

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Special Called Meeting on August 11, 2020

A special called meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, August 11, 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, limited public attendance was 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
 Commissioner Bradley S. Staton (via Zoom video panelist)
 Commissioner Austin P. Vowels

ALSO PRESENT:

Mr. William L. “Buzzy” Newman, Jr., City Manager
 Mr. Eric Shappell, Acting City Attorney
 Ms. Maree Collins, City Clerk
 Mrs. Donna Stinnett, Community Relations Manager/Public Information Officer
 Mr. Robert Gunter, Finance Director (via Zoom)
 Mr. Scott Foreman, Fire Chief
 Mr. Christopher Connell, Firefighter
 Mrs. Jennifer Connell
 Mr. Heath Cox, Police Chief
 Mrs. Jordan Webb, Emergency Communications Director
 Mr. Charles Abbott, Fire Lieutenant
 Mr. Nicolas Mangarella, Fire Lieutenant
 Mr. Paul Goetz, Fire Driver/Engineer
 Ms. Kayla Hammel, Firefighter
 Mrs. Connie Galloway, Human Resources Director
 Ms. Karla Beckgerd, Human Resources Specialist
 Ms. Regenia Bender, Benefits Coordinator (via Zoom)
 Mr. Ray Nix, Code Administrator
 Ms. Tammy Willett, Community Development Specialist
 Mr. Doug Boom, Engineer (via Zoom)
 Mr. David Wright, IT Network Administrator II
 Mr. Victor Carson, IT Network Administrator
 Mr. Tom Williams, HWU General Manager
 Ms. Missy Vanderpool, Henderson Economic Development Executive Director
 Ms. Whitney Risley, Henderson Economic Development
 Ms. Lindsay Locasto, Henderson Downtown Partnership Executive Director
 Mr. Kevin Patton, *the Gleaner* (via Zoom)

PRESENTATION: “20-Year Service Award”

MAYOR AUSTIN expressed appreciation to Firefighter Christopher Connell for his 20 years of service and dedication to the City of Henderson.

CHRISTOPHER CONNELL, Firefighter, thanked his wife Jennifer for being his rock through the years, and fire department family for their support throughout all these years.

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PRESENTATION: “Henderson Economic Development Report”

MISSY VANDERPOOL, Henderson Economic Development Executive Director, thanked the Commission for their continued support and gave a brief overview of activities during the fiscal year ending June 30, 2020. She reported that their main focus is on 1) Business Retention & Expansion; 2) Business Attraction; 3) Workforce Development; and 4) Entrepreneurship. She indicated that there are 3007 counties in the United States all competing for the same thing! – attracting businesses. She indicated that Henderson has an advantage in that we are within a day’s drive of 2/3rds of the population of the U.S. She reported that they currently have five active projects and have submitted the City’s Borax Drive property three times. Ms. Vanderpool further reported that the HEAT Lab continues to grow and was utilized for a couple of students through the Governor’s School of Entrepreneurs. Several member bootcamp type events are being planned for the near future. Missy reported that they currently have three sites and are the administrators of the 4-Star Industrial Park.

WHITNEY RISLEY, Director of Existing Industry & Workforce Development, reported that they act as a connector of resources to existing manufacturing and logistics and distribution companies. They have approximately 75 targeted businesses that they visit annually. Over this past fiscal year they have handled six expansions equating to \$62 million in investments and 114 new jobs. October is Manufacturing Day where manufacturers open their doors to high school juniors and seniors so they can explore various positions in local companies. Over the three years of this program 226 students have toured eleven manufacturing locations. Also, the Henderson Community College FAME Program will start six students in August for on-the-job experience. The Program has graduated 10 students with nine transitioning to full-time positions.

MAYOR AUSTIN expressed appreciation for the work they do and indicated that the City wants to continue to support them in future projects.

PRESENTATION: “Vision Plan Update/Request”

DONNA STINNETT, Community Relations Manager/Public Information Officer, explained that the Vision Plan was finalized in 2015 and is revisited for updates every two years. Issues from the last update focused on the downtown area and it will be time for a full review in about six months.

LINDSAY LOCASTO, Downtown Henderson Partnership Executive Director, indicated that the Downtown Master Plan is a part of the Vision Plan and most recently is focused on new holiday décor for the downtown. DHP has raised approximately \$13,000.00 toward the purchase of the new classic look Christmas décor and light installation on Second Street to draw people to downtown. The Vision Committee recommends moving forward with these projects.

MAYOR AUSTIN polled the Commissioners and without objection, asked staff to move forward with utilizing Vision Plan budgeted funds for these two projects. He thanked the Vision Plan Committee for all their work and this presentation on these projects and indicated that he believes the spirit of collaboration and partnerships between groups and organizations has never been better than it is right now in Henderson.

PRESENTATION: “20-Year Service Award”

MAYOR AUSTIN expressed appreciation to Parking Enforcement Officer Nancy Stone for her 20 years of service and dedication to the City of Henderson.

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APPROVAL OF CONSENT AGENDA:

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

Minutes: May 26, 2020, Called Meeting

Resolutions: 37-20: Resolution Approving the Second Amendment to the 2006 Gas Sale Contract Between the Public Energy Authority of Kentucky and City of Henderson

38-20: Resolution Approving Memorandum of Understanding Between Henderson Community College, KCTCS and the City of Henderson, Kentucky (Police Department)

39-20: Resolution Authorizing the Submission of the 2020-2024 CDBG Consolidated Plan – 2020 Action Plan to the United States Department of Housing and Urban Development

Municipal Order: 31-20: Municipal Order Authorizing Submittal of Grant Application to Firehouse Subs Public Safety Foundation in the Amount of \$25,000.00, and Acceptance if Awarded

MOTION by Commissioner Royster, seconded by Commissioner Vowels, to approve the items on the Consent Agenda as presented.

