

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on February 25, 2020

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, February 25, 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 Reverend Larry Butler, Victory Baptist Church, followed by Ms. Lindsey Gunter, Buffalo Trace Council, Boy Scouts of America Troop G374 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. Jordan Webb, Emergency Communications Director
Mr. Heath Cox, Police Chief
Mr. Ray Nix, Code Administrator
Mr. Brian Williams, Public Works Director
Mr. Sam Lingerfelt, Sanitation Superintendent
Mr. Trace Stevens, Parks, Recreation and Cemeteries Director
Mr. Robert Gunter, Finance Director
Ms. Lindsey Gunter, Buffalo Trace Council, BSA Troop G374
Mr. Dylan Ward, Project Manager
Mr. Nick Mangerella, Fire Lieutenant
Mr. Tom Williams, Henderson Water Utility General Manager
Mr. Kevin Knight, City Commissioner Candidate
Mr. Robert Pruitt, City Commissioner Candidate
Mr. Chris Winstead, Henderson City/County Ambulance Service Director
Mr. Alex Caudill, Dept. for Local Government, Western Kentucky Field Representative
Ms. Abby Dixon, Henderson Tourist Commission Executive Director
Ms. Lindsay Locasto, Downtown Henderson Partnership Executive Director
Reverend Charles Johnson, Human Rights Commission Executive Director
Mr. Bruce Farmer, Henderson County Coroner
Reverend Larry Butler, Victory Baptist Church
Ms. Leslie Blanford, Police Officer
News 14 Cameraman

APPEARANCE OF CITIZENS:

MAYOR AUSTIN introduced the new Department for Local Government Field Representative for Western Kentucky, Alex Caudill.

ALEX CAUDILL, Western Kentucky Field Representative, Department for Local Government, reported that his appointment marks the first time that anyone from Henderson has ever been appointed to the position. He indicated that he looks forward to working with everyone and is excited to get started.

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular *Meeting on* February 25, 2020

PRESENTATION: “Chris Winstead, Henderson City/County Ambulance Service”

CHRIS WINSTEAD, Henderson City/County Ambulance Service Director, requested authorization to proceed with the bidding for purchase process for a new Type I, 4-wheel drive ambulance to replace a 2012 model with approximately 220,000 miles. He explained they like to rotate between 2-wheel and 4-wheel drive vehicles so that at least half of the fleet is 4-wheel drive in order to better serve the public in the winter weather conditions. He reported that \$160,000.00 was budgeted for this purchase and he anticipates the bids to come in within budget.

MOTION by Commissioner Staton, seconded by Commissioner Vowels, authorizing the Henderson City/County Ambulance Service Director to proceed with advertising for a Type I, 4-wheel drive ambulance to be placed in service in FY2020.

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:

APPROVAL OF CONSENT AGENDA:

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

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

Resolutions: 05-20: Resolution Amending Henderson Vision Plan by Adding Henderson Downtown Master Plan Appendix

06-20: Resolution Approving Municipal Aid Cooperative Agreement with the Kentucky Transportation Cabinet for Maintenance and Construction of City Streets in Fiscal Year 2020-2021

07-20: Resolution Authorizing Submittal of Grant Application to the Kentucky Office of Homeland Security (KOHS) for Funds in the Amount of \$25,000.00, and Acceptance of Grant if Awarded; and Authorizing Mayor to Execute Documents and to Act as Authorized Correspondent for the Project

Municipal Order:

04-20: Municipal Order Authorizing Lease Between the City of Henderson and the Housing Authority of Henderson, Kentucky for the Dixon Hall Facility Located at 341 South Adams Street, Henderson, Kentucky; and Authorizing Mayor to Execute Same on Behalf of City

Motion by Commissioner Vowels, 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:

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on February 25, 2020

WHEREUPON, Mayor Austin declared the consent agenda items approved.

 /s/ Steve Austin
Steve Austin, Mayor
February 25, 2020

ATTEST:
Maree Collins, CKMC, City Clerk_____

ORDINANCE NO. 03-20: SECOND READ
ORDINANCE RELATING TO PARKING

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

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

 /s/ Steve Austin
Steve Austin, Mayor
February 25, 2020

ATTEST:
Maree Collins, CKMC, City Clerk_____

ORDINANCE NO. 04-20: FIRST READ
ORDINANCE AMENDING BUDGET AND APPROPRIATION ORDINANCE

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

MOTION by Commissioner Royster, 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 ----- 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 OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on February 25, 2020

ORDINANCE NO. 05-20: FIRST READ

ORDINANCE ADOPTING CHARGES FOR WATER, WASTEWATER AND STORMWATER SERVICES

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

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

TOM WILLIAMS, Henderson Water Utility General Manager, reported that this conversion is due in part to a long-term water meter replacement plan to replace approximately 11,000 residential meters. The new meters will be read in gallons instead of cubic feet, thereby easier for everyone to understand.

