

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of           A Special Called           Meeting on           April 28, 2020          

A special called meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, April 28, 2020, at 3:00 p.m., prevailing time, with no primary location designated for this video teleconference meeting as the result of the state of emergency declared by the President of the United States and the Governor of Kentucky due to the global COVID-19 pandemic, and in accordance with recommended and mandated precautions related to COVID-19 per the Kentucky Attorney General Opinion 20-05, public attendance was not permitted at this meeting due to the highly contagious nature of COVID-19. It is not feasible for the City to maintain order and abide by recommended and mandated precautions while providing a central physical location for public viewing. The meeting was conducted in accordance with KRS 61.826.

There were present Mayor Steve Austin presiding:

PRESENT:

Commissioner Patti Bugg (via Zoom video panelist)  
 Commissioner X R. Royster, III (via Zoom video panelist)  
 Commissioner Bradley S. Staton (via Zoom video panelist)  
 Commissioner Austin P. Vowels (via Zoom video panelist)

ALSO PRESENT:

Mr. William L. “Buzzy” Newman, Jr., City Manager  
 Mrs. Dawn Kelsey, City Attorney  
 Ms. Maree Collins, City Clerk  
 Mr. Greg Nunn, Information Technology Director  
 Mr. Trace Stevens, Parks Recreation & Cemeteries Director  
 Mr. Dylan Ward, Project Manager  
 Mrs. Connie Galloway, Human Resources Director (via Zoom video)  
 Mr. Chris Heimgartner, HMPL General Manager (via Zoom video panelist)  
 Ms. Tammy Konsler, HMPL (via Zoom video)  
 Mr. Douglas White, *the Gleaner* (via Zoom video)

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APPROVAL OF CONSENT AGENDA:

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

Minutes:                    March 10, 2020, Public Hearing

Resolutions & Municipal Orders:

14-20: Resolution of the City of Henderson Relating to the Submittal of Grant Application and Acceptance if Awarded to the Department for Local Government Under Land & Water Conservation Fund in the Amount of \$250,000.00

17-20: Municipal Order Authorizing the Execution of a Deed of Easement Between the Water and Sewer Commission of the City of Henderson D/B/A Henderson Water Utility (HWU) a Division of the City of Henderson and First Christian Church (Disciples of Christ) of Henderson, Kentucky, Inc., and Authorizing Mayor to Execute Deed of Easement on Behalf of the City of Henderson

18-20: Municipal Order Awarding Bid for Improvements of Two Sets of Men’s and Women’s Restrooms at the Gathering Place to Q&S Enterprises, LLC, of Sebree, Kentucky in the Amount of \$103,240.00, Plus the Add Alternate #1 Price of \$2,225.00 for a Total Amount of \$105,465.00

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Motion by Commissioner Royster, seconded by Commissioner Staton, 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 28, 2020

ATTEST:
Maree Collins, CKMC, City Clerk

ORDINANCE NO. 10-20: SECOND READ

ORDINANCE ADOPTING SCHEDULE OF ELECTRIC RATES AND SERVICES

AN ORDINANCE APPROVING AND ADOPTING A SCHEDULE OF ELECTRIC RATES AND SERVICES FOR ELECTRIC POWER AND ENERGY FURNISHED BY HENDERSON MUNICIPAL POWER & LIGHT TO ITS CUSTOMERS AND CONSUMERS REDUCING THE RATES IN RESIDENTIAL SCHEDULE (SCHEDULE R), GENERAL SERVICE RATE SCHEDULE (SCHEDULE GS), HOUSING AUTHORITY, CHURCH AND PUBLIC SCHOOL RATE SCHEDULE (SCHEDULE D), AND POWER COST ADJUSTMENT RATE SCHEDULE (SCHEDULE PCA); DISCONTINUING RENEWABLE DISTRIBUTED GENERATION INTERCONNECTION RATE SCHEDULE (SCHEDULE DG); ADJUSTING ADDITIONAL CUSTOMER SERVICE RATE SCHEDULE (SCHEDULE ACS); AND ADDING A RESIDENTIAL DISTRIBUTED GENERATION RATE SCHEDULE (SCHEDULE RDG), A GENERAL SERVICE DISTRIBUTED GENERATION RATE SCHEDULE (SCHEDULE GSDG) AND A DEMAND DISTRIBUTED GENERATION RATE SCHEDULE (SCHEDULE DDG) TO BECOME EFFECTIVE FOR ALL SERVICES BILLED ON AND AFTER JUNE 1, 2020

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

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

ATTEST:
Maree Collins, CKMC, City Clerk

MAYOR AUSTIN reported that he wanted everyone to know that neither City Manager Buzzy Newman nor Hospital Director Linda White recommend this purchase at this time.

