

CITY OF HENDERSON – RECORD BOOK

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

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, January 28, 2020, at 5:30 p.m., prevailing time, in the third floor Assembly Room located in the Municipal Center Building at 222 First Street, Henderson, Kentucky.

INVOCATION was given by Dr. Tim Hobbs, Community Baptist Church, followed by recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Steve Austin presiding:

PRESENT:

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

ABSENT:

Commissioner Patti Bugg

ALSO PRESENT:

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

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PRESENTATION: “20-Year Service Award”

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

PRESENTATION: “20-Year Service Award”

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

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

PRESENTATION: “City of Henderson Report on Audited Financial Statements for Fiscal Year Ended June 30, 2019”

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

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

Without objection the report was accepted.

PRESENTATION: “Year In Review”

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

Mrs. Stinnett further reported that she was excited to be able to tell everyone about a unique opportunity for Henderson. This year Henderson’s zip code is represented on the calendar on Friday, April 24th. The plan is to celebrate everything Henderson by designating a

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day of community spirit, a celebration of community pride ... Love where you live day. Several community organizations, individuals, businesses, civic clubs and others have been contacted to come up with their own version of celebrating 4/24/20. If anyone is interested in participating and needs assistance with a project, please don't hesitate to contact Mrs. Stinnett.

PRESENTATION: "Police Foundation"

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

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

PRESENTATION: "Vision Plan Addendum – Downtown Master Plan"

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

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

PRESENTATION: "Humane Society Quarterly Report"

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

MAYOR AUSTIN indicated that the number of complaint calls continues to be reduced year after year. He thanked Ms. Edwards and her staff for the great job they are doing.

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PRESENTATION: “State Tourism Legislative Agenda”

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

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

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

APPROVAL OF CONSENT AGENDA:

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

Minutes: January 14, 2020, Regular Meeting

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

Municipal Order:

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

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

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

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

WHEREUPON, Mayor Austin declared the consent agenda items approved.

/s/ Steve Austin
Steve Austin, Mayor
January 28, 2020

ATTEST:
Maree Collins, CKMC, City Clerk_____

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ORDINANCE NO. 01-20: FIRST READ

ORDINANCE AMENDING CODE OF ORDINANCES PERTAINING TO SMOKING
AN ORDINANCE AMENDING ARTICLE IV-SMOKING IN PUBLIC PLACES AND
PLACES OF EMPLOYMENT, SECTION 16-51. DEFINITIONS, TO ADD DEFINITION OF
CITY PARK; AND SECTION 16-54. PROHIBITION OF SMOKING IN OUTDOOR ARENAS
AND STADIUMS, TO ADD SMOKING PROHIBITION IN CITY PARKS AND TO AMEND
SMOKING DESIGNATED AREAS TO PERMITTED SPECIAL EVENTS, OF CHAPTER 16
OFFENSES OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON,
KENTUCKY

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

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

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

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

ORDINANCE NO. 02-20: FIRST READ

ORDINANCE AMENDING CODE OF ORDINANCES REGARDING SPECIAL
EVENTS

AN ORDINANCE AMENDING CHAPTER 17, *PARKS AND RECREATION*,
ARTICLE III, *SPECIAL EVENTS*, SECTION 17-50 *APPLICATION FOR PERMIT*
SUBSECTION (B)(12) AND SUBSECTION (C)(13) OF THE CODE OF ORDINANCES OF
THE CITY OF HENDERSON TO REQUIRE SPECIAL EVENT PERMITS FOR EVENTS IN
CITY TO DESIGNATE WHETHER IT WILL HAVE A DESIGNATED SMOKING AREA

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

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

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

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

CITY MANAGER'S REPORT:

WILLIAM L. "BUZZY" NEWMAN, JR., City Manager, explained that in late 2019 the parking ordinance for the downtown business district was amended with a sunset clause that will revert back on March 1st. At a recent Downtown Henderson Partnership Board meeting, they determined to recommend to the Board of Commissioners to leave the current three hour parking with the five times counted in a one-week period and not to let the ordinance revert back to the two hour parking with ten counts. This would require a special called meeting in February for a second reading of the ordinance due to the cancellation of the February 11th meeting.

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DISCUSSION WAS HELD relating to the number of times to be counted in a one-week period; the number of calls received during this trial period relating to the expanded hours for parking and also calls regarding scatter tickets issued; and that it is the Mayor’s recommendation to move forward with an ordinance of three hour parking with seven times in a one-week period for the scatter or time evading prohibition.

CITY ATTORNEY’S REPORT:

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

APPOINTMENT: City Utility Commission:

Mr. Mark Weaver – Term to Expire April 24, 2020

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

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

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

MEETING ADJOURN:

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

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

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

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

ATTEST:

Steve Austin, Mayor
February 25, 2020

Maree Collins, CKMC
City Clerk