

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of           A Regular           Meeting on           April 24, 2018          

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, April 24, 2018, 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, Executive Director, Habitat for Humanity, followed by recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Steve Austin presiding:

PRESENT:

Commissioner Patti Bugg  
 Commissioner Robert N. Pruitt, Sr.  
 Commissioner Bradley S. Staton  
 Commissioner Austin P. Vowels

ALSO PRESENT:

Mr. Russell R. Sights, 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. Trace Stevens, Parks, Recreation & Cemeteries Director  
 Mr. Scott Foreman, Fire Chief  
 Mr. Jason Hargitt, Interim Police Chief  
 Mr. Ray Nix, Code Administrator  
 Mr. John Stroud, Code Enforcement Officer  
 Mrs. Connie Galloway, Human Resources Director  
 Mr. Jeremy Baxter, Assistant Fire Chief  
 Mr. Joshua Dixon, Fire Lieutenant  
 Mr. Christopher Watson, Fire Lieutenant  
 Mr. Jeffrey Yeckering, Firefighter  
 Mr. Matthew Anderson, Firefighter  
 Mrs. Jennifer Latimer, Executive Assistant  
 Mr. Tom Williams, HWU General Manager  
 Mr. Todd Bowley, HWU Chief Financial Officer  
 Mr. Paul Bird, Water & Sewer Commission Chair  
 Dr. Gary Jennings, Water & Sewer Commission  
 Ms. Leslie Newman  
 Ms. Shannon Long, Methodist Hospital  
 Ms. Christa Cole, Methodist Hospital  
 Mr. Rich Nading, Green River District Health Department  
 Ms. Kelly Schneider, Easter Seals Rehabilitation Center CEO  
 Mr. Larry Stone, Audubon Beekeepers Association President  
 Mr. L. V. Duggger, Audubon Beekeepers Association Vice President  
 Ms. Lindsay Locasto, Downtown Henderson Partnership  
 Mr. Scott Davis, Raymond B. Preston Family Foundation/Field & Main Bank  
 Mr. Brandon Williams, Henderson County Kentucky Farm Bureau President  
 Mr. Bob Watson, Henderson County Kentucky Farm Bureau Vice President  
 Mr. Skip King, Henderson County Kentucky Farm Bureau Board Member  
 Mr. Chase Fulcher, Henderson County Kentucky Farm Bureau Agency Manager  
 Mr. Jeff King, HC KFB Member & Corydon Volunteer Fire Department Assistant Chief  
 Mr. Brett Barnett  
 Mr. Dennis Branson  
 Ms. Britney Smith, Executive Director, Habitat for Humanity  
 Mr. Doug White, *the Gleaner*  
 Mr. Mike Richardson, Police Reserve Officer

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APPEARANCE OF CITIZENS:

BRETT BARNETT, reported on behalf of neighbors in Frontier Subdivision and Balmoral Subdivision that the coyote problem is getting worse again and they feel that it is the City's responsibility to do something about it. He reported that several neighbors have encountered the coyotes and they are not afraid of people. He stated that someone is going to get hurt.

MAYOR AUSTIN explained that he and Judge Schneider have been discussing possible solutions on reducing the coyote population within the City and the County; however they are wild animals and are regulated by the state.

COMMISSIONER STATON indicated that he and a few other independent citizens worked on a collaborative project with the Kentucky Department of Fish and Wildlife, the County, and farm landowners, back in December and January, during trapping season, to have a qualified company assist with population reduction.

DISCUSSION WAS HELD regarding the City possibly assisting with funds to work with the state on population reduction; that research indicates that when animals are removed, more offspring are produced to replace them; that the citizens believe this is a City problem since they live in the City and pay taxes to the City; everyone agreed that residents' safety is an important concern; and that there are multiple agency jurisdictions that have to agree on how best to address the issue and therefore it may take some time.

