apportionment will be expended by the City solely for the purpose of construction, reconstruction, and maintenance of city streets as defined in KRS § 177.365(4).
7. **Rights of Way.** The City, if required under applicable law, will acquire any rights-of-way contemplated under this Agreement and assumes responsibility for any claims for damages arising from such acquisitions.

8. **Indemnification.** The City shall fully indemnify, hold harmless and defend the Department from and against all claims, actions, suits, demands, damages, liabilities, obligations, losses, settlements, judgments, costs and expenses (including without limitation reasonable attorney's fees and costs), whether or not involving a third party claim, which arise out of, relate to or result from (a) any breach of any representation or warranty of the City contained in this Agreement, (b) any breach of any covenant or other obligation or duty of the City under this Agreement or under applicable law, in each case whether or not caused by the negligence of the Department and whether or not the relevant claim has merit.

9. **Reimbursement of Losses.** The City will reimburse the Department for losses it may sustain arising out of performance of this Agreement. Such loss as sustained by the Department may be charged to the Apportionment in this or future fiscal years.

10. **Termination of Agreement.** The Department reserves the right to cancel this Agreement at any time deemed to be in the best interest of the Department by giving thirty (30) days written notice of such cancellation to the City. If this Agreement is canceled under this provision, then the City will receive any unpaid portion of the Apportionment from the Finance and Administration Cabinet.

11. **Access to Records.** The City acknowledges and agrees that pursuant to KRS § 177.369(3) it shall retain all records of the expenditures of the Apportionment for a period of five (5) years and said records, including any books, documents, papers, records, or other evidence, which are directly pertinent to this agreement [records and other prequalification information
confidentially disclosed as part of the bid process shall not be deemed as directly pertinent and shall be exempt from disclosure as provided in KRS 61.878(1)(c)], shall be subject to audit by the Finance and Administration Cabinet or its duly authorized agent and made accessible by the City to the Finance and Administration Cabinet or its duly authorized agent for said period of time in order to determine the proper expenditure of said money for the purposes required by KRS § 177.365(1). The City also recognizes that any books, documents, papers, records, or other evidence received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS § 61.870 to KRS § 61.884.

12. **Authorization.** The Legislative Body of the City shall pass a resolution adopting and approving the terms of this Agreement in the form of the resolution attached to this Agreement and made a part hereof. The Chief Executive Officer of the City, and the Commissioner of the Department, or their authorized representatives, insofar as their actions are in accord with the laws of the Commonwealth of Kentucky, shall act for their respective parties on all matters arising under this Agreement.

13. **Choice of Law and Venue.** All questions as to the execution, validity, interpretation, construction and performance of this Agreement shall be governed by the laws of the Commonwealth of Kentucky. Furthermore, the parties hereto agree that any legal action which is brought on the basis of this Agreement shall be filed in the Franklin County Circuit Court of the Commonwealth of Kentucky.
IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the dates listed below.

INCORPORATED CITY OF HENDERSON

BY: ___________________________ Date: ____________
    Chief Executive Officer

DEPARTMENT OF RURAL AND MUNICIPAL AID
OFFICE OF RURAL & SECONDARY ROADS

BY: ___________________________ Date: ____________
    Commissioner

APPROVED AS TO FORM AND LEGALITY:

BY: ___________________________ Date: ____________
    Office of Legal Services

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

BY: ___________________________ Date: ____________
    Secretary
February 20, 2020

TO: Mayor Steve Austin and the Board of Commissioners
FROM: William L. “Buzzy” Newman, Jr., City Manager
SUBJECT: Homeland Security Grant Application – Patrol Rifles

The accompanying resolution authorizes the submittal of a grant application in the approximate amount of $25,000.00 to the Kentucky Office of Homeland Security (KOHS), and upon approval to execute any documents which are deemed necessary to facilitate and administer the project.

The Kentucky Department of Homeland Security is responsible for administering funds for the Law Enforcement Protection Program (LEPP). LEPP provides grants for body armor, firearms, ammunition, electronic-control devices, electronic-control weapons or electron-muscular disruption technology to sworn peace officers and service animals.

The attached grant application is for the purchase of forty-seven (47) patrol rifles with the trade-in of current rifles. The purchase would allow the update of equipment and outfit each officer with a patrol rifle. No local match is required on this grant program. Grant applications are accepted throughout the entire year; they are reviewed quarterly and awarded based on available funding.

Your approval of the attached resolution is requested.

c: Heath Cox
   Dawn Winn
February 19, 2020

TO: Buzzy Newman
   City Manager

FROM: Heath A. Cox
   Chief of Police

SUBJECT: KOHS Law Enforcement Protection Program Grant Application

I am requesting commission approval for application of a Kentucky Office of Homeland Security (KOHS) Law Enforcement Protection Program Grant in the approximate amount of $25,000 to purchase forty-seven (47) patrol rifles. Awarded funds are disbursed to qualifying law enforcement agencies in one of four categories: body armor, firearms and ammunition, electronic control weapons or body cameras. The grant application requires an authorizing official signature; a copy of the application is attached.

The weapons purchase would allow our department to update our equipment and outfit each officer with a patrol rifle. An exact quote for the purchase of forty-seven patrol rifles, allowing for a trade-in of our current rifles, will be forthcoming.

Please advise if I may provide any additional information.

Heath A. Cox
Chief of Police

HAC/wds
Law Enforcement Protection Program

This program is a joint collaboration between the Kentucky Office of Homeland Security and the Kentucky State Police.

KRS 16.220 establishes a fund within the Kentucky Office of Homeland Security to provide grants for body armor, firearms, ammunition, electronic-control devices, electronic-control weapons, electro-muscular disruption technology, and body-worn cameras to city, county, charter county, unified local government, urban-county and consolidated local government police departments, university safety and security departments organized pursuant to KRS 164.950; school districts that employ special law enforcement officers as defined in KRS 61.900; and sheriff’s departments for sworn peace officers and service animals, as defined in KRS 525.010. First priority is given to providing and replacing body armor, second priority to providing firearms and ammunition. Residual funds available for the purchase of electronic control devices, electronic control weapons, electro-muscular disruption technology, and body-worn cameras.

Eligible items and maximum reimbursement rates:

- **Body Armor Vests**
  - $665 maximum per vest
  - (Tote carriers for vests are not reimbursable.)

- **Duty Weapons/Firearms**
  - Determined by quotes received by applicant.

- **Ammunition**
  - Up to 500 rounds per weapon
  - (Determined by quotes received by applicant.)

- **Taser**
  - $869 per officer
  - (Includes taser and battery only.)

- **Taser Software Unit**
  - $159 maximum
  - (Limit of one unit per agency.)

- **Taser Cartridge**
  - $25 per cartridge maximum
  - (Maximum of two per taser.)

- **Body Cameras**
  - $355 maximum per body camera
  - (Costs related to training, peripheral equipment, video storage, and video retention for body cameras is not reimbursable.)

**Accessories, shipping & handling fees, and freight charges for the above equipment are not eligible for reimbursement.**
RESOLUTION NO. ________

RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS) FOR FUNDS IN THE AMOUNT OF $25,000.00, AND ACCEPTANCE OF GRANT IF AWARDED; AND AUTHORIZING MAYOR TO EXECUTE DOCUMENTS AND TO ACT AS AUTHORIZED CORRESPONDENT FOR THE PROJECT

WHEREAS, the City of Henderson desires to submit a grant application to the Kentucky Office of Homeland Security for funds to purchase of forty-seven (47) patrol rifles for the police department; and

WHEREAS, the City Manager recommends that such grant application be made.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and the submittal of a grant application to the Kentucky Office of Homeland Security (KOHS) for funds in the amount of $25,000.00 to purchase forty-seven (47) patrol rifles is hereby approved, and said grant is accepted if it is awarded, and the Mayor is authorized to sign all necessary documents regarding this grant application and acceptance thereof, and is the authorized correspondent for the project.

On motion of Commissioner ________________ , seconded by Commissioner ________________, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: ________ Commissioner Royster: ________
Commissioner Vowels: ________ Mayor Austin: ________
Commissioner Bugg: ________

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

__________________________
Steve Austin, Mayor
Date: ________________________

ATTEST:

Carolyn Williams, City Clerk

APPROVED AS TO FORM AND LEGALITY THIS 19 DAY OF FEBRUARY, 2020.

By: ________________________
Dawn S. Kelsey
City Attorney
February 19, 2020

TO: Mayor Steve Austin and the Board of Commissioners
FROM: William L. "Buzzy" Newman, Jr., City Manager
SUBJECT: Housing Authority Lease for Dixon Hall

The accompanying municipal order authorizes a lease between the City of Henderson and the Housing Authority of Henderson for the Dixon Hall facility located at 341 S. Adams Street.

The lease is for a two-year term beginning on April 1, 2020 and ending on March 31, 2022 and is unchanged from previous lease agreements with the Housing Authority for the Dixon Hall facility. No rent is due as it is mutually beneficial for the added police presence in the area.

Your approval of the attached municipal order is requested.

c: Heath Cox, Police Chief
MUNICIPAL ORDER ________

MUNICIPAL ORDER AUTHORIZING LEASE BETWEEN THE CITY OF HENDERSON AND THE HOUSING AUTHORITY OF HENDERSON KENTUCKY, FOR THE DIXON HALL FACILITY LOCATED AT 341 SOUTH ADAMS STREET, HENDERSON, KENTUCKY; AND AUTHORIZING MAYOR TO EXECUTE SAME ON BEHALF OF CITY.

WHEREAS, the City and the Housing Authority have negotiated a lease agreement for the Dixon Hall facility located at 341 South Adams Street, Henderson, Kentucky, which is currently being utilized as a police substation; and

WHEREAS, it is believed to be in the best interest of the City to approve such lease agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT ORDERED by the City of Henderson, Kentucky, that the attached Lease Agreement between the City of Henderson, Kentucky and the Housing Authority of Henderson, Kentucky for the Dixon Hall facility located at 341 South Adams Street, Henderson, Kentucky, is hereby approved, and the Mayor is authorized to execute the lease on behalf of the City.

On motion of Commissioner __________________________, seconded by Commissioner __________________________, that the foregoing Municipal Order be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: ________               Commissioner Royster: ________
Commissioner Vowels: ________                Mayor Austin: ________
Commissioner Bugg: ________

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING, this the ____ day of February, 2020.

__________________________
Steve Austin, Mayor
Date: _______________________

__________________________
Maree Collins, CKMC
City Clerk

APPROVED AS TO FORM AND LEGALITY THIS 17 DAY OF FEBRUARY, 2020.

By: ________________________
Dawn S. Kelsey
City Attorney
LEASE AGREEMENT
DIXON HALL-341 S. Adams Street
Police Substation

THIS LEASE AGREEMENT is made and entered into this 1st day of April, 2020, by and between the HOUSING AUTHORITY OF HENDERSON, 111 South Adams Street, Henderson, Kentucky 42420, hereinafter referred to as the LESSOR, and the CITY OF HENDERSON, 222 First Street, Henderson, KY 42420, hereinafter referred to as the LESSEE.

1. **PREMISES LEASE** The Lessor hereby leases to the Lessee the facility known as Dixon Hall located at 341 South Adams Street, Henderson, Kentucky, 42420, the said facility being approximately 1800 square feet in size.

2. **TERM** The term of this lease shall be for 2 (two) year(s), beginning on April 1, 2020 and ending on March 31, 2022. However, either party may end the term of this lease provided the party desiring to end the term of the lease gives a thirty day (30) written notice through certified mail to the other party.

3. **CONSIDERATION** The Lessee shall not be required to pay rent for its use of the premises during the term of this lease. The Lessor will benefit from this agreement by the increased security for its tenants because of the added police presence in the area.

4. **USE OF FACILITY** The Lessee shall be responsible for any damage or vandalism to Dixon Hall attributable to its use of this facility. The Lessee shall be responsible for janitorial service connected with its use of Dixon Hall and shall keep this facility in a clean and orderly condition. The Lessee shall also be responsible for replenishing bathroom supplies and trash removal.

   The Lessor shall not be responsible for any loss, damage, or injuries suffered by the Lessee or those using Dixon Hall, including participants and the general public. The Lessee will hold the Lessor harmless from any demand, law suit, judgment, and any claim whatsoever, by any party, arising out of the Lessee’s use of the premises.
5. **UTILITIES** The Lessor shall be responsible for payment of electricity, water and sewer charges, and sanitation attributable to the leased premises.

6. **REPAIRS AND MAINTENANCE** The Lessee agrees to keep the leased premises in a good state of repair, and shall return it to the Lessor at the end of the term in as good a condition as when initially occupied, reasonable wear and tear excepted. The Lessor shall be responsible for all repairs to the roof and exterior of the building, and of common areas, except for damage or vandalism attributable to the Lessee’s use of the facility.

7. **PURPOSE** The Lessee shall use the leased premises as a City of Henderson Police Department Substation and shall not allow its use for any other purpose without the written consent of the Lessor.

8. **AGREEMENT TO NEOGOTIATE** At the conclusion of this lease term, the parties agree to the automatic renewal of the lease for an additional two-year period. However, as previously set forth, either party may end the term of this lease provided the party desiring to end the term of the lease gives a thirty day (30) written notice through certified mail to the other party.

9. **LIABILITY AND LIABILITY INSURANCE** The Lessor shall not be liable for loss by failure to keep the premises in repair or from any damage occurring by the failure of the plumbing, gas, water, sewer, or the electrical wiring. The Lessee agrees to indemnify and save the Lessor harmless to the extent provided by Kentucky law at all times from any liability or damage because of injury to employees or to the general public arising out of the occupancy of the leased premises by Lessee, its repair and alterations, or through any defect in said premises. Any personal property in the leased premises shall be kept at the risk of the Lessee only. The Lessee agrees that at all times during the term of this lease at its own expense to carry public liability and property damage insurance coverage in a responsible insurance company or companies satisfactory to the Lessor and to have coverage extend to protect the Lessor. The Lessee shall furnish the Lessor a certificate of coverage and shall
provide in the insurance contract that their insurance carrier shall give the Lessor, thirty
days (30) notice prior to any cancellation of insurance coverage.

10. **FIRE AND EXTENDED COVERAGE INSURANCE**  The Lessor shall
obtain a fire and extended coverage insurance policy that covers damage to the leased
premises.

11. **NO SUBLEASING OR ASSIGNMENT**  This lease may not be assigned nor
the premises sublet without the written consent of the Lessor.

12. **POSSESSION**  The Lessor agrees to deliver to the Lessee physical possession
of the leased premises upon the commencement of the term hereof, and the Lessee agrees
to deliver to the Lessor physical possession of the premises upon the termination of the
term of this lease or any extension hereof.

13. **NOTICE**  All notices, demands and requests that are required to be given to
either party shall be submitted in writing. All such notices demands and requests by
either party shall be sent to the other at the above addresses or at such other place as
either party may from time to time designate in writing.

14. **ENTIRE AGREEMENT**  It is distinctly understood between the parties hereto
that all agreements and understanding of any character heretofore have between them are
embodied in this instrument and no changes shall be made herein unless the same shall be
in writing and duly acknowledged by the parties.

15. **PARTIES Bound**  Terms, conditions and provisions of this lease shall inure
to and be binding upon the Lessor and Lessee and their respective successors.

16. **ATTORNEY FEES**  In regard to the enforcement of this agreement, any
party in default of this lease shall pay all reasonable costs, including attorney fees, of the
party not in default.
IN WITNESS WHEREOF, the parties have signed this lease on the day and date first above written.

LESSOR: HOUSING AUTHORITY OF HENDERSON
BY: [Signature]

LESSEE: CITY OF HENDERSON
BY: [Signature]

State of Kentucky
The foregoing Lease was acknowledged before me by [Signature], of the HOUSING AUTHORITY OF HENDERSON, as LESSOR, this 12th day of February, 2020.
My commission expires: 4/7/2020

Notary Public

State of Kentucky
The foregoing Lease was acknowledged before me by [Signature], of the CITY OF HENDERSON, as LESSEE, this ________ day of __________________, 2020.

My commission expires: __________________________

Notary Public
February 20, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. “Buzzy” Newman, Jr., City Manager

SUBJECT: Limited Free Parking Ordinance

An item for the agenda of the Tuesday, February 25, 2020 regular meeting is final reading of an ordinance to amend Chapter 22, Traffic and Motor Vehicle, Article II, Parking, Stopping and Standing, Division 1, Section 22-62, Limited Free Parking.

Pursuant to direction given at the January 28, 2020 meeting, staff drafted amendments to the parking ordinance adopted November 19, 2020 that was to sunset February 29, 2020. The attached ordinance makes the change to three (3) hour parking permanent and increases the evading time limitations violation (scatter) from five (5) times in a one-week period to seven (7) times.

In addition, pursuant to discussion and direction given at the February 18th meeting, staff will schedule a review of this parking ordinance in six months. Your approval of the attached ordinance is requested.

c: Heath Cox
Robert Gunter
Dawn Kelsey
February 10, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. “Buzzy” Newman, Jr., City Manager

SUBJECT: Downtown Parking

Pursuant to our last Commission Meeting, staff and Lindsey Locasto met with Nancy Stone, Parking Enforcement, to discuss options. Listed below is information you may find helpful.

