

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on March 22, 2016

A regular meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, March 22, 2016, 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 Charles Johnson, Norris Chapel Baptist Church, followed by Master Aiden Hite leading the assemblage in recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Steve Austin presiding:

PRESENT:

Commissioner Jan Hite
 Commissioner X R. Royster, III
 Commissioner Robert M. (Robby) Mills
 Commissioner Jesse Johnston, IV

ALSO PRESENT:

Mr. William L. (Buzzy) Newman, Jr., Acting City Manager
 Mrs. Dawn Kelsey, City Attorney
 Ms. Maree Collins, City Clerk
 Mr. Robert Gunter, Finance Director
 Mr. Greg Nunn, Information Technology Director
 Mrs. Connie Galloway, Human Resources Director
 Mrs. Donna Stinnett, Public Information Officer
 Mr. Brad Schneider, County Judge Executive
 Mrs. Donna Crooks, KYNDLE Interim President
 Ms. Margaret Ridley, KYNDLE Vice President-Chamber
 Mr. Jason Barasone, Hafer PSC
 Mr. Jeff Justice, Hafer PSC
 Mr. Tim Brewer, New World Systems
 Mr. Mark Dvorak, New World Systems
 Ms. Brenda Wethington, Mass Transit Superintendent
 Mr. Dylan Ward, Engineering Assistant
 Mr. Brian Bishop, City-County Planning Director
 Mr. Jeff Gregory, Human Relations Comm. Exec. Director
 Ms. Sarah Stewart, Downtown Henderson Partnership
 Mrs. Darlene Ware, Housing Authority of Henderson
 Ms. Alicia Boyette, Experiencing Autism Together
 Mrs. Dawn Wheeler, Experiencing Autism Together
 Mrs. Rebecca Hobby, Experiencing Autism Together
 Mr. Holden Hobby, Experiencing Autism Together
 Mrs. Tammy Baird, Experiencing Autism Together
 Mrs. Nancy Boyette, Experiencing Autism Together
 Mr. Tom Davis
 Ms. Karen Price
 Mr. Mike Richardson, Police Reserve Officer
 Ms. Laura Acchiardo, *the Gleaner*

PROCLAMATION: “Fair Housing Month”

MAYOR AUSTIN presented the proclamation for Fair Housing Month. Mrs. Darlene Ware, Henderson-Henderson County Human Relations Commission Chair, Mrs. Nancy Boyette and Reverend Charles Johnson were in attendance to receive the “Fair Housing Month” proclamation.

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PROCLAMATION: “National Autism Awareness Month”

MAYOR AUSTIN presented the proclamation to Experiencing Autism Together. Mrs. Rebecca Hobby and Mrs. Dawn Wheeler were in attendance to receive the "National Autism Awareness Month" joint City/County proclamation.

MRS. REBECCA HOBBY informed everyone that there were two events planned during the month of April. The sixth annual autism walk will be April 30th at Audubon Mill Park. The walk will be a family oriented fundraiser with activities but there is no fee to walk. The other event is April 7th Tumbleweed Restaurant will donate 15% of your bill to the group to help local families that deal with autism.

MAYOR AUSTIN also mentioned that starting April 1st in recognition of Autism Awareness month there will be blue lights on the front of the Municipal Center and the Courthouse.

PRESENTATION: “Kyndle Annual Report”

MRS. DONNA CROOKS noted that she is now the Acting President of Kyndle. Brad Schneider the previous President and CEO took a job at the County. Mrs. Crooks reported on current projects, projects from the previous year, and introduced a new project. She also recognized Ms. Margaret Ridley, Vice President of the Chamber of Commerce. Kyndle is currently working on over 25 active projects located in the four county region. Kyndle will also be attending 12-15 marketing trips that include meeting with consultants and companies that might be interested in locating here. Kyndle staff is excited to be working with the City of Henderson on the Borax Drive Industrial Site. Meetings were conducted this past week to look at all the opportunities that are available for that property.

