

City of Henderson, Kentucky  
Board of Commissioners  
Tuesday, April 9, 2019

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

AGENDA

1. Invocation: Brother David Salisbury, Henderson Church of Christ

2. Roll Call:

3. Recognition of Visitors:

4. Appearance of Citizens:

5. Proclamations:

6. Presentations: Carl Working - 2020 Census Update

Tourism/DHP - Proposed Urban Walking Trail Project

7. Public Hearings: HART 2019 FTA Grant Application

8. Consent Agenda:

Minutes: February 26, 2019 Regular Meeting  
March 19, 2019 Work Session

9. Ordinances & Resolutions:

Second Readings: Ordinance Amending Chapter 7, *Buildings and Building Regulations* – Commercial Range Hood Inspection Fees

First Readings:

Resolutions: Resolution Authorizing Staff to Proceed with Action to Collect Outstanding Debts Owed to the City, Including Judicial Action if Appropriate

Resolution to Rescind an Interlocal Agreement Between the City and Henderson County Fiscal Court Relating to the Collection of Occupational License Fees and Net Profits Tax

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

10. Bids & Contracts:           Municipal Order Awarding for Purchase and Installation of a  
Twenty Ton Split Air Conditioning System for the HART Garage  
to Woodard Cooling and Heating of Henderson

Municipal Order Awarding Bid for Repair of Community Park  
Restrooms and Shelter to Allied Contracting Group of  
Madisonville, Kentucky

11. Unfinished Business:

12. City Manager's Report:

13. Commissioner's Reports:

14. Appointments:

15. Executive Session:

16. Miscellaneous:

17. Adjournment

**City Commission Memorandum**  
**19-61**

April 4, 2019

TO: Mayor Steve Austin and the Board of Commissioners

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

SUBJECT: Presentations

Items scheduled under the Presentations section of the agenda are as follows:

- Mr. Carl Working will be in attendance to report on recruitment for the various temporary job opportunities available for the 2020 Census. These positions feature competitive pay and flexible hours.
- Ms. Abby Dixon, Henderson Tourist Commission Executive Director, and Lindsay Locasto, Downtown Henderson Partnership Executive Director will be in attendance to report on a proposed urban trail project that uses The Perch pocket park as a trail head. Promoting walkability, downtown engagement and wellness are some of the goals of the community branded trail project.

## 2020 Census Jobs

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**City Commission Memorandum  
19-62**

April 4, 2019

TO: Mayor Steve Austin and the Board of Commissioners  
FROM: William L. "Buzzy" Newman, Jr., City Manager *WAN*  
SUBJECT: Public Hearing – HART 2019 FTA Grant Application

An item for the agenda of Tuesday, April 9, 2019 is a public hearing to solicit public comments on the potential use of 2019 FTA Grant Application funds.

The FTA Section 5307 and Section 5339 grant application will assist in funding the HART FY 2019 fixed route and demand response services, capital projects, and planning assistance activities from the Evansville Metropolitan Planning Organization.

The public hearing is being held to conform to grant requirements.

c: Brian Williams  
Brenda Wethington  
Dawn Winn  
Matthew Schriefer, EMPO

**City Commission Memorandum  
19-63**

April 4, 2019

TO: Mayor Steve Austin and the Board of Commissioners

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

SUBJECT: Consent Agenda

The Consent Agenda for the meeting of April 9, 2019, contains the following:

Minutes: February 26, 2019 Regular Meeting  
March 19, 2019 Work Session

## CITY OF HENDERSON – RECORD BOOK

*Record of Minutes of* \_\_\_\_\_ *A Regular* \_\_\_\_\_ *Meeting on* \_\_\_\_\_ *February 26, 2019*

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, February 26, 2019, 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 Reverend Larry Butler, Victory Baptist Church, followed by Chapel Hill UMC Boy Scout Troup 280 and Pack 280 members leading 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  
Ms. Holli Melton, Administrative Intern  
Mr. Robert Gunter, Finance Director  
Mr. Heath Cox, Police Chief  
Mrs. Wendy Sugg, HPD Administrative Secretary  
Mr. Brian Williams, Public Works Director  
Mr. Sam Lingerfelt, Sanitation Superintendent  
Mr. Dylan Ward, Project Manager  
Mr. Trace Stevens, Parks, Recreation & Cemeteries Director  
Mr. Greg Nunn, Information Technology Director  
Mr. Ray Nix, Code Administrator  
Mrs. Theresa Richey, Development Liaison  
Mrs. Donna Coomes, Administrative Secretary  
Mrs. Debbie Grant and Family & Friends  
Mr. Jason Freeman, Chapel Hill UMC Troop 280  
Mr. C. J. Nasbitt, Chapel Hill UMC Troop 280  
Mr. Warren Grove, Chapel Hill UMC Troop 280  
Mr. Jake Hall, Chapel Hill UMC Troop 280  
Mr. Heath Ford, Chapel Hill UMC Troop 280  
Mr. Christian Mayes, Chapel Hill UMC Troop 280  
Ms. Deborah Jackson Hoda, Henderson NAACP President  
Ms. Nicole Atkins, Henderson NAACP Secretary  
Reverend Larry Butler, Victory Baptist Church  
Mr. Mike Richardson, Reserve Police Officer  
Mr. Douglas White, the Gleaner  
Mr. Brandon Bartlett, WEHT, News 14  
44 News and Camera Crew

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PRESENTATION: "35-Year Service Award"

MAYOR AUSTIN expressed appreciation to School Crossing Guard Debbie Grant for her 35 years of service and dedication to the City of Henderson.

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of     A Regular     Meeting on     February 26, 2019    

DEBBIE GRANT, School Crossing Guard stated that she enjoys her job and likes working for the City of Henderson.

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PRESENTATION: “25-Year Service Award”

MAYOR AUSTIN expressed appreciation to Administrative Secretary Donna Coomes for her 25 years of service and dedication to the City of Henderson.

DONNA COOMES, Administrative Secretary, thanked Mayor Austin and the Board.

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APPEARANCE OF CITIZENS:

DEBORAH JACKSON HODA, President, Henderson National Association for the Advancement of Colored People, expressed her concerns relating to the recent discoveries of white supremacist Identity Evropa postings found in the downtown Henderson area. She indicated that she had received several calls relating to the postings and offered to meet with interested parties. She invited interested citizens to attend the NAACP meetings which are held the third Monday of each month at the Henderson Library at 6:00 p.m.

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ORDINANCE NO. 05-19: SECOND READ

ORDINANCE AMENDING CHAPTER 22-*TRAFFIC AND MOTOR VEHICLES* AND CHAPTER 25-*WATERWAYS*

AN ORDINANCE AMENDING CHAPTER 22, *TRAFFIC AND MOTOR VEHICLES*, DIVISION 2-*PARKING*, SEC. 22-62-*LIMITED FREE PARKING*, AND SEC. 22-64-*FINES*; AND AMENDING CHAPTER 25, *WATERWAYS*, ARTICLE II-*SECOND STREET BOAT LAUNCHING FACILITY*, DIVISION 1-*GENERALLY*, SEC. 25-26-*REQUIRED*; EXCEPTIONS, SEC. 25-27-*DUE DATE*, SEC. 25-28-*ISSUANCE; TERM*, SEC. 25-29-*REGISTRATION STICKERS*, SEC. 25-30-*TRANSFER*, SEC. 25-31-*DISPOSITION OF FUNDS*, SEC. 25-32-*REFUNDS*, SEC. 25-33-*PENALTY*; AND ELIMINATING IN ITS ENTIRETY SEC. 25-34-*WATERCRAFT LAUNCHING*, OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

MOTION by Commissioner Staton, seconded by Commissioner Royster, 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, affixed his signature and the date thereto and ordered that the same be recorded.

