

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of           A Regular           Meeting on           July 12, 2016          

A regular meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, July 12, 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 Britney Smith, Habitat for Humanity Executive Director, followed by recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Steve Austin presiding:

PRESENT:

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

ALSO PRESENT:

Mr. Russell R. Sights, City Manager  
 Mrs. Dawn Kelsey, City Attorney  
 Ms. Maree Collins, City Clerk  
 Mr. William L. Newman, Jr. Assistant City Manager  
 Mr. Charles Stauffer, Police Chief  
 Mr. Scott Foreman, Fire Chief  
 Mrs. Donna Stinnett, Public Information Officer  
 Ms. Tammy Willett-Speaks, Community Development Specialist  
 Mr. Joe Speaks  
 Ms. Heather Good, 44 News, and Cameraman  
 Ms. Brittany Ross, SurfKY  
 Mr. Tom Lovett, *the Gleaner* Editor  
 Mr. Mike Richardson, Police Reserve Officer

---

APPROVAL OF CONSENT AGENDA:

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

Minutes:        June 28, 2016, Regular Meeting

Resolutions:  40-16: Resolution Authorizing Submission of Application for a HOME Grant to the Kentucky Housing Corporation in the Amount of \$80,000, To be Supplemented with Community Development Block Grant (CDBG) Funds for Homeowner Reconstruction Projects, and Acceptance of Grant if Awarded

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

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

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

WHEREUPON, Mayor Austin declared the consent items approved.

/s/ Steve Austin  
 Steve Austin, Mayor  
 July 12, 2016

ATTEST:

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

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on July 12, 2016

ORDINANCE NO. 24-16: SECOND READ
ORDINANCE AMENDING ZONING REGULATIONS

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF HENDERSON AS FOLLOWS: ARTICLE II, DEFINITIONS, SECTION 2.01; ARTICLE IX, OFF STREET PARKING AND LOADING REQUIREMENTS TABLE INSET; ARTICLE XXI, H-C, HIGHWAY COMMERCIAL DISTRICT, SECTION 21.03 CONDITIONAL USES; ARTICLE XXIII, M-1, LIGHT INDUSTRIAL DISTRICT, SECTION 23.03, CONDITIONAL USES; ARTICLE XXIV, M-2, HEAVY INDUSTRIAL DISTRICT, SECTION 24.03 CONDITIONAL USES AND ARTICLE XXV, AG, AGRICULTURE DISTRICT, SECTION 25.03, CONDITIONAL USES, TO ALLOW AN INDOOR SHOOTING RANGE AS A CONDITIONAL USE GRANTED BY THE BOARD OF ZONING

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

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

- Commissioner Mills ----- Aye:
Commissioner Johnston --- Aye:
Commissioner Hite ----- Aye:
Commissioner Royster ---- 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
July 12, 2016

ATTEST:
Maree Collins, City Clerk

ORDINANCE NO. 25-16: SECOND READ
ORDINANCE RELATING TO ALCOHOLIC BEVERAGES

AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, SEC. 4-35, FEES, OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

MOTION by Commissioner Jan Hite, seconded by Commissioner X R. Royster, that the ordinance be adopted.

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

- Commissioner Mills ----- Aye:
Commissioner Johnston --- Aye:
Commissioner Hite ----- Aye:
Commissioner Royster ---- 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
July 12, 2016

ATTEST:
Maree Collins, City Clerk

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of     A Regular     Meeting on     July 12, 2016    

ORDINANCE NO. 26-16: SECOND READ  
ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS

AN ORDINANCE AMENDING ACCEPTING PUBLIC IMPROVEMENTS FOR PROPERTY LOCATED AT STADIUM DRIVE KNOWN AS GARDENSIDE COMMERCIAL SUBDIVISION LOTS 13-25

MOTION by Commissioner X R. Royster, seconded by Commissioner Jan Hite, that the ordinance be adopted.

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

- Commissioner Mills ----- Aye:
- Commissioner Johnston --- Aye:
- Commissioner Hite ----- Aye:
- Commissioner Royster ---- 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  
July 12, 2016

ATTEST:  
Maree Collins, City Clerk \_\_\_\_\_

MR. SCOTT FOREMAN, Fire Chief, explained that this mutual aid agreement between the Henderson Fire Department and the Evansville Fire Department is basically a reciprocal agreement which increases each of our resources and is similar to other agreements that the City has in place with Daviess County and Henderson County.

