

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on January 22, 2019

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, January 22, 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 Charles Johnson, Greater Norris Chapel Baptist Church, followed by recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Steve Austin presiding:

PRESENT:

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

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. Robert Gunter, Finance Director
 Mr. Heath Cox, Police Chief
 Mr. Brian Williams, Public Works Director
 Mrs. Brenda Wethington, Mass Transit Superintendent
 Mr. Dylan Ward, Project Manager
 Mr. Trace Stevens, Parks, Recreation & Cemeteries Director
 Mr. Mark Simmons, Recreation Program Manager
 Mrs. Beth Austin, Secretary, Senior
 Mr. Mike Austin, Bus Operator
 Mr. Scott Foreman, Fire Chief
 Mrs. Theresa Richey, Development Liaison
 Mr. Bryant Woodard, Henderson City/County Rescue Squad
 Mr. Chris Heimgartner, HMPL General Manager
 Mr. Randal Redding, HMPL Attorney
 Mrs. Joan Hoffman and many Friends and Supporters
 Mr. Clayton Horton, Green River Health District
 Mr. Chris Hopgood, Henderson City/County Airport Board
 Reverend Charles Johnson, Greater Norris Chapel Baptist Church
 Mr. Mike Richardson, Reserve Police Officer
 Mr. Christian Wilhite, Police Officer
 Mr. Doug White, the Gleaner
 14 News
 44 News

PRESENTATION: “20-Year Service Award”

MAYOR AUSTIN expressed appreciation to Secretary Senior, Beth Austin for her 20 years of service and dedication to the City of Henderson.

BETH AUSTIN, Parks, Recreation, Cemeteries Secretary Senior thanked Mayor Austin and the Board.

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PRESENTATION: “Fairness Ordinance”

JOAN HOFFMAN, former Mayor, thanked the Board of Commissioners for time on the agenda to make this presentation. She also thanked a group of people who recognized the need for a Fairness Ordinance and worked under difficult circumstances to seek its passage in 1999. She indicated that there is an old story, repeated over and over, that love, compassion and even fairness, cannot be legislated; but she shared another side to the story, which is about fairness in all of its shapes and forms. She spoke of Martin Luther King, Jr. and how we are a better nation and community because he encouraged unity over the desire for comfort and disengagement; our nations racial segregation for public facilities known as “separate but equal;” how President Truman ended segregation in the armed forces in 1948; how Thurgood Marshall argued the case to end segregation in public schools to the Supreme Court and later became the first black Supreme Court Justice; that in 1964 President Johnson signed the Civil Rights Act to prevent discrimination in getting a job because of a person’s race or skin color, or whether the person was male or female or because of one’s religion or national origin; the Voting Rights Act of 1965 prevented the use of literacy tests as a voting requirement; in 1968 the Supreme Court ruled that prohibiting interracial marriages is unconstitutional, which gave all persons of color the right to marry one another-and yes white is a color; and the Fair Housing Act of 1968 provided equal housing opportunity regardless of race, religion or national origin. She stated that America’s history is rich in legislation for what is fair. In 1999 the Henderson City Commission voted 3-2 for a Fairness Ordinance and for the next year and a half it was against the law in the City of Henderson to discriminate against gays and lesbians. In 2001 the ordinance was repealed and once again it was legal to discriminate. She reported that currently there are 10 cities in Kentucky that have passed laws to insure LGBTQ fairness-the largest are Lexington and Louisville and Vicco is the smallest town, not only in Kentucky, but in the United States to pass an ordinance outlawing discrimination based on sexual orientation. She indicated that she was confident that each Commissioner had asked the Human Relations Director how many complaints have been made to his Commission concerning this issue. She reported that the answer should not have been surprising because why would those who suffer discrimination report it if there is no assurance anything can be done. She indicated that having a Fairness Ordinance in place can benefit this community in several ways-one being once again known as a truly welcoming town. There are also economic benefits to being known as a fair city, communities with this reputation prosper. Large industries and businesses value diversity. She then quoted her late husband John Stanley Hoffman’s remarks to the Commission of 1999 (a portion has been included here): “I have heard it said that this issue is divisive to our community. But this community was already divided on equal rights for homosexuals just as this community is divided on equal rights for other segments of our society. This ordinance simply causes us to deal with a social problem that has had an existence for a long time and is but a meager attempt to assure all citizens the right to compete for and to keep a job, the right to have a place to call home, and the right to avail themselves of public accommodations which are open to the entire public. These basic freedoms are among the guarantees of a free society. There is nothing in this ordinance which encourages homosexuality or offers special rights to anyone.” She concluded that she and many other citizens are requesting this Commission to bring forward for discussion, for debate and for passage a new ordinance that will assure our LGBTQ friends and neighbors the protection they deserve by prohibiting discrimination on the basis of sexual orientation and gender identity, and to dismantle systemic racism in our town.