/s/ Steve Austin  
 Steve Austin, Mayor  
 February 26, 2019

ATTEST:

Maree Collins, CKMC, City Clerk \_\_\_\_\_

RESOLUTION NO. 21-19

RESOLUTION GRANTING PROPERTY REASSESSMENT MORATORIUM FOR LISA AND BRIAN GLICK FOR PROPERTY LOCATED AT 120 NORTH ELM STREET, HENDERSON, KENTUCKY



## CITY OF HENDERSON – RECORD BOOK

*Record of Minutes of*           A Regular           *Meeting on*           February 26, 2019          

MOTION by Commissioner Staton, seconded by Commissioner Royster, to adopt resolution granting a property reassessment moratorium for property located at 120 North Elm Street owned by Lisa and Brian Glick.

DAWN KELSEY, City Attorney, responded in the affirmative when asked by Mayor Austin if this application met all of the standards in the ordinance.

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 resolution adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Steve Austin  
Steve Austin, Mayor  
February 26, 2019

ATTEST:  
Maree Collins, CKMC, City Clerk \_\_\_\_\_

MUNICIPAL ORDER NO. 10-19

MUNICIPAL ORDER AWARDING BID FOR MOWING OF CITY PROPERTIES TO HOBGOOD LANDSCAPING, LLC OF OWENSBORO, KENTUCKY FOR GROUP A PROPERTIES

MOTION by Commissioner Royster, seconded by Commissioner Vowels, to adopt the municipal order awarding the bid for mowing certain City properties known as Group A, to Hobgood Landscaping, LLC, of Owensboro, in the low bid amount of \$2,545.00 per cut, in strict accordance with the bid as submitted pursuant to Bid Reference 19-08.

TRACE STEVENS, Parks, Recreation & Cemeteries Director, when asked by Mayor Austin if he knew the owner of this company, he responded that he did not know the owner of Hobgood Landscaping but he does know the manager that attended the bid opening from when he worked for U.S. Lawns out of Owensboro.

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 municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Steve Austin  
Steve Austin, Mayor  
February 26, 2019

ATTEST:  
Maree Collins, CKMC, City Clerk \_\_\_\_\_

MUNICIPAL ORDER NO. 11-19

MUNICIPAL ORDER AUTHORIZING PURCHASE OF ONE-HUNDRED (100) CASES OF AMMUNITION FROM KIESLER POLICE SUPPLY, OF JEFFERSONVILLE, INDIANA, AT THE STATE PRICE CONTRACT IN THE AMOUNT OF \$20,994.60

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of     A Regular     Meeting on     February 26, 2019    

MOTION by Commissioner Royster, seconded by Commissioner Staton, to adopt the municipal order awarding the bid for the purchase of one-hundred cases of ammunition from Kiesler Police Supply of Jeffersonville, Indiana, for the Kentucky State Contract price of \$20,994.60.

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 municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Steve Austin  
 Steve Austin, Mayor  
 February 26, 2019

ATTEST:

Maree Collins, CKMC, City Clerk \_\_\_\_\_

MUNICIPAL ORDER NO. 12-19:

MUNICIPAL ORDER ACCEPTING MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMONWEALTH OF KENTUCKY, FINANCE AND ADMINISTRATION CABINET AND CITY OF HENDERSON FOR CONSTRUCTION OF THE "KENTUCKYWIRED NETWORK"

DAWN KELSEY, City Attorney, indicated that cities have the right to protect their public rights-of-way under the Constitution. She reported that the Commonwealth of Kentucky entered into an Agreement for the KentuckyWired Project. As a state project cities are no longer able to require a franchise agreement; however cities still have the authority to dictate how the project will be conducted in their rights-of-way. This MOU is very similar to most every MOU that cities of our size have entered into across the state as we are one of the last areas entering into this phase of the project.

MOTION by Commissioner Vowels, seconded by Commissioner Royster, to adopt the municipal order accepting a Memorandum of Understanding between the Commonwealth of Kentucky Finance and Administration Cabinet and the City for construction of the "KentuckyWired Network."

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 municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Steve Austin  
 Steve Austin, Mayor  
 February 26, 2019

ATTEST:

Maree Collins, CKMC, City Clerk \_\_\_\_\_

## CITY OF HENDERSON – RECORD BOOK

*Record of Minutes of* \_\_\_\_\_ *A Regular* \_\_\_\_\_ *Meeting on* \_\_\_\_\_ *February 26, 2019*

### CITY MANAGER’S REPORT:

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, reported that bids were opened for the Watson Lane Bridge Replacement Project and they came in approximately \$112,000.00 over the engineer’s estimate. Funding in a Supplemental Agreement #3 for the construction phase of the project only allows for \$70,000.00. The state requested that we not adopt the Agreement until further investigation and discussions could be conducted to provide additional SHN and/or TAP grant funds to help offset the overages in the cost of the project.

BRIAN WILLIAMS, Public Works Director, reported that staff had been trying to be proactive in finding ways to save money and create revenues in light of the pending pension rate issues and the contractual increases with Daviess County for sanitation disposal fees. He indicated that late last year, staffing at the landfill was reduced by one to reduce costs. He explained that staff is recommending an annual one dollar per month increase from the current \$17.00, which includes a \$1.00 recycling fee, to \$18.00 beginning July 1, 2019 with an automatic annual increase July 1<sup>st</sup> of each year for the next three years - making the fees \$19.00 July 1, 2020; \$20.00 July 1, 2021; and \$21.00 July 1, 2022 for residential garbage collection and disposal. The recommendation for the Residual/CDD Landfill rates would be to increase the current \$25.00 per ton, charged in 400 pound increments of \$5.00 per 400 pounds to \$30.00 per ton, charged in 400 pound increments of \$6.00 per 400 pounds with an automatic rate increase of \$5.00 to \$35.00/\$7.00 effective July 1, 2020. Further, no rate changes are recommended for the Henderson County Commercial or Out-of-Henderson County Commercial rates at this time. The Transfer Station Solid Waste Disposal rate of \$38.75 per ton includes the \$1.75 Environmental Remediation Fee and became effective July 2011 under the previous operator’s contract. It is proposed to increase the fee to \$40.00 per ton with automatic \$1.00 per year increases for the next two years-making the fees \$41.00 in 2020 and \$42.00 in 2021. The current \$35.00 per month rate for a once-weekly 2-yard dumpster pick-up with each additional pick-up of \$30.00 has been effective since July 1995. The new proposed fees would be \$40.00 for the first weekly pick-up and \$35.00 for each additional pick-up. Due to our Residual/CDD Landfill closure and the prices in the current disposal contract, the fees relating to free storm debris pick-up may need to be addressed. The Special Heavy Trash and/or Brush Pick-up charge of \$20.00 has also been in effect since July 1995 and is proposed to increase to \$25.00 for a small load, or one-ton dump truck load; and \$50.00 per large, or single axle dump truck load. Further it is recommended that the weight of the materials may determine additional disposal fees.