Parking tickets issued November 2019 to date:

<table>
<thead>
<tr>
<th>Dates</th>
<th>Total Tickets Written</th>
<th>Private Citizens</th>
<th>Downtown Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov 2019</td>
<td>365</td>
<td>50</td>
<td>315</td>
</tr>
<tr>
<td>Dec 2019</td>
<td>162</td>
<td>9</td>
<td>153</td>
</tr>
<tr>
<td>Jan 2020</td>
<td>159</td>
<td>18</td>
<td>141</td>
</tr>
<tr>
<td>Feb 2020 (to date)</td>
<td>31</td>
<td>1</td>
<td>30</td>
</tr>
</tbody>
</table>

Actual scatter tickets issued with current five (5) limit versus those that would have been issued for the proposed alternatives. December 2019 through January 2020

<table>
<thead>
<tr>
<th></th>
<th>December 2019</th>
<th>January 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actual (5) limit</td>
<td>40</td>
<td>30</td>
</tr>
<tr>
<td>Prop (6) limit</td>
<td>33</td>
<td>13</td>
</tr>
<tr>
<td>Prop (7) limit</td>
<td>21</td>
<td>7</td>
</tr>
<tr>
<td>Prop (10) limit</td>
<td>11</td>
<td>1</td>
</tr>
</tbody>
</table>

Dawn Kelsey will prepare a draft ordinance including a seven (7) scatter limit within a five (5) day period. If the Commission chooses to let the current ordinance expire it will revert to two-hour parking with a limit of ten (10) scatter.

c: Dawn Kelsey
ORDINANCE RELATING TO PARKING

SUMMARY: AN ORDINANCE AMENDING CHAPTER 22, TRAFFIC AND MOTOR VEHICLE, ARTICLE II – PARKING, STOPPING AND STANDING, DIVISION 1, SECTION 22-62 – LIMITED FREE PARKING TO PROVIDE FOR THREE HOURS OF FREE PARKING PERMANENTLY AND SECTION 22-63 EVADING TIME LIMITATIONS PROHIBITED CHANGING FIVE TIMES A WEEK TO SEVEN TIMES A WEEK

WHEREAS, at the request of the Downtown Henderson Partnership, the City of Henderson instituted a three (3) month trial basis changing the two (2) hour free parking in areas of the Central Business District to three (3) hour free parking to provide visitors greater time to shop, dine and explore downtown Henderson; and

WHEREAS, during the trial basis, it was determined that the three (3) hour free parking in the Central Business District was successful; and

WHEREAS, the scatter ticket or evading time limitations, which during the trial period decreased from ten (10) in a one-week period to five (5) in a one-week period; however, it has been determined that seven (7) times in a one-week (Monday through Friday) period will be more effective; and

NOW THEREFORE BE IT ORDAINED by the City of Henderson, Kentucky, that, Chapter 22, Traffic and Motor Vehicles, Article II – Parking, Stopping, and Standing, Division 1, Generally of the City’s Code of Ordinances, is hereby amended as follows:

Sec. 22-62. - Limited free parking.
The there shall be no charge for the parking of vehicles on the public streets or at the Second Street Boat/Watercraft Trailer Parking Area provided, however, that:
(a) It shall be unlawful for any motor vehicle parked for a period longer than three (3) consecutive hours [during the period of December 1, 2019 through February 29, 2020, and beginning on March 1, 2020 two (2) consecutive hours], unless otherwise designated for a shorter period of time by the city manager or unless the motor vehicle has a valid residential parking permit affixed to its rear window, between the hours of 8:00 a.m. and 5:00 p.m. of any day, except Saturday, Sunday and legal holidays, in the marked parking spaces on those sections of public streets in the downtown area as follows:
• First Street—From Water Street to Green Street;
• Second Street—From Water Street to Green Street;

-1-

PUBLICATION DATE: 
FIRST READ: 02/18/2020
SECOND READ: 

ORDINANCE NO. 03-20
• Third Street—From Water Street to the mid-block alley east of Elm Street on the south side of
the street;
• Third Street—From Main Street to Green Street on the north side of the street;
• Water Street—From Washington Street to Third Street;
• Main Street—From Washington Street to a point approximately two hundred fifteen (215) feet
north of Third Street on the west side of the street;
• Main Street—From Washington Street to a point approximately two hundred twenty (220) feet
north of Third Street on the east side of the street;
• Elm Street—From the entrance of the Municipal Center to a point approximately ninety-three
(93) feet north of Third Street on the west side of the street;
• Elm Street—From Center Street to a point approximately seventy (70) feet north of Third Street
on the east side of the street; and

(b) On Saturdays and Sundays from May 1 to September 30, and on Memorial Day, Independence
Day, and Labor Day, no motor vehicle shall be parked or allowed to stand unattended in the Second
Street Boat/Watercraft Trailer Parking Area except for boat/watercraft trailers or vehicles with a
watercraft roof rack carrier that have affixed a current boat/watercraft trailer parking sticker issued
pursuant to division 2, boat/watercraft trailer parking permit of chapter 25, waterways, or motor
vehicles parked in spaces designated by signs as "Playground Parking." For all other days, between
the hours of 8:00 a.m. and 5:00 p.m. of any day (except as designated above), it shall be unlawful for
any motor vehicle to be parked for a period longer than three (3) consecutive hours[ during the
period of December 1, 2019 through February 29, 2020, and beginning on March 1, 2020 two (2)
consecutive hours], unless otherwise designated for a shorter period of time by the city manager or
designated by signage in the marked parking spaces anywhere within the Second Street
Boat/Watercraft Trailer Parking Area, except for motor vehicles towing boat/watercraft trailers or
vehicles with a watercraft roof rack carrier that have affixed a current boat/watercraft parking sticker
issued pursuant to division 2, boat/watercraft trailer parking permit of chapter 25, waterways, of this
Code.

(c) The "Second Street Boat/Watercraft Trailer Parking Area" as used herein is that paved area
extending west from Water Street on a line with Second Street, then north on the connector road
running along the Ohio River, and then east on a line with Third Street to Water Street. "Legal
holidays" as used herein means New Year's Day, Martin Luther King Day, Good Friday, Memorial
and the day before or the day after Christmas Day, as designated by the city manager.

Sec. 22-63. - Evading time limitations prohibited.
It shall be unlawful to move a vehicle from one (1) space to another for the purpose of evading time
limitations on parking. Therefore, if a vehicle is shown by the electronic marking device used by the
city's parking enforcement officer to have occupied parking spaces within the stated regulated areas
more than seven (7) times in a one-week period (Monday through Friday) [five (5) times in a one-week period (Monday through Friday) during the period of December 1, 2019 through February 29, 2020, and beginning on March 1, 2020 more than ten (10) times in a one-week period (Monday through Friday)], then the owner or operator of said vehicle shall be deemed to have moved said vehicle for the purpose of evading time limitations on parking which shall constitute a parking violation and such violator shall be notified in writing of such violation and shall be subject to the penalties set forth in section 22-64 below.

All ordinances or parts of ordinances in conflict herewith are hereby repealed and superseded to the extent of such conflict.

On the first reading of this ordinance, it was moved by Commissioner Bugg, seconded by Commissioner Vowels, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Staton: AYE Commissioner Royster: AYE
Commissioner Vowels: AYE Mayor Austin: AYE
Commissioner Bugg: AYE

WHEREUPON, Mayor Austin declared the ordinance adopted on first reading and ordered that it be presented for second reading at a meeting of the Board of Commissioners.

On second reading of the ordinance, it was moved by Commissioner Bugg, seconded by Commissioner Vowels, that the ordinance be adopted.

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

Commissioner Staton: _______ Commissioner Royster: _______
Commissioner Vowels: _______ Mayor Austin: _______
Commissioner Bugg: _______

WHEREUPON, Mayor Austin declared the ordinance adopted, affixed his signature and the date and ordered it be recorded.

______________________________
Steve Austin, Mayor
Date: _______________________

-3-
ATTEST:

Maree Collins, CKMC
City Clerk

APPROVED AS TO FORM AND LEGALITY THIS 17TH DAY OF FEBRUARY 2020.

By: Dawn S. Kelsey
City Attorney
February 20, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. “Buzzy” Newman, Jr., City Manager

SUBJECT: Amendment of 2020 Appropriation Ordinance

An item for consideration at the meeting of Tuesday, February 25, 2020, is first reading of an ordinance amending the Fiscal 2020 Budget and Appropriation ordinance for the fiscal year ending June 30, 2020.

As discussed during the February work session, Finance Director, Robert Gunter, provided a review of the changes detailed in Finance Department Memorandum 20-02, enclosed again for reference. A summary of the General Fund changes are as follows:

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Department</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Park &amp; Recreation</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>Department</td>
<td></td>
</tr>
<tr>
<td>Police Department</td>
<td>$180,000.00</td>
</tr>
<tr>
<td>Public Works</td>
<td>$31,000.00</td>
</tr>
<tr>
<td>Transfers/Agencies</td>
<td>$58,000.00</td>
</tr>
<tr>
<td></td>
<td>$287,000.00*</td>
</tr>
</tbody>
</table>

*$284,000.00 of the $287,000.00 will come from General Fund reserves.

Your approval of the attached ordinance is requested.

c: Robert Gunter
FINANCE DEPARTMENT MEMORANDUM
20–02 Revised

February 6, 2020

TO: William Newman, Jr., City Manager

FROM: Robert Gunter, Finance Director

SUBJECT: Mid-year Budget Review

The following charts show the revenue (including transfers in), expenditures (including transfers out), and net for the General Fund through December 31st for years 2014-2019.

### General Fund Revenue, Expenditures, and Net Income
(in thousands)

<table>
<thead>
<tr>
<th></th>
<th>Dec-14</th>
<th>Dec-15</th>
<th>Dec-16</th>
<th>Dec-17</th>
<th>Dec-18</th>
<th>Dec-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$15,695</td>
<td>$16,290</td>
<td>$16,619</td>
<td>$16,323</td>
<td>$16,757</td>
<td>$17,460</td>
</tr>
<tr>
<td>Expenditures</td>
<td>$12,651</td>
<td>$12,954</td>
<td>$13,582</td>
<td>$13,553</td>
<td>$14,599</td>
<td>$15,846</td>
</tr>
<tr>
<td>Net</td>
<td>$3,044</td>
<td>$3,336</td>
<td>$3,037</td>
<td>$2,770</td>
<td>$2,159</td>
<td>$1,614</td>
</tr>
</tbody>
</table>

![General Fund Revenue, Expenditures, and Net Income Chart](chart)

### General Fund Revenue, Expenditures, and Net Income
(in thousands)

<table>
<thead>
<tr>
<th></th>
<th>Dec-14</th>
<th>Dec-15</th>
<th>Dec-16</th>
<th>Dec-17</th>
<th>Dec-18</th>
<th>Dec-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
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<td>$16,290</td>
<td>$16,619</td>
<td>$16,323</td>
<td>$16,757</td>
<td>$17,460</td>
</tr>
<tr>
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<td>$12,954</td>
<td>$13,582</td>
<td>$13,553</td>
<td>$14,599</td>
<td>$15,846</td>
</tr>
<tr>
<td>Net</td>
<td>$3,044</td>
<td>$3,336</td>
<td>$3,037</td>
<td>$2,770</td>
<td>$2,159</td>
<td>$1,614</td>
</tr>
</tbody>
</table>

![General Fund Revenue, Expenditures, and Net Income Chart](chart)
Net Revenue over Expenditures
(in thousands)

- 2015: $4,336
- 2016: $3,037
- 2017: $2,770
- 2018: $2,158
- 2019: $1,614

General Fund Balance as of December 31

- 2015: $14,117,735
- 2016: $14,564,183
- 2017: $13,675,545
- 2018: $12,960,736
- 2019: $10,589,382
William Newman, Jr., City Manager
Mid-year Budget Review
February 6, 2020
Page 4

% OF FUND BALANCE FOR NEXT FISCAL BUDGET WITH
GOAL OF 25%

FISCAL 2020 vs. FISCAL 2019

<table>
<thead>
<tr>
<th></th>
<th>REVENUE</th>
<th>EXPENDITURES</th>
<th>NET</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>17,470,027</td>
<td>(15,845,749)</td>
<td>(1,624,278)</td>
</tr>
<tr>
<td>2020</td>
<td>16,737,434</td>
<td>(14,598,479)</td>
<td>(2,158,775)</td>
</tr>
</tbody>
</table>

12/31/2019  12/31/2018
William Newman, Jr., City Manager
Mid-year Budget Review
February 6, 2020
Page 5

The first spreadsheet below shows that as of December 2019, the General Fund had revenue over expenditures in the amount of $1,614,278. For the December 2018 period, the net gain was $2,158,775. This equates to a decrease of $534,497 from the prior year. The spreadsheet also shows a recap of the variances between the major categories for the two years. There are some adjustments to these numbers that will explain the differences.

<table>
<thead>
<tr>
<th></th>
<th>12/31/2018</th>
<th>12/31/2019</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
<td>$14,475,454</td>
<td>$14,657,369</td>
<td>$181,915</td>
</tr>
<tr>
<td>Service Fees</td>
<td>212,554</td>
<td>193,023</td>
<td>(19,531)</td>
</tr>
<tr>
<td>Fines</td>
<td>13,420</td>
<td>20,455</td>
<td>7,035</td>
</tr>
<tr>
<td>Licenses</td>
<td>17,997</td>
<td>22,106</td>
<td>4,109</td>
</tr>
<tr>
<td>Rents</td>
<td>66,332</td>
<td>51,147</td>
<td>(15,185)</td>
</tr>
<tr>
<td>Sale of Property/Copies</td>
<td>13,461</td>
<td>129,424</td>
<td>115,963</td>
</tr>
<tr>
<td>Other</td>
<td>1,949,062</td>
<td>2,390,681</td>
<td>441,619</td>
</tr>
<tr>
<td>Transfers</td>
<td>9,154</td>
<td>5,822</td>
<td>(3,332)</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>$16,757,434</strong></td>
<td><strong>$17,470,027</strong></td>
<td><strong>$712,593</strong></td>
</tr>
<tr>
<td>Personnel Services</td>
<td>$9,031,169</td>
<td>$9,944,968</td>
<td>(913,799)</td>
</tr>
<tr>
<td>Supplies</td>
<td>374,212</td>
<td>353,017</td>
<td>21,195</td>
</tr>
<tr>
<td>Maintenance</td>
<td>483,428</td>
<td>403,001</td>
<td>80,427</td>
</tr>
<tr>
<td>Services</td>
<td>1,686,280</td>
<td>1,440,691</td>
<td>245,589</td>
</tr>
<tr>
<td>Sundry</td>
<td>267,794</td>
<td>403,754</td>
<td>(135,960)</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>217,776</td>
<td>770,318</td>
<td>(552,542)</td>
</tr>
<tr>
<td>Transfers</td>
<td>2,538,000</td>
<td>2,530,000</td>
<td>8,000</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>$14,598,659</strong></td>
<td><strong>$15,845,749</strong></td>
<td><strong>$1,247,090</strong></td>
</tr>
<tr>
<td><strong>Net</strong></td>
<td><strong>$2,158,775</strong></td>
<td><strong>$1,624,278</strong></td>
<td><strong>$(534,497)</strong></td>
</tr>
</tbody>
</table>

The spreadsheet below shows the actual revenue and expenditures as of December 31st versus the fiscal 2020 budget.

<table>
<thead>
<tr>
<th></th>
<th>Actual 12/31/2019</th>
<th>Fiscal 2020 Budget</th>
<th>Percentage of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
<td>$14,657,369</td>
<td>$25,461,000</td>
<td>57.6%</td>
</tr>
<tr>
<td>Service Fees</td>
<td>193,023</td>
<td>495,600</td>
<td>38.9%</td>
</tr>
<tr>
<td>Fines</td>
<td>20,455</td>
<td>26,500</td>
<td>77.2%</td>
</tr>
<tr>
<td>Licenses</td>
<td>22,106</td>
<td>79,500</td>
<td>27.8%</td>
</tr>
<tr>
<td>Rents</td>
<td>51,147</td>
<td>97,500</td>
<td>52.5%</td>
</tr>
<tr>
<td>Sale of Property/Copies</td>
<td>129,424</td>
<td>21,000</td>
<td>616.3%</td>
</tr>
<tr>
<td>Other</td>
<td>2,390,681</td>
<td>3,793,900</td>
<td>63.0%</td>
</tr>
<tr>
<td>Transfers</td>
<td>5,822</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>$17,470,027</strong></td>
<td><strong>$29,975,000</strong></td>
<td><strong>58.3%</strong></td>
</tr>
<tr>
<td>Personnel Services</td>
<td>$9,944,968</td>
<td>$19,966,000</td>
<td>49.8%</td>
</tr>
<tr>
<td>Supplies</td>
<td>353,017</td>
<td>870,800</td>
<td>40.3%</td>
</tr>
<tr>
<td>Maintenance</td>
<td>403,001</td>
<td>935,900</td>
<td>43.1%</td>
</tr>
<tr>
<td>Services</td>
<td>1,440,691</td>
<td>3,071,720</td>
<td>46.9%</td>
</tr>
<tr>
<td>Sundry</td>
<td>403,754</td>
<td>608,180</td>
<td>66.4%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>770,318</td>
<td>783,400</td>
<td>98.3%</td>
</tr>
<tr>
<td>Transfers</td>
<td>2,530,000</td>
<td>4,579,000</td>
<td>55.3%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>$15,845,749</strong></td>
<td><strong>$30,815,000</strong></td>
<td><strong>51.4%</strong></td>
</tr>
<tr>
<td><strong>Net</strong></td>
<td><strong>$1,624,278</strong></td>
<td>$(840,000)</td>
<td></td>
</tr>
</tbody>
</table>
As reflected below, for December 31, 2019 the total tax revenue for the General Fund increased by $181,915 or 1.3% from the prior year. Property tax collections were lower in fiscal year 2020 with 93.5% of all current property taxes that were billed collected by year-end. At December 31, 2018, 94.2% of all current property taxes were collected and at December 31, 2017, 92.9% of the property taxes were collected.