Kyndle announced nine projects over the past year and one third of those projects were in the City of Henderson. Hercules Manufacturing added 14 jobs and \$250,000.00 investment. Pittsburg Tank and Tower and Colonial Assisted Living are also included in those projects. In total over 500 jobs have been announced and \$89 million dollars in investment which equates to \$861,000,000.00 over a five year period of time in economic impact. These figures include primary jobs that are being created by the companies as well as construction and other secondary jobs that will be created as a result of these projects.

Opportunity 2016 was the capital investment campaign that was started in 2011 and will end in June of 2016. Kyndle has met, and exceeded, the goal that was set at \$100,000,000.00 in capital investment; the campaign is over \$200,000,000.00 at this time. Kyndle has assisted companies that have created over 2,000 jobs at 107% of the goal.

A new program that has been introduced is Kyndle Warriors. It has been challenging for some existing industries to find skilled available workers. Kyndle has hired Mr. Larry Wheatley with Blue Star Consulting to visit the different military installations to talk to folks who are getting ready to leave the service that are looking for new jobs and a new place to live. Kyndle will connect them with stakeholder companies that have job openings. This program is designed to add another outlet to fill those highly skilled job positions.

VERBATIM DISCUSSION IS ON TAPE OF THIS MEETING.

APPROVAL OF CONSENT AGENDA:

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

Minutes: March 8, 2016, Regular Meeting

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March 15, 2016, Called Work Session

RESOLUTION 12-16: RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION FOR PUBLIC TRANSIT ASSISTANCE.

Motion by Commissioner X R. Royster, seconded by Commissioner Robert Mills, to approve the items on the Consent Agenda.

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

- Commissioner Hite ----- Aye:
Commissioner Royster ---- Aye:
Commissioner Mills ----- Aye:
Commissioner Johnston --- Aye:
Mayor Austin ----- Aye:

WHEREUPON, Mayor Austin declared the minutes approved and the resolution adopted, affixed his signature and the date thereto and ordered that the same be recorded.

/s/ Steve Austin
Steve Austin, Mayor
March 22, 2016

ATTEST:
Maree Collins, City Clerk

ORDINANCE 08-16: SECOND READ
ORDINANCE AMENDING BUDGET AND APPROPRIATION ORDINANCE
AN ORDINANCE AMENDING BUDGET AND APPROPRIATION ORDINANCE
FOR THE FISCAL YEAR COMMENCING JULY 1, 2015 AND ENDING JUNE 30, 2016
FOR THE CITY OF HENDERSON, KENTUCKY

MOTION by Commissioner Jan Hite, seconded by Commissioner Jesse Johnston, that the Ordinance be adopted.

MAYOR AUSTIN clarified to the public that these large numbers are not added money; these department totals are after smaller amounts are added in at the mid-term. This is for the whole year.

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

- Commissioner Hite ----- Aye:
Commissioner Royster ---- Aye:
Commissioner Mills ----- Aye:
Commissioner Johnston --- 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 22, 2016

ATTEST:
Maree Collins, City Clerk

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ORDINANCE 11-16: FIRST READ

MRS. DONNA CROOKS, KYNDLE Acting President, explained that in May of 2015 Dana indicated that they were ready to go final on the Kentucky Business Investment application with the Kentucky Economic Development Finance Authority. An ordinance was first read in May and the second reading was in June. The ordinance became effective June 15, 2015. On June 25, 2015 the KBI application went before the KEDFA Board in Frankfort and was approved. Somewhere in between the time Dana had requested the ordinance and the KEDFA Board meeting, the number of jobs was changed. So tonight we are requesting the number of jobs listed in the ordinance be revised from 250 to 206.

MRS. DAWN KELSEY, City Attorney, indicated that her understanding from the Economic Development Cabinet was that when Dana filled out the forms they were unclear as to whether they should or should not include temporary and part-time workers. Those should not have been included in the base number. Dana and KEDFA realized the application needed to be revised to show the 206 number rather than the 250 number. That is how the state approved it, but no one from the state ever contacted Kyndle or the City to make the necessary change. The correction was made after our ordinance had been adopted. In order for Dana to qualify under this economic development program our number needs to match the KEDFA number.

