

# CITY OF HENDERSON – RECORD BOOK

*Record of Minutes of*               A Special Called               *Meeting on*               August 25, 2020          

A special called meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, August 25, 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  
 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  
 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. Scott Foreman, Fire Chief  
 Mr. Chris Watson, Fire Training Captain  
 Mrs. Christy Watson  
 Ms. Kamdyn Watson  
 Ms. Cindy Phillips, Fire Administrative Secretary  
 Mr. Jeremy Baxter, Assistant Fire Chief  
 Mr. Randy Jenkins, Fire Lieutenant  
 Mr. Blaine Alvey, Firefighter  
 Mr. Joshua Girtten, Firefighter  
 Mrs. Connie Galloway, Human Resources Director  
 Mr. Ray Nix, Code Administrator  
 Mr. Greg Nunn, Information Technology Director  
 Mr. Bill Raleigh, IT Support Specialist  
 Ms. Dawn Winn, Assistant Finance Director (via Zoom)  
 Mr. Doug Boom, Engineer (via Zoom)  
 Ms. Regenia Bender, Human Resources Benefits (via Zoom)  
 Mr. Tom Williams, HWU General Manager  
 Mr. Clay Bolin, Henderson Flash Owner  
 Mr. Drew Maize, Flash General Manager  
 Mr. John Bruce, President Ohio Valley League  
 Ms. Jeannie Amar  
 Ms. Caitlin Hudson  
 Ms. Christina Tinsley  
 Mr. Preston Herndon (via Zoom)  
 Mr. Kevin Patton, *the Gleaner* (via Zoom)

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**PRESENTATION:**     “Promotional Badge Pinning Ceremony”

MR. SCOTT FOREMAN, FIRE CHIEF, explained that the badge pinning ceremony marks the occasion of promotions within the department. Chief Foreman further explained that training within the department is very important, it sets the foundation for all that is to come. He then introduced Mr. Chris Watson and invited Ms. Kamdyn Watson to pin the new Fire Captain Badge on her father’s dress blue uniform.

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MR. CHRIS WATSON, Fire Training Captain, thanked his family, his work family and the community for allowing him this opportunity to service as Training Captain for the Henderson Fire Department. He indicated that he will do his best to start each new recruit out on a sound foundation and continue to grow the training program for the entire department.

MAYOR AUSTIN expressed appreciation to Fire Training Captain Watson for his dedication to the fire service.

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PRESENTATION:    “Henderson Flash Baseball”

CLAY BOLIN, Henderson Flash owner, gave a brief history of the summer collegiate baseball team in Henderson touching on the civic activities and community support the team has had through the years. He indicated that the team is ready for a new home field and asked for Commission support for a partnership for renovations of approximately \$84,000.00 to Park Field and a long-term lease for their use of the facility.

JOHN BRUCE, Ohio Valley League President, gave a brief background and history of the league and what the team means to tourism during a normal year.

MAYOR AUSTIN thanked them for their presentation and the support that they have shown in the community. He and several commissioners expressed recognition that no one wants to see Park Field continue to deteriorate and will work with our city manager and recreation director to see what our opportunities are and what our possibilities are.

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PRESENTATION:    “Human Trafficking Awareness Report”

JEANNIE AMAR, presented a proposal on awareness for human trafficking, and announced several upcoming public events to promote awareness including a Red Sand Project event where red sand is placed along cracks in sidewalks to represent those children that have fallen through the cracks and become victims.

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PRESENTATION:    “Henderson Water Utility Update”

TOM WILLIAMS, Henderson Water Utility General Manager, reported on a plan to relocate the HWU operations center to Henderson Corporate Park in an existing facility near the Municipal Service Center. He further reported that the Water and Sewer Commission has approved the plan at their most recent meeting.

MAYOR AUSTIN indicated that this is a good opportunity for HWU to renovate a space, with needed additional storage, and the opportunity of future synergies with the MSC facilities.

