

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on January 09, 2024

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, January 09, 2024, at 3:00 p.m., prevailing time, in the third floor Assembly Room of the Municipal Center, 222 First Street, Henderson, Kentucky, designated as the primary location for this video teleconference meeting allowed under KRS 61.826.

MAYOR STATON led the recitation of the Pledge of Allegiance to our American Flag.

There were present Mayor Brad Staton presiding:

PRESENT:

Commissioner Austin P. Vowels
 Commissioner Rodney Thomas
 Commissioner Robert N. Pruitt, Sr.
 Commissioner Nicholas E. Whitt

ALSO PRESENT:

Mr. William L. “Buzzy” Newman, Jr., City Manager
 Mrs. Dawn Kelsey, City Attorney
 Ms. Maree Collins, City Clerk
 Mrs. Holli Blanford, Public Information Officer
 Ms. Chelsea Mills, Finance Director
 Mrs. Dawn Winn, Assistant Finance Director
 Mrs. Connie Galloway, Human Resources Director
 Mr. Brian Williams, Public Works Director
 Mr. Trace Stevens, Parks, Recreation & Cemeteries Director
 Mr. Josh Dixon, Fire Chief
 Mr. Ayrton Thompson, Assistant Fire Chief
 Mr. Sean McKinney, Police Chief
 Mr. Robert Shoultz, Deputy Police Chief
 Mr. Jeremy Conrad, Police Major
 Mr. Stuart O’Nan, Police Lieutenant
 Mr. Scooby, Police Therapy Dog
 Mr. Briscoe Edwards, Police Officer
 Mr. Austin Hatchett, Police Officer
 Mr. Dylan Ward, Project Manager
 Mr. Sam Lingerfelt, Safety & Training Coordinator
 Mr. StePhan McGuire, Safety Intern
 Mrs. Donna Madden, Administrative Secretary
 Mr. Travis Owens, IT Programmer/Analyst
 Mr. Wesley Gower, IT Programmer Analyst
 Mr. Victor Carson, IT Network Administrator I
 Mr. Bart Boles, HWU General Manager
 Mr. Brian Bishop, Henderson/Henderson County Planning Commission Executive Director
 Ms. Missy Vanderpool, Henderson Economic Development Executive Director
 Mr. John Clark, KLC Law Enforcement Consultant
 Mr. Dwight Williams
 Rev. Charles Johnson, Henderson City/County Human Rights Executive Director
 Mr. Vince Tweddell, Publisher/Editor, the Hendersonian
 Mr. James Elliott, Police Officer

PRESENTATION: “New Employee Recognition”

Chief SEAN MCKINNEY introduced the three newest members of the Henderson Police department:

AUSTIN HATCHETT, Police Officer
 TROY BROWN, Police Officer

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ORDINANCE NO. 01-24: FIRST READ

ORDINANCE AMENDING APPENDIX A-ZONING - SHIPPING CONTAINERS

ORDINANCE AMENDING ARTICLE II-DEFINITIONS, SEC. 2.01-DEFINITIONS; ARTICLE XVI-R-MH, MANUFACTURED HOME DISTRICT, SEC. 16.02-PERMITTED USES; ARTICLE XIX-GENERAL BUSINESS DISTRICT, SEC. 19.03-CONDITIONAL USES; ARTICLE XX-CBD, CENTRAL BUSINESS DISTRICT, SEC. 20.03-CONDITIONAL USES; ARTICLE XXI-H-C, HIGHWAY COMMERCIAL DISTRICT, SEC. 21.03-CONDITIONAL USES; ARTICLE XXXIV-HENDERSON INNOVATIVE PLANNING DISTRICT, SEC. 34.02-PERMITTED USES, 2.-CONDITIONAL USES; AND ARTICLE XXXV-R-SMH, RESIDENTIAL SUBDIVIDED MANUFACTURED HOME DISTRICT, SEC. 35.02-PERMITTED USES; OF APPENDIX A – ZONING OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON RELATING TO SHIPPING CONTAINER HOMES AND COMMERCIAL FACILITIES

DAWN KELSEY, City Attorney, reported that the proposed amendments were reviewed in December to allow shipping container use for housing in two districts and commercial uses with conditional use in Highway Commercial and Henderson Innovative Planning zones. She further reported that all Kentucky building, electrical, plumbing regulations must be adhered to for this type of use.