ORDINANCE NO. 11-16: ORDINANCE AMENDING ORDINANCE NO. 16-15 AUTHORIZING AND DIRECTING THE REBATE OF ONE PERCENT (1.0%) OF THE WAGES, SALARIES OR OTHER COMPENSATION PAID BY DANA COMMERCIAL VEHICLE MANUFACTURING, LLC IMPOSED AND LEVIED AS OCCUPATIONAL LICENSE FEES DUE AND PAYABLE TO THE CITY OF HENDERSON, KENTUCKY, BY ORDINANCE, FROM THE SALARIES, WAGES AND OTHER COMPENSATION TO BE PAID TO NEW EMPLOYEES HIRED OVER THE BASELINE BY DANA COMMERCIAL VEHICLE MANUFACTURING, LLC, PROVIDED SAID COMPANY MEETS THE CRITERIA SET FORTH IN ITS APPLICATION FOR INCENTIVES UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM.

MOTION by Commissioner Jesse Johnston, seconded by Commissioner Robert Mills, that the ordinance be adopted.

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

Commissioner Hite ----- Aye:
 Commissioner Royster ---- Aye:
 Commissioner Mills ----- Aye:
 Commissioner Johnston --- 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. 12-16: FIRST READ

MR. BRIAN BISHOP, Planning Director, indicated the public improvements include water and sewer and storm water infrastructure. It also includes 797 linear feet of roadway. The improvements have been inspected and approved by the appropriate Henderson Water Utility and City engineers and meet the standards of the subdivision regulations.

ORDINANCE NO. 12-16: ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS AN ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS FOR PROPERTY LOCATED AT MERRILL PLACE COMMERCIAL SUBDIVISION, SECTIONS 1 AND 2

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MOTION by Commissioner Robert Mills, seconded by Commissioner Jesse Johnston, that the ordinance be adopted.

MAYOR AUSTIN further explained that the developer is responsible for constructing the infrastructure and when it passes inspection it is added into the City’s inventory.

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

- Commissioner Hite ----- Aye:
- Commissioner Royster ---- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Johnston --- 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. 13-16: FIRST READ

MR. BRIAN BISHOP, Planning Director, indicated that the public improvements include sanitary sewer infrastructure. The improvements were inspected by Henderson Water Utility staff and meet the minimum standards of the subdivision regulations.

ORDINANCE NO. 13-16: ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS
AN ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS FOR PROPERTY
LOCATED AT ADAMS LANE KNOWN AS COLONIAL SENIOR LIVING

MOTION by Commissioner Jesse Johnston, seconded by Commissioner X R. Royster, that the ordinance be adopted.

MAYOR AUSTIN added that the Water and Sewer Commission approved a resolution at their meeting last night recommending the acceptance of this infrastructure.

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

- Commissioner Hite ----- Aye:
- Commissioner Royster ---- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Johnston --- 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. 09-16: FIRST READ (TABLED)

MOTION by Commissioner Jesse Johnston, seconded by Commissioner Jan Hite, to take Ordinance No. 09-16 off the table.

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

- Commissioner Hite ----- Aye:
- Commissioner Royster ---- Nay:
- Commissioner Mills ----- Aye:
- Commissioner Johnston --- Aye:
- Mayor Austin ----- Aye:

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ORDINANCE NO. 09-16: ORDINANCE AMENDING JOB CLASSIFICATIONS AND PAY PLAN AND BUDGETED POSITIONS

ORDINANCE AMENDING JOB CLASSIFICATIONS AND PAY PLAN BY RECLASSIFYING THE ENGINEERING ASSISTANT POSITION IN THE ENGINEERING DIVISION OF THE ADMINISTRATION DEPARTMENT TO A PUBLIC WORKS ENGINEER POSITION IN THE ADMINISTRATION DIVISION OF THE PUBLIC WORKS DEPARTMENT, AND TO AMEND THE AMENDED FISCAL 2016 BUDGET TO CHANGE THE NUMBER AND CLASSIFICATIONS OF CITY EMPLOYEES AS RECITED IN THE ANNUAL AMENDED BUDGET

MOTION by Commissioner Robert Mills, seconded by Mayor Austin, that the ordinance be adopted.