DISCUSSION WAS HELD relating to the current and proposed fees; the uncertainty of the Daviess County Contract increase amounts; the reason for not recommending an increase in Commercial rates; the amount of commercial waste-commercial tonnage has stayed fairly steady, but CDD has lost 55 to 60% due to the fees; the amount of increased revenue projected; the cost of the trucks; replacement schedule of replacing one truck every other year; the number of residential customers served-approximately 12,000; possibly only raising residential rates the one year and revisiting the issue at a later date instead of the automatic increases over the next three or four years; if there were any plans to move toward automating pick-up; and the cost to pick-up and dispose of storm debris. It was determined that staff would gather more information on the amount of storm debris disposed of and other specifics on costs vs. revenue to be presented at a future date and that the ordinance would not include an automatic rate increase.

GREG NUNN, Information Technology Director, reported that the Information Technology department recently took over operations of the media equipment for the assembly room. He explained that the current analog system is more than fifteen years old and while it still works, it has issues when converting to digital medias for live streaming and other things. The analog video is grainy and is sometimes distorted on television screens. His recommendation is to upgrade the equipment with a digital system with a 32 channel digital mixer, instead of the 16 and 12 channel mixers that are currently being used in order to accommodate the microphones that we need, coupled with a video matrix device, two new 1080p cameras that could be upgraded to 4k and beyond in the future, on state pricing contract of

## CITY OF HENDERSON – RECORD BOOK

*Record of Minutes of*     A Regular     *Meeting on*     February 26, 2019    

\$25,860.00. He also recommended upgrading the audio with new wireless microphones and installation of the audio mixer at a cost of \$4,989.20 for a total project cost of \$30,849.20.

DISCUSSION WAS HELD regarding where the funds would come from-Mr. Nunn suggested using surplus funds from a completed project in this fiscal year's budget; how long this system would be expected to be relevant-at least 10 years; that project surplus funds should not be used when Reserve funds are being utilized on other projects; that the project could be discussed and reviewed for inclusion in the upcoming budget year; trends of how people get their news, television and other media formats; and that there is no doubt that the equipment needs to be upgraded, but more information needs to be gathered for how and what is needed to best suit the needs of our community.

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HEATH COX, Police Chief, gave a brief report on crime statistics for 2018 in Henderson. He indicated that there were a total of 2,300 reported crimes in 2018 which was the third lowest since 2010 recorded in CompStat (short for Compare Statistics). He reported that each Monday staff meets to review and discuss emerging trends and patterns to better utilize allotted manpower. He indicated that reported crimes in the East sector of town were down approximately 2% with 550 reported, indicating that it is trending downward since at least 2013. He then gave an overview of the 2018 year reporting that last year was the third lowest number of crimes, the fourth highest number of DUI arrests, the highest number of calls for service with 34,597 just for HPD-which was up over 6,000 calls from the previous year, drug related arrests were up by more than 100 from 2017, the fourth lowest collision totals, and the second highest dispatched calls for service with 66,149 calls to the 9-1-1 center. Chief Cox also indicated that his department has been taking a more patient longer term investigative process to apprehend not only the drug dealers, but their suppliers as well. He further indicated that there was a renewed emphasis in Warrant Service.

DISCUSSION WAS HELD relating to the number of calls to the 9-1-1 center that are from cell phones vs. landline phones and what that means to the community in revenues for that system; how many calls come in from cell phones relating to the same incident; and if and how these reports should be conducted in the future. The Commissioners determined that they would like a verbal report/presentation on a quarterly basis from the police chief.

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WILLIAM L. "BUZZY" NEWMAN, JR., City Manager, reported that the Municipal Facilities division has relocated their operation from the former Fire Station #3 which was located on Helm Street to the former Public Works facility on Fifth Street and asked for consideration to declare the Helm Street property as surplus real property to be disposed of by evaluated bid.

DISCUSSION WAS HELD regarding if there was still a natural gas station on the property-yes, but the Gas System Director indicated that it would not be an issue for a future use or it could be relocated; if the Firefighters had been contacted since they had inquired about that location a few years ago; that there are three ways to dispose of surplus property-transfer it to another governmental agency, sell it by auction or sell it through the sealed bid process; that the FOP currently leases another former fire station-which had to have a new roof in recent years; the condition of the building-roof and other issues, not cost effective to refurbish for lease; and is it possible for the firefighters to lease the building if they have funds to refurbish it-yes under certain written conditions. No action was taken with the understanding this request would be brought forth at a meeting in March.

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### COMMISSIONERS' REPORT:

COMMISSIONER STATON indicated that he had been contacted regarding the HMP&L policy to not repair/replace streetlights in alleyways. He expressed his concerns for the safety and welfare of those that use alleyways daily to get to and from their homes within the city.

## CITY OF HENDERSON – RECORD BOOK

Record of Minutes of           A Regular           Meeting on           February 26, 2019          

Alleyways in the East End of town are used like streets in many instances and removing those lights could compromise all of the good works that have been done in that area. He indicated that he believes that the policy needs serious reconsideration and planned to attend the Utility Commission meeting scheduled for 5:00 p.m. on April 1<sup>st</sup>.

COMMISSIONER VOWELS indicated that he did not bring this up during the discussions on trash collection because it is a completely separate issue. He has been contacted regarding the issue of the quality of trash collection-more specifically half emptied cans, trash strewn around yards and streets, cans thrown out into the street and things of that nature.

DISCUSSION WAS HELD regarding gathering information on locations so that the issue can be addressed-it was suggested to ask for the block they live in if the person doesn't want to give an address; that sometimes the culprit is neighborhood animals and/or the wind and weather conditions - sometimes it is the fault of the collector; the Sanitation Superintendent reported that when he is made aware he addresses these issues with the specific truck crew and has them clean up or address the issue; that there is a 50 pound limit for crew members to lift-they are instructed to take out the bags and may sometimes miss one in the very bottom; that upgrading equipment to an automated system would eliminate the weight limit issue; that quality concerns come more to the forefront when there are discussions of raising collection/disposal fees; and discussion on what an acceptable trash receptacle is-a bag or can designed for the purpose of trash receptacle.

### MEETING ADJOURN:

MOTION by Commissioner Royster, seconded by Commissioner Staton, 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 6:50 p.m.

ATTEST:

\_\_\_\_\_  
 Steve Austin, Mayor  
 April 9, 2019

\_\_\_\_\_  
 Maree Collins, CKMC  
 City Clerk

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Work Session Meeting on March 19, 2019

There were present Mayor Steve Austin presiding.

PRESENT:

Commissioner X R. Royster, III  
Commissioner Austin P. Vowels

ABSENT:

Commissioner Patti Bugg  
Commissioner Bradley S. Staton

CITY STAFF MEMBERS included William L. “Buzzy” Newman, Jr., City Manager; Dawn Kelsey, City Attorney; Maree Collins, City Clerk; Donna Stinnett, Public Information Officer; Holli Melton, Administrative Intern; Robert Gunter, Finance Director; Dawn Winn, Assistant Finance Director; Heath Cox, Police Chief; Scott Foreman, Fire Chief; Jeremy Baxter, Assistant Fire Chief; Chris Watson, Fire Lieutenant; Station #2 and Other Fire Personnel; and Mike Richardson, Reserve Police Officer.