MOTION by Commissioner Thomas, seconded by Commissioner Whitt, that the ordinance be adopted.

MAYOR STATON indicated that if this goes well, it can be expanded into other zoning districts in the future.

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

Commissioner Vowels Aye: Commissioner Pruitt Aye:
Commissioner Thomas Aye: Commissioner Whitt Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton 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 NO. 01-24:

MUNICIPAL ORDER AWARDING BID FOR MOWING SERVICES FOR CITY PROPERTIES IN GROUP B TO BRANDON’S LAWN AND LANDSCAPING OF HENDERSON, KENTUCKY, IN THE AMOUNT OF \$69,408.00

MOTION by Commissioner Vowels, seconded by Commissioner Thomas, to approve the purchase of mowing services for City Properties in Group B to Brandon’s Lawn and Landscaping in the approximate amount of \$69,408.00 in strict accordance with the bid as submitted pursuant to Bid Reference 23-30.

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

Commissioner Vowels Aye: Commissioner Pruitt Aye:
Commissioner Thomas Aye: Commissioner Whitt Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
January 09, 2024

ATTEST:
Maree Collins, CKMC, City Clerk_____

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MUNICIPAL ORDER NO. 02-24:

MUNICIPAL ORDER AUTHORIZING PURCHASE OF A 2024 FREIGHTLINER M2106 CHASSIS, PAC-MAC RLM11 PACKER BODY WITH A DIAMONDBACK TIPPER FOR THE PUBLIC WORKS DEPARTMENT BY COMMONWEALTH OF KENTUCKY MASTER AGREEMENT MODIFICATION #MA605 2300000431 FROM VELOCITY TRUCK CENTERS OF LEXINGTON, KENTUCKY, IN THE PURCHASE AMOUNT OF \$191,700.00

BRIAN WILLIAMS, Public Works Director, gave a brief report indicating that the vendor awarded the bid in 2022 for this purchase has been unable to obtain the necessary chassis and/or tipper; therefore, he requested termination of that purchase and authorization to purchase utilizing the Kentucky Master Agreement. The price of the truck with tipper has gone up slightly since the 2022 bid.

WILLIAM L. NEWMAN, JR., City Manager, reported that because this was budgeted in a previous year, this will be included in the mid-year budget amendment.

MOTION by Commissioner Vowels, seconded by Commissioner Whitt, to approve the purchase of a 2024 Freightliner M2106 chassis, Pac-Mac RLM11 packer body with a Diamondback tipper for the Sanitation division of the Public Works department by Commonwealth of Kentucky Master Agreement Modification #MA605 2300000431 from Velocity Truck Centers in the amount of \$191,700.00 and cancellation of award by Truck Centers, Inc. Bid Reference #22-28.

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

Commissioner Vowels Aye: Commissioner Pruitt Aye:
Commissioner Thomas Aye: Commissioner Whitt Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the municipal order adopted, affixed his signature and the date thereto, and ordered that the same be recorded.

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
January 09, 2024

ATTEST:
Maree Collins, CKMC, City Clerk _____

CITY MANAGER’S REPORT: *“Rezoning #1155with a Revised Master Plan/Development Plan – Harpeth Glen Trace & Sand Castle Drive”*

WILLIAM L. “BUZZY” NEWMAN, Jr., City Manager, reported that the Planning Commission has acted upon the request for rezoning for the property located at Harpeth Glen Trace & Sand Castle Drive (PID #74-83), containing approximately 12.218 acres, per Master Plan/Development Plan to amend the existing Master Plan/Development Plan approved in 2003, with smaller lots which allowed for some of the lots to be used for townhouses (both the amended Master Plan/Development Plan and the Narrative Development Plan restrict the development to single-family only use/development), after conducting a public hearing at the December 5, 2023, meeting and producing findings of fact at the January 3, 2024 called meeting. The Zoning Map Amendment shall become final on Thursday, January 25, 2024, unless an aggrieved party or the Board of Commissioners files written notice with the Planning Commission within the allotted twenty-one-day time period to have the Board of Commissioners make the final decision. The deadline for filing written notice is January 24, 2024.