MAYOR AUSTIN clarified that there was a second ordinance besides this original ordinance that is an alternate. This tabled ordinance will require a vote on this first, and if it passes that will be the ordinance and if it does not pass we will go to the supplemental ordinance and read it.

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

Commissioner Hite ----- Nay:
 Commissioner Royster ---- Nay:
 Commissioner Mills ----- Aye:
 Commissioner Johnston --- Nay:
 Mayor Austin ----- Nay:

The motion failed.

ORDINANCE No. 10-16: FIRST READ (REVISED)

ORDINANCE AMENDING JOB CLASSIFICATIONS AND PAY PLAN AND BUDGETED POSITIONS

ORDINANCE AMENDING JOB CLASSIFICATIONS AND PAY PLAN BY ADDING ONE PUBLIC WORKS ENGINEER POSITION IN THE ADMINISTRATION DIVISION OF THE PUBLIC WORKS DEPARTMENT, AND AMENDING THE AMENDED FISCAL 2016 BUDGET TO CHANGE THE NUMBER AND CLASSIFICATIONS OF CITY EMPLOYEES AS RECITED IN THE ANNUAL AMENDED BUDGET

MOTION by Commissioner Robert Mills, seconded by Commissioner Jan Hite, that the ordinance be adopted.

COMMISSIONER ROYSTER commented that a jump of six pay grades is too much of an increase for the proposed position. He asked if any other employee in the City had moved up that much? He requested more information before the ordinance is confirmed.

MR. NEWMAN, Acting City Manager, explained that the proposed position was evaluated and compared to existing pay grade classifications. Job duties and responsibilities align within our pay grades and upon evaluation of the proposed new position; it was found that it fit a pay grade 30. Other positions within the pay grade 30 are: Street Superintendent, Sanitation Superintendent, HWU Construction Superintendent, and Facilities Superintendent. That was the basis for making this recommendation.

COMMISSIONER ROYSTER asked how many employees the position would be supervising.

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MR. NEWMAN indicated that no employees would be directly supervised; however, the employee will be working with his peers within the Public Works department and providing direction to some of the hourly employees as it relates to the paving and concrete operations and may participate in their evaluations, but will not be responsible for doing the evaluations of those employees.

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

Commissioner Hite ----- Aye:
Commissioner Royster ---- Nay:
Commissioner Mills ----- Aye:
Commissioner Johnston --- 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 14-16: FIRST READ
ORDINANCE RELATING TO PERSONNEL

ORDINANCE AMENDING SECTION 2-49., *ASSISTANT CITY MANAGER*, OF ARTICLE III, *CITY MANAGER*, DIVISION I, *GENERALLY*, OF CHAPTER 2, *ADMINISTRATION*, OF THE CITY'S CODE OF ORDINANCES

MOTION by Commissioner Robert Mills, seconded by Commissioner Jan Hite, that the ordinance be adopted.

MRS. DAWN KELSEY, City Attorney, explained that the original ordinance was passed in 2007 when the position of the Assistant City Manager was created. That ordinance had the Assistant City Manager participating in the CERS (Kentucky Retirement System); however, the Assistant City Manager actually went into the ICMA (International City Manager's Association) retirement system. The error was found when the ICMA sent a new tax form. This is a housekeeping item to address our current policy.

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

Commissioner Hite ----- Aye:
Commissioner Royster ---- Aye:
Commissioner Mills ----- Aye:
Commissioner Johnston --- 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.

MUNICIPAL ORDER 15-16:

MR. GUNTER, Finance Director, explained that these vehicles would be used by the Utility Meter Readers and the Utility Servicicers. It has been several years since we were able to buy small vehicles with Ford and Chevrolet discontinuing the Ranger and the S-10. Bids on the Chevrolet Colorado have come in a lot higher than anticipated so we were buying the less expensive Ford F-150s. Now that Nissan is offering the Frontier; we can go back to a smaller vehicle for the meter readers. Two of the vehicles will replace older vehicles and one will replace an F-150 that will be transferred to the Parks division.

