

# CITY OF HENDERSON – RECORD BOOK

Record of Minutes of     A Regular     Meeting on           January 11, 2022

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, January 11, 2022, 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 as the result of the state of emergency declared by the President of the United States, the Governor of Kentucky, and the Mayor of the city of Henderson due to the global COVID-19 pandemic, and in accordance with recommended and mandated precautions related to COVID-19 per the Kentucky Attorney General Opinion 20-05. The meeting was conducted in accordance with KRS 61.826 and SB150.

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

There were present Mayor Steve Austin presiding:

PRESENT:

- Commissioner Bradley S. Staton
- Commissioner Rodney Thomas
- Commissioner Austin P. Vowels
- Commissioner Robert N. Pruitt, Sr.

ALSO PRESENT:

- Mr. William L. “Buzzy” Newman, Jr., City Manager
- Ms. Dawn Kelsey, City Attorney
- Ms. Maree Collins, City Clerk
- Mrs. Donna Stinnett, Community Relations Manager/Public Information Officer
- Mr. Robert Gunter, Finance Director
- Ms. Dawn Winn, Assistant Finance Director
- Mr. Sam Lingerfelt, Safety and Training Coordinator
- Mr. Trace Stevens, Parks and Recreation Director
- Mrs. Connie Galloway, Human Resources Director
- Mr. Ray Nix, Code Administrator
- Mr. Victor Carson, Network Administrator I
- Mr. Bill Raleigh, IT Support Specialist
- Mrs. Donna Madden, Administrative Secretary
- Mr. Mac Neel, Alexander Thompson Arnold PLLC
- Rev. Charles Johnson, Human Rights Commission Executive Director
- Mr. Kevin Patton, *the Gleaner*
- Channel 14 News

PRESENTATION: “City of Henderson Report on Audited Financial Statements for Fiscal Year Ended June 30, 2021”

MALCOLM NEEL, III, ATA CPA LLC, presented the FY2021 Comprehensive Annual Financial Report. Mr. Neel reported that the document is considered a draft due to the delay in final review by the corporate office – the review team is battling COVID. He reported that the City has until the end of February to submit the documents. Mr. Neel indicated that an audit is more than just the review of the City’s finances. An Audit Risk Assessment which includes control environment and activities, accounting records, quality of information provided, and monitoring, are all reviewed. Mr. Neel gave a ‘clean’ opinion of the financial statements and indicated that the city is on solid financial ground despite multiple issues such as increased pension requirements and escalating employee health costs. He further indicated that Finance Director Robert Gunter and his staff do a great job.

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ORDINANCE NO. 53-21: SECOND READ  
ORDINANCE AMENDING PAY PLAN  
ORDINANCE ADOPTING A REVISED JOB CLASSIFICATION AND PAY PLAN FOR THE CITY OF HENDERSON WHICH RECLASSIFIES CERTAIN NON-HAZARDOUS POSITIONS; AND ADDS A NIGHT SHIFT DIFFERENTIAL FOR CERTAIN HWU POSITIONS

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

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

Commissioner Staton ---- Aye:  
Commissioner Thomas--- Aye:  
Commissioner Vowels --- Aye:  
Commissioner Pruitt ----- 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  
January 11, 2022

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

ORDINANCE NO. 54-21: SECOND READ  
ORDINANCE AMENDING PORTION OF CITY OF HENDERSON BUDGET  
ORDINANCE AMENDING CITY OF HENDERSON BUDGETED POSITIONS AND JOB CLASSIFICATIONS OF THE 2021 – 2022 FISCAL YEAR BUDGET FOR CERTAIN NON-HAZARDOUS POSITIONS IN THE FINANCE DEPARTMENT

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

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

Commissioner Staton ---- Aye:  
Commissioner Thomas--- Aye:  
Commissioner Vowels --- Aye:  
Commissioner Pruitt ----- 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  
January 11, 2022

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

ORDINANCE NO. 55-21: SECOND READ  
ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 17-PARKS AND RECREATION  
ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 17-PARKS AND RECREATION, ARTICLE I-IN GENERAL, SEC. 17-2-POSSESSION OF ALCOHOLIC BEVERAGES PROHIBITED, TO ALLOW ALCOHOLIC BEVERAGES AT THE HENDERSON DEPOT/GALLERY 101

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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 Staton ---- Aye:
- Commissioner Thomas--- Aye:
- Commissioner Vowels --- Aye:
- Commissioner Pruitt ----- 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  
January 11, 2022

ATTEST:

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

ORDINANCE NO. 01-22: FIRST READ

ORDINANCE AMENDING ARTICLE X-SIGNS AND OUTDOOR ADVERTISING DISPLAYS, EXHIBIT A-CITY OF HENDERSON SIGN ORDINANCE ZONING CHART