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APPROVAL OF CONSENT AGENDA:

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

Minutes:            June 9, 2020, Called Telecommunications Work Session  
                           June 9, 2020, Called Telecommunications Meeting  
                           June 24, 2020, Called Telecommunications Meeting

Resolutions:     40-20: Resolution Authorizing Acceptance of a Coronavirus Aid, Relief, and Economic Security (“CARES ACT”) Grant with the U.S. Department of Housing and Urban Development (HUD) for Funds in the Amount of \$150,498.00 to Provide Funding to Enable Communities to Prevent, Prepare for, and Respond to Coronavirus; and Authorizing the City Manager to Execute Any Documents on Behalf of the City of Henderson

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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 25, 2020

ATTEST:
Maree Collins, CKMC, City Clerk

ORDINANCE NO. 16-20: SECOND 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 INVOLABLE 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 Vowels, 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 ---- Nay:
Commissioner Vowels --- 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
August 25, 2020

ATTEST:
Maree Collins, CKMC, City Clerk

ORDINANCE NO. 17-20: SECOND 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

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MOTION by Commissioner Vowels, 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 ---- Nay:  
Commissioner Vowels --- 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  
August 25, 2020

ATTEST:

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

ORDINANCE NO. 18-20: SECOND 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 Bugg, 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, affixed his signature and the date thereto and ordered that the same be recorded.

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

ATTEST:

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

ORDINANCE NO. 19-20: SECOND 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 Royster, seconded by Commissioner Bugg, that the ordinance be adopted.

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

Commissioner Bugg ----- Aye:

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- Commissioner Royster -- Aye:
Commissioner Staton ---- Aye:
Commissioner Vowels --- 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
August 25, 2020

ATTEST:
Maree Collins, CKMC, City Clerk

REPORT: "Green River Area Federal Credit Union Request Relating to Gateway District Signage Regulations"

WILLIAM L. "BUZZY" NEWMAN, JR., City Manager, reported that in 2014 a Gateway District was developed with certain requirements and restrictions and one of those restrictions is the prohibition of flashing, traveling, animated LED or backlit signs of all types in the Gateway District. Green River Area Federal Credit Union desires to install one of the prohibited type signs and as a result in several conversations with them as well as their sign company representative, they have submitted a letter of request to the Mayor to reconsider the Gateway District zoning to allow this type of sign.

DAWN KELSEY, City Attorney, indicated that because this type of signage is prohibited there is no authority to overrule, but if the Board of Commissioners desires to make this a conditional-use which would allow an opportunity for adjacent property owners an opinion on the type of signage, staff can prepare a draft. Upon discussion it was determined that staff will review the current ordinance and present recommended changes at an upcoming meeting for direction and approval to send to the Planning Commission for a public hearing.

APPOINTMENT: Planning Commission:
Mr. David Williams – Term to Expire June 1, 2023

Motion by Commissioner Royster, seconded by Commissioner Vowels, upon recommendation of Mayor Steve Austin, to appoint Mr. David Williams to fill the term of Kevin Richard on the Planning Commission. Said term to expire June 1, 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:

EXECUTIVE SESSION: "Real Property"

MOTION by Commissioner Royster, seconded by Commissioner Vowels, that the Board of Commissioners go into Executive Session pursuant to the provisions of KRS 61.810(1)(B) for the purpose of deliberation on the purchase of property located in the Central Business District.

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:

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WHEREUPON, Mayor Austin declared the Board adjourned into Executive Session.

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MEETING RECONVENED:

MOTION by Commissioner Royster, seconded by Commissioner Vowels, the Board of Commissioners reconvened into regular session.

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 reconvened the Board into regular session.

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MEETING ADJOURN:

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

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 4:30 p.m.

ATTEST:

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 Steve Austin, Mayor  
 November 10, 2020

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 Maree Collins, CKMC  
 City Clerk