Mr. Newman reported that since the Findings of Fact were approved, the Planning Commission has received three requests for review. He recommended that the City Attorney prepare an informational packet with the available options to address these requests for the Board members so that a determination on how to proceed can be made at the January 23rd regular meeting.

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CITY ATTORNEY’S REPORT: “Ordinance Review – Parking and Tax Moratorium”

DAWN KELSEY, City Attorney, presented information on proposed amendments to the parking ordinance. Currently parking ordinances are located in several different sections of the Code of Ordinances. Staff recommends updating and moving all parking related ordinances into Chapter 22 *Traffic and Motor Vehicles*. Also, if random parking enforcement to encourage better self-regulation of parking in the Central Business District is how the Board would like to proceed, staff recommends increasing fines across the board.

DISCUSSION WAS HELD relating to the amount of increase of violating “handicap” and “across the line” parking; the number of days before the fine doubles; and when parking in the CBD would be enforced. It was suggested that the number of days before the fine doubles be increased from five business days to ten business days; that the violation for “across the line” fine remain at \$10.00; and that parking enforcement would be done on a random day of the week Monday through Friday, except City holidays, between the hours of 8:00 a.m. and 5:00 p.m.

DAWN KELSEY, City Attorney, presented information on proposed amendments to the tax moratorium ordinance. One of the suggestions from the Inner City committees was to expand the tax moratorium to the Inner City. Subsequent discussions led to the proposal to expand the moratorium to all zoning districts except the M1, Heavy Industrial and M2, Light Industrial due to state incentives for those industries. State statutes regulate most of the rules for the tax moratorium except that we propose the addition of a restriction that the project be not less than 10% of the assessed value of the property due to the manpower and amount of work that goes on between city and Property Valuation Administration (PVA) staff to administer the program.

COMMISSIONER’S REPORTS:

COMMISSIONER VOWELS wished everyone a Happy New Year.

MAYOR STATON reported that there will be a work session next Tuesday, January 17th beginning at 9:00 a.m. through approximately 2:00 p.m. at the UK Extension Office on Zion Road. This is a review of goals and objectives from the previous year and setting goals for the upcoming year.

APPOINTMENT: “Public Energy Authority of Kentucky”
Vacancy (Steve Austin resigned 12/31/2023 as Mayor’s designee)

MOTION by Commissioner Pruitt, seconded by Commissioner Vowels, to confirm appointment, Mayor Staton to the Board of Directors of Public Energy Authority of Kentucky (PEAK) per the Interlocal Agreement.

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

Commissioner Vowels	Aye:	Commissioner Pruitt	Aye:
Commissioner Thomas	Aye:	Commissioner Whitt	Aye:
Mayor Staton	-----	Abstain:	

EXECUTIVE SESSION: “Real Property”

MOTION by Commissioner Thomas, seconded by Commissioner Pruitt, that the Board of Commissioners go into Executive Session pursuant to the provisions of KRS 61.810(1)(b) for the purpose of discussion of the sale and purchase of real property in the vicinity of U.S. Highway 60 West and Old Corydon Road and Kentucky Highway 425.

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

Commissioner Vowels Aye: Commissioner Pruitt Aye:
Commissioner Thomas Aye: Commissioner Whitt Aye:
Mayor Staton ----- Aye:

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

MEETING RECONVENED:

MOTION by Commissioner Pruitt, seconded by Commissioner Thomas, that the Board of Commissioners reconvene into regular session.

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

Commissioner Vowels Aye: Commissioner Pruitt Aye:
Commissioner Thomas Aye: Commissioner Whitt Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton reconvened the Board into regular session.

MEETING ADJOURN:

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

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

Commissioner Vowels Aye: Commissioner Pruitt Aye:
Commissioner Thomas Aye: Commissioner Whitt Aye:
Mayor Staton ----- Aye:

WITHOUT OBJECTION, Mayor Staton declared the Meeting adjourned at approximately 4:40 p.m.

ATTEST:

Bradley S. Staton, Mayor
January 23, 2024

Maree Collins, CKMC
City Clerk