

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of           A Regular           Meeting on           August 22, 2023          

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, August 22, 2023, 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 Bradley S. Staton presiding:

PRESENT:

Commissioner Robert N. Pruitt, Sr.  
 Commissioner Nicholas E. Whitt  
 Commissioner Austin P. Vowels (came in a few minutes after roll call was taken)  
 Commissioner Rodney Thomas

ALSO PRESENT:

Mr. William L. “Buzzy” Newman, Jr., City Manager  
 Mrs. Dawn Kelsey, City Attorney (via Zoom Panelist)  
 Ms. Maree Collins, City Clerk  
 Mrs. Holli Blanford, Public Information Officer  
 Mr. Robert Gunter, Finance Director  
 Mrs. Connie Galloway, Human Resources Director  
 Mr. Sean McKinney, Police Chief  
 Mr. Jeremy Conrad, Police Major  
 Mr. Ryan Walenga, Police Major  
 Mr. Chad Moore, Assistant Fire Chief  
 Mr. Trace Stevens, Parks & Recreation Director  
 Mr. Sam Lingerfelt, Safety & Training Coordinator  
 Mr. Dylan Ward, Project Manager  
 Mr. Mark Simmons, Recreation Program Manager  
 Mrs. Donna Madden, Executive Assistant  
 Mr. Travis Owens, Assistant IT Director  
 Mr. Victor Carson, IT Network Administrator I  
 Mr. Wesley Gower, IT Programmer/Analyst  
 Ms. Julie Wischer, Elevate Executive Director  
 Ms. Kelly Douglas, Henderson Leadership Initiative  
 Ms. Amanda Hardy, Henderson Leadership Initiative  
 Henderson Leadership Initiative Members  
 Ms. Emily Deason, Kentucky Transportation Cabinet Engineer  
 Mrs. Angie Gatten, Community Addiction Awareness Coordinator  
 Mr. Dwight Williams  
 Mr. Vince Tweddell, Publisher/Editor, the Hendersonian  
 Mr. James Elliott, Police Officer

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PRESENTATION: “Elevate Housing Project Update”

JULIE WISCHER, Elevate (formerly Hugh Edward Sandefur Center) Executive Director, reported that the Hugh Edward Sandefur Center had changed their name to Elevate to better reflect their current mission. Elevate received a generous land donation and has gone through the application process for a \$15 million grant for 48 housing units. Thirty-eight of the units would be designated for coordinated entry system individuals based on disability. This will be the first of its kind in our area. There are only three grant applications in consideration for these specific grant fund dollars. The Project would be debt free when completed. Currently the property is pending a conditional rezoning and the grant approvals will be notified in February 2024. If all goes well it is possible to start construction next Fall.

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PRESENTATION:    “Henderson Leadership Initiative I-69 Roundabout Proposed Project”

AMANDA HARDY and KELLY DOUGLAS, Henderson Leadership Initiative members, presented a proposed project for one of the three roundabouts that will be built as part of the I-69 Project. This roundabout will be closest to the high school, and it is proposed to place a concrete sculpture utilizing the new Colonels Mascot. The new Mascot is from the waist up and would be approximately 10’ x 15’ on a pedestal on a concrete pad.

EMILY Deason, KYTC D2 I-69 Henderson Section Engineer, reported that the middle roundabout would have the Welcome to Henderson signage and that the proposed sculpture would meet KYTC regulations. She further reported that there are some fundings for streetscape for this gateway for basic landscaping and lighting.

WILLIAM L. “BUZZY” NEWMAN, JR., City Manager, indicated that the Streetscape funds have been committed and would therefore not be available for this proposed project. He further indicated that once the Request for Proposals have been returned with a better idea of costs, the group would then be in a better position for fund raising for the project.

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APPROVAL OF CONSENT AGENDA:

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

Minutes:                    August 08, 2023, Regular Meeting

Resolutions:            Res. 49-23: Resolution Authorizing Participation in Kentucky Pride Litter Abatement Grant Program

Municipal Orders:    M.O. 40-23: Municipal Order Authorizing Acceptance of Grant in the Amount of \$20,000.00 From the Kentucky Fire Commission as Part of the Training Facility Grant Program; and Authorizing City to Execute all Necessary Documents

M.O. 41-23: Municipal Order Authorizing Acceptance of Grant of a Highway Safety Grant in the Amount of \$18,000.00 From the Commonwealth of Kentucky, Transportation Cabinet’s Kentucky Office of Highway Safety; and Authorizing City to Execute all Necessary Documents

M.O. 42-23: Municipal Order Approving Interlocal Cooperation Agreement Between the Commonwealth of Kentucky, Justice and Public Safety Cabinet, Department of Kentucky State Police, and the Henderson Police Department to Establish a Kentucky State Police Drug Task Force, and Authorizing Chief of Police and The Mayor to Execute the Agreement on Behalf of the City

MOTION by Commissioner Pruitt, seconded by Commissioner Vowels, to approve the Consent Agenda as presented.