ALSO PRESENT: Douglas White, *The Gleaner*

THE FOLLOWING AGENDA ITEMS WERE DISCUSSED:

1. Fire Station Study Update

- ✓ Fire Chief Scott Foreman gave a brief overview of the department and its mission. He reported on the purchase of properties located on the Second Street corridor for use as a new fire station location under a three station concept. Scott indicated that he and staff have reviewed the three station concept maps along with upcoming ISO rating requirements, equipment and personnel requirements and concluded that it is best to stay with a four station concept to best serve the community.
- ✓ The number of medical calls that are handled each year.
- ✓ The age, condition and deficiencies of both Station #2 and Station #1; the age and condition of firefighting equipment; and the amount of equipment carried on each truck for the varying types of services provided.
- ✓ Mutual Aid Agreements with other local departments.
- ✓ Lt. Watson reported on the anticipated growth with I-69, Colonial Assisted Living and future annexations. He explained the basics of the response time to a fire and the home fire timeline. Within 1.5 minutes or less, deadly heat, flames and smoke build and flashover occurs within 3 to 5 minutes. Lt. Watson went on to explain Modern vs. Legacy Timelines which refer to the differences in modern vs. older building materials and building techniques; larger homes with more open spaces; and petroleum based furnishings. All of these things combine to increase fire propagation, shorter time to flashover with shorter escape times.
- ✓ Existing four station and proposed three station mapping areas were detailed with both current stations and new proposed stations.
- ✓ Road miles of each area and best available routes to be used for each area were discussed.
- ✓ The cost to replace two stations, two to three engine trucks and catching up on equipment replacements were estimated to be approximately \$10 million.
- ✓ Long term plan is that one bond will be paid off in 2022 allowing for bonding of capital items which include a fire station. A bond anticipation note could be issued in 2021 with bond financing to occur in 2022.
- ✓ If staying with four station concept the issue becomes which one of the stations to replace first.
- ✓ Evaluate all options of current properties, best locations, how to finance.

NO FORMAL ACTION WAS TAKEN BY THE BOARD OF COMMISSIONERS.

**CITY OF HENDERSON – RECORD BOOK**

Record of Minutes of A Work Session Meeting on February 19, 2019

MEETING ADJOURN:

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

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

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

WHEREUPON Mayor Austin declared the work session adjourned at approximately 7:00 p.m.

ATTEST:


\_\_\_\_\_  
Steve Austin, Mayor  
April 9, 2019

\_\_\_\_\_  
Maree Collins, CKMC  
City Clerk,

**City Commission Memorandum**  
**19-64**

April 4, 2019

TO: Mayor Steve Austin and the Board of Commissioners

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

SUBJECT: Amending Chapter 7, Buildings and Building Regulations

An item for the agenda of the Tuesday, April 9, 2019 is final reading of an ordinance amending Chapter 7, *Buildings and Building Regulations*, Article II, *Building Code and Kentucky Residential Code*, by adding Section 7-20, *Schedule of Permit and Inspection Fees for Commercial Range Hood and Exhaust Systems* of the Code of Ordinances.

The Kentucky Building Code has been revised to exclude inspections for commercial range hood exhaust systems leaving these plan reviews, inspections and permitting to be done on the local level.

The proposed amendment designates the Code division with the responsibility of inspection and permitting those systems and further establishes plan review fees, and inspection and permit fees.

Your approval of the attached ordinance is requested.

c: Ray Nix



ORDINANCE AMENDING CHAPTER 7- *BUILDINGS AND BUILDING REGULATIONS*

**SUMMARY:** AN ORDINANCE AMENDING CHAPTER 7, *BUILDINGS AND BUILDING REGULATIONS*, ARTICLE II, *BUILDING CODE AND KENTUCKY RESIDENTIAL CODE*, BY ADDING SEC. 7-20 *SCHEDULE OF PERMIT AND INSPECTION FEES FOR COMMERCIAL RANGE HOOD AND EXHAUST SYSTEMS* OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

WHEREAS, the Kentucky Building Code revised 815 KAR 8:080 on Inspections of Heating, Ventilation, and Air Conditioners to exclude inspections for commercial range hood exhaust systems leaving these plan reviews, inspections and permitting to be done on the local level; and

WHEREAS, the City of Henderson has an interest in ensuring that commercial range hoods and exhaust systems meet the appropriate building codes.

NOW, THEREFORE, BE IT ORDAINED by the City of Henderson, Kentucky, that Chapter 7, *Buildings and Building Regulations*, Article II, *Building Code and Kentucky Residential Code* is hereby amended by adding Sec. 7-20. *Schedule of permit and inspection fees for commercial range hood & exhaust* of the Code of Ordinances of the City of Henderson as follows:

Sec. 7-20. - Schedule of permit and inspection fees for commercial range hood & exhaust systems

The Codes department of Henderson shall review plans for, inspect, and issue permits for all commercial range hood exhaust systems installed in structures in the City of Henderson. The plan review, inspection, and permit fees are as follows:

- (a) Plan review fees. Commercial range hood plan review fee is \$225 per hood (includes range hoods and suppression system plans). All commercial range hood plans, including range hood and suppression systems plan, must be submitted and reviewed by the codes department of the City of Henderson. Commercial range hood extinguishing system plans review is \$150 when the range hood extinguishing system is submitted separate from the range hood systems.
- (b) Inspection and permit fees. Inspection and permit fees shall be imposed by the codes department of the City of Henderson according to the following schedule, and no permits will be issued until these fees imposed hereunder have been paid.

<u>\$2,000 value or less</u>	<u>\$ 125.00 fee</u>
<u>\$2,001 - \$10,000 value</u>	<u>\$ 180.00 fee</u>
<u>\$10,001 - \$25,000 value</u>	<u>\$ 270.00 fee</u>
<u>\$25,001 - \$50,000 value</u>	<u>\$ 330.00 fee</u>

PUBLICATION DATE:

FIRST READ: 03/26/2019  
SECOND READ: \_\_\_\_\_

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 Bugg, seconded by Commissioner Royster, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Staton:	<u>AYE</u>	Commissioner Royster:	<u>AYE</u>
Commissioner Vowels:	<u>AYE</u>	Mayor Austin:	<u>AYE</u>
Commissioner Bugg:	<u>AYE</u>		

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.

On roll call the vote stood:

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

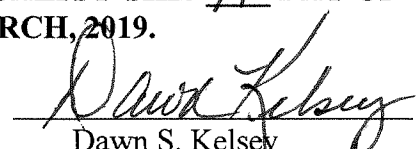
WHEREUPON, Mayor Austin declared the ordinance adopted, affixed his signature and the date and ordered that it be recorded.

\_\_\_\_\_  
Steve Austin, Mayor  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Maree Collins, CKMC, City Clerk

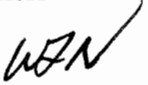
**APPROVED AS TO FORM AND LEGALITY THIS 19 DAY OF MARCH, 2019.**

By:   
Dawn S. Kelsey  
City Attorney

**City Commission Memorandum**  
**19-65**

April 4, 2019

TO: Mayor Steve Austin and the Board of Commissioners

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

SUBJECT: Collection of Outstanding Debts Owed to City

The accompanying resolution authorizes and directs the City Attorney's office to proceed with action to collect outstanding debts owed to the City, including judicial action if deemed appropriate.

As you are aware the City has continued the process of demolition, maintenance and cleanup of abandoned and dilapidated properties for a number of years now. The City has acquired liens for the costs of this work as well as the outstanding delinquent taxes on properties. This action will allow the initiation of collection of outstanding debts.

Your approval of the attached resolution is requested.

c: Dawn Kelsey  
Robert Gunter  
Ray Nix

RESOLUTION NO. \_\_\_\_

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY'S OFFICE TO PROCEED WITH ACTION TO COLLECT OUTSTANDING DEBTS OWED TO THE CITY OF HENDERSON, INCLUDING JUDICIAL ACTION IF DEEMED APPROPRIATE.