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DENNIS BRANSON, requested that the Board of Commissioners ask that the Planning Commission review and make recommendation for additional zoning locations for Self Storage units. He explained that he serves on several committees and has been in discussion with the City's Code Enforcement department as well as Planning Commission staff for the last two years on this. He indicated that the issue again presented itself when during the design of the new Colonial Assisted Living facility discussion came up about having self-storage in close proximity to assist the residents. Mr. Branson further explained that this is a phenomenon across the nation with more and more Baby-boomers retiring and downsizing from large homes into smaller apartments and assisted living facilities. The City's current Zoning Regulations only allow these storage units in the Industrial Zone and he is proposing that they be included in areas where they will be used such as General Business, Neighborhood Business, and R-4. He is further proposing that in these additional zones, they be conditional uses so that the general look and feel of the units can be controlled to better blend into the neighborhoods.

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PROCLAMATION: "Arbor Day"

MAYOR AUSTIN proclaimed April 27, 2018, as "Arbor Day" in the City of Henderson and urged all citizens to support efforts to protect our trees and woodlands and to support our city's urban forestry program. Mr. Trace Stevens, Parks & Recreation Director accepted the proclamation. He invited everyone to attend the Arbor Day celebration in Atkinson Park near the sand volleyball courts at 4:00 p.m. on Friday, April 27<sup>th</sup> where the City will be the recipient of the Tree City USA designation from the Kentucky Division of Forestry for the 23<sup>rd</sup> consecutive year and awards will be presented to the K-3<sup>rd</sup> grade Arbor Day Coloring Contest winners and the fourth- and fifth-graders Essay Contest winners as well as the planting of a new River Birch tree. Mr. Stevens thanked the Henderson Rotary Club for donating the tree this year as well as 100 seedlings to be given away at the celebration.

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PROCLAMATION: "Building Safety Month"

MAYOR AUSTIN proclaimed the month of May 2018 as "Building Safety Month" in Henderson, Kentucky, and urged all citizens to learn more about how they can contribute to building safety at home and in our community. Mr. Ray Nix, Code Administrator, accepted the

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proclamation. Mr. Nix indicated that building code regulations are extremely important for the citizens of Henderson's health, welfare and safety. The Code Enforcement division has a few events scheduled for the month of May including weekly public service announcements, hosting the Western Kentucky Code Enforcement group quarterly meeting, and conducting a building codes and safety seminar with the Henderson County High School Vocational School.

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**PRESENTATION:**    Preston Family Foundation Donation to *the Perch* Pocket Park

LINDSAY LOCASTO, Downtown Henderson Partnership Executive Director, and SCOTT DAVIS, Raymond B. Preston Family Foundation in partnership with Field and Main Bank, presented a check from the Raymond B. Preston Family Foundation designated for use on *the Perch* Pocket Park project located on Second Street. Mr. Davis thanked Commissioner Staton for his leadership on the project.

COMMISSIONER STATON thanked the Foundation for the grant funding indicating that it truly was the springboard that allowed everything else for the project to continue to fruition.

COMMISSIONER BUGG indicated that she was proud that the Henderson Audubon Board of Realtors was one of the very first to contribute to the project.

LINDSAY LOCASTO, Downtown Henderson Partnership Executive Director, thanked the Preston Family Foundation on behalf of the many other organizations involved in this collaborative effort and invited everyone to drive by to see the progress. She reported that the Pergola is up and there will be a stage, a virtual kiosk, and a game exchange area among other things.

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**PRESENTATION:**    2018 Smoke-Free Endeavor in E-Cigarette Policy Award