The omitted property tax is received from the State of Kentucky for property that was not listed for taxation by the property owners. The amount varies from year to year and is difficult to budget. As you can see below, we received a smaller payment in the first half of this fiscal year compared to the prior year. The franchise taxes were down $29,308 or 8.4%. We are monitoring this tax and feel it is just a timing issue with one or two entities being slow on their payments.

The insurance premium tax saw a nice increase from the prior year with collections up $117,202 or 4.5%. Net of refunds and rebates, the payroll/net profit tax collections were down $75,000 or 2.3% from the prior year. The prior year included $46,236 in fees paid by the County to administer their tax program. With that adjustment, occupational taxes were still down $28,764. The bank deposit tax was up: $5,846 or 3.7%.

<table>
<thead>
<tr>
<th>General Fund</th>
<th>12/31/17</th>
<th>12/31/18</th>
<th>12/31/19</th>
<th>Increase (Decrease) '18 vs '19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$6,368,657</td>
<td>$6,447,657</td>
<td>$6,665,001</td>
<td>$217,344</td>
</tr>
<tr>
<td>Vehicle</td>
<td>242,584</td>
<td>243,161</td>
<td>243,529</td>
<td>368</td>
</tr>
<tr>
<td>Property Tax Discount</td>
<td>(58,624)</td>
<td>(58,531)</td>
<td>(60,809)</td>
<td>(2,278)</td>
</tr>
<tr>
<td>Omitted Tax</td>
<td>-</td>
<td>94,887</td>
<td>10,018</td>
<td>(84,869)</td>
</tr>
<tr>
<td>Delinquent</td>
<td>42,786</td>
<td>33,646</td>
<td>53,472</td>
<td>19,826</td>
</tr>
<tr>
<td>Penalty &amp; Interest</td>
<td>8,376</td>
<td>6,200</td>
<td>10,409</td>
<td>4,209</td>
</tr>
<tr>
<td>Tax Refunds/Clearing</td>
<td>23,036</td>
<td>(3,338)</td>
<td>5,237</td>
<td>8,575</td>
</tr>
<tr>
<td><strong>Property Taxes</strong></td>
<td>$6,626,815</td>
<td>$6,763,682</td>
<td>$6,926,857</td>
<td>$163,175</td>
</tr>
<tr>
<td><strong>Insurance Premium Tax</strong></td>
<td>$2,498,922</td>
<td>$2,594,100</td>
<td>$2,711,302</td>
<td>$117,202</td>
</tr>
<tr>
<td><strong>Payroll/Net Profits Tax</strong></td>
<td>$3,124,819</td>
<td>$3,289,743</td>
<td>$3,214,743</td>
<td>$(75,000)</td>
</tr>
<tr>
<td><strong>Payment In Lieu of Tax</strong></td>
<td>$1,322,366</td>
<td>$1,322,366</td>
<td>$1,322,366</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Franchise Tax</strong></td>
<td>$535,676</td>
<td>$348,811</td>
<td>$319,503</td>
<td>$(29,308)</td>
</tr>
<tr>
<td><strong>Bank Deposit Tax</strong></td>
<td>$160,194</td>
<td>$156,752</td>
<td>$162,598</td>
<td>$5,846</td>
</tr>
<tr>
<td><strong>General Fund Total</strong></td>
<td>$14,268,792</td>
<td>$14,475,454</td>
<td>$14,657,369</td>
<td>$181,915</td>
</tr>
</tbody>
</table>
The chart below reflects the payroll tax receipts for the past four fiscal years. The trailing twelve-month payroll tax collections were $6,272,301 which is an improvement of $8,113 from the $6,264,188 reported over the same time last year. The Kentucky Office of Employment and Training estimated that the unemployment rate for Henderson County increased slightly from 3.5% in December 2018 to 3.7% in December 2019. It was also estimated that the number of employed increased by 32 over the same time period.
The spreadsheet below reflects the general fund expenditures by department for 12/31/2018 and 12/31/2019 and the increase or (decrease) between the two years. It also reflects the fiscal 2020 budget and percentage spent at 12/31/2019.

### General Fund Expenditures - By Department

<table>
<thead>
<tr>
<th>Department</th>
<th>12/31/2018</th>
<th>12/31/2019</th>
<th>Increase (Decrease)</th>
<th>Fiscal 2020 Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$1,116,299</td>
<td>$1,207,868</td>
<td>$91,569</td>
<td>$2,679,820</td>
<td>45.1%</td>
</tr>
<tr>
<td>Finance</td>
<td>$1,135,166</td>
<td>$1,171,005</td>
<td>$35,839</td>
<td>$2,484,870</td>
<td>47.1%</td>
</tr>
<tr>
<td>Fire</td>
<td>$3,084,978</td>
<td>$3,923,278</td>
<td>$838,300</td>
<td>$7,154,820</td>
<td>54.8%</td>
</tr>
<tr>
<td>Parks</td>
<td>$773,395</td>
<td>$748,655</td>
<td>($24,740)</td>
<td>$1,443,790</td>
<td>51.9%</td>
</tr>
<tr>
<td>Police</td>
<td>$3,342,746</td>
<td>$3,725,806</td>
<td>$383,060</td>
<td>$7,420,380</td>
<td>50.2%</td>
</tr>
<tr>
<td>Public Works</td>
<td>$1,180,905</td>
<td>$1,190,171</td>
<td>$9,266</td>
<td>$2,382,970</td>
<td>49.9%</td>
</tr>
<tr>
<td>Info. Tech.</td>
<td>$420,757</td>
<td>$422,603</td>
<td>$1,846</td>
<td>$900,760</td>
<td>46.9%</td>
</tr>
<tr>
<td>Non-departmental</td>
<td>$3,544,413</td>
<td>$3,456,363</td>
<td>($88,050)</td>
<td>$6,347,590</td>
<td>54.5%</td>
</tr>
<tr>
<td>Transfers</td>
<td>$14,358,659</td>
<td>$15,845,749</td>
<td>$1,247,090</td>
<td>$30,815,000</td>
<td>51.4%</td>
</tr>
</tbody>
</table>

As noted below, the December 31, 2019 personnel expenditures (4100 series accounts) for the General Fund were up $913,799 or 10.1% from December 31, 2018. It needs to be noted that fiscal 2020 included 13 pay periods compared to only 12 in fiscal 2019. The extra payroll accounted for an extra $852,238 in expenses. This includes $304,754 in health insurance benefits. If the extra pay period is deleted and using only 12 pay periods, then personnel expenses increased only $61,561 or 0.7%.

### Fund 10 - General Fund

<table>
<thead>
<tr>
<th>Account #</th>
<th>Account Description</th>
<th>12/31/17</th>
<th>12/31/18</th>
<th>12/31/19</th>
<th>Increase (Decrease) Fiscal 20 vs. '19 % CHANGE</th>
<th>% CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>4101</td>
<td>Salaries - Supervision</td>
<td>$943,918</td>
<td>$925,624</td>
<td>$966,574</td>
<td>$40,950</td>
<td>4.4%</td>
</tr>
<tr>
<td>4102</td>
<td>Salaries - Clerical</td>
<td>$506,651</td>
<td>$525,998</td>
<td>$538,723</td>
<td>$12,725</td>
<td>2.4%</td>
</tr>
<tr>
<td>4103</td>
<td>Salaries - Operational</td>
<td>$3,137,238</td>
<td>$3,100,002</td>
<td>$3,279,942</td>
<td>$786,940</td>
<td>25.8%</td>
</tr>
<tr>
<td>4104</td>
<td>Salaries - Overtime</td>
<td>$688,408</td>
<td>$735,938</td>
<td>$811,021</td>
<td>$75,083</td>
<td>10.2%</td>
</tr>
<tr>
<td>4105</td>
<td>Salaries - Other</td>
<td>$38,438</td>
<td>$42,229</td>
<td>$51,270</td>
<td>$9,041</td>
<td>21.4%</td>
</tr>
<tr>
<td></td>
<td>Total Salaries</td>
<td>$5,314,653</td>
<td>$5,329,791</td>
<td>$5,647,330</td>
<td>$317,539</td>
<td>6.0%</td>
</tr>
<tr>
<td>4106</td>
<td>FICA</td>
<td>$133,324</td>
<td>$138,057</td>
<td>$141,065</td>
<td>$3,008</td>
<td>2.2%</td>
</tr>
<tr>
<td>4107</td>
<td>Medicare</td>
<td>$74,705</td>
<td>$75,199</td>
<td>$79,708</td>
<td>$4,509</td>
<td>6.0%</td>
</tr>
<tr>
<td>4108</td>
<td>Life Insurance</td>
<td>$9,180</td>
<td>$4,238</td>
<td>$5,024</td>
<td>$786</td>
<td>18.5%</td>
</tr>
<tr>
<td>4109</td>
<td>Health Insurance</td>
<td>$1,652,145</td>
<td>$1,808,280</td>
<td>$2,115,983</td>
<td>$307,703</td>
<td>17.0%</td>
</tr>
<tr>
<td>4110</td>
<td>Cancer Insurance</td>
<td>$10,750</td>
<td>$10,713</td>
<td>$12,236</td>
<td>$1,523</td>
<td>14.2%</td>
</tr>
<tr>
<td>4111</td>
<td>Workers Compensation</td>
<td>$165,640</td>
<td>$118,098</td>
<td>$114,159</td>
<td>($3,939)</td>
<td>-3.3%</td>
</tr>
<tr>
<td>4112</td>
<td>Employee Assist. Prgm</td>
<td>$1,729</td>
<td>$1,680</td>
<td>$1,898</td>
<td>$218</td>
<td>13.0%</td>
</tr>
<tr>
<td>4115</td>
<td>Unemployment Ins.</td>
<td>$3,005</td>
<td>$2,988</td>
<td>$976</td>
<td>($2,012)</td>
<td>-67.3%</td>
</tr>
<tr>
<td>4116</td>
<td>Employee Pension</td>
<td>$398,638</td>
<td>$453,561</td>
<td>$521,095</td>
<td>$67,534</td>
<td>14.9%</td>
</tr>
<tr>
<td>4118</td>
<td>Retirement - Other</td>
<td>$10,968</td>
<td>$11,451</td>
<td>$10,797</td>
<td>($654)</td>
<td>-19.7%</td>
</tr>
<tr>
<td>4119</td>
<td>Police &amp; Fire Pension</td>
<td>$954,493</td>
<td>$1,075,113</td>
<td>$1,294,497</td>
<td>$219,384</td>
<td>20.4%</td>
</tr>
<tr>
<td></td>
<td>Total Benefits</td>
<td>$3,414,577</td>
<td>$3,701,378</td>
<td>$4,297,438</td>
<td>$596,060</td>
<td>16.1%</td>
</tr>
<tr>
<td></td>
<td>Personnel Services TOTAL</td>
<td>$8,729,230</td>
<td>$9,031,169</td>
<td>$9,544,968</td>
<td>$913,799</td>
<td>10.1%</td>
</tr>
</tbody>
</table>
Across all funds, the fiscal 2020 expense for personnel expenditures increased by $1,259,524 or 10.7%. Salaries increased only $424,381 or 6.1% from the prior year. For all funds and for the first six months, health insurance costs increased $482,595 or 19.6% and all pension related costs increased $348,131 or 18.6%. When compared to December 31, 2017, total personnel services for all funds are up $1,703,748 or 15.0%.

Again, it needs to be noted that fiscal 2020 included 13 pay periods compared to only 12 in fiscal 2019. Across all funds, the extra payroll accounted for an extra $1,146,206 in expenses. This includes $425,817 in health insurance benefits. If the extra pay period is deleted and using only 12 pay periods, then personnel expenses increased only $113,317 or 1.0%.

<table>
<thead>
<tr>
<th>All Funds</th>
<th>41 Personnel Services</th>
<th>Fiscal Year</th>
<th>Increase (Decrease)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Account #</td>
<td>Account Description</td>
<td>12/31/17</td>
<td>12/31/18</td>
</tr>
<tr>
<td>4101</td>
<td>Salaries - Supervision</td>
<td>$1,209,562</td>
<td>$1,192,501</td>
<td>$1,260,387</td>
</tr>
<tr>
<td>4102</td>
<td>Salaries - Clerical</td>
<td>588,095</td>
<td>606,263</td>
<td>620,417</td>
</tr>
<tr>
<td>4103</td>
<td>Salaries - Operational</td>
<td>4,283,562</td>
<td>4,286,860</td>
<td>4,531,026</td>
</tr>
<tr>
<td>4104</td>
<td>Salaries - Overtime</td>
<td>754,687</td>
<td>786,409</td>
<td>872,778</td>
</tr>
<tr>
<td>4105</td>
<td>Salaries - Other</td>
<td>46,599</td>
<td>50,496</td>
<td>62,302</td>
</tr>
<tr>
<td></td>
<td>Total Salaries</td>
<td>$6,882,505</td>
<td>$6,922,529</td>
<td>$7,346,910</td>
</tr>
<tr>
<td>4106</td>
<td>FICA</td>
<td>$226,971</td>
<td>$233,075</td>
<td>$242,816</td>
</tr>
<tr>
<td>4107</td>
<td>Medicare</td>
<td>96,716</td>
<td>97,534</td>
<td>103,622</td>
</tr>
<tr>
<td>4108</td>
<td>Life Insurance</td>
<td>10,748</td>
<td>5,850</td>
<td>6,983</td>
</tr>
<tr>
<td>4109</td>
<td>Health Insurance</td>
<td>2,229,226</td>
<td>2,458,483</td>
<td>2,941,078</td>
</tr>
<tr>
<td>4110</td>
<td>Cancer Insurance</td>
<td>14,661</td>
<td>14,675</td>
<td>16,880</td>
</tr>
<tr>
<td>4111</td>
<td>Workers Compensation</td>
<td>222,789</td>
<td>176,496</td>
<td>164,024</td>
</tr>
<tr>
<td>4112</td>
<td>Employee Assist. Pgm</td>
<td>2,380</td>
<td>2,331</td>
<td>2,648</td>
</tr>
<tr>
<td>4115</td>
<td>Unemployment Ins.</td>
<td>3,885</td>
<td>3,864</td>
<td>1,269</td>
</tr>
<tr>
<td>4116</td>
<td>Employee Pension</td>
<td>688,154</td>
<td>783,914</td>
<td>913,934</td>
</tr>
<tr>
<td>4118</td>
<td>Retirement - Other</td>
<td>10,968</td>
<td>13,451</td>
<td>10,797</td>
</tr>
<tr>
<td>4119</td>
<td>Police &amp; Fire Pension</td>
<td>956,963</td>
<td>1,077,988</td>
<td>1,298,753</td>
</tr>
<tr>
<td></td>
<td>Total Benefits</td>
<td>$4,463,461</td>
<td>$4,867,661</td>
<td>$5,702,804</td>
</tr>
<tr>
<td></td>
<td>Personnel Services TOTAL</td>
<td>$11,345,966</td>
<td>$11,790,190</td>
<td>$13,046,714</td>
</tr>
</tbody>
</table>

Using the first six months as my trend, I projected the estimated expenditures for the General Fund’s various personnel expenditures for fiscal 2020. With just one-half of a fiscal year’s worth of data this will most likely change over the balance of the fiscal year.
General Fund - Full Year Projection