WHEREAS, the City of Henderson has reviewed the outstanding delinquent tax roll which indicates that there are numerous property taxes that are outstanding and delinquent; and

WHEREAS, the City has incurred much expense in the demolition, maintenance and cleanup of abandoned and dilapidated properties, for which it has acquired liens for the costs of such work; and

WHEREAS, the City of Henderson proposes to pursue collection of the outstanding debts and expenses, including judicial action if deemed appropriate.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the Mayor, is hereby authorized and directed to initiate action to collect outstanding debts and expenses incurred by the City, including judicial action if deemed appropriate, and that the Mayor, City Manager, City Attorney and appropriate staff members are hereby authorized to sign any and all documents deemed necessary to the furtherance of the authority outlined herein, including the hiring of outside counsel to collect these debts.

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

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


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 27 DAY OF  
MARCH, 2019.

By:   
Dawn S. Kelsey  
City Attorney

**City Commission Memorandum  
19-66**

April 4, 2019

TO: Mayor Steve Austin and the Board of Commissioners

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

SUBJECT: Rescission of Interlocal Agreement — Administration of Henderson County Fiscal Court Occupational License Fees and Net Profits Tax

The accompanying resolution rescinds the resolution approving an Interlocal Agreement with Henderson County Fiscal Court regarding the imposition, administration, collection and enforcement of a County-wide Occupational License Fee and Net Profits Tax.

Henderson County Fiscal Court and the City entered into an Agreement in November of 2015 relating to the administration and collection of the county's Occupational License Fees and Net Profits Tax. The County has requested to rescind that Agreement and take full responsibility for billing and collecting the Occupational License Fees and Net Profits Taxes for those firms that do business in the county and outside the city limits.

The terms of the Agreement are from year to year with one year automatic renewals, unless terminated by either party with at least ninety days advance notice of the date of expiration of the term. The County has requested to terminate the Agreement as of the last day of the 2019 fiscal year.

Your approval of the attached resolution is requested.

c: Robert Gunter  
Dawn Winn

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RESCINDING RESOLUTION NO.122-15 REGARDING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF HENDERSON AND HENDERSON FISCAL COURT PERTAINING TO THE IMPOSITION, ADMINISTRATION, COLLECTION AND ENFORCEMENT OF A COUNTY-WIDE OCCUPATIONAL LICENSE TAX

WHEREAS, on November 24, 2015, the City adopted Resolution No. 122-15 whereby the City of Henderson and the Henderson County Fiscal Court entered into an Interlocal Agreement for the collection of Occupational License Fees and Net Profits Tax Agreement; and

WHEREAS, the County requested and the City agreed to provide for the administration and collection of the county's Occupational License Fees and Net Profits; and

WHEREAS, by letter dated April 2, 2019 from the Henderson Fiscal Court, the county wishes to take full responsibility for billing and collecting the Occupational License Fees and Net Profits Taxes for those firms that do business in the county and outside the city limits; and

WHEREAS by rescinding Resolution 122-15, the County will take over this process on July 1, 2019; and the City Manager recommends to rescind the Resolution, thereby repealing the Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and Resolution 122-15 regarding an Interlocal Agreement between the City of Henderson and Henderson Fiscal Court for the imposition, administration, collection and enforcement of a county-wide occupational license tax is hereby rescinded.

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

Commissioner Vowels: \_\_\_\_\_ Commissioner Staton: \_\_\_\_\_  
Commissioner Bugg: \_\_\_\_\_ Mayor Austin: \_\_\_\_\_  
Commissioner Royster: \_\_\_\_\_

\_\_\_\_\_  
Steve Austin, Mayor

ATTEST:

Date: \_\_\_\_\_

\_\_\_\_\_  
Maree Collins, CKMC,  
City Clerk

**APPROVED AS TO FORM AND  
LEGALITY THIS \_\_\_\_ DAY OF  
APRIL, 2019.**

By: \_\_\_\_\_  
Dawn S. Kelsey  
City Attorney





## OFFICE OF THE COUNTY JUDGE/EXECUTIVE

COURTHOUSE  
20 North Main Street, Suite 300  
Henderson, Kentucky 42420  
PHONE (270) 826-3971  
FAX (270) 827-6002

**KURT WIESEN**  
ADMINISTRATIVE ASSISTANT  
FISCAL COURT CLERK

**ANGELA COMER**  
HUMAN RESOURCE SPECIALIST

**BRAD SCHNEIDER**  
HENDERSON COUNTY JUDGE/EXECUTIVE  
bschneider@hendersonky.us

April 2, 2019

Hon. Steve Austin, Mayor  
City of Henderson  
City Building  
Henderson, KY 42420

Mayor Austin

After discussions with members of Henderson County Fiscal Court and our County Occupational Tax Administrator, we respectfully request to be released from the Interlocal Agreement for the Collection of Occupational License Fees and Net Profits Tax Agreement dated November 24, 2015. Fiscal Court has voted to take full responsibility for billing and collecting the occupational and net profits taxes for those firms that do business in the county outside the city limits. We very much appreciate the city's help in collecting those taxes for us the last two years. The process has been smooth, primarily due to the work of city staff members.

Henderson County will take over this process on July 1, 2019, the first day of the new fiscal year. Our Occupational Tax Administrator, Brent Heppner, has been very complimentary of the assistance he's gotten from city personnel in learning the ins and outs of their work and what he can expect when he takes over. In that regard, I'd kindly ask that even after July 1 the city team be available to answer any ongoing questions he might have as he builds up our own resources and infrastructure to handle collecting these taxes.

Once you have acknowledged and authorized this release, a letter will be drafted to DLG to notify them. Please contact me if this poses a problem.


Sincerely,

Brad Schneider  
County Judge/Executive

**City Commission Memorandum**  
**19-67**

April 4, 2019

TO: Mayor Steve Austin and the Board of Commissioners

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

SUBJECT: Purchase of Air Conditioning Systems

The accompanying municipal order awards the bid for the purchase and installation of a 20-ton split air conditioning system for the HART Fleet Garage from Woodard and Sons Inc. d/b/a Woodard Cooling and Heating, Henderson, Kentucky in the amount of \$20,500.00.

Bid packages were sent to seven vendors, with five bids received. The bid of Woodard Cooling and Heating fully complies with the bid specifications and award is recommended accordingly.

The project consists of one 20-ton dual circuit, 2-stage condensing unit to be located outside the building on the Fourth Street side; a 20-ton air handler with DX cooling coils that will be installed on top of the break room; all refrigerant line sets; condensate drains; louver hail guards; programmable multi-stage thermostat; and at least one year warranty on parts and labor, and five years on compressors. The City will furnish all high voltage wiring and conduit and electrical disconnect boxes.

Sufficient funds are available in the Fiscal 2019 budget for this purchase. Your approval of the attached municipal order is requested.

c: Brian Williams  
Brenda Wethington  
Terry Stone  
Dawn Winn

Public Works Memorandum  
19-07

March 29, 2019

**To:** William L "Buzzy" Newman Jr., City Manager  
**From:** Brian Williams, Public Works Director *BW*  
Brenda Wethington, Transit Superintendent *Bjw*  
**Subject:** Bid Reference No. 19-17  
H.A.R.T. Fleet Garage A/C Project

Bids opened March 29, 2019 were as follows:

Woodard and Sons	\$20,500.00
T and G Heating and Air	\$22,975.00
Mike Owens Heating and Air Conditioning, Inc	\$23,601.00
Four Star Mechanical Solutions, Inc.	\$25,949.00
J.E. Shekell, Inc.	\$28,236.00

This bid is for a/c in the H.A.R.T. transit garage. I recommend that Bid Reference No. 19-17 in the amount of \$20,500.00 be awarded to Woodard and Sons, Inc. Henderson, KY.