LESLIE NEWMAN, indicated that the City's recent amendments to include e-cigarettes to the partial smoke-free ordinance was seen as progressive by the University of Kentucky College of Nursing, the Kentucky Center for Smoke-free Policy, the Coalition for a Smoke-free Tomorrow, the Campaign for Tobacco-free Kids, the Foundation for a Healthy Kentucky, the American Cancer Society, the American Heart Association, the American Stroke Association and the American Lung Association and that during a conference held in Lexington on April 11, 2018 the City was honored for leadership and collaborative efforts in promoting the health of Henderson citizens with the 2018 Smoke-Free Endeavor in E-Cigarette Policy Award from the Kentucky Center for Smoke-Free Policy at the University of Kentucky. Ms. Newman reported that the Be Healthy Henderson Coalition was formed in 2012 as a result of a Methodist Hospital community health needs assessment. There are about 45 to 50 members that meet monthly and that she and other members of a subcommittee have chosen to address the areas of obesity and diabetes, teen issues, and smoking prevention and tobacco cessation, including a mental health aspect with each targeted issue. She and her group would like to acknowledge the work of Henderson County Public Schools to be smoke-free, the work of Bobbie Jarrett at the Henderson Housing Authority to make public housing smoke-free, the City of Henderson's efforts, as well as Nancy Watkins with Henderson County Recycling Program for receiving a grant from Keep America Beautiful to be used for cleaning up the debris of tobacco use around our community. Other members of the subcommittee are: Shannon Long, Methodist Hospital Prevention And Wellness, And Christa Cole, Methodist Hospital Radiology; Rich Nading, Green River District Health Department; Kelly Schneider, Easter Seals Rehabilitation Center; Jamie Rafferty, Kentucky Cancer Program; Darla Jones and Cynthia Nunn, Marsha's Place; Sarah Smith, Methodist Hospital Oncology/UK Markey Cancer Center; and Shandra Dority, Health First Community Health Center.

SHANNON LONG, Methodist Hospital Prevention and Wellness, and CHRISTA COLE, Methodist Hospital Radiology, each spoke briefly on additional training on new smoking

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cessation programs and a new low dose CT scanning process to facilitate the plan to be tobacco-free.

When asked whether or not smoking among teens has increased of late, RICH NADING, Green River District Health Department, reported that combustible smoking has been declining over the last decade, however e-cigarette use has dramatically increased. He indicated that there are more and more studies that refute the idea that e-cigarettes are safer, that they are a way to quit regular smoking, and that they don't lead to regular smoking.

PRESENTATION: Grain Rescue Tube and Auger Donation

SCOTT FOREMAN, Fire Chief, introduced Henderson County Kentucky Farm Bureau Members Brandon Williams, President; Bob Watson, Vice President; Skip King, Board Member; Chase Fulcher, Agency Manager; and Jeff King, Member and Corydon Volunteer Fire Department Assistant Chief.

JEFF KING, Henderson County Kentucky Farm Bureau Member and Corydon Volunteer Fire Department Assistant Chief indicated that Henderson County has been very fortunate to not have had any recent incidents where this equipment would have been needed. He explained that this is a high-speed model and is the highest rapid response rescue equipment available today. This is the first donation of this type equipment with the second one going to the Henderson County Rescue Squad and then eventually to each county volunteer fire department.

Lieutenants Dixon and Watson along with Firefighters Yeckering and Anderson then demonstrated the Grain Rescue Tube and Auger machine using a mop bucket full of grain with a submerged toy bear. A large open-ended cylinder is placed over the subject and then the auger is placed inside the cylinder pulling the grain up the tube and away from the subject at a high rate of speed allowing the submerged subject to be pulled out to safety.

PUBLIC HEARING: Outside Agency Funding Appeals

MAYOR AUSTIN declared the Public Hearing on Outside Agency Funding to order at approximately 6:20 p.m. and asked if any member of the public or any agency would like to speak to appeal the recommendation of the Agency Funding Ad-Hoc Committee for the fiscal year commencing July 1, 2018.

COMMISSIONER STATON, Outside Agency Funding Ad-Hoc Committee member, gave a detailed explanation of the committee's funding level recommendations for each reviewed request. He indicated that the mission of the Committee this year was to not add any new increases from the year before given our budget constraints heading into this budget.

Motion by Commissioner Pruitt, seconded by Commissioner Vowels, to accept the recommendations of the Agency Funding Ad-Hoc Committee as presented.

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

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

No citizens came forward to speak on this issue and Mayor Austin declared the Public Hearing closed at approximately 6:24 p.m.