41 Personnel Services

<table>
<thead>
<tr>
<th>Account #</th>
<th>Account Description</th>
<th>Year-to-date</th>
<th>Estimated over 12 months</th>
<th>Fiscal 2020 Budget</th>
<th>Difference</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>4101</td>
<td>Salaries - Supervision</td>
<td>$966,574</td>
<td>$1,943,769</td>
<td>$2,011,120</td>
<td>$67,351</td>
<td>96.7%</td>
</tr>
<tr>
<td>4102</td>
<td>Salaries - Clerical</td>
<td>538,723</td>
<td>1,083,266</td>
<td>1,172,370</td>
<td>89,004</td>
<td>92.4%</td>
</tr>
<tr>
<td>4103</td>
<td>Salaries - Operational</td>
<td>3,279,942</td>
<td>6,595,927</td>
<td>6,868,200</td>
<td>272,273</td>
<td>96.0%</td>
</tr>
<tr>
<td>4104</td>
<td>Salaries - Overtime</td>
<td>811,021</td>
<td>1,630,955</td>
<td>1,375,390</td>
<td>(255,565)</td>
<td>118.6%</td>
</tr>
<tr>
<td>4105</td>
<td>Salaries - Other</td>
<td>51,270</td>
<td>103,103</td>
<td>97,150</td>
<td>(5,953)</td>
<td>106.1%</td>
</tr>
<tr>
<td></td>
<td>Total Salaries</td>
<td>$5,647,530</td>
<td>$11,357,120</td>
<td>$11,524,230</td>
<td>$167,110</td>
<td>98.5%</td>
</tr>
<tr>
<td>4106</td>
<td>FICA</td>
<td>$141,065</td>
<td>$283,680</td>
<td>$306,760</td>
<td>$23,080</td>
<td>92.5%</td>
</tr>
<tr>
<td>4107</td>
<td>Medicare</td>
<td>79,708</td>
<td>160,292</td>
<td>167,210</td>
<td>6,918</td>
<td>95.9%</td>
</tr>
<tr>
<td>4108</td>
<td>Life Insurance</td>
<td>5,024</td>
<td>10,048</td>
<td>14,480</td>
<td>4,432</td>
<td>69.4%</td>
</tr>
<tr>
<td>4109</td>
<td>Health Insurance</td>
<td>2,115,983</td>
<td>3,627,400</td>
<td>4,084,160</td>
<td>456,760</td>
<td>88.8%</td>
</tr>
<tr>
<td>4110</td>
<td>Cancer Insurance</td>
<td>12,236</td>
<td>24,473</td>
<td>25,429</td>
<td>947</td>
<td>96.3%</td>
</tr>
<tr>
<td>4111</td>
<td>Workers Comp.</td>
<td>114,159</td>
<td>171,238</td>
<td>242,480</td>
<td>71,242</td>
<td>70.6%</td>
</tr>
<tr>
<td>4112</td>
<td>EAP</td>
<td>1,898</td>
<td>3,795</td>
<td>4,190</td>
<td>395</td>
<td>90.6%</td>
</tr>
<tr>
<td>4115</td>
<td>Unemployment Ins.</td>
<td>976</td>
<td>3,902</td>
<td>12,300</td>
<td>8,398</td>
<td>31.7%</td>
</tr>
<tr>
<td>4116</td>
<td>Employee Pension</td>
<td>521,095</td>
<td>1,047,917</td>
<td>1,086,310</td>
<td>38,393</td>
<td>96.5%</td>
</tr>
<tr>
<td>4118</td>
<td>Retirement - Other</td>
<td>10,797</td>
<td>21,712</td>
<td>21,600</td>
<td>(112)</td>
<td>100.5%</td>
</tr>
<tr>
<td>4119</td>
<td>Police &amp; Fire Pension</td>
<td>1,294,497</td>
<td>2,603,220</td>
<td>2,476,800</td>
<td>(126,360)</td>
<td>105.1%</td>
</tr>
<tr>
<td></td>
<td>Total Benefits</td>
<td>$4,297,438</td>
<td>$7,957,677</td>
<td>$8,441,770</td>
<td>$484,093</td>
<td>94.3%</td>
</tr>
</tbody>
</table>

Personnel Services TOTAL

|                     | $9,944,968 | $19,314,797 | $19,966,000 | $651,203 | 96.7% |

As noted above and based on the first six months, the General Fund could finish $651,203 under budget in the personnel expenditures. This equates to 96.7% of budget. Total salaries could be $167,110 under budget and benefits could finish $484,093 under.

As point of reference, at December 31, 2018, it was estimated that the fiscal 2019 personnel expenditures would finish $744,366 under budget. Actual personnel expenditures ended $897,349 under budget or a difference of $152,983. The big miss was in operational salaries. That category finished $156,991 better than expected.

At December 31, 2017, it was estimated that personnel expenditures would finish fiscal $586,097 under and it actually finished $467,154 under. A difference of $118,943. Unless we have a situation like the special assessment for health insurance in fiscal 2018, the $651,203 under budget for fiscal 2020 should be close with a variance of +/- $150,000.

The only line-items that are tracking over budget are overtime, other salaries, and police/fire pension expenditures. Overtime is tracking to finish $255,265 over budget or 118.6% of budget.
William Newman, Jr., City Manager  
Mid-year Budget Review  
February 6, 2020  
Page 11

The fire department’s overtime is tracking to finish at 114.4% or $161,712 over budget or 63.3% of the estimated General Fund’s overage. The first six months of the fiscal year hits this department harder due to summer vacations and the holidays. The fire department’s operational salaries are tracking to finish below budget by $30,184. With a net $131,528 in estimated overages in salaries and due to the 39.58% contribution rate, the fire department’s pension costs are also expected to exceed budget by $51,648. Based on the first six months, the fire department is on pace to finish only $46,380 or 100.8% over budget in total personnel expenditures. However, based on the last six months of the prior fiscal year, the department could finish at or under budget.

The police department’s overtime is tracking to finish $74,686 or 143.2% over budget. However, based on the first six months’ data, all other salary components will finish $273,573 under budget for a net of $198,887. Total personnel expenditures for the police department are on track to finish $326,668 under budget. Combined, the fire and police departments account for 92.5% of the anticipated overage in overtime.

It is estimated that there were 11 full-time vacant positions in the General Fund at the end of the month. The 11 positions equate to 5.0% of the General Fund’s budgeted positions. The vacancies were as follows: 4 – Police Officers, 2 – Police Sergeants, 1 – Accounting Manager, 2 – Meter Readers, 1 – Code Inspector, and 1 – Property Maintenance Inspector. At December 31, 2018 it was estimated that there were 8 vacant full-time positions in the General Fund. Across all funds, there were 16 full-time and 3 part-time vacancies. The 16 full-time vacancies represent 5.2% of all City full-time positions.

For the first 26 weeks of fiscal 2020, health insurance claims averaged $129,106 per week compared to $126,199 last year and $105,683 the year before. Administrative fees averaged $14,871 per week compared to $13,089 last year and $12,601 the year before. Through the first six months, transfers to the HRA Fund were $200,000 for this year and $163,900 last year. The total for the health clinic was $58,000.

The weekly total for all the health care expenses for fiscal 2020 was $153,900 or an increase of $4,842 or 3.3% from the $149,058 average for last year.

The table below reflects the employee contributions as a percentage of the plan’s total cost since fiscal 2014. It has decreased from 6.8% in 2014 to a projection of 4.7% this fiscal year.

<table>
<thead>
<tr>
<th>Contributions to the Health Insurance Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>(in thousands)</td>
</tr>
<tr>
<td><strong>Employee City</strong></td>
</tr>
<tr>
<td>$ 408</td>
</tr>
<tr>
<td>5,591</td>
</tr>
<tr>
<td><strong>Total</strong> $ 5,999</td>
</tr>
</tbody>
</table>


The chart below projects the full health insurance expenditures for fiscal 2020 compared to prior years.

Compared to last year, the cost of supplies (4200 series accounts) decreased $23,269 or 6.2%. The prior fiscal year included the fire department’s “Stop the Bleed” program supplies of $15,503. Last year also included another $10,405 in minor tools for the fire department. Fuel is the largest supply item in the General Fund and makes up nearly 30% of the total. We continue to benefit from fuel prices lower than budget. Over the first six months, fuel expenditures were down $9,128 or 8.8% from last year and we are standing at 36.8% of budget for this item.

Clothing supplies were up $24,623 or 35.6% over the prior year. The fire department placed their uniform order earlier than last year. Their clothing supply is up $39,018.

The maintenance and repair costs (4300 series accounts) were down $80,428 or 16.6% from fiscal 2019.
Vehicle repairs were down $38,612 or 23.9%. The fire department had a decrease of $47,895 or 61.9% from the prior year. Office equipment repairs decreased $31,470 with $12,046 of that due to the police department purchase of software in the prior year that would download cell phone information. An additional $11,543 was spent last year in the police department for a camera system. The office equipment repair account decreased by $12,673 or 10.4% in the I.T. department.

Heating / A.C. repairs were down $9,406. Last year we spent $2,972 for a compressor at JFK, $7,768 for repairs at Peabody, and $2,845 for repairs at the Gathering Place. Building repairs, including MSC were down $31,450. Fiscal 2019 included $6,248 for a recorder for the security system at the police station, $6,250 for gear lockers at the fire department, and $7,970 for the replacement of the Denton Shelter roof. The boat launch expenditures increased $10,212 with dirt and silt removed from the boat ramps in August.

The expense for services (4400 series accounts) decreased by $243,514 or 14.5%. The largest variance from the prior year was the ambulance service. It was down $180,059 or 89.3%. The prior year included the purchase of a new ambulance in the amount of $142,936. Another large variance was in the special projects account. It was down $42,977. The prior year included $32,094 for wayfinding signage, $12,336 paid to the Flood Mitigation Fund for the City’s match, $7,705 for designs on a sports complex, $7,500 for the Lakeland property, and $7,274 for The Perch.

Contractual services decreased $61,632 or 18.9%. Among the decreases, Code Enforcement decreased $18,830 in demolition and property abatements. Golf Course decreased $36,240 in temporary staffing. Police decreased $9,660 with a combination of a decrease of $17,500 related to the new police chief search in the prior year and additional contractual help in the current year. I.T. decreased $13,367 due to temporary staffing in the prior year. There was a decrease of $9,549 in traffic control because the prior year included $9,680 for riverfront mowing.

Contractual services increased $10,116 in finance treasury and $10,680 in finance accounting for temporary help due to vacancies. There was also an increase of $9,949 in parks for additional mowing.

Disaster and Emergency Services from Henderson County increased $40,825. This was the City’s share from fiscal 2019 that was not received until November. The expense for Tennis Club increase $33,028 due to budgeted repairs to the courts on the riverfront.

Sundry expenditures (4500) series accounts were up $135,960 or 50.8%. Most or $132,622 of the increase was in property and casualty insurance. Fiscal 2020 included an extra quarterly payment.

Capital expenditures (4600 series accounts) were up $634,806 or 253.7% from last year and stand at 98.3% of budget at December 31. This includes $556,448 spent on the new
fire pumper and $179,879 on police pursuit vehicles that were ordered in the prior year but not delivered until September. There was also $31,195 in Traffic Control for a service truck ordered in the prior year. There is a budget request for the police vehicles and the service truck.

Transfers to other funds decreased by $8,000 or 0.3%. The largest variance was the transfer to the PWI Fund. It was up $686,000. By the end of December 2019, the PWI Fund had spent a combined $529,807 on overlay, concrete repairs and utility cuts compared to only $441,101 by December 2018.

Transfers to the Construction Fund were down $555,000 or 64.0%. The prior year included a $700,000 transfer related to the purchase of the Player’s Club Golf Course. Transfers to 911 Emergency Communications Fund were down $94,000 and transfers to the HART Fund were down $58,000.

As Section “A” page 1 (cash summary as of December 31, 2019) reflects, the General Fund had $11.4 million in cash, investments and inter-fund receivables at month-end compared to $12.7 million as reflected on page 2 (cash summary as of December 30, 2018). This equates to a $1.3 million decrease from the prior year. For all City funds, the balance of cash and investments at December 31, 2019 was $25,164,976 compared to $25,372,208 on December 29, 2018.

Section “B” is a summary of expenditures for all major funds, departments, and divisions as of December 31, 2019 with a comparison to those as of December 31, 2018, December 31, 2017, and the fiscal 2020 budget. The explanations below are for those divisions that exceeded 52% of budget and not related to the extra health insurance transfer.

Finance Department - Treasury: 52.5% on page B-3: The first six months included the $40,000 payment to the PVA for property tax assessments.

Fire Department: 54.8% on page B-3: The department replaced a fire pumper that was damaged in an automobile accident.

Parks Department – Parks: 53.0% on page B-3: There were extra contract mowings in the first six months. A budget amendment is requested.

Parks Department – Golf: 53.4% on page B-3: This also included extra mowings at the old Municipal Golf Course.

Public Works Department – Traffic Control: 52.4% on page B-4: This included a $31,195 service truck that was ordered in the prior year but not delivered until the current year. A budget amendment is requested.
Non-Departmental: 52.4% on page B-5: This year included 3 quarterly payments for property and casualty insurance where the prior year included only 2.

Non-Departmental - Transfers: 55.3% on page B-5: As mentioned above, the PWI Fund has spent $485,706 more on paving overlay, concrete repairs and utility cuts this year than last.

Gas Fund - Administration: 53.6% on page B-6: The Gas Fund pays its share of the debt on the Municipal Service Center and those bond payments for the facility were paid in the first half of the year.

PWI Fund – Public Way Improvement: 52.8% on page B-6: As mentioned above, in the first six months, the PWI Fund spent $485,706 more on paving overlay, concrete repairs and utility cuts this year than last.

There is a need for budget adjustments; the following are some items that were either unforeseen repairs, carried over from the prior year, items that exceeded budget, or new appropriations. In many cases, the funding will come from reserves.

General Fund: Fire Department: Additional appropriation for emergency kits and supplies for the “Stop the Bleed” program. Funding will come from donations.

10-20-232-4205 Medical & Drug Supplies $3,000

General Fund: Parks Department: Additional appropriation for the additional costs related to mowing of park grounds. Funding will come from General Fund reserves.

10-35-451-4418 Contractual Services $15,000

General Fund: Police Department: Additional appropriation for the purchase of five police pursuit vehicles that were ordered in the prior year but not delivered until September 2019. Funding will come from General Fund reserves.

10-40-231-4601 Vehicles $180,000

General Fund: Public Works Department: Additional appropriation for the purchase of one service truck that was ordered in the prior year but not delivered until July 2019. Funding will come from General Fund reserves.

10-45-234-4601 Vehicles $31,000
General Fund: Transfer to Construction Fund: Additional appropriation for the new boardwalk on Water St. Fiscal 2020 included only $25,000 of the $83,000 spent in fiscal 2020. Funding will come from General Fund reserves.

10-90-599-4707 Transfer to Construction $58,000

General Fund: Transfer to Construction Fund: Additional appropriation for the new Wash Bay at the MSC. Fiscal 2020 included only $40,000 of the $86,000 spent in fiscal 2020. Funding will come from General Fund reserves.

10-90-599-4707 Transfer to Construction $46,000

General Fund: Transfer to Construction Fund: Additional appropriation for the new fueling pumps at 5th Street. Fiscal 2020 only included the fuel pumps with a cost of $30,165. This will be paid with HART’s FTA funds. Removal of soil contaminations and other repairs of $78,376 cannot be paid with FTA funds. Funding will come from General Fund reserves.

10-90-599-4707 Transfer to Construction $78,000

General Fund: Transfer to Construction Fund: Additional appropriation for the new fire training facility at 5th Street. Funding will come from a State grant.

10-3754 State Grant $51,000
10-90-599-4707 Transfer to Construction $51,000

Gas Fund: The Gas Department was awarded a Technical Assistant Grant by PHMSA to aid in their safety efforts. Mr. Reeves will use the grant to purchase methane laser equipment and infrared detecting equipment. The equipment will be shared with the Fire Department. This grant does not require a match. Total amendment is $56,000.

20-3754 State Grant $56,000
20-25-772-4605 Equipment $56,000

Construction Fund: Transfer from General Fund: Additional appropriation for the new boardwalk on Water St. Fiscal 2020 included only $25,000 of the $83,100 final cost. Funding will come from General Fund reserves.

51-3851 Transfer from General $58,000
51-90-298-4612 Streets/Sidewalks $58,000
Construction Fund: Transfer from General Fund: Additional appropriation for the new Wash Bay at the MSC. Fiscal 2020 included only $40,000 of the $86,000 spent in fiscal 2020. Funding will come from General Fund reserves.

- 51-3851 Transfer from General Buildings $46,000
- 51-90-298-4617 $46,000

Construction Fund: Transfer from General Fund: Additional appropriation for the new fueling pumps at 5th Street. Fiscal 2020 only included the fuel pumps with a cost of $30,165. This will be paid with HART’s FTA funds. Removal of soil contaminations and other repairs of $78,376 cannot be paid with FTA funds. Funding will come from General Fund reserves.

- 51-3851 Transfer from General Other Structures Repair $78,000
- 51-90-298-4307 $78,000

Construction Fund: Transfer from General Fund: Additional appropriation for the new fire training facility at 5th Street. Funding will come from a State grant.

- 51-3851 Transfer from General Buildings $51,000
- 51-90-599-4617 $51,000

HART Fund: Additional appropriation for a new pickup that was ordered in the prior fiscal year but not delivered until fiscal 2020. Funding will come from a Federal and State grants.

- 56-3753 Federal Grant $17,600
- 56-3754 State Grant $4,400
- 56-10-015-4601 Vehicles $22,000

Section “C” is the budget appropriation amendment that reflects the changes outlined above. A recap of the General Fund changes is shown on the following page.
Recap of General Fund Budget Adjustments

<table>
<thead>
<tr>
<th></th>
<th>Total from Adopted Budget</th>
<th>Fire: Emergency Kits and Supplies</th>
<th>Parks Mowing</th>
<th>Police Pursuit Vehicles</th>
<th>Traffic Control Service Truck</th>
<th>Sub-Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$ 2,679,820</td>
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<td></td>
<td></td>
<td></td>
<td>$ 2,679,820</td>
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<tr>
<td>Finance</td>
<td>2,484,870</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2,484,870</td>
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<tr>
<td>Fire</td>
<td>7,154,820</td>
<td>$ 3,000</td>
<td></td>
<td></td>
<td></td>
<td>7,157,820</td>
</tr>
<tr>
<td>Parks and Recreat</td>
<td>1,443,790</td>
<td>$ 15,000</td>
<td></td>
<td></td>
<td></td>
<td>1,458,790</td>
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<tr>
<td>Police</td>
<td>7,420,380</td>
<td></td>
<td></td>
<td>$ 180,000</td>
<td></td>
<td>7,600,380</td>
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<tr>
<td>Public Works</td>
<td>2,382,970</td>
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<td>$ 31,000</td>
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<td>2,413,970</td>
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<tr>
<td>Information Tech.</td>
<td>900,760</td>
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<tr>
<td>Other</td>
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<td></td>
<td></td>
<td>1,768,590</td>
</tr>
<tr>
<td>Transfers</td>
<td>4,579,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4,579,000</td>
</tr>
<tr>
<td></td>
<td>$ 30,815,000</td>
<td>$ 3,000</td>
<td>$ 15,000</td>
<td>$ 180,000</td>
<td>$ 31,000</td>
<td>$ 31,044,000</td>
</tr>
</tbody>
</table>

If approved, this will increase the current General Fund budget by $462,000 with $408,000 coming from general fund reserves.