RESOLUTION NO. 41-16: RESOLUTION APPROVING A MUTUAL AID ASSISTANCE AGREEMENT WITH THE CITY OF EVANSVILLE

MOTION by Commissioner Jan Hite, seconded by Commissioner Robert M. Mills to adopt the resolution approving a Mutual Aid Assistance Agreement between the City and the City of Evansville, Indiana for fire department and dive rescue team back-up emergency response to each other.

MR. RUSSELL R. SIGHTS, City Manager, expressed his appreciation to the City of Evansville for their participation and their willingness to cross state lines in this joint effort. Chief Foreman added that we work with them now on water rescue and this expands that and could be useful when the lane closings start for the impending bridge work.

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

- Commissioner Mills ----- Aye:
- Commissioner Johnston --- Aye:
- Commissioner Hite ----- Aye:
- Commissioner Royster ---- 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  
July 12, 2016

ATTEST:  
Maree Collins, City Clerk \_\_\_\_\_

**CITY OF HENDERSON – RECORD BOOK**

Record of Minutes of           A Regular           Meeting on           July 12, 2016          

MR. RUSSELL R. SIGHTS, City Manager, explained that this is the annual contract for purchase of fire department every day station uniforms as opposed to the turnout gear that was done at a previous meeting.

Chief Foreman recommended accepting the low bid of Siegel’s, indicating that they had provided good service in the past and respond quickly to resolve incorrect items.

MUNICIPAL ORDER NO. 36-16:

MUNICIPAL ORDER AWARDING BID FOR THE PURCHASE OF UNIFORMS FOR THE FIRE DEPARTMENT TO SIEGEL’S UNIFORMS, EVANSVILLE, INDIANA, IN THE TOTAL AMOUNT OF \$31,981.50

MOTION by Commissioner Robert M. Mills, seconded by Commissioner Jesse Johnston, to adopt the municipal order awarding the bid for the purchase of Fire department uniforms to Siegel’s Uniforms of Evansville, Indiana in strict accordance with their bid as submitted pursuant to Bid Reference 16-18.

COMMISSIONER HITE asked about item #14-long sleeve crew neck shirts. She asked, “are we not being provided those by Siegel’s?”

Chief Foreman responded that even though it wasn’t listed as an exception by Gall’s they also took exception to that item. These Cordura blend no melt shirts have been discontinued so we knew that we probably were not going to be able to get them. We just won’t have a long sleeve t-shirt in that style. Chief Foreman indicated that even with that being taken out of the Gall’s bid, Siegel’s is still the low bid.

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

- Commissioner Mills ----- Aye:
- Commissioner Johnston --- Aye:
- Commissioner Hite ----- Aye:
- Commissioner Royster ---- 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  
July 12, 2016

ATTEST:  
Maree Collins, City Clerk \_\_\_\_\_

CITY MANAGER’S REPORT:

CITY MANAGER Russell R. Sights reported that representatives from the Downtown Henderson Partnership will be in attendance at the July 26<sup>th</sup> Board of Commissioners meeting to discuss the results of the requested survey of their membership relating to merchandising on public right-of-way.

Mr. Sights also reported on the status of the Employee Clinic. The City has submitted revisions to the Agreements and is awaiting final legal review from the other parties involved.

Mr. Sights further reported that there would be no work session next Tuesday.

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of     A Regular     Meeting on     July 12, 2016    

CITY ATTORNEY’S REPORT:

Mrs. Dawn Kelsey, City Attorney, reported that the final *Requests for Wastewater Service Outside the City and Consents Not to Oppose Annexation* for Finley Addition will be presented to the Henderson Water & Sewer Commission for approval at their next meeting on Monday, July 18<sup>th</sup>. Once the requests for service are approved, they will be on your July 26<sup>th</sup> agenda. There are a couple of properties in that area that may not consent to annexation, but they will not be needed because the other properties will be contiguous without them. Mrs. Kelsey stated, “so the question now is, is this an area that you would like to annex into the City?” She indicated that it was her belief that when the Finley Addition sewer project began the thought of annexation of the area was part of the overall plan. She further indicated that if there is interest tonight, we will move forward with having our surveyor work on a certified metes and bounds survey in order to bring that annexation to you in August or September.

Mayor Austin asked if there was anyone opposed to that proposal. Hearing none, he asked Mrs. Kelsey to proceed.

COMMISSIONER’S REPORT:

MAYOR AUSTIN indicated that there was neither need for an executive session nor any board appointments and requested a motion of adjournment.

MEETING ADJOURN:

MOTION by Commissioner X R. Royster, seconded by Commissioner Robert M. Mills, to adjourn the meeting.

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

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

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 5:44 p.m.

ATTEST:

\_\_\_\_\_  
 Steve Austin, Mayor  
 July 26, 2016

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