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## REVIEW AND DISCUSSION OF A BEEKEEPING ORDINANCE

LARRY STONE, Audubon Bee Keepers Association President spoke on behalf of local bee keepers requesting ordinance amendments that would allow bee keeping within the City. He explained that honey bees in this country as well as around the world are in a lot of trouble and that honey bees are not aggressive. If you do hear of an aggressive hive, it can easily be remedied by replacing the queen with a new gentler one and in about six weeks the entire hive will be regenerated with the new gentle disposition.

L. V. Dugger, Audubon Bee Keepers Association Vice-President, reported that he had reviewed the proposed ordinance and feels that it is fair to each the bee keeper and to the adjoining property owners. He indicated that he has hives in his backyard and a swimming pool approximately 75 feet away with no issues.

DISCUSSION WAS HELD regarding the insurance requirements and who would be liable if a neighbor were to be stung; how to deal with aggressive hives; how a bee only lives six weeks, so a hive is regenerated every six weeks and a gentle queen passes on those traits; that wild bees live in hollow old-growth trees and inside building walls all over town now-they just aren't being kept by anyone; that bees are usually very docile while swarming and easy to remove at that time; that 40 to 50 people attend the Association meetings and approximately 200 people attended the bee keeping school that was conducted earlier this year; that two hives with two nucleus hives would be considered a 'hobby' and not a commercial endeavor; that once established, two hives can produce as much as 200 pounds of honey per year; that the 6' fencing or vegetation would help keep the bees from being a nuisance to neighbors; that there would be an application process housed in the City Clerk's office; and that consent from an adjoining property owner does not stay with the property but the owner-so a new owner has the right to withhold consent.

Without objection, the ordinance will be placed on a future meeting agenda for formal review/action.

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## APPROVAL OF CONSENT AGENDA:

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

Minutes:       March 27, 2018, Called Work Session  
                   March 27, 2018, Regular Meeting  
                   April 10, 2018, Special Called Meeting  
                   April 10, 2018, Called Work Session

MOTION by Commissioner Pruitt, 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 Pruitt ----- Aye:  
 Commissioner Bugg ----- Aye:  
 Commissioner Vowels ----- Aye:  
 Commissioner Staton ----- Aye:  
 Mayor Austin ----- Aye:

WHEREUPON, Mayor Austin declared the consent agenda items approved.

/s/ Steve Austin  
 Steve Austin, Mayor  
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ATTEST:  
 Maree Collins, City Clerk \_\_\_\_\_

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ORDINANCE NO. 09-18: FIRST READ  
 ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS  
 AN ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS IN CANOE CREEK II  
 SUBDIVISION, ARROW WAY EXTENSION

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

RUSSELL R. SIGHTS, City Manager, reported that these are Henderson Water Utility improvements.

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

Commissioner Pruitt ----- Aye:  
 Commissioner Bugg ----- Aye:  
 Commissioner Vowels ---- Aye:  
 Commissioner Staton ----- 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. 10-18: FIRST READ  
 ORDINANCE ADOPTING CHARGES FOR WATER, WASTEWATER, AND  
 STORMWATER SERVICES  
 AN ORDINANCE REPEALING AND REPLACING ORDINANCE 07-17, AND  
 ADOPTING NEW WATER, WASTEWATER, AND STORMWATER CHARGES TO BE  
 EFFECTIVE ON JULY 1, 2018, AND IMPLEMENTATION OF RATE INCREASE ON JULY  
 1, 2019

TOM WILLIAMS, Henderson Water Utility General Manager, indicated that this ordinance reflects rate adjustments that resulted from discussions conducted at a recent joint work session. The \$7.50 fixed fee for water and wastewater will take effect this July 1<sup>st</sup> with an additional \$7.50 fixed fee effective July 1<sup>st</sup>, 2019. This increase will be instead of the 5.85% rate increase scheduled to take effect July 1<sup>st</sup>, 2018 under the 2011 ordinance. In addition, a plan to reduce expenses by \$400,000.00 to \$500,000.00 annually includes reduction in travel and training costs, reduction of three vacant positions, not filling a fourth vacant position, and reduction of two currently occupied positions.

