

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Special Called Meeting on March 17, 2020

A special called meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, March 17, 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.

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

ALSO PRESENT:

Mr. William L. "Buzzy" Newman, Jr., City Manager
Mrs. Dawn Kelsey, City Attorney
Ms. Maree Collins, City Clerk
Mrs. Donna Stinnett, Community Relations Manager/Public Information Officer
Mr. Robert Gunter, Finance Director
Mr. Ray Nix, Code Administrator

ORDINANCE NO. 06-20: SECOND READ
ORDINANCE AMENDING CHAPTER 7 REGARDING PERMIT FEES
AN ORDINANCE AMENDING CHAPTER 7, BUILDINGS AND BUILDING REGULATIONS BY AMENDING SECTION 7-19 PERMITS: FEES, OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

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 ---- Absent:
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
March 17, 2020

ATTEST:

Maree Collins, CKMC, City Clerk

ORDINANCE NO. 07-20: SECOND READ
ORDINANCE AMENDING CHAPTER 15 OF CODE OF ORDINANCES REGARDING FINE SCHEDULE
AN ORDINANCE AMENDING CHAPTER 15, NUISANCES, ARTICLE III, CODE ENFORCEMENT BOARD, BY AMENDING SECTION 15-51 ORDINANCE FINE SCHEDULE OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

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

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

/s/ Steve Austin
Steve Austin, Mayor
March 17, 2020

ATTEST:
Maree Collins, CKMC, City Clerk_____

ORDINANCE NO. 08-20: SECOND READ
ORDINANCE AMENDING CHAPTER 21, TAXATION REGARDING INSURANCE TAX

AN ORDINANCE AMENDING CHAPTER 21, TAXATION, ARTICLE IV, LICENSE FEES ON INSURANCE COMPANIES, SECTION 21-57 FEE FOR COMPANY ISSUING LIFE INSURANCE AND SECTION 21-58 FEE FOR COMPANY ISSUING INSURANCE OTHER THAN LIFE INSURANCE INCREASING RATE FROM TEN PERCENT (10%) TO ELEVEN PERCENT (11%)

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

MOTION TO AMEND ORDINANCE NO. 08-20:

MOTION by Commissioner Vowels, seconded by Commission Royster to amend the proposed ordinance to specify a ten percent (10%) insurance tax on motor vehicles for the transportation of property including U-Drive-its and automobile utility trailers with the capacity of more than 18,000 pounds.

The vote was called on the motion amending the ordinance. On roll call, the vote stood:

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

The vote was called for amended Ordinance No. 08-20. 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 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. 09-20: SECOND READ
ORDINANCE AMENDING CHAPTER 23, UTILITIES, ARTICLE V, RATES AND CHARGES

ORDINANCE AMENDING CHAPTER 23, UTILITIES, ARTICLE V, RATES AND CHARGES, SECTION 23-103, DISCONTINUANCE OF SERVICES OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

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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 ---- Absent:
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
March 17, 2020

ATTEST:
Maree Collins, CKMC, City Clerk_____

MAYOR AUSTIN reported that the next item on the agenda is a resolution in support of the reorganization of the Kentucky Retirement System with the creation of an independent CERS Board of Trustees. He stated that this is something that is being done by participating communities across the state. He reported that the bill had been passed by the House and will be before the Senate tomorrow.

RESOLUTION NO. 10-20:

RESOLUTION SUPPORTING HOUSE BILL 484 REGARDING INDEPENDENT COUNTY EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEE

MOTION by Commissioner Royster, seconded by Commissioner Vowels, to approve the resolution in support of House Bill 484 regarding the creation of an independent County Employees Retirement System Board of Trustees.

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

/s/ Steve Austin
Steve Austin, Mayor
March 17, 2020

ATTEST:
Maree Collins, CKMC, City Clerk_____

GENERAL DISCUSSION:

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, gave a brief update on staff’s activities relating to COVID-19. He reported that individual departments have implemented a policy of taking the temperature of each employee at the beginning of each shift.

DONNA STINNETT, Community Relations Manager/Public Information Officer, reported that the community Facebook Live discussion with the County Judge Executive was a really good discussion earlier today. There weren’t a lot of questions today but Lindsay Locasto, Downtown Henderson Partnership Executive Director, was able to speak on keeping local commerce moving and how we can support local businesses, restaurants and people trying to

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make it through this time when everything is shut down. We also discussed general ways of keeping ourselves safe as well as the public.

ROBERT GUNTER, Finance Director, gave a brief update on utility system payments that have been modified to operate through the drive-thru. He reported that he wanted to stress that we are open. We are taking payments through the drive-thru lanes, with both lanes open and we also have two payment drop-off boxes. One is located near the front door of the municipal center, and we appreciate Municipal Facilities getting that ready so quickly, and the other is located down at the Tourism Welcome Center and also after hours the slot near the drive-thru window is available. Mr. Gunter indicated that tomorrow is a due date so we will be closely monitoring the traffic to see how that goes and possibly implement opening an hour early or staying open later to accommodate customers. He encouraged customers to sign up for the ACH payment option by completing the form for electronic notification and payment. Mr. Gunter indicated that he would like to follow the PSC guidelines on not passing along penalties and interest during this crisis, but our ordinances are quite clear on cutting off utilities for non-payment, staff would need Board approval.

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, reported that the individual utilities expressed interest in providing that to residential customers at this time and possibly 30 or up to 60 days pending the desire of this Board. He reiterated that this is not a waiver of the utility bill it is simply delaying payment to a future date and would be handled on a case by case basis for a repayment plan.

Without objection the Board was in agreement to follow PSC guidelines to not charge penalties and interest and to not cut off utilities for non-payment for residential customers for the next 60 days when those customers continue to make progress in paying those bills.

RAY NIX, Code Administrator, reported that signage had been posted at his office indicating that the offices were closed to the public but still open to conduct business telephonically and online. Totes have been signed and placed near the entry doors for customers to drop off permit applications and other documentation for processing for both the City and the County Codes departments.

DAWN KELSEY, City Attorney, reported that Mayor Austin issued a State of Emergency on March 16th allowing us to purchase necessary supplies without going through model procurement and also giving some flexibility under Civil Service guidelines in the event it becomes necessary to hire people outside of the testing process during this period of time.

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

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 5:45 p.m.

ATTEST:

Steve Austin, Mayor
April 14, 2020

Maree Collins, CKMC
City Clerk