

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular *Meeting on* April 23, 2019

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A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, April 23, 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 Jeff Ferguson, First Assembly of God, 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
 Ms. Holli Melton, Administrative Intern
 Mr. Heath Cox, Police Chief
 Mr. Robert Gunter, Finance Director
 Mr. Trace Stevens, Parks, Recreation & Cemeteries Director
 Mr. Ray Nix, Code Administrator
 Mrs. Theresa Richey, Development Liaison
 Mr. Larry Holt, Board of Zoning Adjustment Appointee
 Mr. Chris Heimgartner, Henderson Municipal Power & Light General Manager
 Ms. Molly McCarroll, Partnership Specialist, US Census Bureau
 Ms. Kendra Strawn, Humane Society of Henderson County
 Ms. Susan Sauls, Green River Asset Building Coalition
 Ms. Melissa Clements, United Way; Cliff Hagan Boys & Girls Club-Henderson Unit
 Mr. Herb McKee, Cliff Hagan Boys & Girls Club-Henderson Unit
 Reverend Jeff Ferguson, First Assembly of God
 Mr. Mike Richardson, Reserve Police Officer
 Mr. Douglas White, the Gleaner

PRESENTATION: “2020 Census Update and Job Recruitment”

MOLLY MCCARROLL, Partnership Specialist, US Census Bureau based in Owensboro, gave a brief update of the 2020 Census process and job recruitment. She indicated that there will be in excess of 500,000 Americans working for the Census Bureau at the height of census operations next year making it the largest peacetime activity of the US Government. Positions will be part-time, up to 30 hours per week, starting at \$14.00 per hour plus mileage, with extremely flexible hours. The first hires will begin in June for address canvassing throughout the rest of this year and then transition into the door-to-door enumerator positions next year. Applications are available online. She further indicated that she would be working with communities to establish a Complete Count Committee consisting of volunteers that are familiar with all aspects of the community whether faith based organizations, non-profit organizations, people that deal with the homeless or help centers, and local governments to identify strategies to reach out to those folks that might otherwise be uncounted. She indicated that data that is collected through the Census is not shared with immigration, or the IRS, or law enforcement for any reason. She reported that a study done by George Washington University a few years ago determined that each person not counted in Kentucky is approximately \$972.00 per year in federal funds lost to the state which amounts to almost \$10,000.00 that doesn’t trickle down to local communities. So, it is very important to get a full and complete count.

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MAYOR AUSTIN thanked Ms McCarroll for presenting this information and reported that Brian Bishop, Planning Commission Executive Director, would be assisting the City throughout the process. He indicated that the City would work through Mr. Bishop to recommend people for the Complete Count Committee.

PRESENTATION: “Humane Society Quarterly Report”

KENDRA STRAWN, Humane Society of Henderson County, gave a brief update on happenings at the Humane Society Shelter. She reported that the executive director position was again vacant and had been posted. Final on-site interviews have been scheduled for later this week for two animal control officers. New animal control officer hiring/training protocol has been implemented in order to ensure the safety of the public, the animals and the officers. The Shelter seems to be running smoothly with summer hours of Noon to 6:00 p.m., Monday through Friday and 9:00 a.m. to Noon, Saturday. Staff has been working closely with the New Hope and Pay-it-Forward shelters with some adoption events in order to get all of the animals out of shelters in Henderson County whether it is to foster homes or to new homes. She reminded everyone that June is City and County tag renewal time and explained that the tags can be an important tool in returning a lost animal, especially if the animal is not micro chipped.

MAYOR AUSTIN thanked her for the update and thanked she and her colleagues for the important work they do for this community.