MOTION by Commissioner Pruitt, seconded by Commissioner Staton, that the ordinance be adopted.

COMMISSIONER PRUITT asked Mr. Williams to explain how the expenses of the mandated sewer separation projects affected the financial health of the Utility.

TOM WILLIAMS, HWU General Manager, explained that the overall projects totaled approximately \$41 million. The Utility had built up approximately \$8 million in reserves to help fund the projects; however, \$33 million of new debt service was incurred with interest and principal payments totaling approximately \$3.5 million per year. The 5.85% increase each year which was implemented to make those payments has not kept up with expenses and that is why this amendment is necessary.

COMMISSIONER STATON stated that considering a rate increase is very difficult and takes time even though he knows it is a necessary thing, it is not something he likes doing. He thanked the Water and Sewer Commission for being flexible and working with the Board of Commissioners on producing the fairest model and giving up the 5.85% increase and cutting expenses.

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TOM WILLIAMS, HWU General Manager, on behalf of the Water and Sewer Commission thanked the Board of Commissioners on achieving this mutual compromise.

COMMISSIONER PRUITT indicated that clean water and keeping our Utility healthy is necessary, but requested that the Utility do their best to include some free water with the next rate review.

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

Commissioner Pruitt ----- Aye:  
 Commissioner Bugg ----- Aye:  
 Commissioner Vowels ----- Aye:  
 Commissioner Staton ----- 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. 11-18: FIRST READ  
ORDINANCE AMENDING NATURAL GAS SERVICE RATES AND CHARGES  
ORDINANCE AMENDING ORDINANCE NO. 65-17 BY ESTABLISHING NEW  
NATURAL GAS SERVICE RATES AND CHARGES

OWEN REEVES, Gas System Director, indicated that several months ago this issue of the heat content of natural gas was addressed by setting the Btu rating at \$2.60 per 1,067 Btu; however, shortly thereafter the Btu content went back down and is now at around 1,043. This amendment will adjust the rate each month based on the previous months Btu rate.

MOTION by Commissioner Staton, seconded by Commissioner Pruitt, that the ordinance be adopted.

COMMISSIONER PRUITT asked how this would affect the customer.

OWEN REEVES, Gas System Director, indicated that it should be neutral to the customer.

COMMISSIONER STATON clarified by indicating that if the Btu went down to 1,006 then the rate would be \$2.45 and if the Btu went back to 1,067 the next month the rate would be \$2.60, if this is not changed it would be the \$2.60 regardless of where the Btu rate was.

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

Commissioner Pruitt ----- Aye:  
 Commissioner Bugg ----- Aye:  
 Commissioner Vowels ----- Aye:  
 Commissioner Staton ----- 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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RESOLUTION NO. 17-18:

RESOLUTION AUTHORIZING SALE OF 123 AND 125 FIFTH STREET AND DECLARING AS SURPLUS PROPERTY; AND AUTHORIZING MAYOR TO EXECUTE DOCUMENTS NECESSARY TO COMPLETE SALE

TOM WILLIAMS, Henderson Water Utility General Manager, explained that Henderson Water Utility acquired the house and the vacant lot adjacent to the HWU Administration building on Water Street in the 1980s or early 1990s with the intention of an expansion to the offices. In recent years the house has been rented out for about \$600.00 per month, however it was determined that the Utility shouldn't really be in the business of rental property and at this time there are no expansion plans and no planned use for the property so options were being explored on how best to dispose of the property. Henderson Municipal Power and Light has a new master plan and has been trying to find adequate parking for their employees. So we are declaring it surplus and transferring it to HMPL with the caveat that if HWU ever needs it, they could get it back.

MOTION by Commissioner Staton, seconded by Commissioner Vowels, declaring property at 123 and 125 Fifth Street as surplus and authorizing that it be sold to Henderson Municipal Power and Light with the caveat that it could be returned to HWU if a need arose.