[Signature]

Robert Gunter
ORDINANCE NO._______
ORDINANCE AMENDING BUDGET AND APPROPRIATION ORDINANCE

SUMMARY: AN ORDINANCE AMENDING BUDGET AND APPROPRIATION ORDINANCE FOR THE FISCAL YEAR COMMENCING JULY 1, 2019 AND ENDING JUNE 30, 2020 FOR THE CITY OF HENDERSON, KENTUCKY

WHEREAS, on June 11, 2019, the City of Henderson adopted its annual budget and appropriation ordinance for the fiscal year commencing July 1, 2019 and ending June 30, 2020, being Ordinance No. 11-19, and,

WHEREAS, the City Manager recommends that the following additional amendments be adopted.

NOW, THEREFORE, BE IT ORDAINED by the City of Henderson, Kentucky, that Ordinance No. 11-19 is amended as follows:

1. The budget submitted to the Board of Commissioners by the City Manager for fiscal year 2019 - 2020 is hereby amended as follows:

   GENERAL FUND

<table>
<thead>
<tr>
<th>ADMINISTRATION</th>
<th>$2,679,820</th>
<th>$2,679,820</th>
</tr>
</thead>
<tbody>
<tr>
<td>FINANCE</td>
<td>2,484,870</td>
<td>2,484,870</td>
</tr>
<tr>
<td>FIRE</td>
<td>7,154,820</td>
<td>7,157,820</td>
</tr>
<tr>
<td>PARKS &amp; RECREATION</td>
<td>1,443,790</td>
<td>1,458,790</td>
</tr>
<tr>
<td>POLICE</td>
<td>7,420,380</td>
<td>7,600,380</td>
</tr>
<tr>
<td>PUBLIC WORKS</td>
<td>2,382,970</td>
<td>2,413,970</td>
</tr>
<tr>
<td>INFORMATION TECHNOLOGY</td>
<td>900,760</td>
<td>900,760</td>
</tr>
<tr>
<td>OTHER</td>
<td>1,768,590</td>
<td>1,768,590</td>
</tr>
<tr>
<td>TRANSFERS</td>
<td>4,579,000</td>
<td>4,812,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$30,815,000</td>
<td>$31,277,000</td>
</tr>
</tbody>
</table>

2. There is hereby appropriated from the General and Special Fund Accounts of the City of Henderson and allocated to the various Funds of the City the following amounts:

   GENERAL FUND

| GENERAL FUND EXPENDITURE TOTAL | $26,236,000 | $26,465,000 |
| TRANSFER TO PWI | 1,122,000 | 1,122,000 |
| TRANSFER TO MASS TRANSIT | 485,000 | 485,000 |
| TRANSFER TO CONSTRUCTION FUND | 367,000 | 600,000 |
| TRANSFER TO EMERGENCY COMM. | 597,000 | 597,000 |
| TRANSFER TO POLICE/FIRE PENSION | 380,000 | 380,000 |
| TRANSFER TO CIVIL SERVICE PENSION | 81,000 | 81,000 |
| TRANSFER TO CEMETERY | 216,000 | 216,000 |
| TRANSFER TO BOND FUND | 1,331,000 | 1,331,000 |
| TOTAL GENERAL FUND | $30,815,000 | $31,277,000 |
3. The number and classifications of City employees as recited in the Annual Budget is approved as presented.

4. $4,000 of the Fire Department’s Personnel Service Expense will be designated as Investigative Other Pay.

5. The City Manager is authorized to hire an additional two (2) police officers when it is deemed necessary by the Chief of Police and the City Manager due to the length of training necessary for this position.

6. This Ordinance shall be effective as of July 1, 2019.
This ordinance of amendment shall become effective upon its legal adoption.

On first reading of the foregoing ordinance, it was moved by Commissioner ________________, seconded by Commissioner ________________, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Staton: _______  Commissioner Royster: _______
Commissioner Vowels: _______  Mayor Austin: _______
Commissioner Bugg: _______

WHEREUPON, Mayor Austin declared the ordinance adopted on first reading and ordered that it be presented for second reading at a regular meeting of the Board of Commissioners.

On second reading of the foregoing ordinance, it was moved by Commissioner ________________, seconded by Commissioner ________________, that the ordinance be adopted.

WHEREUPON, the vote was called, on roll call the vote stood:

Commissioner Staton: _______  Commissioner Royster: _______
Commissioner Vowels: _______  Mayor Austin: _______
Commissioner Bugg: _______

WHEREUPON, Mayor Austin declared the ordinance adopted, affixed his signature and the date and ordered it be recorded.

__________________________
Steve Austin, Mayor
Date: ______________________

ATTEST:

Maree Collins, CKMC
City Clerk

APPROVED AS TO FORM AND LEGALITY THIS _______ DAY OF February, 2020.

By: ________________
Dawn Kelsey
City Attorney
February 21, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. "Buzzy" Newman, Jr., City Manager

SUBJECT: Changing HWU Rates from Cubic Feet to Gallons

An item for the agenda of Tuesday, February 25, 2020 is first reading of an ordinance adopting charges for water, wastewater, and storm water services. The ordinance repeals and replaces Ordinance 10-18, changing the unit pricing from hundred cubic feet (CCF) to 1,000 gallons.

The change to the current ordinance is requested due to the replacement of outdated water meters over a period of three to five years. The new meters will register in gallons, as opposed to cubic foot measurements traditionally used. This transition will express the rates in units that people better understand and will make it easier to compare our rates to other cities.

The Water and Sewer Commission passed a resolution at their February 17, 2020 meeting to convert the rates from cubic feet to gallons, and the plan is to have the new rates go into effect on April 1, 2020 in preparation of the installation of the first 1,000 new meters.

Your approval of the attached ordinance is requested.

c: Tom Williams
Robert Gunter
Date: 18 February 2020

Memo To: Mayor Steve Austin
Henderson City Commissioners

From: Tom Williams, P.E.
HWU General Manager

Subject: HWU Rates

HWU tested a sample of residential water meters in 2018 and found that meters that are more than 15 years old typically registered less than 70% of the consumption, and based on low flow rates, some registered only 30% accurate. We have not had a meter replacement program on a regular basis in the past, replacing no more than about 200 meters in any given year, out of nearly 11,000 in the ground.

We are now embarked on a program to replace all our residential meters over the next four to five years, with plans to begin the replacement program in June 2020 with the first 1,000 meters, and at least 2,000 per year in subsequent fiscal years. Included in this endeavor is a plan to accommodate automated meter reading, which will either be drive-by or real-time, over the air reading. We are working with Municipal Gas and HMPL and attempting to accommodate the needs of all three utilities in this effort.

These new meters will register in gallons, as opposed to the cubic foot measurements we've traditionally used. To make this transition, and in the interests of having our rates expressed in units that more people understand, the Water and Sewer Commission passed the attached resolution at our February Board meeting to convert our rates to dollars-per-thousand-gallons.

This is the measurement that most utilities in the U.S. use, and will make it easier to compare our rates to other cities, as well as being more relatable to the average citizen, and to companies that seek to locate here. Would like to put this change on the City Commission docket, at your first convenience, and the plan at this point is to have the new rates go into effect on 1 April 2020.

If you have any questions or need further information on this or any other subject, please feel free to call me at 270.826.2421 (Office) or 270.823.2573 (Cell).

Cc: Wm. L. "Buzzy" Newman, City Manager
Dawn Kelsey, City Attorney
ORDINANCE NO. ________

ORDINANCE ADOPTING CHARGES FOR WATER, WASTEWATER AND STORMWATER SERVICES

SUMMARY: AN ORDINANCE REPEALING AND REPLACING ORDINANCE 10-18, AND CHANGING THE UNIT PRICING FROM HUNDRED CUBIC FEET (CCF) TO 1,000 GALLONS AS SHOWN IN THE ATTACHED RATE TABLES TO BE EFFECTIVE APRIL 1, 2020

WHEREAS, Chapter 23, Article V, Section 23-97 of the Henderson City Code of Ordinances provides that all utility rates and charges be determined from time to time by the City Board of Commissioners and kept on file in the City Clerk’s Office; and

WHEREAS, the bulk of residential water meters currently in use in the Henderson Water Utility (HWU) service territory are over 15 years old, and exhibit degraded ability to accurately measure flows; and,

WHEREAS, most of these meters register flows in units of Hundred Cubic Feet (CCF); and,

WHEREAS, the current rate structure for Water and Wastewater customers is denominated in units of Hundred Cubic Feet (CCF); and,

WHEREAS, most other utilities in Kentucky and the surrounding area express their rates in units of 1,000 gallons; and,

WHEREAS, the Henderson Water Utility is embarking on a program to replace all residential and commercial meters over a period of three to five years, and these newer meters will register flows in gallon units now; and

WHEREAS, on February 17, 2020, the Water and Sewer Commission recommended to the Board of Commissioners by Resolution 2020-03 (attached) that the rates and charges to customers of Henderson Water Utility be revised as presented herein.

NOW, THEREFORE, BE IT ORDAINED by the City of Henderson, Kentucky, as follows:

1. That the rates and charges as set forth in Tables A through D, which are attached to and made a part of the aforesaid Ordinance No. 10-18 are hereby repealed as of April 1, 2020 (attached).
2. The new water, sewer and stormwater rates and charges are established as set forth in new Tables A, B, C and D, which are attached hereto as Exhibit “A”, and made a part hereof by reference, which rates and charges shall be effective for billings on and after April 1, 2020.

All ordinances or parts of ordinances in conflict herewith are hereby repealed and superseded to the extent of such conflict.

This ordinance shall become effective upon its legal adoption.

On first reading of the foregoing ordinance, it was moved by Commissioner ________________, seconded by Commissioner ________________, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Staton: ______  Commissioner Royster: ______
Commissioner Vowels: ______  Mayor Austin: ______
Commissioner Bugg: ______

WHEREUPON, Mayor Austin declared the ordinance adopted on first reading and ordered that it be presented for a second reading at a meeting of the Board of Commissioners.

On second reading of the ordinance, it was moved by Commissioner ________________, seconded by Commissioner ________________, that the ordinance be adopted.

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

Commissioner Staton: ______  Commissioner Royster: ______
Commissioner Vowels: ______  Mayor Austin: ______
Commissioner Bugg: ______

WHEREUPON, Mayor Austin declared the ordinance adopted, affixed his signature and the date and ordered that it be recorded.

______________________________
Steve Austin, Mayor

Date: ____________________________
ATTEST:

Maree Collins, CKMC
City Clerk

APPROVED AS TO FORM AND LEGALITY THIS 19 DAY OF FEBRUARY, 2020.

By: [Signature]
Dawn S. Kelsey
City Attorney
HENDERSON WATER AND SEWER COMMISSION
RESOLUTION OF THE BOARD OF COMMISSIONERS

Resolution No. 2020 - 03
Adoption of Gallon-Denominated Charges for
Water and Wastewater Service

The following Resolution was adopted by the Board of Commissioners of the Henderson Water & Sewer Commission at a regular meeting on Monday, 17 February 2020, at which a quorum was present.

WHEREAS, the bulk of residential water meters currently in use in the Henderson Water Utility (HWU) service territory are over 15 years old, and exhibit degraded ability to accurately measure flows; and,

WHEREAS, most of these meters register flows in units of Hundred Cubic Feet (CCF); and,

WHEREAS, the current rate structure for Water and Wastewater customers is denominated in units of Hundred Cubic Feet (CCF); and,

WHEREAS, most other utilities in Kentucky and the surrounding area express their rates in units of 1,000 gallons; and,

WHEREAS, the Henderson Water Utility is embarking on a program to replace all residential and commercial meters over a period of three to five years, and these newer meters will register flows in gallon units; now

BE IT RESOLVED, that the Henderson Water and Sewer Commission by and through its Board of Commissioners under the authority granted to the Board of Commissioners under Chapter 23 Article II Division 3 Sections 23-36 through 23-45.1 of the City Code of Ordinances, hereby recommends and requests that the City proceed with preparation and adoption of an Ordinance authorizing changes to the rate structure for Henderson water customers, changing the unit pricing from Hundred Cubic Feet (CCF) to 1,000 Gallons, as shown in the attached Rate Tables, effective 1 April 2020.
The General Manager is hereby authorized to deliver this Resolution to the City of Henderson, for action by the City Commission.

IN WITNESS WHEREOF, having come before the Board of Commissioners on Monday, 17 February 2020, and upon Motion made by Commissioner Gary Jennings, and seconded by Commissioner George Jones, the Board of Commissioners voted as follows:

- Commissioner, R. Paul Bird, Jr.
- Commissioner, George Jones, III
- Commissioner, John Henderson
- Commissioner, Gary Jennings
- Commissioner, Julie Wischer

AYE

NAY

Tom Williams, P.E.
HWU General Manager
### RATE TABLE A
(Effective 07/04/2019)

<table>
<thead>
<tr>
<th>Fixed Charges</th>
<th>Water &amp; Wastewater</th>
<th>Stormwater</th>
</tr>
</thead>
<tbody>
<tr>
<td>6” and Larger</td>
<td>$300.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>3” and 4”</td>
<td>$200.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>2”</td>
<td>$80.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>1-1/2”</td>
<td>$30.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>1-1/4” and less</td>
<td>$15.00</td>
<td>$5.00</td>
</tr>
</tbody>
</table>

### Metered Water Charges

<table>
<thead>
<tr>
<th></th>
<th>Water/1,000 gallons CCF</th>
<th>Wastewater/1,000 gallons CCF</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 37,500 gallons 6,000 CF</td>
<td>$2,753.67</td>
<td>$5,507.35</td>
</tr>
<tr>
<td>Over 37,500 gallons 6,000 CF</td>
<td>$2,442.80</td>
<td>$4,005.34</td>
</tr>
</tbody>
</table>

Note: One-Half of the fixed charge for Water & Wastewater will be assessed to Irrigation Meter Services. Stormwater fixed charges do not apply to irrigation meters.
# RATE TABLE B
(Effective 07/04/01/2019/2020)

## Water and Wastewater Rates
### Outside City Limits

<table>
<thead>
<tr>
<th>Fixed Charges</th>
<th>Water</th>
<th>Wastewater</th>
</tr>
</thead>
<tbody>
<tr>
<td>6&quot; and Larger</td>
<td>$175.00</td>
<td>$175.00</td>
</tr>
<tr>
<td>3&quot; and 4&quot;</td>
<td>$125.00</td>
<td>$125.00</td>
</tr>
<tr>
<td>2&quot;</td>
<td>$50.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>1-1/2&quot;</td>
<td>$25.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>1-1/4&quot; and less</td>
<td>$10.00</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

### Metered Water Charges

<table>
<thead>
<tr>
<th>Gallons/Cyl.</th>
<th>Water/1,000 gallons/CCF</th>
<th>Wastewater/1,000 gallons/CCF</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 37,500 gallons/5,000 CF</td>
<td>$6,889.19</td>
<td>$8,551.42</td>
</tr>
<tr>
<td>Over 37,500 gallons/5,000 CF</td>
<td>$2,412.80</td>
<td>$4,005.34</td>
</tr>
</tbody>
</table>

Note: The fixed charge for Water will be assessed to Irrigation Meter Services.
### Rate Table C
(Effective 07/04/01/2019/2020)

<table>
<thead>
<tr>
<th>Size of Connection</th>
<th>Monthly Standby Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>4&quot; &amp; Smaller</td>
<td>$50.00</td>
</tr>
<tr>
<td>6&quot;</td>
<td>$75.00</td>
</tr>
<tr>
<td>8&quot;</td>
<td>$100.00</td>
</tr>
<tr>
<td>10&quot;</td>
<td>$150.00</td>
</tr>
<tr>
<td>12&quot;</td>
<td>$200.00</td>
</tr>
</tbody>
</table>

### Rate Table D
(Effective 07/04/01/2019/2020)

<table>
<thead>
<tr>
<th>Customer Location</th>
<th>Flat Rate Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside the City Limits</td>
<td>$40.00</td>
</tr>
<tr>
<td>Outside the City Limits</td>
<td>$65.00</td>
</tr>
</tbody>
</table>
RATE TABLE A  
(Effective 04/01/2020)

### Water and Wastewater Rates Inside City Limits

<table>
<thead>
<tr>
<th>Fixed Charges</th>
<th>Water &amp; Wastewater</th>
<th>Stormwater</th>
</tr>
</thead>
<tbody>
<tr>
<td>6” and Larger</td>
<td>$300.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>3” and 4”</td>
<td>$200.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>2”</td>
<td>$80.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>1-1/2”</td>
<td>$30.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>1-1/4” and less</td>
<td>$15.00</td>
<td>$5.00</td>
</tr>
</tbody>
</table>

### Metered Water Charges

<table>
<thead>
<tr>
<th></th>
<th>Water/1,000 gallons</th>
<th>Wastewater/1,000 gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 37,500 gallons</td>
<td>$3.67</td>
<td>$7.35</td>
</tr>
<tr>
<td>Over 37,500 gallons</td>
<td>$2.80</td>
<td>$5.34</td>
</tr>
</tbody>
</table>