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

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

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WHEREUPON, Mayor Staton declared the consent agenda items approved.

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
August 22, 2023

ATTEST:
Maree Collins, CKMC, City Clerk

ORDINANCE NO. 16-23: SECOND READ
ORDINANCE AMENDING CHAPTER 4 – ALCOHOLIC BEVERAGES
AN ORDINANCE AMENDING CHAPTER 4 – ALCOHOLIC BEVERAGES, ARTICLE
II – LICENSES, SEC. 4-40 – CONDITIONS OF LICENSE GRANTED, OF THE CODE OF
ORDINANCES OF THE CITY OF HENDERSON

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

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

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

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

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
August 22, 2023

ATTEST:
Maree Collins, CKMC, City Clerk

ORDINANCE NO. 17-23: SECOND READ
ORDINANCE AMENDING CHAPTER 16 - OFFENSES
AN ORDINANCE AMENDING CHAPTER 16 – OFFENSES, ARTICLE IV –
SMOKING IN PUBLIC PLACES AND PLACES OF EMPLOYMENT, SEC. 16-56 – WHERE
SMOKING NOT REGULATED, OF THE CODE OF ORDINANCES OF THE CITY OF
HENDERSON

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

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

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

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

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
August 22, 2023

ATTEST:
Maree Collins, CKMC, City Clerk

ORDINANCE NO. 18-23: SECOND READ
ORDINANCE AMENDING APPENDIX A - ZONING
ORDINANCE AMENDING ARTICLE II – DEFINITIONS, SEC. 2.01 – DEFINITIONS,
AND ARTICLE XX – CBD, CENTRAL BUSINESS DISTRICT, SEC. 20.03 – CONDITIONAL
USES, OF APPENDIX A – ZONING OF THE CODE OF ORDINANCES OF THE CITY OF
HENDERSON TO DEFINE AND PERMIT DISTILLERIES AS A CONDITIONAL USE IN
THE CENTRAL BUSINESS DISTRICT

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

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

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

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

    /s/ Bradley S. Staton      
Bradley S. Staton, Mayor  
August 22, 2023

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

**ORDINANCE NO. 19-23: FIRST READ**  
**ORDINANCE AMENDING JOB CLASSIFICATIONS AND PAY PLAN**  
**ORDINANCE AMENDING JOB CLASSIFICATIONS AND PAY PLAN FOR**  
**CERTAIN NON-HAZARDOUS DUTY POSITIONS AND POLICE HAZARDOUS DUTY**  
**POSITIONS**

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

MAYOR STATON indicated that the amendment to the Police Hazardous Duty Pay Plan was presented by Chief McKinney at a previous meeting. This formalizes the Pay Plan changes for recruitment and retention purposes of police officers.

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

Commissioner Pruitt----- Aye:      Commissioner Vowels --- Aye:  
Commissioner Whitt----- Aye:      Commissioner Thomas--- 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.

**ORDINANCE NO. 20-23: FIRST READ**  
**ORDINANCE AMENDING PORTION OF CITY OF HENDERSON FY2024 BUDGET**  
**ORDINANCE AMENDING CITY OF HENDERSON BUDGETED POSITIONS AND**  
**JOB CLASSIFICATIONS OF THE 2023-2024 BUDGET AND APPROPRIATION**  
**ORDINANCE FOR CERTAIN NON-HAZARDOUS DUTY POSITIONS IN THE PARKS**  
**AND RECREATION AND GAS DEPARTMENTS**

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

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

Commissioner Pruitt----- Aye:      Commissioner Vowels --- Aye:  
Commissioner Whitt----- Aye:      Commissioner Thomas--- 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.

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ORDINANCE NO. 21-23: FIRST READ

ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES

AN ORDINANCE OF THE CITY OF HENDERSON, KENTUCKY, PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND PROVIDING FOR THE TIME OF PAYMENT FOR SUCH TAXES, PENALTY, INTEREST AND DISCOUNT

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

MAYOR STATON reported that there are three Ad Valorem tax rates included in this ordinance. One is for motor vehicle and watercraft which the City is not legally allowed to change; and one is for real property taxes which impacts our homes. The City has decreased the real property tax rate twice since 2017. The third tax rate is for personal property or tangible property. This ordinance calls for an 11 ½% decrease in our personal property tax rate.

COMMISSIONER WHITT indicated that he was glad that we are in a position not to have to raise tax rates, particularly the real property rate on residents homes.

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

Commissioner Pruitt----- Aye:      Commissioner Vowels --- Aye:  
Commissioner Whitt----- Aye:      Commissioner Thomas--- 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. 43-23:

MUNICIPAL ORDER AUTHORIZING PURCHASE OF TWO (2) 2024 FORD EXPLORER INTERCEPTOR AWD VEHICLES BY STATE CONTRACT FROM FRANKFORT FORD OF FRANKFORT, KENTUCKY; AND ADDITIONAL EQUIPMENT TO OUTFIT EACH VEHICLE FOR THE POLICE DEPARTMENT IN THE TOTAL PURCHASE AMOUNT OF \$160,392.00 (\$80,196.00 EACH)

MAYOR STATON requested that Chief McKinney report on why this purchase seems to be so much more expensive than past police vehicle purchases.