City of Henderson, Kentucky  
Invitation to Bid

Bid Reference No. 19-17

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

Davis Bacon and Other Federal Regulations: Due to the funding for this project, Davis Bacon prevailing wages shall be paid for all work performed. Job board for wage posting to be furnished and erected by contractor. Also, federal contract provisions must be followed by the contractor. The applicable wage rates and federal contract provisions are enclosed and incorporated herein by reference.

Bid Bond: Bid Bond in the form of a bank draft, certified check, or a satisfactory bond executed by the Bidder or a surety company in the amount of ten percent (10%) of the Contract Price, payable to the City of Henderson, shall be submitted with each bid. Failure to include the bid bond shall result in rejection of the bid.

Performance and Payment Bonds: The successful bidder must furnish, within seven (7) days of notice of bid award, a performance bond equal to 100% of the contract price, as well as a payment bond equal to 100% of the contract price. Failure to supply the performance bond will result in forfeiture of the bid bond. Failure to comply with the provisions of the plans and specifications will result in forfeiture of the performance bond. All bonds must be in a form acceptable to the City of Henderson. The performance bond shall be held for a one-year guarantee period, at which time, it will be released if no defaults are found. The payment bond will be released as soon as the contractor has certified to the City that all material and labor used on the project have been paid for.

All bids shall remain in effect for sixty (60) days from date of opening.

Payments and Retain-ages: Payment will be made as follows: Upon receipt of an itemized invoice, the work will be inspected and all paper work will be validated by Terry Stone of the Public Works/Municipal Facilities department. The invoice will then be paid. A ten (10%) retain-age of the invoice amount will be held until all work has been completed and accepted by the City, and Warranty Certificates have been delivered to the City.

The City's sales tax exemption status may **not** be used by the bidder to acquire materials or supplies on a sales tax exempt basis. Any sales taxes or other taxes incurred by the bidder remain the responsibility of the bidder. It is assumed that all such costs incurred by any bidder are included in his bid price.

Insurance: 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:

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

Page 2

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.

\$300,000 combined single limit

C. 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.

The successful bidder will be required to obtain a City of Henderson occupational license before beginning any work on this project.

The successful bidder shall comply with all applicable local, state and federal rules, regulations and guidelines.

Any permits, fees, or bonds required for this project are considered incidental to the work required for this project and no direct payment will be made for same.

Questions and Site Visits: Any questions about the intent of these specifications or a visit to the project site shall be directed to Terry Stone, Municipal Facilities Superintendent, at 270-831-1200, ext. 2210.

**Any questions about the City's bid procedures or requirements shall be directed to Dawn Winn, Assistant Finance Director, at 270-831-1200.**

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

Page 3

**Mandatory Pre-Bid Conference:** There will be a formal mandatory pre-bid conference at the site. All bidders are required to Attend. Failure to attend will result in automatic rejection of that vendors bid.

**H.A.R.T., FLEET GARAGE AIR CONDITIONING SYSTEM PROJECT**

The City is requesting Proposals for the furnishing and installation of one (1) - 20 ton split A.C. System. This new system will be located in the Fleet Garage at The Henderson Area Rapid Transit Facility at 401 North Elm Street, Henderson, KY. It shall include all equipment, lifting devices, materials, inspections, and labor, for the installation of this system. This unit will be a new install not a replacement of an existing one.

**This facility is in operation 6 am to 6 pm Monday thru Saturday. In No way can this project hinder their operations. The City staff will work with the successful contractor so everyone can get their job done in a timely manner.**

**Equipment:**

(1)-“CARRIER” 20 ton, Dual Circuit, 2 stage Condensing Units, Unit shall be a model (38AUDA25AOA6) or a “TRANE” Equal only.

(1)- “CARRIER” 20 ton, AIR Handlers with DX Cooling Coils, Unit shall be a model (40RUAA25A5A1) or a “TRANE” Equal only.

**Equipment Location:** (see drawing)

- Condensing unit will be located outside the 1<sup>st</sup> overhead door on the Fourth street side of the building next to the other units.
- Air handler will be located on top of the Breakroom. All guard rail work is the contractor's responsibility.

**Included with the units shall be:**

- Refrigerant Line sets;
- Condensate drains ran to the outside, with overflow safeties;
- Louver Hail Guards on condensing units;
- New Programmable Multi-Stage Thermostat and conduit and wiring;
- Insulated sheet metal Supply Plenums with diverter so air can be directed into the existing make up air heat system duct work. The make-up unit is no longer being used.
- All needed sheet metal;
- All Units are to be installed in locations as shown on included the drawing;
- Warranty to be at least one (1) year parts and labor, and five (5) years on Compressors;

**City of Henderson will Furnish:**

- All High Voltage wiring and Conduit;
- Electrical Disconnect Boxes;

**All work is to be in compliance with all applicable codes and all permits furnished as part of the Proposal.**

**Bidder Requirements:**

All bidders shall have a minimum of five years experience performing this type of work and have the ability to furnish one or more certified crews until the job is completed once started.

**Field Verification: Included Drawing is for reference Only**

All aspects of this project shall be verified by the contractor. This includes all voltages, measurements and conditions of the areas of work for this project.

**On Site Area for Contractor:**

The City will designate an uncovered area on the site to be used by the contractor. The contractor will be responsible for keeping it safe and secure.

**Submittals:**

Submittals for all materials shall be given to Terry Stone, Municipal Facilities Superintendent, for approval.

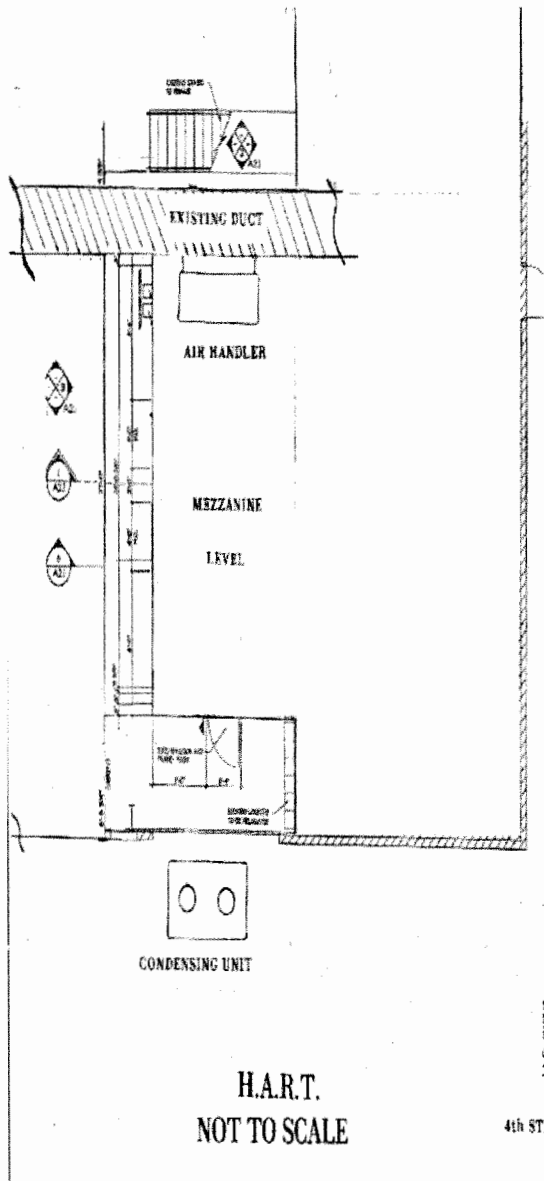
**Site Clean-up:**

The contractor is responsible for the cleaning and restoration of the site and all effected areas to the condition they were in when the project started.