Note: One-Half of the fixed charge for Water & Wastewater will be assessed to Irrigation Meter Services. Stormwater fixed charges do not apply to irrigation meters.
## RATE TABLE B
(Effective 04/01/2020)

### Water and Wastewater Rates
Outside City Limits

<table>
<thead>
<tr>
<th>Fixed Charges</th>
<th>Water</th>
<th>Wastewater</th>
</tr>
</thead>
<tbody>
<tr>
<td>6” and Larger</td>
<td>$175.00</td>
<td>$175.00</td>
</tr>
<tr>
<td>3” and 4”</td>
<td>$125.00</td>
<td>$125.00</td>
</tr>
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<td>2”</td>
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<td>$50.00</td>
</tr>
<tr>
<td>1-1/2”</td>
<td>$25.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>1-1/4” and less</td>
<td>$10.00</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

### Metered Water Charges

<table>
<thead>
<tr>
<th></th>
<th>Water/1,000 gallons</th>
<th>Wastewater/1,000 gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>First 37,500 gallons</td>
<td>$9.19</td>
<td>$11.42</td>
</tr>
<tr>
<td>Over 37,500 gallons</td>
<td>$2.80</td>
<td>$5.34</td>
</tr>
</tbody>
</table>

Note: The fixed charge for Water will be assessed to Irrigation Meter Services
## Rate Table C
(Effective 04/01/2020)

### Rates for Fire Suppression Systems

<table>
<thead>
<tr>
<th>Size of Connection</th>
<th>Monthly Standby Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>4” &amp; Smaller</td>
<td>$50.00</td>
</tr>
<tr>
<td>6”</td>
<td>$75.00</td>
</tr>
<tr>
<td>8”</td>
<td>$100.00</td>
</tr>
<tr>
<td>10”</td>
<td>$150.00</td>
</tr>
<tr>
<td>12”</td>
<td>$200.00</td>
</tr>
</tbody>
</table>

## Rate Table D
(Effective 04/01/2020)

### Wastewater Only Customers

<table>
<thead>
<tr>
<th>Customer Location</th>
<th>Flat Rate Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside the City Limits</td>
<td>$40.00</td>
</tr>
<tr>
<td>Outside the City Limits</td>
<td>$65.00</td>
</tr>
</tbody>
</table>
February 21, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. “Buzzy” Newman, Jr., City Manager

SUBJECT: Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant Program

The accompanying resolution authorizes the submittal of a grant application to the Department of Homeland Security, Federal Emergency Management Agency under the Assistance to Firefighters Grant Program, accepts the grant if awarded, and authorizes the Mayor to sign all necessary documents.

The grant request is in the amount of $316,250.00 for the replacement of outdated self-contained breathing apparatus (SCBA), including face masks and bottles, for the Fire Department. The current air packs are becoming costly to repair and the Fire Department are experiencing times when there are several air packs that are out of service at the same time.

There is a ten percent (10%) match under the program requirements which would be included in the FY 2021 budget as a capital expense.

Your approval of the attached resolution is requested.

c: Scott Foreman
Robert Gunter
Dawn Winn
February 5, 2020

TO: William “Buzzy” Newman, City Manager

FROM: Scott Foreman, Fire Chief

SUBJECT: FEMA Assistance to Firefighters Grant Program

FEMA is accepting grant applications for replacement of outdated Self Contained Breathing Apparatus (SCBA) for which there is a ten percent matching funds requirement under the Assistance to Firefighters Grant Program.

We are requesting authorization to make application, and accept, if awarded, $316,250 in grant funds to be used to replace forty (40) SCBAs which come with face mask, bottle and spare bottle. We are requesting an additional twenty-five (25) face masks and bottles. This would bring our breathing equipment into compliance with the latest NFPA requirements. GRADD is assisting in this application.

Our current airpacks are becoming costly to repair. We are also experiencing times when there are several airpacks that are out of service at the same time.

If awarded the grant, the ten percent matching funds will be dispersed from fiscal year 2020-2021 budget; we will build it into our budget as a capital expense.

Scott Foreman
RESOLUTION NO. _______

RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, IN THE AMOUNT OF $316,250.00 WITH A 10% MATCH TO PURCHASE REPLACEMENTS FOR OUTDATED SELF-CONTAINED BREATHING APPARATUS (SCBA) FOR THE FIRE DEPARTMENT, ACCEPTING GRANT IF AWARDED; AND AUTHORIZING THE MAYOR TO SIGN ALL NECESSARY DOCUMENTS

WHEREAS, the City of Henderson desires to submit a grant application to the U. S. Department of Homeland Security, Federal Emergency Management Agency under the Assistance to Firefighters Grant Program for funds to purchase replacements of outdated Self-Contained Breathing Apparatus (SCBA) including face masks and bottles, to be used by the fire department; and

WHEREAS, the City Manager recommends that such grant application be made.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and the submittal by the City of a grant application to the U.S. Department of Homeland Security, Federal Emergency Management Agency under the Assistance to Firefighters Grant Program, for funds in the amount of 316,250.00 with a 10% match of $31,625.00, for the purchase of replacements of outdated Self-Contained Breathing Apparatus (SCBA) including face masks and bottles is hereby approved, and said grant is accepted if it is awarded, and the Mayor is authorized to sign all necessary documents regarding this grant application.

On motion of Commissioner ____________________, seconded by Commissioner ________________, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: _______ Commissioner Royster: _______
Commissioner Vowels: _______ Mayor Austin: _______
Commissioner Bugg: _______

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

______________________________________________
Steve Austin, Mayor
Date: _______________________________________

ATTEST:

Maree Collins, City Clerk
APPROVED AS TO FORM AND LEGALITY THIS 17 DAY OF FEBRUARY, 2020.

By: Dawn S. Kelsey
    City Attorney
February 21, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. “Buzzy” Newman, Jr., City Manager

SUBJECT: Legal Services – Tax Increment Finance (TIF) District

The accompanying resolution authorizes the engagement of Keating Muething & Klekamp PLLC to provide legal services for the City of Henderson to establish a development area Tax Increment Finance (TIF) District within a designated downtown area.

The TIF District will be formed to provide incentives and pay for or reimburse costs necessary to encourage redevelopment in the designated area. The engagement of Keating Muething & Klekamp PLLC relates to drafting the required documents for the establishment of the TIF District and pledging TIF incentives to the Project for adoption by the City and other applicable taxing districts that may agree to pledge incremental taxes to the Project.

Your approval of the attached resolution is requested.

c: Dawn Kelsey
RESOLUTION NO. _________

RESOLUTION FOR THE ENGAGEMENT OF KEATING MUETHING & KLEKAMP PLLC TO PROVIDE LEGAL SERVICES FOR THE CITY OF HENDERSON TO ESTABLISH A DEVELOPMENT AREA TAX INCREMENT FINANCE DISTRICT (TIF DISTRICT) WITHIN A DESIGNATED DOWNTOWN AREA

WHEREAS, the City of Henderson desires to engage Keating Muething & Klekamp, PLLC (KMK) to provide legal services for the City of Henderson to establish a development area Tax Increment Finance District (TIF District) within a designated downtown area pursuant to KRS 65.7041 to KRS 65.7083; and

WHEREAS, the TIF District will be formed to provide incentives and pay for or reimburse costs necessary to encourage redevelopment of the TIF District in accordance with a plan as developed by the City; and

WHEREAS, the engagement of KMK relates to drafting the required documents for establishment of the TIF District and pledging TIF incentives to the Project for adoption by the City and other applicable taxing districts that may agree to pledge incremental taxes to the Project; and

WHEREAS, the City Manager recommends that the City engage the legal services of Keating Muething & Klekamp, PLLC (KMK).

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the City Manager’s recommendation is accepted, and the proposal of Legal Services of Keating Muething & Klekamp, PLLC, One East Fourth Street, Suite 1400, Cincinnati, Ohio 45202, is accepted.

On motion of Commissioner ________________, seconded by Commissioner ________________, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: ________  Commissioner Royster: ________
Commissioner Vowels: ________  Mayor Austin: ________
Commissioner Bugg: ________

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

______________________________
Steve Austin, Mayor
Date: _________________________

ATTEST:

______________________________
Maree Collins, CKMC
City Clerk
APPROVED AS TO FORM AND LEGALITY THIS 17TH DAY OF FEBRUARY, 2020.

By: Dawn S. Kelsey
City Attorney
City Commission Memorandum
20-29

February 21, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. “Buzzy” Newman, Jr., City Manager

SUBJECT: Mowing Services Contract Group A - City Parks and Other Properties

The accompanying municipal order authorizes the award of bid for mowing and trimming services for Mowing Group A – City Parks and Other Properties to Green Eyed Monster Lawn Services of Owensboro, Kentucky in accordance with their low bid of $3,878.00 per cut.

The major part of the work is expected to commence approximately April 1 and continue through November 1, although weather will dictate the full-extent of the mowing season. Each group item is priced on a unit basis per property to be mowed which serves as the basis of compensation during the term of the agreement.

Included in the scope of work for Group A is the mowing and trimming of all city parks and other adjacent city owned properties, including the former Municipal Golf Course and Municipal Building. The contract provides for these twenty-eight properties to be mowed and trimmed at least once per week.

Bid packages were sent to seven (7) vendors, with four (4) vendors submitting bids. The recommended bidder, Green Eyed Monster Lawn Services, was the lowest responsive bidder. This will be the first time this vendor has worked for the City of Henderson, however commercial references were contacted, and all resulted in positive references. This contract is set to expire on Dec 31, 2020. At that time a one-year extension with a 2% increase may be awarded if both parties agree.

The cost of this contract is a 52.38% increase over last year’s vendor whose service was released due to unsatisfactory performance. This increase is partly due to the added expense of mowing the former golf course. Every opportunity will be taken to address the budgetary overage to reduce the amount of a budget amendment at the end of the fiscal year.

Your approval of the attached municipal order is requested.

c: Trace Stevens
Dawn Winn
Friday, January 31, 2020

TO: William Newman, City Manager
    Robert Gunter, Finance Director
    Dawn Winn, Assistant Finance Director

CC: Theresa Richey, Assistant to City Manager

FROM: Trace Stevens, CPRP, Park and Recreation Director

SUBJECT: Mowing Group A Bid Acceptance

In response to bid 20-2 Group A the Parks Recreation and Cemeteries Department is recommending that the city accept the bid from Green Eyed Monster Lawn Service of Owensboro KY. Their bid for maintaining each group A property was $3878.00 per cut.

This would be the first contract for this vendor. There were four vendors that submitted bids for this contract including the recommended vendor. The cost for this service was a 52.38% increase over the vendor from last year.

This is the first year that the weekly mowing of the former Municipal Golf Course is included in this mowing bid. The mowing of the former golf course added $500 to the weekly mowing cost.

These services are scheduled to start April 1, 2020 and end December 31, 2020. A 12 month extension with at 2% cost increase may be awarded if both parties agree.

The last vendor used for this service was release after year one of a two year contract due to unsatisfactory performance.

Attachments: Bid Tab and Group A mowing bid
<table>
<thead>
<tr>
<th>Group A: Price per Cut</th>
<th>Green Eyed Monster Lawn Service Owensboro, KY</th>
<th>Brandon's Lawn &amp; Landscaping Spottsville, KY</th>
<th>Knight's Landscaping, LLC Henderson, KY</th>
<th>CTL Services, LLC Morgantown, KY</th>
<th>Last Bid Reference 19-08</th>
<th>Percentage Increase/Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Atkinson Park: Gathering Place, Pool, Denton Shelter</td>
<td>$248.00</td>
<td>$210.00</td>
<td>$240.00</td>
<td>$362.50</td>
<td>$190.00</td>
<td>30.53%</td>
</tr>
<tr>
<td>2. Atkinson Park: North entrance, open-air shelter, area</td>
<td>$172.00</td>
<td>$500.00</td>
<td>$240.00</td>
<td>$50.00</td>
<td>$135.00</td>
<td>27.41%</td>
</tr>
<tr>
<td>3. Disc Golf Field holes #7, 8, &amp; 9</td>
<td>$112.00</td>
<td>$50.00</td>
<td>$210.00</td>
<td>$50.00</td>
<td>$90.00</td>
<td>24.44%</td>
</tr>
<tr>
<td>4. Spillway in Atkinson Park</td>
<td>$124.00</td>
<td>$100.00</td>
<td>$210.00</td>
<td>$362.50</td>
<td>$80.00</td>
<td>55.00%</td>
</tr>
<tr>
<td>5. Atkinson Park; Playground, Riverwalk behind hospital</td>
<td>$272.00</td>
<td>$250.00</td>
<td>$240.00</td>
<td>$362.50</td>
<td>$190.00</td>
<td>43.16%</td>
</tr>
<tr>
<td>6. Hays boat ramp &amp; outside Bambino fields</td>
<td>$227.00</td>
<td>$250.00</td>
<td>$190.00</td>
<td>$362.50</td>
<td>$225.00</td>
<td>0.89%</td>
</tr>
<tr>
<td>7. Bambino concession stand entrance</td>
<td>$48.00</td>
<td>$30.00</td>
<td>$20.00</td>
<td>$362.50</td>
<td>$15.00</td>
<td>220.00%</td>
</tr>
<tr>
<td>8. Community Park</td>
<td>$327.00</td>
<td>$400.00</td>
<td>$310.00</td>
<td>$293.00</td>
<td>$255.00</td>
<td>28.24%</td>
</tr>
<tr>
<td>9. Central Park</td>
<td>$99.00</td>
<td>$130.00</td>
<td>$90.00</td>
<td>$47.50</td>
<td>$75.00</td>
<td>32.00%</td>
</tr>
<tr>
<td>10. Municipal Building</td>
<td>$48.00</td>
<td>$20.00</td>
<td>$15.00</td>
<td>$57.75</td>
<td>$15.00</td>
<td>220.00%</td>
</tr>
<tr>
<td>11. Sunset Park</td>
<td>$73.00</td>
<td>$75.00</td>
<td>$70.00</td>
<td>$72.00</td>
<td>$60.00</td>
<td>21.67%</td>
</tr>
<tr>
<td>12. Sunset Park Serpentine Walk</td>
<td>$45.00</td>
<td>$25.00</td>
<td>$70.00</td>
<td>$72.00</td>
<td>$20.00</td>
<td>125.00%</td>
</tr>
<tr>
<td>13. Amphitheater</td>
<td>$70.00</td>
<td>$140.00</td>
<td>$70.00</td>
<td>$72.00</td>
<td>$55.00</td>
<td>27.27%</td>
</tr>
<tr>
<td>14. Water Feature Plaza</td>
<td>$42.00</td>
<td>$20.00</td>
<td>$25.00</td>
<td>$72.00</td>
<td>$15.00</td>
<td>180.00%</td>
</tr>
<tr>
<td>15. Audubon Mill Park</td>
<td>$62.00</td>
<td>$70.00</td>
<td>$70.00</td>
<td>$72.00</td>
<td>$60.00</td>
<td>3.33%</td>
</tr>
<tr>
<td>16. Audubon Mill Park Bank</td>
<td>$72.00</td>
<td>$30.00</td>
<td>$70.00</td>
<td>$72.00</td>
<td>$45.00</td>
<td>60.00%</td>
</tr>
<tr>
<td>Service</td>
<td>Brandon's Lawn &amp; Landscaping</td>
<td>Knight's Landscaping, LLC</td>
<td>CTL Services, LLC</td>
<td>Last Bid Reference 19-08</td>
<td>Percentage Increase/Decrease</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------</td>
<td>--------------------------</td>
<td>------------------</td>
<td>--------------------------</td>
<td>----------------------------</td>
<td></td>
</tr>
<tr>
<td>Welcome Center/Depot</td>
<td>$43.00</td>
<td>$20.00</td>
<td>$70.00</td>
<td>$72.00</td>
<td>$25.00</td>
<td>72.00%</td>
</tr>
<tr>
<td>Tennis Courts, including Riverview School, and River Walk extension</td>
<td>$65.00</td>
<td>$40.00</td>
<td>$70.00</td>
<td>$72.00</td>
<td>$55.00</td>
<td>18.18%</td>
</tr>
<tr>
<td>Red Banks Park including property behind Water Plant</td>
<td>$154.00</td>
<td>$150.00</td>
<td>$210.00</td>
<td>$183.00</td>
<td>$120.00</td>
<td>28.33%</td>
</tr>
<tr>
<td>River Walk along Merritt Drive from 12th St. to Red Banks Park</td>
<td>$303.00</td>
<td>$150.00</td>
<td>$210.00</td>
<td>$310.00</td>
<td>$270.00</td>
<td>12.22%</td>
</tr>
<tr>
<td>Kimmel Park</td>
<td>$106.00</td>
<td>$85.00</td>
<td>$85.00</td>
<td>$71.00</td>
<td>$75.00</td>
<td>41.33%</td>
</tr>
<tr>
<td>Short 7th &amp; N. Adams - SE Corner</td>
<td>$24.00</td>
<td>$25.00</td>
<td>$20.00</td>
<td>$9.00</td>
<td>$5.00</td>
<td>380.00%</td>
</tr>
<tr>
<td>Pee Wee Field</td>
<td>$108.00</td>
<td>$155.00</td>
<td>$85.00</td>
<td>$210.00</td>
<td>$75.00</td>
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</tr>
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<td>Anthony Brooks Park</td>
<td>$59.00</td>
<td>$50.00</td>
<td>$35.00</td>
<td>$36.00</td>
<td>$40.00</td>
<td>47.50%</td>
</tr>
<tr>
<td>JFK Center / Handy Park</td>
<td>$76.00</td>
<td>$85.00</td>
<td>$75.00</td>
<td>$178.00</td>
<td>$65.00</td>
<td>16.92%</td>
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<tr>
<td>Newman Park</td>
<td>$322.00</td>
<td>$500.00</td>
<td>$250.00</td>
<td>$391.00</td>
<td>$240.00</td>
<td>34.17%</td>
</tr>
<tr>
<td>East End Park</td>
<td>$67.00</td>
<td>$45.00</td>
<td>$25.00</td>
<td>$44.00</td>
<td>$50.00</td>
<td>34.00%</td>
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<tr>
<td>Former Municipal Golf Course</td>
<td>$610.00</td>
<td>$550.00</td>
<td>$900.00</td>
<td>$362.50</td>
<td>N/A</td>
<td>#VALUE!</td>
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<tr>
<td><strong>Total Bid Price</strong></td>
<td><strong>$3,878.00</strong></td>
<td><strong>$4,155.00</strong></td>
<td><strong>$4,175.00</strong></td>
<td><strong>$4,627.25</strong></td>
<td><strong>$2,545.00</strong></td>
<td><strong>52.38%</strong></td>
</tr>
</tbody>
</table>