MAYOR AUSTIN thanked Ms. Hoffman for presenting the information. He reported that House Bill 164 has been filed at the state level and that if it comes out of committee it may change a lot of things that all cities across the state will do regarding this issue. He indicated that the Commission will weigh opportunities and possibilities of where to take this and if it comes to an ordinance that is on the agenda there will be plenty of opportunity for public input on the matter at that time.

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PRESENTATION: “Needle Exchange Program”

CLAYTON HORTON, Public Health Director for the Green River Health District, gave a brief presentation relating to a project the health department has been working on for about a year and a half. He reported that in 2015 state legislation passed a comprehensive bill to address the heroin and opioid epidemics in Kentucky. As a part of that legislature, health departments now have the ability to operate Syringe Exchange Programs with the consent of local government. He explained that these programs have been around since the 1980s and have been widely studied. The programs strive to get individuals that are using drugs intravenously not to share needles and not to reuse needles as both of these things are risk factors associated with the spread of HIV and Hepatitis. Mr. Horton reported that treatment for one case of Hepatitis C costs about \$80,000.00 per year. He continued to explain that this Program will be funded through the current health department budget and no funds are being requested from the City or the County to operate the Program. The Program not only provides supplies, it gives education on how to be more safe and actually sets up networks where people are connected with the help that they need. He further explained that the thing that kept sticking out in his mind was a study conducted in 2000 that showed that participants of Syringe Exchange Programs were five times more likely to enter into treatment for their addiction. He indicated that this was a proactive step to avoid a situation similar to what happened in Austin, Indiana a few years ago where they had a rapid outbreak of HIV that was associated with intravenous drug use. The CDC has indicated a number of areas in Kentucky as high-risk counties for an outbreak of HIV, fortunately Henderson is not one of those but there are a few counties in our region or are close to our region that are at risk.

MAYOR AUSTIN thanked Mr. Horton for presenting the information. He reported that the County had recently passed a resolution of consent and that if the Board of Commissioners wish to move forward with their consent, a resolution would be prepared for a future agenda.

APPROVAL OF CONSENT AGENDA:

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

Minutes: January 8, 2019, Regular Meeting

Resolutions: 14-19: Resolution Approving Agreement Between the Henderson City/County Rescue Squad, the City of Henderson, the County of Henderson, and Henderson Emergency Management

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 ----- Aye:
- Commissioner Royster -- Aye:
- Mayor Austin ----- Aye:

WHEREUPON, Mayor Austin declared the consent agenda items approved.

 /s/ Steve Austin
Steve Austin, Mayor
January 22, 2019

ATTEST:
Maree Collins, City Clerk _____

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ORDINANCE NO. 01-19: FIRST READ

ORDINANCE AMENDING PARKS AND RECREATION

AN ORDINANCE AMENDING CHAPTER 17, *PARKS AND RECREATION*, ARTICLE I-*IN GENERAL*, SEC. 17-2 *POSSESSION OF ALCOHOLIC BEVERAGES PROHIBITED* OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

DAWN KELSEY, City Attorney, explained that the current operator of the newly acquired former The Players Golf Club has requested to be able to serve alcoholic beverages and under our current ordinances the only City owned recreational areas where alcohol is permitted is in conjunction with a Special Event Permit with Alcohol in Audubon Mill Park/Water Street.

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

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 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. 02-19: FIRST READ

ORDINANCE AMENDING ALCOHOLIC BEVERAGES

AN ORDINANCE AMENDING CHAPTER 4, *ALCOHOLIC BEVERAGES*, ARTICLE II-*LICENSES*, SEC. 4-35 *FEES*, OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

DAWN KELSEY, City Attorney, this ordinance adds a Golf Course License to the list of allowable licenses that the City can permit. This will allow the Bridges of Henderson Golf Course to apply for their state and city licenses.