PRESENTATION: “HMP&L Proposed Rate Restructure”

CHRIS HEIMGARTNER, Henderson Municipal Power & Light General Manager, gave a detailed presentation relating to the proposed restructuring of electric rates. He explained that this was a good time to review the rate structure now that we no longer have a coal plant generating power. A Cost of Service Analysis (COSA) was conducted by GDS Associates to look at all of the cost streams as well as the revenues. The purpose of the study is to determine if revenues are covering costs and the answer in our study was, yes. The proposed rate restructuring includes: 1) revenue neutral rate changes; 2) remove the Fuel Adjustment and replace with a Power Cost Adjustment which will be adjusted to zero and have minimal fluctuations going forward; 3) remove minimum bill amounts; and 4) adjust consumption rates, customer charges, and demand charges to reflect the above changes. The study further indicated that there is very little subsidization between rate classes, as a result GDS recommends applying any rate change, even a zero change, to all rate classes. The proposed rate restructure will not change the anticipated revenue with very little change in most customers’ total bill. The Residential Customer Charge will go from \$7.69 to \$12.50, eliminate the Minimum Bill charge, and eliminate the varying Energy Charge between summer and winter rates. Similar changes to the rate structure would be made for each rate class. Mr. Heimgartner further detailed changes to each section of the various rates. He explained that overall the total amount of customer bills would change very little, although some could be higher or lower based upon their usage within the class. The Utility Commission recommends the changes and per statute, a public hearing has been scheduled to be conducted by the Board of Commissioners at the May 14, 2019 meeting.

PUBLIC HEARING: Outside Agency Funding Appeals

MAYOR AUSTIN declared the Public Hearing on Outside Agency Funding to order at approximately 6:20 p.m. and asked if any member of the public or any agency would like to speak to appeal the recommendation of the Agency Funding Ad-Hoc Committee for the fiscal year commencing July 1, 2019.

COMMISSIONER STATON, Outside Agency Funding Ad-Hoc Committee member, reported that others on the Committee were the City Manager, the Finance Director and Citizen

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Representative Wayne Jenkins. He further reported that the Committee discussed a request from the Boys & Girls Club of Henderson of \$10,000.00 which would be an ongoing contribution. He indicated that the Committee discussed the merits of having a Boys & Girls Club in our community and decided as a committee that their function certainly fits within workforce development allowing young families the opportunity to work knowing that their children are well taken care of at an affordable cost. He stated that the Committee recommends that the full \$10,000.00 be donated to the Boys & Girls Club of Henderson.

HERB MCKEE AND MELISSA CLEMENTS, Cliff Hagan Boys & Girls Club of Henderson unit, thanked the Board for partnering with them to invest in the youth of the community. Mr. McKee indicated that one of the largest signs of a healthy community is how wisely it invests in its youth. The Boys & Girls Club of America has been around since 1860 and the Cliff Hagan Boys & Girls Club has been around for 52 years. This Club will help parents have the opportunity to work and save thousands of childcare dollars that can be reinvested into the community. The program provides not only supervision but will provide mentorship for these kids to help them figure out the right path for themselves and put them on a good path for the future.

MELISSA CLEMENTS reported that the school system will be providing bus service for the after school program and has also agreed to provide snacks through the Child Care/Adult Food Program. The program is anticipated to start with the fall school session with hours of 2:30 to 6:30 p.m. and will then be full time for school breaks including the summer break with hours of 7:30 a.m. to 6:00 p.m., accommodating up to 120 children between the ages of 6 and 18. There is a \$12.00 per year membership fee and a \$10.00 per week per child fee during the summer break that will include all activities and lunch in addition to the regular healthy snack.

SUSAN SAULS reported that the Green River Asset Building Coalition which is one of the overseer agencies of the VITA (Volunteer Income Tax Assistance) program in this part of Kentucky requested \$1,500 from each the City and the County this year in order to keep the program well-funded for marketing to encourage more participation. The program assists in free income tax preparation for qualifying residents and had approximately 1,200 tax returns completed last year equaling about \$1.5 million of returned tax dollars.

ROBERT GUNTER, Finance Director, gave a detailed explanation of the committee's funding level recommendations for each reviewed request.

DISCUSSION WAS HELD relating to the committee's recommendation to fund requested repairs to the tennis courts-repairs are necessary as courts start to crack with age and repairs are needed in preparation of the ATA Senior Games tournament that has been secured by the local association for the next three years.

MAYOR AUSTIN asked the Board if there were any objections to accepting the recommendation for the FY2020 budget. Hearing no objections and no other appeals were presented, Mayor Austin declared the Public Hearing closed at 6:38 p.m.