Other Bidders Contacted: Persson's Southern Turf Management; B & L Phillips Services Inc.; Unlimited Lawncare & Landscaping

Bids Opened & Recorded By: Dawn Winn
Leigh Anne Herron

Bids Reviewed By: Trace Stevens
City of Henderson, Kentucky
Invitation to Bid

Bid Reference No. 20-02

SPECIAL CONDITIONS

In order to present an attractive and well-maintained appearance, the City of Henderson is accepting sealed bids for the mowing and trimming of the following groups of City property:

1. Atkinson Park: Gathering Place, Pool, Denton Shelter
2. Atkinson Park: North entrance, open-air shelter, area across Skate Park, behind Adult ball fields, restroom facility, barbecue pits
3. Disc Golf Field holes #7, 8, & 9
4. Spillway in Atkinson Park
5. Atkinson Park: Playground, Riverwalk behind hospital
6. Hays Boat Ramp & outside Bambino Fields
7. Bambino Concession Stand Entrance
8. Community Park
9. Central park
10. Municipal Building
11. Sunset Park
12. Sunset Park Serpentine Walk
13. Amphitheater
14. Water Feature Plaza
15. Audubon Mill Park
16. Audubon Mill Park Bank and boat ramp sidewalk access
17. Welcome Center/Depot
18. Tennis courts, including Riverview School, and River Walk Extension
19. Red Banks Park including property behind Water Plant
20. River Walk along Merritt Drive from 12th St. to Red Banks Park & row West of road
21. Kimmel Park
22. Short 7th & N Adams – SE Corner
23. Pee Wee Field
24. Anthony Brooks Park
25. JFK Center/ Handy Park
27. East End Park
28. Atkinson Park (former golf course)

The City will maintain a continuing property inspection to determine that the contractor is complying with all provisions of the contract. This inspection will include but will not be limited to the quality of service rendered, compliance with the terms and specifications, and the regularity of the service.
SPECIAL CONDITIONS

Page 2

Inspection of Properties

All bidders shall be required to inspect the properties included in the work prior to the submission of a bid unless other arrangements are made with the City.

A mandatory pre-bid tour will be required if the bidder has not previously held this contract.

Questions regarding the properties, specifications, or to schedule a tour, contact Trace Stevens, Parks and Recreation Director at 270-831-1274.

Bidders unfamiliar with the City’s sealed bid process or bidders with procedural questions are encouraged to call Dawn Winn, Assistant Finance Director, at 270-831-1200, ext. 2220.

Term and Cancellation

The term of the contract will be from the date the bid is approved by the Commission through December 31, 2020. If both parties agree in writing, the contract can be extended for an additional twelve (12) month period with a 2% increase of bid price upon the same terms and conditions.

Upon determination by the City Manager of unsatisfactory performance, the contract can be terminated in five (5) calendar days upon written notice.

Licenses and Insurance

The successful bidder must obtain a City of Henderson Occupational License prior to beginning work.

During the term of the contract and before any part of the services are performed or the goods are delivered, Bidder shall, at Bidder’s sole expense, cause to be issued and maintained not less than the insurance coverages set forth below:

A. Broad Form Comprehensive General Liability, including Products and Completed Operations.
   
   Bodily Injury: $1,000,000 each occurrence
   $2,000,000 aggregate

   Property Damage: $1,000,000 each occurrence

B. Automobile Liability, including any auto, hiring autos and non-owned autos.
   $1,000,000 combined single limit
C. Umbrella Insurance Aggregate limits of liability: $5,000,000

   Bodily injury and Property Damage Liability
   Personal and Advertising Injury Liability

D. Workers Compensation for all employees used on the job pursuant to statute.

Certificates of insurance, issued by companies authorized to do business in the state of Kentucky, satisfactory in form to the City and signed by the Bidder’s insurer shall be supplied by Bidder to the City evidencing that the above insurance is in force and that not less than thirty (30) calendar days written notice will be given to the City prior to any cancellation or restrictive modification of the policies. Bidder shall replace any cancelled policy within the thirty (30) day notice period so that there is no lapse in coverage at any time during the period covered by this contract.

Invoicing and Payment

The City shall be invoiced bi-weekly for the services rendered during the previous two weeks. The invoice shall individually list each property mowed during the two week period, the number of times mowed, the “per cut” price as established in the contract, and the extended total price (Price per cut (x) number of cuts).

Bid Requirements

Each bidder is required to submit the following: Failure to provide the required information may invalidate your bid response.

- Work references from a minimum of three firms for whom similar work has been performed in the past year.
- Number of years in business.
- A list of equipment to be used or acquired.
- The number of personnel the bidder considers adequate to perform this work.
- An operational plan that sets forth the contractors plans for successfully fulfilling the contract including a tentative mowing schedule, supervision of crews.
- List estimated man-hours per week dedicated to complete the scope of services.
Submit information regarding accessibility and response time of the contractor for addressing special services or concerns.

- A properly filled out Bid Pricing Sheet, Bid Reference 20-02.

**Bid Award**

Bids will be awarded to the lowest Total Bid Price. Bids must contain a price per cut for all items in order to be considered responsive and eligible for award.

The bid will be awarded to the lowest Total Bid Price for the weekly mowing of items 1-28.

*Past experience with the City of Henderson, responsiveness to the City requests for work to be performed, and past job quality (references) will also be considered in the award of any bid.*

All bids shall remain valid for a period of sixty (60) days after bid opening.

- End of Section -
City of Henderson, Kentucky
Invitation to Bid

Bid Reference No. 20-02

TECHNICAL CONDITIONS

- The contractor shall be responsible for all equipment and maintenance of said equipment required in fulfilling this contract.

- The work to be performed under this contract is expected to begin around April 1 of each year and conclude around November 1. Depending upon weather and growing conditions, it is possible that mowing services will begin earlier than April 1 and continue after November 1. The contractor will be expected to start and end mowing services as directed by the City. If both parties agree, the contract can be extended for an additional twelve (12) month period upon the same terms and conditions with a 2% increase of original bid price.

- The City does not guarantee any minimum or maximum number of mowings or trimming during the period covered by this contract. The City reserves the right to mow and trim any property included in the contract with its own crews or to otherwise care for its property as determined in its best interests.

- Areas not accessible to mowers must be trimmed utilizing a weed-eater or similar trimming device. Special attention shall be paid to areas immediately adjacent to monuments, signs, walls, fences, bushes, curbs, streets, paths, building, and other objects.

- The contractor shall take precautions to protect the public, vehicles, buildings, facilities, etc., from harm or damage. Excessive mowing speed shall not be permitted. Proper attire, including shirts, and safety glasses, shall be worn by bidders employees at all times.

- No mowing shall be performed around shelter, picnic tables, playground equipment, and swimming pool complex while they are in use. The contractor shall take all precautions to protect the public vehicles, building, facilities, etc., from harm or damage.

- The contractor shall be responsible for minor litter control and shall not mow over any litter. The contractor shall be responsible for disposing of shredded litter resulting from this action. The City shall be responsible for major litter control and shall be notified immediately when a problem exists.
All grass clippings must be swept from sidewalks, city buildings and facilities by the end of the cutting day.

No herbicides or other chemicals are to be used for grass or weed control without the express consent of the City.

Before applying chemicals, the contractor shall submit Material Safety Data Sheets for all chemicals and similar substances covered by the Federal hazardous Material Notification Law and follow all safety standards as set by OSHA, the Division of Pesticides of the Kentucky Department of Agriculture, or other regulatory agencies. Contractor must be able to present current pesticide certifications required for using certain chemicals.

The vendor shall not park vehicles, trailers, or heavy equipment on turf areas or sidewalks without prior authorization from the City of Henderson. Do not block walks, drives, or parking areas during maintenance operations.


The properties shall be mowed and trimmed every seven (7) days, or as specifically directed by the City. The City shall be notified immediately when there is any deviation from the schedule due to equipment breakdowns, inclement weather conditions, or other reasons.

The contractor shall notify the Parks and Recreation Department office by Thursday of each week when mowing takes place to report properties that have been mowed. This will initiate a property inspection by the City.
MUNICIPAL ORDER

MUNICIPAL ORDER AWARDING BID FOR MOWING OF CITY PROPERTIES TO GREEN EYED MONSTER LAWN SERVICES OF OWENSBORO, KY FOR GROUP A PROPERTIES

WHEREAS, the City of Henderson has issued invitations to bid for mowing services for property Group A which consists of services to mow and trim all city park properties, the Municipal Building and miscellaneous city properties; and

WHEREAS, bids were submitted to the City pursuant to said invitations, and were publicly opened on January 21, 2020, with Green Eyed Monster Lawn Services of Owensboro, KY submitting the best bid for Group A services, which bid the City Manager recommends be accepted.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and award is hereby made to Green Eyed Lawn Services, 7681 Curdsville Delaware Rd., Owensboro, KY 42301, for Group A mowing services, in strict accordance with its bid as submitted pursuant to Bid Reference 20-02.

On motion of Commissioner _________________, seconded by Commissioner _________________, that the foregoing Order be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: ________ Commissioner Royster: ________
Commissioner Vowels: ________ Mayor Austin: ________
Commissioner Bugg: ________

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING, this the ______ day of February, 2020.

______________________________________________
Steve Austin, Mayor

ATTEST:

Maree Collins, CKMC, City Clerk

APPROVED AS TO FORM AND LEGALITY THIS _____ DAY OF FEBRUARY, 2020.

By: ____________________________
Dawn S. Kelsey
City Attorney
February 21, 2020

TO: Mayor Steve Austin and the Board of Commissioners
FROM: William L. “Buzzy” Newman, Jr., City Manager
SUBJECT: Motorola Solutions-911 Communication Radio Upgrade Project Change Order #4

An item for the agenda of the Tuesday, February 25, 2020 meeting is a municipal order approving Change Order #4 to the construction contract between the City of Henderson and Motorola Solutions regarding the 911 Communication Radio Upgrade Project.

A change order is necessary as part of a negotiated agreement with Motorola Solutions to provide the equipment, software and services to implement the Enhanced Data Channel Add-on, which includes Advanced Vehicle Location tracking. The add-on equipment and services will increase the ability of the public safety agencies in the City and County to respond to emergencies.

This is a zero-dollar change order although it will reduce the warranty period by sixteen (16) months. Your approval of the attached resolution is requested.

c: Jordan Webb
MUNICIPAL ORDER. _______

MUNICIPAL ORDER APPROVING CHANGE ORDER # FOUR (4)
TO THE CONTRACT BETWEEN THE CITY OF HENDERSON,
HENDERSON COUNTY FISCAL COURT AND MOTOROLA
SOLUTIONS, REGARDING THE 911 COMMUNICATION RADIO
UPGRADE PROJECT

WHEREAS, the City of Henderson, Henderson County Fiscal Court and Motorola Solutions are parties to a contract relating to the 911 Communication Radio Upgrade Project; and

WHEREAS, a Change Order is necessary which modifies the original contract to add the Enhanced Data Channel Add-on (which includes Advanced Vehicle Location tracking) to increase the ability of the public safety agencies in the City and County to respond to emergencies; and

WHEREAS, this Change Order wherein Motorola will provide the equipment necessary to complete this at no further cost to the City or the County but in return the City of Henderson and Henderson County Fiscal Court agree to reduce the warranty period by sixteen (16) months. (See Exhibit A for the detailed Change Order)

NOW, THEREFORE, BE IT ORDERED, by the City of Henderson, Kentucky, that Change Order to the Motorola Solutions Contract is hereby approved and the Mayor is authorized and directed to execute the change order on behalf of the City.

On motion of Commissioner ________________________, seconded by Commissioner ________________________, that the foregoing Municipal Order be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: ______  Commissioner Royster: ______
Commissioner Vowels: ______  Mayor Austin: ______
Commissioner Bugg: ______

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING and Mayor Austin, affixed his signature and the date thereto and ordered that the same be recorded.

ATTEST:

________________________
Maree Collins, City Clerk

APPROVED AS TO FORM AND LEGALITY THIS ___ DAY OF FEBRUARY 2020.

By: ______________________
   Dawn S. Kelsey
   City Attorney
SECTION 1

STATEMENT OF WORK

Motorola is proposing to Henderson County the installation and configuration of the following equipment at the specified locations.

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Major Equipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Master Site</td>
<td>Adding Licensing for trunking Enhanced Data Capabilities and 794 Enhanced Data Users (expandable).</td>
</tr>
<tr>
<td>Prime Site</td>
<td>2 GCM8000 Comparators and software upgrades for the GCP8000 Site Controllers and Site Licenses.</td>
</tr>
<tr>
<td>Geo Prime Site</td>
<td>2 GCM8000 Comparators and software upgrades for the GCP8000 Site Controllers and Site Licenses.</td>
</tr>
<tr>
<td>Crown Castle</td>
<td>1 GTR8000 Base Radio for the Expandable Site Sub-System in place today, reconfiguration of an existing channel to be capable of voice and Enhanced Data.</td>
</tr>
<tr>
<td>Backup Dispatch</td>
<td>1 GTR8000 Base Radio for the Expandable Site Sub-System in place today, reconfiguration of an existing channel to be capable of voice and Enhanced Data.</td>
</tr>
<tr>
<td>Spottsville Water Tower</td>
<td>1 GTR8000 Base Radio for the Expandable Site Sub-System in place today, reconfiguration of an existing channel to be capable of voice and Enhanced Data.</td>
</tr>
<tr>
<td>Delaware</td>
<td>1 GTR8000 Base Radio for the Expandable Site Sub-System in place today, reconfiguration of an existing channel to be capable of voice and Enhanced Data.</td>
</tr>
</tbody>
</table>

The document delineates the general responsibilities between Motorola and Henderson County as agreed to by contract.

1.1 MOTOROLA RESPONSIBILITIES

Motorola’s general responsibilities include the following:

- Perform the installation of the Motorola supplied equipment described above.
- Schedule the implementation in agreement with Henderson County.
- Coordinate the activities of all Motorola subcontractors under this contract.
- Administer safe work procedures for installation.
- Provide Henderson County with the appropriate system interconnect specifications.
- Provide subscriber software flash upgrades to add Enhanced Data operation to the subscriber quantities contained in the table below. Installation is not included and will be performed by Henderson County.
- Provide Frequency search and coordinates for the additional frequency required. Assist Henderson with all required FCC licensing forms to add 6th frequency to all sites.
Existing coverage will not degrade due to the addition of the 6th channel and the Enhanced Data operation.

1.2 HENDERSON COUNTY RESPONSIBILITIES

Henderson County will assume responsibility for the installation and performance of all other equipment and work necessary for completion of this project that is not provided by Motorola. General responsibilities for Henderson County include the following:

- Provide Access to the sites that require installation and upgrade in the chart above.
- Customer will provide a dedicated delivery point, such as a warehouse, for receipt, inventory and storage of equipment prior to delivery to the site(s).
- Coordinate the activities of all Henderson County vendors or other contractors.

Motorola has made several assumptions in preparing this proposal, which are noted below. In order to provide a firm quote, Motorola will need to verify all assumptions or seek alternate solutions in the case of invalid assumptions.

- Any site/location upgrades or modifications are the responsibility of the customer.
- The new frequency for the 6th channel shall have adequate spacing to fit into the existing combiner system (spacing of at least 150kHz required).
- Approved local, State or Federal permits as may be required for the installation and operation of the proposed equipment are the responsibility of the customer.
- No coverage testing is included in this proposal.
- Motorola is not responsible for interference caused or received by the Motorola provided equipment except for interference that is directly caused by the Motorola provided transmitter(s) to the Motorola provided receiver(s). Should the Customer's system experience interference, Motorola can be contracted to investigate the source and recommend solutions to mitigate the issue.