ORDINANCE AMENDING ARTICLE X-SIGNS AND OUTDOOR ADVERTISING DISPLAYS, EXHIBIT A-CITY OF HENDERSON SIGN ORDINANCE ZONING CHART, OF APPENDIX A-ZONING OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON

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

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

- Commissioner Staton ---- Aye:
- Commissioner Thomas--- Aye:
- Commissioner Vowels --- Aye:
- Commissioner Pruitt ----- 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. 02-22: FIRST READ

ORDINANCE REPEALING THE EMPLOYEE MANUAL FROM ORDINANCES OF THE CITY OF HENDERSON

ORDINANCE REPEALING THE EMPLOYEE MANUAL FROM ORDINANCES OF THE CITY OF HENDERSON IN PREPARATION OF BEING ADOPTED AS A MUNICIPAL ORDER

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

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

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

# CITY OF HENDERSON – RECORD BOOK

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ORDINANCE NO. 03-22: FIRST READ

ORDINANCE ADOPTING UPDATED CHAPTERS OF THE HENDERSON CITY-COUNTY COMPREHENSIVE PLAN

ORDINANCE ADOPTING UPDATED CHAPTER TWO-POPULATION DATA & DEMOGRAPHICS, AND CHAPTER THREE-ECONOMIC DATA & DEMOGRAPHICS, OF THE HENDERSON CITY-COUNTY COMPREHENSIVE PLAN

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

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

- Commissioner Staton ---- Aye:
- Commissioner Thomas--- Aye:
- Commissioner Vowels --- Aye:
- Commissioner Pruitt ----- 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 NO. 01-22:

MUNICIPAL ORDER ADOPTING POLICY RELATING TO COVID-19 VACCINATION, TESTING AND FACE COVERING PURSUANT TO OSHA’S EMERGENCY TEMPORARY STANDARD (ETS) ON VACCINATION AND TESTING

MOTION by Commissioner Vowels, seconded by Commissioner Pruitt, to adopt the policy relating to COVID-19 Vaccination, Testing and Face Covering pursuant to OSHA’s Emergency Temporary Standard (ETS) on vaccination and testing.

DISCUSSION WAS HELD relating to the dates of OSHA deadlines and policy effective date; the OSHA required reporting forms; the timing of the anticipated Supreme Court hearing/ruling; KOSH (Kentucky Occupational Safety and Health) regulations and when they might be expected; details of the policy relating to the testing/monitoring process and who would bear the costs; and the current CDC recommendations for those that have been exposed and/or test positive.

It was determined that the internal policy date for the required documentation on vaccination status would be delayed until the end of October in anticipation of the Supreme Court ruling and possible termination of the policy.

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

- Commissioner Staton ---- Aye:
- Commissioner Thomas--- Aye:
- Commissioner Vowels --- Aye:
- Commissioner Pruitt ----- 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  
January 11, 2022

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

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MUNICIPAL ORDER NO. 02-22:

MUNICIPAL ORDER APPROVING ADDENDUM TO LEASE DATED JULY 14, 2021, BETWEEN CITY OF HENDERSON AND HENDERSON TOURIST COMMISSION AND AUTHORIZING MAYOR TO EXECUTE ADDENDUM ON BEHALF OF THE CITY

MOTION by Commissioner Thomas, seconded by Commissioner Pruitt, approving an addendum to the lease dated July 14, 2021, between the City and Henderson Tourist Commission to outline the conditions in which alcoholic beverages may be served in the Henderson Depot/Gallery 101.

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

- Commissioner Staton ---- Aye:
- Commissioner Thomas--- Aye:
- Commissioner Vowels --- Aye:
- Commissioner Pruitt ---- 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  
January 11, 2022

ATTEST:

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

CITY ATTORNEY’S REPORT:

DAWN KELSEY, City Attorney, reported good news! Pratt Inc. will submit formal application for state incentives which will clear the way for bond issuance for their financing of the project. It is anticipated that we will have first reading of the bond ordinance on the second meeting in January and conduct the required public hearing at the following meeting with second reading of the ordinance.

WILLIAM L. “BUZZY” NEWMAN, JR. indicated that Pratt has two projects with the bond funding the mill portion of the overall project and the corrugator portion of the project will have a different funding mechanism. The property has been subdivided and a plat has now been completed. This is different than most other projects in that the building will be over the property line and will be placed on two parcels at the request of Pratt.

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

WITHOUT OBJECTION, Mayor Austin declared the Meeting adjourned at approximately 3:55 p.m.

ATTEST:

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Steve Austin, Mayor  
October 11, 2022

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Maree Collins, CKMC  
City Clerk