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

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

WHEREUPON, Mayor Austin declared the consent agenda items approved.

/s/ Steve Austin
Steve Austin, Mayor
August 11, 2020

ATTEST:
Maree Collins, CKMC, City Clerk _____

ORDINANCE NO. 16-20: FIRST READ
ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 2
ADMINISTRATION ARTICLE VI PERSONNEL DIVISION 2 CIVIL SERVICE FOR GENERAL
EMPLOYEES

AN ORDINANCE AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE VI PERSONNEL, DIVISION 2 CIVIL SERVICE FOR GENERAL EMPLOYEES OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON BY AMENDING SECTION 2-223 CIVIL SERVICE SYSTEM ESTABLISHED; SECTION 2-225 CIVIL SERVICE COMMISSION; SECTION 2-232 - MEMBERSHIP OF BOARD; ASSESSMENTS AGAINST SALARIES AND PROPERTY; APPLICATIONS FOR RELIEF; ALLOWANCES; SECTION 2-249 - PAY OF ASSESSMENT CONSTITUTES INVIOABLE CONTRACT WITH CITY; SECTION 2-250 - ROSTERS TO BE SUBMITTED; AND DELETING SECTION 2-226.5 - DEPARTMENT HEADS DEEMED AS EMPLOYEES; SECTION 2-227 - PROBATIONAL APPOINTMENTS; DURATION; PREREQUISITE TO PERMANENT STATUS; SECTION 2-228 - PREREQUISITE TO PERMANENT TENURE FOLLOWING PROMOTION TO HIGHER GRADE; SECTION 2-229 - ASSESSMENT AGAINST SALARY FOR PENSION FUND; SECTION 2-230 - EXAMINATION; QUALIFICATIONS; SECTION 2-233 - INVESTMENT OF PENSION FUNDS; SECTION 2-252 -VACANCIES; AND SECTION 2-253 - PROBATIONARY APPOINTMENT OF RECLASSIFIED EMPLOYEE

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

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

Commissioner Bugg ----- Aye:
 Commissioner Royster -- Aye:
 Commissioner Staton ---- Nay:
 Commissioner Vowels --- 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. 17-20: FIRST READ

ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 23 *UTILITIES*,
 ARTICLE II *WATER AND SEWER SERVICE*

AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 23 *UTILITIES*,
 ARTICLE II *WATER AND SEWER SERVICE*, SECTION 23-43 *EMPLOYMENT OF GENERAL
 MANAGER AND MANAGEMENT EMPLOYEES*

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

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

Commissioner Bugg ----- Aye:
 Commissioner Royster -- Aye:
 Commissioner Staton ---- Nay:
 Commissioner Vowels --- 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. 18-20: FIRST READ

ORDINANCE AMENDING EMPLOYEE MANUAL

ORDINANCE AMENDING SECTION 2-212 OF ARTICLE VI. *PERSONNEL*; BY
 ADOPTING REVISED RULES AND REGULATIONS FOR EMPLOYEES 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 Bugg ----- Aye:
 Commissioner Royster -- Aye:
 Commissioner Staton ---- Nay:
 Commissioner Vowels --- 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.

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ORDINANCE NO. 19-20: FIRST READ
ORDINANCE AMENDING APPENDIX A-ZONING

AN ORDINANCE AMENDING APPENDIX A – ZONING, ARTICLE II, SECTION 2.01, *DEFINITIONS* TO ADD DEFINITION OF ANIMAL CAFÉ; ARTICLE XIX, *GB, GENERAL BUSINESS DISTRICT*, SECTION 19.03 *CONDITIONAL USES*; ARTICLE XX, *CBD, CENTRAL BUSINESS DISTRICT*, SECTION 20.03 *CONDITIONAL USES*; ARTICLE XXI, *H-C HIGHWAY COMMERCIAL DISTRICT*, SECTION 21.03 *CONDITIONAL USES*; AND ARTICLE XXX, *RIVERFRONT ZONES*, SECTION 30.03 *RF-2 LIGHT COMMERCIAL*; ARTICLE XXXIII *GATEWAY ZONE DISTRICT*, SECTION 33.06 *PERMITTED USES*; AND ARTICLE XXXIV *HENDERSON INNOVATIVE PLANNING DISTRICT* SECTION 34.02 *PERMITTED USES* TO ADD ANIMAL CAFÉS AS CONDITIONAL USES

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

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

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

REPORT: “Rezoning #1103 with Revised Development Plan, Cosby Drive”

WILLIAM L. “BUZZY” NEWMAN, Jr., City Manager, reported that the Planning Commission staff had requested that the property at Cosby Drive and U.S. 60 be rezoned due to a revised development plan to change from use as a strip mall/shopping center to an eight unit apartment complex. This is informational only as the Revised Development Plan shall become final on Wednesday, August 26, 2020 unless an aggrieved party or the Board of Commissioners files written notice to the Planning Commission within the allotted twenty-one day time period to have the Board of Commissioners make the final decision.

APPOINTMENT: Utility Commission:
 Mr. Russell R. Sights – Term to Expire April 25, 2023

Motion by Commissioner Vowels, seconded by Commissioner Bugg, upon recommendation of Mayor Steve Austin, to appoint Mr. Russell R. Sights to fill the term of Jud Royster on the Utility Commission. Said term to expire April 25, 2023.

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

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

MEETING ADJOURN:

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

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

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

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 3:45 p.m.

ATTEST:

 Steve Austin, Mayor
 October 27, 2020

 Maree Collins, CKMC
 City Clerk