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MUNICIPAL ORDER 15-16: MUNICIPAL ORDER AWARDING BID FOR PURCHASE OF THREE (3) 2016 NISAN FRONTIER SMALL EXTENDED CAB PICK-UP TRUCKS TO D-PATRICK, INC. OF EVANSVILLE, INDIANA IN THE TOTAL AMOUNT OF \$59,043.75

MOTION by Commissioner Jan Hite, seconded by Commissioner Robert Mills, to adopt the municipal order awarding the bid for the purchase of three (3) 2016 Nissan Frontier extended cab pickup trucks from D-Patrick, Inc., Evansville, Indiana in the total amount of \$59,043.75

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

Commissioner Hite ----- Aye:
 Commissioner Royster ---- Aye:
 Commissioner Mills ----- Aye:
 Commissioner Johnston --- 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 22, 2016

ATTEST:
 Maree Collins, City Clerk

MUNICIPAL ORDER 16-16:

MR. JEFF JUSTICE, Hafer PSC, introduced Mr. Jason Barisano, Project Architect, Hafer PSC. Mr. Barisano reported that there was a great deal of interest from general contractors with eight bids received for the project on February 25th. The lowest evaluated bidder was Danco Construction.

MUNICIPAL ORDER 16-16: MUNICIPAL ORDER AWARDING BID FOR THE HENDERSON MUNICIPAL SERVICES CENTER PROJECT TO DANCO CONSTRUCTION, INC., OF EVANSVILLE, IN, FOR THE BASE BID AMOUNT OF \$6,100,000.00 PLUS, ADDITIONAL ALTERNATIVE BID IN THE AMOUNT OF \$279,845.00 FOR A TOTAL OF \$6,379,845.00

MOTION by Commissioner Robert Mills, seconded by Commissioner X R. Royster, to adopt this municipal order awarding bid for the Henderson Municipal Services Center Project to Danco Construction, Inc. of Evansville, Indiana.

COMMISSIONER MILLS clarified that the alternate items not included were the vehicle wash and the extension of the existing building to create a larger oil change area.

COMMISSIONER ROYSTER asked when the estimated start date would be.

MR. JEFF JUSTICE, Hafer PSC, answered that he talked to Mr. Charlie Nickel from Danco Construction on his way to the meeting this evening and Mr. Nickel requested that Mr. Justice relay to the Board of Commissioners that his superintendent is ready and could be on site as early as tomorrow. They have been reviewing the drawings and are ready to write their contracts.

MAYOR AUSTIN thanked them for their work and indicated that this would be a tremendous addition to our community.

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

- Commissioner Hite ----- Aye:
- Commissioner Royster ---- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Johnston --- 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 22, 2016

ATTEST:
Maree Collins, City Clerk

MUNICIPAL ORDER 17-16:

MR. GREG NUNN, Information Technology Director, introduced Mr. Mark Dvorak and Mr. Tim Brewer from Tyler Technologies, formerly New World Systems.

MRS. DAWN KELSEY, City Attorney, added that the contract is not quite finalized. The exact language to bring it into compliance with House Bill 5 has not been work out, but all the dollar amounts are finalized.

MUNICIPAL ORDER 17-16: MUNICIPAL ORDER AUTHORIZING MAYOR AUTHORITY TO EXECUTE AMENDMENT TO THE SOFTWARE LICENSE AND SERVICE AGREEMENT WITH NEW WORLD SYSTEMS CORPORATION/TYLER TECHNOLOGIES, INC. FOR THE UPGRADE AND CONVERSION OF THE CITY'S FINANCIAL MANAGEMENT SOFTWARE

MOTION by Commissioner Jan Hite, seconded by Commissioner X R. Royster, to adopt the municipal order authorizing the Mayor to execute an Amendment to the Software License and Service Agreement with New World Systems Corporation/Tyler Technologies, Inc. for the upgrade and conversion of the City’s financial management software data.

COMMISSIONER HITE noted that this had been a long time coming.