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

- Commissioner Pruitt ----- Aye:
Commissioner Bugg ----- Aye:
Commissioner Vowels ----- Aye:
Commissioner Staton ----- 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
April 24, 2018

ATTEST:
Maree Collins, City Clerk

RESOLUTION NO. 18-18:

RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY IN THE AMOUNT OF \$27,000.00, TO BE USED TO PURCHASE AN EMERGENCY WARNING SIREN, ACCEPTING GRANT IF AWARDED, AND AUTHORIZING MAYOR TO EXECUTE THE NECESSARY DOCUMENTS

MOTION by Commissioner Pruitt, seconded by Commissioner Staton, authorizing submittal of a grant application to the U.S. Department of Homeland Security in the amount of \$27,000.00 for the purchase of an emergency warning siren, and accepting the grant if it is awarded.

SCOTT FOREMAN, Fire Chief, indicated that we received this same type grant last year to replace a siren that was inoperable. If awarded, this grant would be used to replace the oldest siren in the City which is near Service Tool & Die. The siren is currently functioning but finding parts for it is challenging.

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

- Commissioner Pruitt ----- Aye:
Commissioner Bugg ----- Aye:
Commissioner Vowels ----- Aye:
Commissioner Staton ----- Aye:



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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  
April 24, 2018

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

RESOLUTION NO. 19-18:

RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY IN THE AMOUNT OF \$19,000.00, TO BE USED TO PURCHASE A SMALL RESCUE BOAT, ACCEPTING GRANT IF AWARDED, AND AUTHORIZING MAYOR TO EXECUTE THE NECESSARY DOCUMENTS

MOTION by Commissioner Staton, seconded by Commissioner Vowels, authorizing submittal of a grant application to the U.S. Department of Homeland Security in the amount of \$19,000.00 for the purchase of a small rescue boat, and accepting the grant if it is awarded.

RUSSELL R. SIGHTS, City Manager, indicated that while this grant does not require a match, a fair share contribution of between 10% and 25% is used to enhance the application. He is recommending including a 10% match for each of these grant applications.

SCOTT FOREMAN, Fire Chief, indicated that a fair share contribution does help prioritize the grant application. The grant will be used to purchase a small inflatable type boat that can be used on Canoe Creek and in flood water areas that our large craft cannot enter into. Green River Area Development District is helping us with writing and submittal of the grant again this year.

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

Commissioner Pruitt ----- Aye:  
Commissioner Bugg ----- Aye:  
Commissioner Vowels ----- Aye:  
Commissioner Staton ----- 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  
April 24, 2018

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

MUNICIPAL ORDER NO. 25-18:

MUNICIPAL ORDER AWARDING CONTRACT FOR RENEWAL OF CITY OF HENDERSON’S STOP/LOSS COVERAGE (REINSURANCE) AND ORGAN TRANSPLANT POLICY AND UMR (THIRD PARTY ADMINISTRATOR)

MOTION by Commissioner Staton, seconded by Commissioner Vowels, to adopt the municipal order awarding renewal of the City’s stop/loss (reinsurance) and organ transplant coverage for the upcoming program year and renewal of the UMR administrative costs for Third Party Administrator services for the City’s health benefits program.

CONNIE GALLOWAY, Human Resources Director, explained that our broker, Benefits Insurance Marketing, has done the research and recommends renewal of: UMR for administrator services for the City’s health benefits program; the current stop/loss carrier, which you will recall



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MUNICIPAL ORDER NO. 27-18:

MUNICIPAL ORDER AWARDING CONTRACT FOR ASPHALT PAVEMENT MILLING SERVICES TO CHARBON CONTRACTING LLC OF MADISONVILLE, KENTUCKY

RUSSELL R. SIGHTS, City Manager, indicated that there are limited firms throughout the state that do this type of work and Charbon is a reputable contractor and has done good work for us in the past.

MR. WARD, Public Works Engineer, explained that one of the newer ways of addressing potholes, especially with the extensive damage done this past winter, is to mill out the failed area instead of saw cutting and manually digging out the area. This has proven to be a time and cost effective way to address potholes.