MUNICIPAL ORDER NO. 19-20:

MUNICIPAL ORDER REGARDING BID FOR PURCHASE OF ONE (1) 2019 FORD 350 TYPE I, 6.7 LITER DIESEL, MEDIC 1 AMBULANCE FOR THE AMBULANCE SERVICE FROM MID-AMERICA AMBULANCE & COACH SALES, CAMPBELLSVILLE,

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KENTUCKY, IN THE AMOUNT OF \$153,939.00

MOTION by Commissioner Royster, seconded by Commissioner Staton, to approve the municipal order awarding bid for the purchase of one 2019 Ford 350 Type I, Medic 1 Ambulance for the Ambulance Service.

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, reported that while this purchase was budgeted in the FY20 budget, prices have increased and revenues have decreased due to the COVID-19 pandemic; and with unknown changes at the hospital and the ambulance service when Deaconess takes over in July; and in his opinion it doesn’t seem to be the right time to be spending this much money while the City isn’t purchasing budgeted capital items during this State of Emergency. Henderson County Fiscal Court did approve the purchase at their meeting earlier today, indicating that they would rather purchase it out of this year’s budget. Mr. Newman indicated that it is his recommendation to wait until after July 1<sup>st</sup> to more clearly understand how EMS will operate after Deaconess takes over.

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

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

WHEREUPON, Mayor Austin declared the municipal order DENIED, affixed his signature and the date thereto, and ordered that the same be recorded.

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

ATTEST:

Maree Collins, CKMC, City Clerk \_\_\_\_\_

## CITY MANAGER’S REPORT:

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, reported that there would be no May 12<sup>th</sup>, 2020 meeting; however, there may be need for a short called meeting just prior to the May 19<sup>th</sup>, 2020 budget work session. An electronic copy of the budget will be sent out prior to the work session.

Mr. Newman reported that he is awaiting the Board’s comments on the proposed changes to the Spring Cleanup plan before public distribution.

Mr. Newman reported that on April 22, 2020 Henderson County Judge Schneider sent a request for the City to waive the 12 months notification clause of the 2008 Solid Waste Cooperative Agreement between the County and the City regarding solid waste disposal at the City’s landfill facilities. The County approached the City last year to terminate the Agreement, but later decided that it was in their best interest not to terminate at that time. This matter was discussed further at Fiscal Court earlier today and they may be requesting further information on their true costs of disposal of county generated waste before making a final determination. We will keep you apprised of this issue, and whether or not it moves forward as a formal request for waiver of notification for termination of the Agreement.

## COMMISSIONERS’ REPORT:

COMMISSIONER STATON indicated that he would like to volunteer his time and effort to formalize a plan to move forward with installing the Memorial Day crosses keeping in mind social distancing and other safety measures. He believes that having the crosses in the park means a lot to our citizens, brings people together and is something unique to this area to celebrate Memorial Day.

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MAYOR AUSTIN, indicated that Commissioner Staton should contact the sponsors, the American Legion Worsham Post No. 40 and the Henderson War Memorial Foundation, for their guidance. He further indicated that he agrees that this is near and dear to the hearts of many in the community, but Mr. Hanley, Mr. Neel and Mr. Christopher are the ones to have the conversation with. We have offered alternative sites, or smaller displays and other options without consensus on how to keep within the governor’s guidelines not only during installation, but when citizens visit and possibly leave flowers or other items.

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MISCELLANEOUS: Discussion Relating to COVID-19 Issues and Updates

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, reported that city employee modified work schedules were discussed at staff meeting earlier today and employees will return to full-time work schedules beginning May 4<sup>th</sup>, 2020 with modified work stations completed in group setting areas; however, buildings will remain closed to the public awaiting further guidance from the governor. Masks will be worn by employees in compliance with the governor’s guidance.

MAYOR AUSTIN reported that a 14 person committee has been created to coordinate and assist with following both Indiana and Kentucky guidelines for the reopening of businesses in the Evansville-Henderson area.

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MISCELLANEOUS: Executive Orders Enacted in April 2020 Relating to COVID-19

DAWN KELSEY, City Attorney, explained that the Executive Order enacted in April relating to this State of Emergency has been posted on the City’s website and has been included in this agenda packet also located on the City’s website. This executive order sunsets the rotating staff work schedules for full-staffing work schedules beginning May 4<sup>th</sup>.

Executive Order No. 03A-20 Amended Executive Order Providing For Administrative Leave For Employees During Kentucky State Of Emergency For COVID-19

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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 3:40 p.m.

ATTEST:

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Steve Austin, Mayor  
July 14, 2020

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Maree Collins, CKMC  
City Clerk