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 ---- Aye:
- Commissioner Vowels --- Aye:
- Commissioner Bugg ----- Aye:
- 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. 03-19: FIRST READ

ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS

AN ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS AT COLONIAL COTTAGES, SECTION #3, IN THE CITY OF HENDERSON, CONSISTING OF WATER, SEWER AND STORM AND EROSION CONTROL

MOTION by Commissioner Staton, seconded by Commissioner Bugg, that the ordinance be adopted.

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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 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. 04-19: FIRST READ

ORDINANCE RELATING TO CEMETERY FEES AND CHARGES

AN ORDINANCE REPEALING CHAPTER 8 *CEMETERIES*, ARTICLE III *FEES AND CHARGES*, SECTION 8-45 *SCHEDULE*, OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

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

DAWN KELSEY, City Attorney, explained that over the last several years fees and charges schedules have been taken out of ordinance format and passed as resolutions. This is a housekeeping item to clear up this holdover format. A new resolution setting those rates is the next item on the agenda.

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

RESOLUTION NO. 15-19

RESOLUTION SETTING FEES AND CHARGES FOR CEMETERIES AS AUTHORIZED BY CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON, KENTUCKY

MOTION by Commissioner Vowels, seconded by Commissioner Royster, to adopt the Fees and Charges Schedule for Cemeteries as authorized under Chapter 8 *Cemeteries* of the Code of Ordinances.

TRACE STEVENS, Parks, Recreation and Cemeteries Director, explained that the fees and charges from the former ordinance that was adopted in 2008 were on this schedule of Cemetery Fees and Charges with a few changes. A companion Niche, which hold two cremains, has been completed and the price of those has been set at \$1,125.00; the Special Service Charge has been raised from \$90.00 per hour to \$100.00 per hour-this fee is very infrequently used with the last charges in 2008 for a burial after regular hours; and the last change relates to the automatic five percent increase on these fees and charges, excluding mausoleum crypts. The new annual increases were broken down by services, a three percent increase is recommended; and grave spaces, mausoleum crypts and niches, a four percent increase. These increases better reflect the increased expenses of the cemeteries and will take effect July 1st of each year.

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

 /s/ Steve Austin
Steve Austin, Mayor
January 22, 2019

ATTEST:
Maree Collins, City Clerk _____

RESOLUTION NO. 16-19

RESOLUTION AUTHORIZING DONATION OF SURPLUS PROPERTIES LOCATED AT 217 LETCHER STREET (PVA #2-18-9-3) AND 219 LETCHER STREET (PVA #2-18-9-4) TO HABITAT FOR HUMANITY OF HENDERSON, KENTUCKY, INC.

MAYOR AUSTIN indicated that this was in reference to the presentation that Ms. Smith did at the last Board meeting.

MOTION by Commissioner Bugg, seconded by Commissioner Staton, authorizing the donation of surplus properties located at 217 and 219 Letcher Street to Habitat for Humanity of Henderson, Kentucky, Inc. to be used to build new homes for low to moderate income families.

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, reported that Ms. Britney Smith with Habitat for Humanity of Henderson, and Code Administrator Ray Nix have worked together to bring this project to fruition. A third adjacent lot will be purchased by Habitat to incorporate into the project allowing a third home to be completed within the next 18 months.

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

 /s/ Steve Austin
Steve Austin, Mayor
January 22, 2019

ATTEST:
Maree Collins, City Clerk _____

MUNICIPAL ORDER NO. 05-19

MUNICIPAL ORDER ACCEPTING BID FROM HINDERLITER CONSTRUCTION, INC. OF EVANSVILLE, INDIANA, FOR THE PURCHASE OF A GASBOY IN THE AMOUNT OF \$30,164.45

MOTION by Commissioner Royster, seconded by Commissioner Bugg, to adopt the municipal order awarding the bid for the removal of an existing fuel dispenser system, purchase, and installation of a Gasboy Island with two Gasboy mechanical fleet dispensers and related equipment, in strict accordance with the bid as submitted pursuant to Bid Reference 19-03.

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BRIAN WILLIAMS, Public Works Director, explained that when Public Works and the Gas Department moved from 5th Street to the new MSC facilities a new fuel system was installed there. In the meantime issues with the old tank at the HART garage facility began, so they used the old system at the 5th Street facility. This will upgrade the two pumps and the keypad system at the 5th Street facility so that they can track fuel usage in the same manner that is done at the MSC facility. The current tanks will not be replaced.