- **Include Lead Time from P.O. for delivery of units and install time frame.**

**City contact for this project is: Terry Stone, (270)831-4910 or (270)860-2072**





- End of Section

MUNICIPAL ORDER \_\_\_\_\_

MUNICIPAL ORDER AWARING BID FOR PURCHASE AND INSTALLATION OF A TWENTY (20) TON SPLIT AIR CONDITIONING SYSTEM FOR THE H.A.R.T. FLEET GARAGE TO WOODARD AND SONS, INC. D/B/A WOODARD COOLING AND HEATING OF HENDERSON, KENTUCKY, IN THE TOTAL AMOUNT OF \$20,500.00

WHEREAS, the City of Henderson has issued invitations to bid for the purchase and installation of a twenty (20) ton split air conditioning system for the H.A.R.T Fleet Garage; and

WHEREAS, bids were submitted to the City pursuant to said invitations, and were publicly opened on March 29, 2019, with Woodard and Sons, Inc. of Henderson, Kentucky, submitting the best bid; and

WHEREAS, the City Manager recommends that the bid be accepted.

NOW, THEREFORE, BE IT ORDERED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and award is hereby made to Woodard and Sons, Inc., d/b/a Woodard Cooling and Heating, 1500 S. Green Street, Henderson, Kentucky 42420 for the purchase and installation of a twenty (20) ton split air conditioning system at the H.A.R.T. Fleet Garage in the total amount of \$20,500.00, in strict accordance with their bid as submitted pursuant to Bid Reference 19-17.

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

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

**INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING**, this the \_\_\_\_ day of April, 2019.

ATTEST:

\_\_\_\_\_  
Steve Austin, Mayor

Date: \_\_\_\_\_

\_\_\_\_\_  
Maree Collins, CKMC,  
City Clerk

**APPROVED AS TO FORM AND  
LEGALITY THIS \_\_\_\_ DAY OF  
APRIL, 2019.**

By: \_\_\_\_\_  
Dawn S. Kelsey  
City Attorney

**City Commission Memorandum**  
**19-68**

April 4, 2019

TO: Mayor Steve Austin and the Board of Commissioners

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

SUBJECT: Purchase – Community Park Shelter Repair

The accompanying municipal order awards the bid for the repair of the Community Park shelter and restrooms to Allied Contracting Group, Madisonville, Kentucky, in the total amount of \$54,133.31.

As some of you may be aware, the restrooms at Community Park were damaged by a fire in July 2016. Bid requests sent out in the past received no responses. The scope of work covered under this contract includes, but is not limited to: repair of plumbing and electrical fixtures, restroom stalls, entrance door locking deadbolt mechanisms, all walls, ceilings and any other smoke or fire damage in the men's and women's restrooms and the storage closet; and replacement of the shelter roof. The bid also requires a Performance and Payment Bond.

In addition an Alternate Option was included for repair and stabilization of the shelter legs.

Bid information was sent to nine vendors, with two responses received. The low base bid from Allied Contracting of \$51,030.00 plus \$1,403.31 for the Bond meets all specifications; however, the bid is more than double the budgeted amount due to the structures deteriorated condition. A future budget amendment of \$29,133.31 will be necessary for funding the remainder including the recommended Alternate Option of \$1,700.00 for stabilization of the shelter.

Your approval of the attached municipal order is requested.

c: Trace Stevens  
Ray Nix  
Robert Gunter  
Dawn Winn

**Park and Recreation Memorandum**  
**19-06**

April 02, 2019

TO: William Newman, City Manager  
Robert Gunter, Finance Director

FROM: Trace Stevens, CPRP, Park and Recreation Director

SUBJECT: Community Park Repair bid acceptance

The Parks and Recreation Department is recommending accepting the bid of Allied Contracting of Madisonville KY to provide labor and materials for the repairs to the Community Park restrooms. Their bid was the lowest at \$52,730. This amount includes labor and materials to repair the men's restroom, women's restroom, storage room, and roof. This also includes an alternate option for the repairs and stabilization of the shelter legs at \$1700. A performance bond will be required that will cost \$1403.31. The total amount for the repairs, alternate and performance bond is \$54,133.31.

The restrooms at Community Park have been inoperable since a fire damaged the building July of 2016. Requests for bids were sent out in the past and no vendors responding.

Two bids were received for this project. The low bid was from Allied Contracting. The second was from DR Construction Inc of Elizabethtown KY for \$86,820. References from Allied Contracting were checked and their work has proven to be acceptable. Local examples of their work include an addition for Matthew 25.

This recommended bid is higher than originally budgeted. The additional funds will have to be appropriated through a budget amendment.

Enclosed: bid tabulation sheet, Allied Contracting Bid

C: Ray Nix, Code Department Administrator

CITY OF HENDERSON, KENTUCKY  
 BID TABULATION SHEET

BID REFERENCE NO.: 19-19  
 DATE BID OPENED: 03/29/19  
 APPROVAL DATE: \_\_\_\_\_  
 ACCEPTANCE FORM SENT: \_\_\_\_\_

ALLIED CONTRACTING  
 GROUP  
 MADISONVILLE, KY

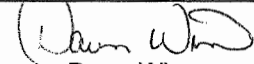
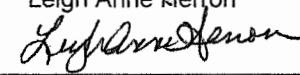
D.R. CONSTRUCTION INC  
 ELIZABETHTOWN, KY

	Repair of Community Park Restrooms and Shelter	\$51,030.00	\$86,820.00						
	Proposed Calendar Days for Repairs	45	45						
	Alternate	\$1,700.00	N/A						

Other Bidders Contacted:

Fraley's Home Improvement; Adams Construction; Hugh Stone and Sons Construction; H & H Construction; B & N Construction; Rendon Shoulders; Priest Construction

Bids Opened & Recorded By:

  
 Dawn Winn  
 Leigh Anne Kerron  


Bids Reviewed By:

Ray Nix

City of Henderson, Kentucky  
Invitation to Bid

Bid Reference No. 19-19

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

Scope of Work

The City of Henderson is requesting bids for the repair of the Community Park restrooms and shelter located at 1776 Madison St, Henderson KY 42420. The chosen vendor will replace all damaged fixtures, plumbing and electrical, walls, doors, ceiling, plumbing systems, electrical systems, rafters, trusses. All repairs will return the building to its most recent pre-damaged condition.