APPROVAL OF CONSENT AGENDA:

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

Minutes: March 26, 2019, Regular Meeting
 April 09, 2019, Regular Meeting
 April 16, 2019, Called Meeting

Resolutions: 28-19: Resolution Authorizing the Submittal of a Grant Application for Public Transit Assistance

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29-19: Resolution Approving First Amendment to Funding Agreement with the Henderson Girls Softball Association (HGSA) Allocating Matching Reimbursable Funds in an Amount not to Exceed \$5,000.00 to be Used to Defray Costs of Field Drainage and Concession Stand Improvements at the Newman Recreational Complex

Orders: 23-19: Municipal Order Accepting Stormwater Management System Maintenance Agreement at 2 North Green Street Between German American Bank, Henderson Water Utility, and the City of Henderson and Giving the Mayor Authority to Execute the Agreement

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

WHEREUPON, Mayor Austin declared the consent agenda items approved.

/s/ Steve Austin
Steve Austin, Mayor
April 23, 2019

ATTEST:

Maree Collins, CKMC, City Clerk _____

APPEARANCE OF CITIZENS:

DAMON AND JULIE NANTZ reported an increase in the amount of trash along North Green River Road and wanted to know what could be done about littering and about items that are falling out of vehicles. They also asked why the street sweeper no longer comes down their street.

WILLIAM L. “BUZZY” NEWMAN, JR. indicated that he had spoken with the Public Work Director regarding the issue and reported that there have been no changes to the street sweeper routes. He further indicated that loads are required to be covered and that he has requested staff to continue monitoring the situation.

ORDINANCE NO. 07-19: FIRST READ
ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS
AN ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS FOR PROPERTY
LOCATED AT 1407 NORTH ADAMS STREET

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, indicated that the improvements were made by a private developer to City standards and the overall development has enhanced the area.

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

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

Commissioner Vowels --- Aye:
 Commissioner Bugg ----- Aye:
 Commissioner Royster -- Aye:
 Commissioner Staton ---- 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. 08-19: FIRST READ

ORDINANCE AMENDING CHAPTER 16-*OFFENSES*

AN ORDINANCE AMENDING CHAPTER 16, OFFENSES, ARTICLE I, GENERAL, SEC. 16-3 USE OF LOUDSPEAKERS ON BUSINESS PREMISES, AND SEC. 16-3, WEARING HOODS OR MASKS IN PUBLIC PLACES OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

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

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

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

COMMISSIONERS' REPORT:

COMMISSIONER VOWELS updated the Board on activities at the HEAT Lab which hosted their first Tech event last night which was a gathering of entrepreneurial minded, tech minded people with approximately 15 to 20 participants.

COMMISSIONER BUGG reminded everyone that April 29th is the beginning of spring clean up week and that Henderson Recycling would be located at booth #63 of the Tri-Fest with games and prizes relating to recycling.

MAYOR AUSTIN thanked Commissioner Bugg for bringing up spring clean up as it is very important to our community. He then announced that the Health Science program at Henderson County High School received the prestigious Excellence in Action award, which recognizes the best Career Technical Education (CTE) programs of study across the nation. Henderson County High School's Health Science program received the award in the Health Science Career Cluster from Advance CTE as a result of their commitment to providing real-world learning experiences for each learner in partnership with 47 local health care facilities.

MAYOR AUSTIN reminded everyone that Friday, April 26th is Arbor Day and this year the City's Parks and Recreation department will be conducting the ceremony at 4:00 p.m. at the East End Park on Letcher Street.

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He also, reminded those interested of a special called Town Hall Work Session on the Fairness Ordinance scheduled for Monday, May 6th beginning at 5:30 p.m. at the Municipal Service Center.

APPOINTMENT: Board of Zoning Adjustment:
Mr. Larry Holt – Term to Expire February 24, 2021

Motion by Commissioner Royster, seconded by Commissioner Staton, upon recommendation of Mayor Steve Austin, to appoint Mr. Larry Holt to fill the unexpired term of Montez Wells that has moved from the area, on the Board of Zoning Adjustment. Said term to expire February 24, 2021.

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

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

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 6:50 p.m.

ATTEST:

Steve Austin, Mayor
May 14, 2019

Maree Collins, CKMC
City Clerk