MOTION by Commissioner Bugg, seconded by Commissioner Pruitt, to award the bid for asphalt pavement milling services to Charbon Contracting LLC of Madisonville, Kentucky, in strict accordance with their bid as submitted pursuant to Bid Reference 18-20.

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

- Commissioner Pruitt ----- Aye:
- Commissioner Bugg ----- Aye:
- Commissioner Vowels ----- Aye:
- Commissioner Staton ----- 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  
April 24, 2018

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

CITY MANAGER’S REPORT:

RUSSELL R. SIGHTS, City Manager, asked the City Clerk to read the following memorandum into the record relating to the Fire Chief’s request for an appropriation of funds for Active Shooter Training and Supplies for the Fire Department:

**City Commission Memorandum**  
**18-79**

April 20, 2018

TO: Mayor Steve Austin and the Board of Commissioners

FROM: Russell R. Sights, City Manager

SUBJECT: City Manager’s Report

I. Appropriation for Active Shooter Training and Supplies  
Commission Direction Requested.

Please consider the attached request from Fire Chief Scott Foreman for appropriation of approximately \$30,000.00 to do the following:

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- \$5,000.00 to bring in an outside instructor to provide training for 20 personnel from HPD and HFD
  - \$7,000.00 to purchase specialized medical supplies, such as clotting gauze, tourniquets, and trauma equipment to handle mass casualties
  - \$18,000 to purchase 22 Level III Ballistic vests (one for each firefighter on duty and 3 staff positions per shift)
- As you may know, right after police officials, the Fire Department personnel are next at the scene of an active shooter event. It is in my opinion, that it is our obligation and responsibility to equip our personnel by providing whatever training, supplies, and equipment is necessary for their protection in the event an emergency response is necessary.

RUSSELL R. SIGHTS, City Manager, indicated that he believed this was something that needed to be addressed now and not wait for the budget process. He explained that if this request was approved we would move forward with the purchase and do the appropriation later.

FIRE CHIEF SCOTT FOREMAN, reported that this is something that is not new to the fire service and departments across the nation as well as our area are moving toward this tactic to address an active shooter situation.

ASSISTANT FIRE CHIEF JEREMY BAXTER, indicated that the basic approach to active shooter/mass shooting events has changed dramatically over the twenty years since Columbine. Police, Fire and EMS departments across the nation have learned and evolved with each response on these types of events. Medical treatment and tactics learned in Iraq and Afghanistan have greatly enhanced survival rates in these situations. No longer are emergency medical personnel kept completely out of the building/area until police have cleared the entire building/scene. Remember, Henderson County High School contains approximately 315,000 square feet and it would take considerable time to clear the entire building leaving wounded victims without medical care for all of that time. Zones are designated as warm or hot depending on activity in that location. Medical personnel would be allowed in the warm zones to attend to the wounded. This equipment will allow a layer of protection and provide the specialty medical supplies needed to attend gunshot victims.

JASON HARGITT, Interim Police Chief, explained that the police department would address the threat and once a portion of the building is no longer active it would be designed as a warm zone so that medical personnel could enter to attend to victims. This would be a fluid situation and the areas designated as warm could change and evacuation would be necessary. He indicated that HPD officers already carry the medical supplies specifically designed to treat gunshot wounds and in his opinion the more people with these supplies the better off we are going to be.

MOTION by Commissioner Bugg, seconded by Commissioner Pruitt, authorizing the City Manager to move forward with obtaining the requested Active Shooter Training and Supplies.

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

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

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# CITY OF HENDERSON – RECORD BOOK

*Record of Minutes of*                A Regular                *Meeting on*                April 24, 2018          

RUSSELL R. SIGHTS, City Manager, reported that the owners of the property located at 438 Old Corydon Road have requested a friendly annexation and have previously executed a “Not to Oppose Annexation” consent form when sanitary sewer service was extended to that property outside of the City limits. He requested that the Board authorize submission to the Planning Commission for review and zoning designation for the proposed area.