DISCUSSION WAS HELD on the whether or not the buses would have difficulties accessing the facility-there is plenty of access for the buses; and how this is being funded-federal monies are being utilized for this project.

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

/s/ Steve Austin
Steve Austin, Mayor
January 22, 2019

ATTEST:
Maree Collins, City Clerk _____

MUNICIPAL ORDER NO. 06-19

MUNICIPAL ORDER AWARDING BID FOR PURCHASE OF SMALL PICKUP TRUCK TO D-PATRICK NISSAN OF EVANSVILLE, INDIANA, IN THE AMOUNT OF \$20,415.25

MOTION by Commissioner Vowels, seconded by Commissioner Royster, to adopt the municipal order awarding the bid for the purchase of a 2019 Nissan Frontier extended cab pickup truck from D-Patrick, Inc. of Evansville, Indiana, for the Mass Transit division, in strict accordance with the bid as submitted pursuant to Bid Reference 19-01.

DISCUSSION WAS HELD regarding what would be done with the vehicle being replaced-moving to Public Works where a vehicle will be disposed of; and how the vehicle will be funded-federal monies are being utilized for the purchase.

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

/s/ Steve Austin
Steve Austin, Mayor
January 22, 2019

ATTEST:
Maree Collins, City Clerk _____

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MUNICIPAL ORDER NO. 07-19:

MUNICIPAL ORDER ACCEPTING BID FROM HAZEX CONSTRUCTION COMPANY, INC. OF HENDERSON, KENTUCKY, FOR CONSTRUCTION OF AN APPROXIMATELY 3.25 ACRE STORMWATER DETENTION BASIN IN THE AMOUNT OF \$421,010.00

DYLAN WARD, Project Manager, reported that this project is an extension of a joint City/HWU stormwater project utilizing FEMA funds that was completed three or four years ago in the Cooper Park subdivision. This next phase of the overall project was redesigned to maximize utilization of the \$435,000.00 FEMA grant funds awarded for the stormwater project. A detention basin designed to hold a ten-year rain event will utilize property the city acquired in that area for this purpose. He explained that the water within the natural Lakeland Water Shed will be diverted into this detention basin before being released into Canoe Creek thereby reducing flooding in the neighborhood streets and yards.

MOTION by Commissioner Vowels, seconded by Commissioner Royster, to adopt the municipal order awarding the bid to Hazex Construction Company, Inc. of Henderson, Kentucky, in the amount of \$421,000.00 for the construction of an approximate 3.25 acre stormwater detention basin within Lakeland Subdivision adjacent to Canoe Creek as part of the Cooper Park Project, in strict accordance with the bid as submitted pursuant for Bid Reference 19-05.

DISCUSSION WAS HELD regarding the size and depth of the uniquely shaped detention basin in order to maximize water storage; that the basin will have flood gates to keep creek water from back flowing into it; if this might help the homeowners reduce flood insurance rates in that area; and the process for submission and acceptance by FEMA of new flood maps once the project is completed.

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

/s/ Steve Austin
Steve Austin, Mayor
January 22, 2019

ATTEST:
Maree Collins, City Clerk _____

CITY MANAGER’S REPORT:

WILLIAM L. “BUZZY” NEWMAN, JR., asked that Donna Stinnett, Community Relations Manager/Public Information Officer, and Finance Director Robert Gunter present the Popular Annual Financial Report.

DONNA STINNETT, Community Relations Manager/Public Information Officer, reported that in the fall of 2017 Mr. Gunter had asked her to assist in producing a different kind of financial report to be submitted for certification. This would complete a trifecta of sorts with the budget receiving its tenth year of certification and the comprehensive financial report its 19th year of certification. Our first Popular Annual Financial Report was produced and submitted in the fall of 2017. It was printed and distributed to the public in the Municipal Center lobby; the public library; Kyndle (Kyndle sent it out to their policy boards) at the State of the City Address and it was posted on our website. She indicated that the City received notification of certification on the submitted report along with critiques and suggestions of things that could be

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changed. She distributed the second Report and indicated that it has been submitted and is awaiting notification of certification.

ROBERT GUNTER, Finance Director, thanked Donna for all her help with the project.