A materials list will be included with the Bid. A list of three references showing relevant and equivalent work should be submitted. This will be an evaluated bid with 50% based on the project cost; 10% based on experience shown through like sized projects references; 40% based on the timeline and timely completion of this project

1. The vendor will repair all damage to the men's restroom.
  - a. All plumbing fixtures will be in working order following repairs
  - b. All electrical fixtures will be in working order following repairs
  - c. Restroom stalls may be repaired or replaced
  - d. Janitorial fixtures will be supplied and installed by the City of Henderson following completion of repairs.
  - e. Entrance door will be fitted with a locking deadbolt matching all other doors
  - f. Smoke or fire damage will be repaired and unnoticeable following repairs
  - g. All walls and ceiling will be repaired as needed and painted
  
2. The vendor will repair all damage to the women's restroom.
  - a. All plumbing fixtures will be in working order following repairs
  - b. All electrical fixtures will be in working order following repairs
  - c. Restroom stalls may be repaired or replaced
  - d. Janitorial fixtures will be supplied and installed by the City of Henderson following completion of repairs.
  - e. Entrance door will be fitted with a locking deadbolt matching all other doors
  - f. Smoke or fire damage will be repaired and unnoticeable following repairs
  - g. All walls and ceiling will be repaired as needed and painted

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

Page 2

3. The vendor will repair all damage to the storage closet.
  - a. All electrical fixtures will be in working order following repairs
  - b. Replace and reconnect fire damaged electrical box, breakers, wiring, etc
  - c. Shelving will be repaired or replaced with metal shelving installed by vendor that provides storage space equivalent to previous shelving.
  - d. Entrance door will be fitted with a locking deadbolt matching all other doors
  - e. Smoke or fire damage will be repaired and unnoticeable following repairs
  - f. All walls and ceiling will be repaired as needed and painted
  
4. The roof of the shelter and restroom will be replaced.
  - a. Asphalt dimensional shingles.
  - b. Vendor will install new felt paper over wood deck.
  - c. Vendor will provide a cost per sq ft and per sheet for wood decking replacement.
  - d. Vendor will provide and install a new drip edge.
  - e. Vendor will install ice and water shields in all valleys if required.
  - f. Vendor will provide and install all pipe boots as required.
  - g. Vendor will provide and install a ridge vent as required.
  - h. The vendor will supply shingles that have a minimum of 20 years warranty on material defects.
  - i. The vendor will supply a 5 year warranty on all workmanship and have a minimum of 1 year warranty on material defects
  
5. A timeline should include
  - a. The proposed start and finish dates of the project by vendor.
  - b. There will be a \$100 per day penalty assessed to the vendor for each day work progresses past the end of the proposed timeline. Weather delays may be used for the extension of time without penalty, provided, these are requested in writing within seventy-two (72) hours after the weather event.
  
6. Owner will furnish a debris dumpster
  
7. Temporary work fencing shall be set up by contractor at the end of each work day.
  
8. The City of Henderson will waive any applicable city building permit fees.
  
9. All finished work shall meet all applicable building codes and legal requirements.



SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

Page 3

All bids shall remain in effect for sixty (60) days from date of opening.

The City's sales tax exemption status may not be used by the bidder to acquire materials or supplies on a sales tax exempt basis. Any sales taxes or other taxes incurred by the bidder remain the responsibility of the bidder. It is assumed that all such costs incurred by any bidder are included in his bid price.

Insurance:

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. 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.

Payment and Retainage:

One 100% payment on job completion and acceptance by City. No retainage to be held since only one payment to be made.

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

Page 4

Other Requirements:

The successful bidder shall comply with all applicable local, state, and federal rules, regulations, and guidelines.

The successful bidder will be required to obtain a City of Henderson Occupational License before beginning any work on this project.

**Mandatory Pre-Bid Meeting: All potential bidders are required to attend a pre-bid meeting on Tuesday, March 19, 2019 at 10:00 a.m. Community Park, 1776 Madison St, Henderson KY.**

Failure to attend this pre-bid meeting shall render any bid submitted as non-responsive, and such bid will not be considered for award, unless alternative arrangements acceptable to the City are made.

All technical questions shall be addressed to the attention Ray Nix, Code Administrator phone: 270-831-1277. Bid procedure questions should be directed to Dawn Winn, Assistant Finance Director, at 270-831-1290, ext. 2220.

- End of Section -

06-01-14E  
06-01-14I

City of Henderson, Kentucky  
Invitation to Bid

Bid Reference No. 19-19

LOWEST EVALUATED BID PRICE CRITERIA

**TOTAL POINTS (OUT OF 100)**

- 50% Cost – calculated using 50 points for lowest price and  $50 \times (\text{lowest price} / \text{actual price})$  for other proposal prices.
- 10% Experience – calculated on experience shown through like sized project references.
- 40% Proposed Schedule – calculated using 40 points for the quickest schedule and  $20 \times (\text{quickest schedule} / \text{actual schedule})$  for other proposal schedules.

- End of Section –

MUNICIPAL ORDER \_\_\_\_\_

MUNICIPAL ORDER AWARDING BID FOR REPAIR OF COMMUNITY PARK RESTROOMS AND SHELTER TO ALLIED CONTRACTING GROUP OF MADISONVILLE, KENTUCKY, IN THE TOTAL AMOUNT OF \$54,133.31

WHEREAS, the City of Henderson has issued invitations to bid for the repair of the Community Park restrooms and shelter; and

WHEREAS, the bid of \$\$52,730 includes labor and materials to repair the men’s restroom, the women’s restroom, storage room, and roof. An alternate option of \$1,700.00 for the repairs and stabilization of the shelter legs, and \$1,403.31 for a performance bond which is required. The total amount for the repairs, alternate and performance bond is \$54,133.31; and

WHEREAS, bids were submitted to the City pursuant to said invitations, and were publicly opened on March 29, 2019, with Allied Contracting Group of Madisonville, Kentucky , submitting the best bid; and

WHEREAS, the City Manager recommends that the bid be accepted.

NOW, THEREFORE, BE IT ORDERED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and award is hereby made to Allied Contracting Group, 648 S. Main Street, Madisonville, Kentucky 42431 for the repair of Community Park restrooms and shelter in the total amount of \$54,133.31, in strict accordance with their bid as submitted pursuant to Bid Reference 19-19.

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

Commissioner Vowels: \_\_\_\_\_ Commissioner Staton: \_\_\_\_\_  
Commissioner Bugg: \_\_\_\_\_ Mayor Austin: \_\_\_\_\_  
Commissioner Royster: \_\_\_\_\_

**INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING**, this the \_\_\_\_ day of April, 2019.

ATTEST:

\_\_\_\_\_  
Steve Austin, Mayor  
Date: \_\_\_\_\_

\_\_\_\_\_  
Maree Collins, CKMC,  
City Clerk

**APPROVED AS TO FORM AND  
LEGALITY THIS \_\_\_\_ DAY OF  
APRIL, 2019.**

By: \_\_\_\_\_  
Dawn S. Kelsey  
City Attorney

**UPCOMING**  
**BOARD APPOINTMENTS**

<u>BOARD</u>	<u>EXPIRATION DATE</u>	<u>TERM</u>
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BOARD OF OCCUPATIONAL LICENSE APPEALS

	<u>Current Term Expires</u>	<u>Term</u>
Alternate Member (Vacant-former member moved out of town)		3-Year

CIVIL SERVICE COMMISSION

	<u>Current Term Expires</u>	<u>Term</u>
Robert 'Bob' Farmer	06/01/2019	3-Year

CITY - COUNTY PLANNING COMMISSION

	<u>Current Term Expires</u>	<u>Term</u>
Kevin Richard	06/01/2019	4-Year
Gray Hodge	06/01/2019	4-Year

BOARD OF ZONING ADJUSTMENT – CITY

	<u>Current Term Expires</u>	<u>Term</u>
Joseph E. Ternes, Jr. (resigned)	02/24/2022	4-Year