MOTION by Commissioner Staton, seconded by Commissioner Pruitt, authorizing the City Manager to send the request to the Planning Commission to assign a zoning designation for property located at 438 Old Corydon Road.

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

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

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## COMMISSIONERS’ REPORT:

COMMISSIONER PRUITT reported that his Daughter, who once represented the United States in the Junior Olympics is in her second year of coaching gymnastics and during a five state meet held recently in Cleveland, Ohio, their team had several winners including a first-place regional champion.

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COMMISSIONER VOWELS reported that the City/County Cooperative Study Team reviewed jointly funded agency funding applications at their last meeting. The Airport Board and the Humane Society/Animal Control each requested and were recommended slight increases. The Emergency Management Services and the Planning Commission each had budget decreases this year. The recommendations have been forwarded for inclusion in the City and County FY 2019 budgets.

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COMMISSIONER STATON reported that he had been contacted by a citizen regarding the possibility of creating a Safe Zone specifically for people who purchase items over the internet, from Craigslist, or Facebook, or other similar sites. Most communities that have implemented this over the United States have done it adjacent to the police department so that it has 24-hour surveillance. A couple of parking spaces would be designed and some communities provide police presence, when requested. Currently the City Attorney is investigating the legal aspects and then hopefully we can move forward with a formal proposal.

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MAYOR AUSTIN reported that on the next to the last day of the Kentucky State Legislative Session legislators approved the CERS Pension phase-in plan, thereby allowing the City to absorb the first year of additional pension costs without significant program cutbacks or need to enhance revenue. However, the phase in increases the additional CERS Pension costs 12% per year on-going so by the year 2022 the increase will exceed 50% compounded. He stated that it is apparent that long term answers are needed, but the good thing is that now we have time and won’t have to rush those proceedings.

He thanked the Henderson Breakfast Lions Club and all of their associates for the hard work they did in carrying out a very successful Tri-fest event for our community. Proceeds from the annual event are distributed through a grant program for local nonprofit agencies. Around 15 agencies are assisted annually. The Breakfast Lions Club also sponsors the annual Christmas in the Park. He stated, City of Henderson employees play a major role in both the Tri-fest and

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Christmas in the Park and also thanked those employees for their work. Tri-fest was over at 5:00 p.m. on Sunday evening and the downtown streets were cleaned up and ready for business as usual by 7:00 a.m. Monday morning.

Mayor Austin reported that about 1,500 citizens took advantage of the free tax preparation service offered at the Housing Authority of Henderson and the Gathering Place with tens of thousands of dollars refunded to Henderson residents. He stated that Nibby Priest was the local manager of the program and did a great job.

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BOARD/COMMISSION RE-APPOINTMENT: Henderson Utility Commission:  
 Mr. Lin Shannon – Term to Expire April 25, 2021; and  
 Ms. Jennifer Howell – Term to Expire April 25, 2021

Motion by Commissioner Pruitt, seconded by Commissioner Vowels, upon recommendation of Mayor Steve Austin, to reappoint Mr. Lin Shannon and Ms. Jennifer Howell to terms of three years on the Henderson Utility Commission. Said term to expire April 25, 2021.

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

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

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EXECUTIVE SESSION: Litigation

MOTION by Commissioner Bugg, seconded by Commissioner Staton, to go into Executive Session pursuant to KRS 61.810(1)(c) for the purpose of discussions of threatened litigation against the City.

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

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

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MEETING RECONVENED:

MOTION by Commissioner Pruitt, seconded by Commissioner Bugg, the Board of Commissioners reconvened in regular session.

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

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

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WHEREUPON, Mayor Austin reconvened the Board into regular session.

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MEETING ADJOURN:

MOTION by Commissioner Staton, seconded by Commissioner Pruitt, to adjourn the meeting.

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

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

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 7:30 p.m.

ATTEST:

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Steve Austin, Mayor  
May 22, 2018

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Maree Collins, City Clerk