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

- Commissioner Hite ----- Aye:
- Commissioner Royster ---- Aye:
- Commissioner Mills ----- Aye:
- Commissioner Johnston --- 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
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ATTEST:
Maree Collins, City Clerk

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CITY MANAGER’S REPORT:

MR. NEWMAN, Acting City Manager, asked Mrs. Donna Stinnett, Public Information Officer, to report on a project she has been working on since she came on board just over a month ago. This project ties in with the Henderson Vision Plan.

MRS. DONNA STINNETT, Public Information Officer, explained that in her previous career she heard people say countless times that we needed a community calendar where everyone could put their events on it so the community could know what’s going on as they planned events. Through a partnership between the City and the Henderson County Tourist Commission office we have found a vendor to provide a community calendar hub. It is really visual and easy for the public to submit their events and the City still has the oversight of approving those items to the calendar. There are several ways it can be displayed such as a running list, a chronological list, or a very splashy version. If any community organization wants to embed the calendar on their own website they can filter it in a number of ways. It can be filtered by category, venues, cost of event, and type of activity whether it’s for children and family or a sports event. We are looking forward to all of you seeing it very soon.

MAYOR AUSTIN added that it is easy to navigate and that it is going to put us where we have wanted to be as far as a calendar for our community. He thanked the Tourist Commission staff for their help on it, too. They have been very cooperative on this project.

COMMISSIONER’S REPORT:

COMMISSIONER HITE wanted to point out one thing relating to the ordinance amending the job classification and pay plan. She indicated that it is important for the public to know that this is the only position that requires a Bachelors Degree. The position requires a specific set of skills and a pay grade 30 is not out of the question for that level of education and skill.

EXECUTIVE SESSION: PERSONNEL AND LITIGATION

MOTION by Commissioner X R. Royster, seconded by Commissioner Jan Hite, to go into Executive Session pursuant to the provisions of KRS 61.810 (1) (f) for the purpose of discussion which might lead to the discipline, or dismissal of an individual employee and pursuant to provisions of KRS 61.810(1)(c) for the discussion of proposed litigation on behalf of the City.

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

Commissioner Hite ----- Aye:
 Commissioner Royster ---- Aye:
 Commissioner Mills ----- Aye:
 Commissioner Johnston --- Aye:
 Mayor Austin ----- Aye:

MEETING RECONVENE:

MOTION by Commissioner X R. Royster, seconded by Commissioner Jan Hite that the Board of Commissioners reconvenes in open session.

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

- Commissioner Hite ----- Aye:
Commissioner Royster ---- Aye:
Commissioner Mills ----- Aye:
Commissioner Johnston --- Aye:
Mayor Austin ----- Aye:

RESOLUTION NO. 13-16:

RESOLUTION TO RETAIN CHARLES D. COLE OF STURGILL TURNER LAW FIRM TO PROVIDE LEGAL REPRESENTATION TO THE CITY OF HENDERSON FOR PERSONNEL MATTERS

MOTION by Commissioner Jan Hite, seconded by Commissioner Robert Mills, to adopt this resolution retaining Charles D. Cole of Sturgill Turner Law Firm to provide legal representation to the City of Henderson for personnel matters.

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

- Commissioner Hite ----- Aye:
Commissioner Royster ---- Aye:
Commissioner Mills ----- Aye:
Commissioner Johnston --- Aye:
Mayor Austin ----- Aye:

WHEREUPON, Mayor Austin declared the resolution adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Steve Austin
Steve Austin, Mayor
March 22, 2016

ATTEST:
Maree Collins, City Clerk

MEETING ADJOURN:

MOTION by Commissioner X R. Royster, seconded by Commissioner Jan Hite, to adjourn the meeting.

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

- Commissioner Hite ----- Aye:
Commissioner Royster ---- Aye:
Commissioner Mills ----- Aye:
Commissioner Johnston --- Aye:
Mayor Austin ----- Aye:

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 6:25 p.m.

ATTEST:
Maree Collins, City Clerk

Steve Austin, Mayor
April 12, 2016