<table>
<thead>
<tr>
<th>Radio</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>APX 6000 Model 3.5</td>
<td>146</td>
</tr>
<tr>
<td>APX 6000 XE Model 2.5</td>
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<tr>
<td>APX 1000 Model 1.5</td>
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<tr>
<td>APX 1500</td>
<td>103</td>
</tr>
<tr>
<td>APX 8500 Tri-Band</td>
<td>7</td>
</tr>
<tr>
<td>Radio</td>
<td>Count</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>APX 6500 Remote Mount</td>
<td>120</td>
</tr>
<tr>
<td>APX 6500 Remote Mount 03 Head</td>
<td>2</td>
</tr>
<tr>
<td>APX 4500</td>
<td>101</td>
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<tr>
<td>APX 4500 Remote Mount</td>
<td>25</td>
</tr>
<tr>
<td>Mobile Sub-total</td>
<td>358</td>
</tr>
<tr>
<td><strong>Total Subscribers</strong></td>
<td><strong>794</strong></td>
</tr>
</tbody>
</table>
2.1 SYSTEM OVERVIEW

The proposed system add-on is a new Enhanced Data Channel for the existing 5 channel (4) site Henderson P25 Simuleast System. The Enhanced Data add-on involves upgrading the Master, Prime, Remote Sites and the user devices (sub/mobs) to support Enhanced Data operation. The purpose for this expansion is to support the number of users that require GPS reporting and the cadence for location updates.

The Enhanced Data Expansion consists of the following:

- Enhanced Data Operation, Site and User Licenses for the existing Mastercore.
- A GCP8000 site controller upgrade to Enhanced Data at the Prime Site (1 for main and 1 for standby, repeated at the Geo Prime site).
- Adding a 6th channel consisting of the following:
  - A GCM8000 Comparator at the Prime Site (1 for main and 1 for standby, repeated at the Geo Prime site).
  - A GTR8000 at each remote site, the base radio will plug into the existing ESS Cabinet. In addition, an existing channel will be configured to be capable of both voice and Enhanced Data.
- Flash Software upgrades to Existing APX radios as defined in the table that have GPS capability today (install of flash upgrades to be done by Henderson County).

2.2 CAPACITY ASSESSMENT

The following details the benefits over IV&D provided by this new Enhanced Data solution.

To better understand the benefits of Enhanced Data, first IV&D will be reviewed and why it will not meet Henderson County’s needs for GPS location. The following parameters were used:

- 5 RF Channels with 8 TDMA talkpaths (4 IV&D capable data channels)
- APX6000, Swivel Case with RSM, ½ wave antenna
- 300 to 3000s cadence observed
The plot above takes into account (2) scenarios, one at Year 0 (500 users) and one at Year 10 (609 or a 2% year-over-year growth rate), while the Year 0 is successful at 1800s cadence (30 minutes), the Year 10 will take 3000s (45 minutes) to be successful for the 609 users sending GPS data.

Enhanced Data is strictly inbound and utilizes shorter messages to send the GPS data. Our proposal includes a 6th channel dedicated for Enhanced Data and one of the existing channels configured to support voice calls and Enhanced Data calls (GPS inbound transmission). The parameters used for the traffic study are the same as in the IV&D study, however now we are using a dedicated data channel; 6 total channels, 8 talkpaths and 1 enhanced data (when the non protected channel is being used for voice).
As the above graph shows, both the Year 0 and Year 10 scenarios are successful at 120s cadence (2 minutes), a drastic improvement from IV&D’s 30 minute window.

Now, the same parameters used are the same as before, however now we are using both data channels; 6 total channels, 6 talkpaths and 2 enhanced data (when the non protected channel is being used for GPS).

The above plot shows the success threshold for location at 95%, which now occurs at 60s or 1 minute for 2 ED channels.

The Above graph shows this scenario (2 Enhanced Data channels open for use), which only improves the Cadence window, reducing time between updates of the user’s GPS location.

To Summarize:

- **Scenario 1 - Location over IV&D (Existing Solution)**
  - To maintain the same location cadence from Year 0 to Year 10, a minimum cadence of 3000s (45 min) is recommended.

- **Scenario 2 - Location over Enhanced Data (Proposed Solution)**
  - 2 Enhanced Data Channels (1 protected, 1 not protected from existing channel) with a minimum cadence of 90s (1.5 min) at Year 0 and 120s (2 min) at Year 10.
## SECTION 3

### EQUIPMENT LIST

This section lists the equipment necessary for the proposed solution.

<table>
<thead>
<tr>
<th>BLOCK</th>
<th>QTY</th>
<th>NOMENCLATURE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
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<td></td>
<td></td>
</tr>
<tr>
<td>LICENSES</td>
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<td>SQM015U00273</td>
<td>MASTER SITE CONFIGURATION</td>
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<td>CA02679AA</td>
<td>ENH: EXPAND 7.15</td>
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<tr>
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<td>1</td>
<td>CA02389AA</td>
<td>ENH: TRUNKED ENHANCED DATA</td>
</tr>
<tr>
<td>LICENSES</td>
<td>2</td>
<td>CA02473AA</td>
<td>ENH: 500 ENHANCED TRUNKED DATA USER LICENSES</td>
</tr>
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<td>GCP UPGRADE</td>
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<td>T7140</td>
<td>G-SERIES SOFTWARE UPGRADE</td>
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<tr>
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<td>T7140</td>
<td>G-SERIES SOFTWARE UPGRADE</td>
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<td>G-SERIES SOFTWARE UPGRADE</td>
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<td>COMPARATOR</td>
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<td>T7321</td>
<td>GCM 8000 COMPARATOR</td>
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<td>GCM 8000 COMPARATOR</td>
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<td>CA01185AA</td>
<td>ADD: IP BASED MULTISITE OPERATION</td>
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</tr>
<tr>
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<td>1</td>
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<td>ADD: RACK MOUNT HARDWARE</td>
</tr>
<tr>
<td>COMPARATOR</td>
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<td>T7321</td>
<td>GCM 8000 COMPARATOR</td>
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<tr>
<td>ESS CH EXP</td>
<td>1 X301AE ADD: QTY (1) GTR 8000 BASE RADIO</td>
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<tr>
<td>ESS CH EXP</td>
<td>1 CA00855AA ADD: 700/800 MHZ</td>
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<tr>
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<td>1000</td>
<td>1 T8280 P25 TRUNKING</td>
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<tr>
<td>1500</td>
<td>1 T8290 3600 OR 9600 TRUNKING BAUD SINGLE SYSTEM</td>
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<td>1500</td>
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<td>101 QA03399 ADD: ENHANCED DATA</td>
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<td>1 T8012 9600 OR 3600 SINGLE SYSTEM DIGITAL TRUNKING</td>
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<td>8500</td>
<td>25 QA03399AB ADD: ENHANCED DATA</td>
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<td>8500</td>
<td>1 T8426 TDMA</td>
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<td>8500</td>
<td>7 QA03399AB ADD: ENHANCED DATA</td>
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</tbody>
</table>
SECTION 4

PRICING SUMMARY

The first table line outlines total equipment cost for system and subscribers at Motorola list price. The second line shows discounted equipment for system and subscriber upgrade to enhanced data. The discount utilized were levels from the original RFP response to city and county. The final revised total did not increase as the new total system price includes an additional 184 units to be upgraded based on final subscriber count.

<table>
<thead>
<tr>
<th>Equipment and Systems Integration</th>
<th>Price</th>
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</thead>
<tbody>
<tr>
<td>Total Equipment (List)</td>
<td>$507,893</td>
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<tr>
<td>Equipment Discounted with Same Discounts from Original Proposal</td>
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<tr>
<td>Systems Integration</td>
<td>$163,613</td>
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<td>TOTAL SYSTEM PRICE</td>
<td>$566,840</td>
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<table>
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<tr>
<th>Post Warranty and SUAI Year</th>
<th>Price</th>
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<td>Post Warranty Services and SUAI Year 2</td>
<td>$10,266</td>
</tr>
<tr>
<td>Post Warranty Services and SUAI Year 3</td>
<td>$6,114</td>
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<tr>
<td>Post Warranty Services and SUAI Year 4</td>
<td>$6,276</td>
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<td>Post Warranty Services and SUAI Year 5</td>
<td>$6,444</td>
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<td>Post Warranty Services and SUAI Year 6</td>
<td>$6,618</td>
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<tr>
<td>Post Warranty Services and SUAI Year 7</td>
<td>$6,983</td>
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<tr>
<td>Post Warranty Services and SUAI Year 8</td>
<td>$55,457</td>
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</tbody>
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Use or disclosure of this proposal is subject to the restrictions on the cover page.

3-6 Pricing Summary
City Commission Memorandum
20-31

February 21, 2020

TO: Mayor Steve Austin and the Board of Commissioners

FROM: William L. "Buzzy" Newman, Jr., City Manager

SUBJECT: Purchase of Three (3) Police Vehicles

The accompanying municipal order approves and authorizes the purchase of three (3) police vehicles from Glenn’s Freedom Dodge of Lexington, Kentucky for the Kentucky State Contract price of $83,096.00.

The purchase of goods and services through state price contracts is authorized and encouraged under Chapter 2 of the Code of Ordinances. Glenn’s Freedom Dodge holds the State Price Contract for 2020 Dodge Durango vehicles.

The purchase will include two (2) 2020 SXT AWD Dodge Durango vehicles at a cost of $26,922.00 each and one (1) 2020 Dodge Durango AWD Police Pursuit Vehicle at a cost of $29,252.00. The vendor anticipates a turn around time of approximately 120 days.

Adequate funds are budgeted and available in the Fiscal 2020 budget. Your approval of the attached municipal order is requested.

c: Heath Cox
   Dawn Winn
February 19, 2020

TO: Buzzy Newman
City Manager

FROM: Heath A. Cox
Chief of Police

SUBJECT: Police Vehicle Purchase – Dodge Durango

I am requesting Commission approval to purchase three (3) police vehicles from Glenn’s Freedom Dodge in Lexington, Kentucky. This vendor currently holds the Master Agreement #758180000176 for 2020 Dodge Durango vehicles.

A purchase under this Master Agreement would include two (2) 2020 SXT AWD Dodge Durango vehicles at a cost of $26,922.00 each, for a total of $53,844.00; the additional vehicle purchase would be a 2020 Dodge Durango AWD Police Pursuit Vehicle at a cost of $29,252.00. Cost for all three vehicles totals $83,096.00. There are sufficient funds in the Police Department budget, capital account 4601 to cover the cost of these vehicles. Glenn’s Freedom Dodge anticipates a turn-around time of approximately 120 days.

If you have any questions or need any additional information in reference to this matter, please do not hesitate to contact me.

Heath A. Cox
Chief of Police

HAC/wds
GLENN'S FREEDOM DODGE CHRYSLER JEEP RAM
1560 E NEW CIRCLE RD
LEXINGTON, KY 405091022

Date Printed: 2019-10-15 12:44 PM  VIN: VON: Quantity: 1
Estimated Ship Date: Status: BA - Pending order

FAN 1: 48939 COMMONWEALTH OF KENTUCKY
FAN 2: Client Code: Bid Number: TB0108

Sold to:
GLENN'S FREEDOM DODGE CHRYSLER JEEP RAM (60584)
1560 E NEW CIRCLE RD
LEXINGTON, KY 405091022

Ship to:
GLENN'S FREEDOM DODGE CHRYSLER JEEP RAM (60584)
1560 E NEW CIRCLE RD
LEXINGTON, KY 405091022

Vehicle:

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<th>Sales Code</th>
<th>Description</th>
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<td>2020 (WDEE75)</td>
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<tr>
<td>22Z</td>
<td>Customer Preferred Package 22Z</td>
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<tr>
<td>EZH</td>
<td>5.7L V8 HEMI MDS VVT Engine</td>
<td>2,995</td>
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<tr>
<td>DFD</td>
<td>8-Spd Auto 8HP70 Trans (Buy)</td>
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<tr>
<td>PW7</td>
<td>White Knuckle Clear Coat</td>
<td>5</td>
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<tr>
<td>APA</td>
<td>Monotone Paint</td>
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<tr>
<td>&quot;H7</td>
<td>Cloth Low-Back Bucket Seats</td>
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<tr>
<td>-X9</td>
<td>Black</td>
<td>0</td>
</tr>
<tr>
<td>4DH</td>
<td>Prepaid Holdback</td>
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<td>4ES</td>
<td>Delivery Allowance Credit</td>
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<td>MAF</td>
<td>Fleet Purchase Incentive</td>
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<td>4FM</td>
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<td>4FT</td>
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<td>142</td>
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<td>4EA</td>
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<td>4FA</td>
<td>Special Bid-Ineligible For Incentive</td>
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<td>TB0108</td>
<td>Government Incentives</td>
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<td>NAS</td>
<td>50 State Emissions</td>
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<tr>
<td>YG1</td>
<td>7.5 Additional Gallons of Gas</td>
<td>1,495</td>
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Total Price: 39,360

Order Type: Fleet  PSP Month/Week: 99
Scheduling Priority: 1-Sold Order  Build Priority:
Salesperson:
Customer Name:
Customer Address:

Notes: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

Page 1 of 1
GLENN'S FREEDOM DODGE CHRYSLER JEEP RAM
1560 E NEW CIRCLE RD
LEXINGTON, KY 405091022

Date Printed: 2019-10-31 12:32 PM  VIN:
Estimated Ship Date:  VON:

Status: BA - Pending order
FAN 1: 48939 COMMONWEALTH OF KENTUCKY
FAN 2: 
Client Code: 
Bid Number: TB0108
PO Number: 

Sold to:
GLENN'S FREEDOM DODGE CHRYSLER JEEP RAM (60584)
1560 E NEW CIRCLE RD
LEXINGTON, KY 405091022

Ship to:
ENTE WNEW CIRCLE RD
LEXINGTON, KY 405091022

Vehicle: 2020 SXT RWD (WDDL75)

Sales Code Description          MSRP(USD)
WDDL75  SXT RWD                30,495

Model: Package:
WDDL75  2BA  Customer Preferred Package 2BA  0
2BA  Customer Preferred Package 2BA  0
ERC  3.6L V6 24V VVT Engine Upg w/ESS  0
DFT  8-Spd Auto 850RE Trans (Make)  0

Paint/Seat/Trim:
PW7  White Knuckle Clear Coat  0
APA  Monotone Paint  0
-H7  Cloth Low-Back Bucket Seats  0
-X9  Black  0

Options:
4DH  Prepaid Holdback  0
4ES  Delivery Allowance Credit  0
MAF  Fleet Purchase Incentive  0
SN6  Easy Order  0
4FM  Fleet Option Editor  0
4FT  Fleet Sales Order  0
142  Zone 42-Detroit  0
4EA  Sold Vehicle  0

Non Equipment: 4FA  Special Bid-Ineligible For Incentive  0

Bid Number: TB0108
Discounts: YG1  7.5 Additional Gallons of Gas  0
Destination Fees: 

Order Type: Fleet
Scheduling Priority: 1-Sold Order

PSP Month/Week: Build Priority: 99

Total Price: 31,990

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

$25,143.00

Option 1
MUNICIPAL ORDER

MUNICIPAL ORDER AUTHORIZING PURCHASE OF THREE (3) POLICE VEHICLES FROM GLENN’S FREEDOM DODGE, OF LEXINGTON, KY, AT THE STATE PRICE CONTRACT IN THE TOTAL AMOUNT OF $83,096.00

WHEREAS, the City desires to purchase two (2) 2020 SXT AWD Dodge Durango vehicles at a cost of $26,922.00 each for a total of $53,844.00; and an additional purchase of a 2020 Dodge Durango AWD Police Pursuit vehicle at a cost of $29,252.00; the total cost for all three (3) vehicles is $83,096.00 to be used by the Police Department, which is approved in the 2019-2020 fiscal budget; and

WHEREAS, Glenn’s Freedom Dodge of Lexington, KY holds the state price contract for such purchase in the amount of $83,096.00, which purchase is recommended by the City Manager; and

WHEREAS, KRS 45A.420(2) and Section 2-290(e) of the City’s Code of Ordinances authorizes and encourages purchases under state price contracts.

NOW, THEREFORE, BE IT ORDERED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and the purchase of three (3) vehicles from Glenn’s Freedom Dodge, 1560 E New Circle RD, Lexington, KY 40509-1022, at the state contract amount of $83,096.00 is hereby authorized and approved, and the Mayor is authorized to execute the attached document on behalf of the City.

On motion of Commissioner ______________________, seconded by Commissioner ______________________, that the foregoing Municipal Order be adopted, the vote was called. On roll call the vote stood:

Commissioner Staton: _______   Commissioner Royster: _______
Commissioner Vowels: _______   Mayor Austin: _______
Commissioner Bugg: _______

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING and Mayor Austin, affixed his signature and the date thereto and ordered that the same be recorded.

ATTEST:

Maree Collias, CKMC, City Clerk

APPROVED AS TO FORM AND LEGALITY THIS __ DAY OF FEBRUARY, 2020.

By: ____________________________
Dawn S. Kelsey
City Attorney
## UPCOMING BOARD APPOINTMENTS

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<td><strong>ETHICS BOARD</strong></td>
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<tr>
<td>Becky Hudson Brown</td>
<td>02/14/2020</td>
<td>2-Year</td>
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<td><strong>BOARD OF ZONING ADJUSTMENT – CITY</strong></td>
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<tr>
<td>Mac Arnold</td>
<td>02/24/2020</td>
<td>4-Year</td>
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<td><strong>BOARD OF OCCUPATIONAL LICENSE APPEALS</strong></td>
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<tr>
<td>Alternate Member (Vacant-former member moved out of town)</td>
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<td>3-Year</td>
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Meeting: 02/25/2020