SEAN MCKINNEY, Police Chief, indicated that this year during the budget process it was determined that the vehicle and necessary equipment would be itemized together to be more transparent in the budgeting/purchasing process. In previous years the equipment purchase was included in the equipment line item instead of with the capital purchase. He further indicated that the overall price is up some from previous vehicles due in part to the specialized electronics included and vehicle prices are just up again this year.

MOTION by Commissioner Thomas, seconded by Commissioner Pruitt, to approve the purchase of two 2024 Ford Explorer Police Interceptor AWD vehicles under State Contract from Frankfort Ford; and the purchase of additional equipment to outfit each vehicle in the total purchase amount of \$160,392.00.

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

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

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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  
August 22, 2023

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

CITY MANAGER’S REPORT: “Update on Continuity of Government Plan”

SAMUEL LINGERFELT, Safety & Training Coordinator, gave a brief report on an expanded Continuity of Government Plan that he has been working on to ensure that each City department would have a designated line of succession and a designated secondary location to work from in the event of a natural disaster or other major event. He reported that every department will complete FEMA documentation training to ensure that in the event of a natural disaster we will have procedures in place to document for FEMA reimbursements. These trainings will be set up through Henderson County Emergency Management and include City, County, Henderson Water Utility and Henderson Municipal Power & Light personnel.

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*“Sports Complex Project Review for Proposed Addition”*

DYLAN WARD, Project Manager, reported that the purpose of this presentation is three fold – first is an update on the costs and the status of the project, second is an update on the schedule and then to request some direction on artificial turf.

The base bid was approximately \$10.5 million and then there was a list of Primary Additions and a list of Alternate Additions that have been discussed previously. The Primary Additions are now proposed at approximately \$4.8 million, up from \$4.5 million. Initially included in the Primary Additions list was artificial turf for four infields and one multi-purpose field. Now that we are in late August, we needed to discuss the schedule. Things are progressing well on site after some delays with the storm drainage and dirt work. The project will be completed next Spring/Summer. That brings up the issue of the appropriate time for grass to grow and take hold for playing. The base bid included Bermuda sod which is very hardy and very durable. The best time to sod Bermuda is in the summer so that it has time to take hold and grow. We are pretty much past the point of having fields ready next summer with Bermuda sod. We could go with a cool weather turf which isn’t going to be as durable and would require more maintenance; or the contractor suggested that since we are considering artificial turf for the infields, go ahead and turf the outfields as well. This would eliminate the need for irrigation on that part of the property. With the additional costs of the turf and the savings from the irrigation having the four outfields turfed as well as the four infields and the multi-purpose field would add an additional \$300,000.00 to the Primary Additions projects.

The Alternate List of Additions includes adding two grass multi-purpose fields and paved parking lot, as discussed previously by the Board. The fifth baseball field was replaced with a contingency fund for miscellaneous sidewalks, fencing, striping, etc. that will be needed. This makes the total for the Alternate List of \$3.2 million, and the total for this first phase \$18.5 million less sponsorship, naming rights, grants and bond proceeds allotted to the project leaving approximately \$1.8 million unfunded.

The County Judge Executive has graciously agreed to let us present at their next meeting to gauge interest in their participation. We will also continue to seek other grant sources as well. At this time we are requesting approval to move forward with the artificial turf for the four baseball infields, outfields and the multi-purpose field.

ROBERT GUNTER, Finance Director, was asked to report on whether or not this was something that the City could afford to do. Mr. Gunter reported that in his opinion this was something the City could afford. The City has been very good at controlling debt and has some that will be rolling off within the next year or two. The \$13.2 million bond that will be approved

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in the next few months has been built into the current budget for the balance of the sports complex. This will about double what the City pays as far as debt each year but what we have now is very manageable at approximately \$1,060,000. The City's debt payment will go to approximately \$2 million per year.

Mr. Gunter stated, "based upon the revenue forecast that we have for both the insurance premium tax and the occupation tax, even with the changes the Board made to the utility's payments, we should have enough to pay this bond. Of course, we will have a bond issuance for the fire station coming up to be addressed at that time."

MAYOR STATON polled the Board, with unanimous approval to move forward with the artificial turf as presented. A change order for the projects will be presented at the next meeting.

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**MEETING ADJOURN:**

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

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

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

WITHOUT OBJECTION, Mayor Staton declared the Meeting adjourned at approximately 4:05 p.m.

ATTEST:

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Donna Madden,  
Acting City Clerk

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Bradley S. Staton, Mayor  
September 12, 2023