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.

RESOLUTION NO. 08-20:

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

MOTION by Commissioner Vowels, seconded by Commissioner Royster, authorizing the submittal, and acceptance if awarded, of a grant application under the Assistance to Firefighters Program in the amount of \$316,250.00 for the purchase of replacements of outdated self-contained breathing apparatus (SCBA) for the Fire Department.

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 25, 2020

ATTEST:
Maree Collins, CKMC, City Clerk

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on February 25, 2020

RESOLUTION NO. 09-20:

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

MOTION by Commissioner Staton, seconded by Commissioner Royster, authorizing the engagement of James E. Parsons, Keating Muething & Klekamp PLL, to provide special legal services to the City to establish a development area tax increment finance district (TIF District) to provide incentives and pay for or reimburse costs necessary to encourage the redevelopment of the TIF District in accordance with a plan as developed by the City.

MAYOR AUSTIN reported that this subject was covered extensively during a previous work session and this is the next step in the process.

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 25, 2020

ATTEST:

Maree Collins, CKMC, City Clerk_____

MUNICIPAL ORDER NO. 05-20:

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

MOTION by Commissioner Staton, seconded by Commissioner Vowels, to adopt the municipal order awarding the bid for the purchase of mowing of Group A-City properties, in strict accordance with the bid as submitted pursuant to Bid Reference 20-02.

TRACE STEVENS, Parks, Recreation and Cemeteries Director, reported that there is a significant increase in the dollar amount due in part to the addition of the Municipal Golf Course property to the list. He further reported that this is a new vendor for us, so references were checked with the firm highly recommended.

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 25, 2020

ATTEST:

Maree Collins, CKMC, City Clerk_____

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on February 25, 2020

MUNICIPAL ORDER NO. 06-20:

MUNICIPAL ORDER APPROVING CHANGE ORDER # FOUR (4) TO THE CONTRACT BETWEEN THE CITY OF HENDERSON, HENDERSON COUNTY FISCAL COURT AND MOTOROLA SOLUTIONS, REGARDING THE 9-1-1 COMMUNICATION RADIO UPGRADE PROJECT

MOTION by Commissioner Vowels, seconded by Commissioner Royster, to adopt the municipal order authorizing Change Order #4 to the Contract between the City, the County and Motorola Solutions regarding the 9-1-1 Communication Radio Upgrade Project. This change order reduces the warranty period to sixteen (16) months in exchange for equipment necessary to complete the Enhanced Data Channel Add-on (which includes Advanced Vehicle Location tracking). The warranty period does not begin until all equipment is operational, and we are almost five years into this project.

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 25, 2020

ATTEST:
Maree Collins, CKMC, City Clerk

MUNICIPAL ORDER NO. 07-20:

MUNICIPAL ORDER AUTHORIZING PURCHASE OF THREE (3) POLICE VEHICLES FROM GLENN’S FREEDOM DODGE, OF LEXINGTON, KENTUCKY, AT THE STATE PRICE CONTRACT IN THE TOTAL AMOUNT OF \$83,096

MOTION by Commissioner Staton, seconded by Commissioner Vowels, to adopt the municipal order authorizing the purchase of three vehicles for the police department from Glenn’s Freedom Dodge of Lexington, Kentucky, at the State Price Contract in the total amount of \$83,096.00.

HEATH COX, Police Chief, reported that his department is down several vehicles and has three budgeted. Request for bids were sent out; however, due to the lack of available police pursuit vehicles and the long waiting period for those vehicles, it is his recommendation to purchase two marked police pursuit vehicles and one un-marked vehicle off the State Price Contract with a 90 day timeline for delivery.

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 25, 2020

ATTEST:
Maree Collins, CKMC, City Clerk

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CITY MANAGER’S REPORT:

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, reported that pursuant to the January Work Session a recommendation on sanitation, which at this time will be relating to the landfill, transfer station and the scale house only, will be presented at the first meeting in March.

CITY ATTORNEY’S REPORT:

DAWN KELSEY, City Attorney, reported that the next five mass foreclosure properties will go to the Master Commissioner for sale at 10:30 a.m. next Wednesday, March 4th. Those properties are 456 and 454 South Alves Street, 431 South Alves Street, 238 South Ingram Street and Parcel #56-27 located on Old Madisonville Road.

RE-APPOINTMENT: Board of Zoning Adjustment:
Mr. Mac Arnold – Term to Expire April 24, 2020

Motion by Commissioner Royster, seconded by Commissioner Vowels, upon recommendation of Mayor Steve Austin, to reappoint Mr. Mac Arnold to the Board of Zoning Adjustment. Said term to expire April 24, 2024.

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 Royster, seconded by Commissioner Vowels, 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 5:55 p.m.

ATTEST:

Steve Austin, Mayor
March 10, 2020

Maree Collins, CKMC
City Clerk