MAYOR AUSTIN indicated that there was a lot of positive comments relating to the Report that was distributed at the State of the City Address. He thanked both Donna and Robert for their work on the Report. _____

WILLIAM L. “BUZZY” NEWMAN, JR., reported that due to conflicts in schedules, it was his recommendation that the regular February 12th Board of Commissioners meeting be rescheduled to a called meeting at 5:00 p.m. on Tuesday, February 19th, immediately before the regularly scheduled Mid-Year Review Work Session.

Without objection the meeting was rescheduled from the 12th to the 19th to begin at 5:00 p.m. _____

WILLIAM L. “BUZZY” NEWMAN, JR., reported the City had received a letter of appreciation from the W.C. Handy Festival for sponsorship/support of the 2018 event.

MAYOR AUSTIN indicated that it was a very successful event and we are proud and thankful for all of the volunteers that worked throughout the year for this great event for our community. _____

COMMISSIONERS’ REPORT:

COMMISSIONER VOWELS reported that the Downtown Henderson Partnership has contacted partners and sponsors of the 4th of July Celebration event and have decided to change the event date to July 3rd for the benefit of the sponsor as well as the many participating volunteers. _____

EXECUTIVE SESSION: Proposed and Pending Litigation

MOTION by Commissioner Bugg, seconded by Commissioner Staton, pursuant to the provisions of KRS 61.810(1)(c) that the Board of Commissioners go into Executive Session for the purpose of discussions of proposed litigation by the City regarding the Henderson Airport and for the discussion of pending litigation by the City against Big Rivers Electric Corporation.

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:
- _____

MEETING RECONVENED:

MOTION by Commissioner Bugg, seconded by Commissioner Staton, the Board of Commissioners reconvened into regular session.

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

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

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Mayor Austin ----- Aye:

WHEREUPON, Mayor Austin reconvened the Board into regular session.

Clerk’s Note: COMMISSIONER STATON recused himself from the dais on the following item.

RESOLUTION NO. 17-19

RESOLUTION AUTHORIZING INSTITUTION OF PROCEEDING UNDER EMINENT DOMAIN ACT OF KENTUCKY AGAINST RANDALL HEATH GREEN AND MELODY J. GREEN ("GREENS"), FOR PROPERTY (PARCEL NUMBER 32-12) LOCATED ADJACENT TO THE HENDERSON CITY-COUNTY AIRPORT

MOTION by Commissioner Vowels, seconded by Commissioner Royster, to adopt the resolution authoring proceeding under the Eminent Domain Act of Kentucky against Randall and Melody Green for property located adjacent to the Henderson City/County Airport.

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

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

DAWN KELSEY, City Attorney, asked that the record reflect that Commissioner Staton recused himself from this resolution due to a conflict of interest.

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
January 22, 2019

ATTEST:
Maree Collins, City Clerk _____

Clerk’s Note: COMMISSIONER STATON recused himself from the dais on the following item.

RESOLUTION NO. 18-19

RESOLUTION AUTHORIZING INSTITUTION OF PROCEEDING UNDER EMINENT DOMAIN ACT OF KENTUCKY AGAINST MARY JANET WILLIAMS, JO ANNE WILLIAMS, PATRICIA L. KUSHINO AND BRETT R. KUSHINO, CO-TRUSTEES OF THE PATRICK L. KUSHINO REVOCABLE TRUST DATED MARCH 17, 2005 (“WILLIAMS FAMILY”), FOR PROPERTY (PARCEL NUMBER 32-16) LOCATED ADJACENT TO THE HENDERSON CITY-COUNTY AIRPORT

MOTION by Commissioner Royster, seconded by Commissioner Vowels, to adopt the resolution authorizing proceeding under the Eminent Domain Act of Kentucky against Mary Janet Williams, Jo Anne Williams, Patricia Kushino and Brett Kushino, Co-trustees of the Patrick Kushino Revocable Trust, for property located adjacent to the Henderson City/County Airport.

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

Commissioner Staton ---- Abstain:
Commissioner Vowels --- Aye:

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

DAWN KELSEY, City Attorney, asked that the record reflect that Commissioner Staton recused himself from this resolution due to a conflict of interest.

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
January 22, 2019

ATTEST:
Maree Collins, City Clerk _____

MEETING ADJOURN:

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

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:

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 7:10 p.m.

ATTEST:

Maree Collins, CKMC
City Clerk

Steve Austin, Mayor
February 19, 2019