

City of Henderson, Kentucky
Board of Commissioners
Tuesday, April 14, 2026, 3:00 P.M.

Please take notice that as Mayor of the City of Henderson, Kentucky, I hereby call a meeting of the Board of Commissioners to be held on **Tuesday, April 14, 2026, at 3:00 p.m.**, with the primary location shall be designated as the third-floor assembly room, 222 First Street, Henderson, Kentucky. One or more members of the Board of Commissioners may participate via video teleconference and the meeting will be broadcast to the public. The meeting will be live streamed on the city's website: <https://www.hendersonky.gov/CivicMedia>; Facebook and YouTube.

This meeting will be conducted as a video teleconference meeting as allowed under KRS 61.826. Any interruption in the video or audio broadcast at any location shall result in the suspension of the meeting until the broadcast is restored.

The purpose of this meeting is for the following:

AGENDA

1. Roll Call:
2. Recognition of Visitors:
3. Appearance of Citizens:
4. Proclamations: "Fair Housing Month"
 "Arbor Day"

 Presentations: Recognition of New Employees
 Service Award – Bobbie Puttman – 25 Years
 Henderson Chamber of Commerce Annual Update
5. Public Hearing:
6. Consent Agenda:
 Minutes: March 10, 2026, Regular Meeting
 March 24, 2026, Regular Meeting
 April 2, 2026, Called Work Session

 Resolutions & Municipal Orders:
 Resolution Approving Human Resources Report Dated April 14,
 2026

 Resolution Approving Kentucky Fire Commission FY2027
 Training Facility Grant for Fire Department
7. Ordinances, Municipal Orders & Resolutions:
 Second Readings: Ordinance Accepting Public Utility Improvements - *Potable
 Water, Sanitary Sewer and Storm Sewer Systems – Bentley Point,
 Section 2*

Please mute or turn off all cell phones for the duration of this meeting.

First Readings: Ordinance Amending Zoning Ordinance – *Single Family Dwellings and Manufactured Homes*

Municipal Orders:

Resolutions: Resolution Establishing and Authorizing a Retail and Commercial Development Incentive Plan

Resolution Increasing City Manager Salary

8. Bids & Contracts: Municipal Order Awarding Bid Purchase of New 2026 4WD Super Crew Cab 4X4 Truck for Parks & Recreation Department

Municipal Order Awarding Bid for Geneva and Smith Mills Expansion – Phase I Gas Main Installation

Municipal Order Awarding Bid for Pavement and Intersection Striping for Various City Projects

9. City Manager’s Report: Rezoning #1182 with a Development Plan – 2560 Hwy 60 East

10. City Attorney’s Report:

11. Unfinished Business:

12. Commissioner’s Reports:

13. Appointments:

14. Miscellaneous:

15. Executive Session:

16. Adjournment:

Please mute or turn off all cell phones for the duration of this meeting.

City Commission Memorandum
26-96

April 1, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners
FROM: Dylan Ward, City Manager *WJN acting*
SUBJECT: Proclamations

The following proclamations will be presented at the April 14, 2026, regular meeting:

I. “Fair Housing Month”

Reverend Charles E. Johnson, Executive Director of the Henderson-Henderson County Human Rights Commission, will be in attendance to receive the *Fair Housing Month* proclamation.

II. “Arbor Day”

Mr. James Gordon, Recreation Program Manager and Ms. Morgan Cunningham, Senior Secretary, both of the Parks, Recreation and Cemeteries Department, will be in attendance to accept the *Arbor Day* proclamation. This proclamation designates Friday, April 24, 2026, as “Arbor Day” in the City of Henderson, in accordance with the City’s Tree City USA program.

c: Thomas Kenney

CITY OF



HENDERSON

Proclamation

“Fair Housing Month”

W *hereas*

The strength of our nation, and all of its states, flows from the promise of individual equality and freedom of choice; and

W *hereas*

April 11, 2026 marks the 58th anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968 known as the Fair Housing Act, as amended, which enunciates a national policy of Fair Housing without regard to race, color, religion, national origin, sex, familial status, and disability, and encourages fair housing opportunities for all citizens; and

W *hereas*

the City of Henderson and Human Rights Commission are committed to highlight the Fair Housing Law, Title VIII of the Civil rights Act of 1968, by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities and to plan partnership efforts with other organizations to help assure every American of their right to fair housing; and

W *hereas*

on February 3, 2012, the U.S. Department of Housing and Urban Development (HUD) issued a final rule that prohibits discrimination on the basis of actual or perceived sexual orientation, gender identity, or marital status in regard to housing programs assisted by HUD or subject to a mortgage insured by the Federal Housing Administration; and


W *hereas*

fair housing is the policy of the City of Henderson;

NOW, THEREFORE, I, Bradley S. Staton, by virtue of the authority vested in me as Mayor of the City of Henderson, do hereby proclaim the month of April 2026 as “Fair Housing Month” in Henderson, Kentucky, and urge all citizens to join in reaffirming the obligation and commitment to fair housing opportunities for all.

IN WITNESS WHEREOF, I have hereunto caused these letters to be spread upon this page and caused the seal of the City Henderson to be affixed this 14th day of April 2026.




Bradley S. Staton, Mayor

ATTEST:


Jessa Brandon, City Clerk

CITY OF



HENDERSON

Proclamation

“Arbor Day”

W *hereas* J. Sterling Morton, in 1872, proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

W *hereas* this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

W *hereas* Arbor Day is now observed throughout the nation and the world; and

W *hereas* trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

W *hereas* trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

W *hereas* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

W *hereas* trees, wherever they are planted, are a source of joy and spiritual renewal;


NOW, THEREFORE, I, Brad Staton by virtue of the authority vested in me as Mayor of the City of Henderson, Kentucky, do hereby proclaim April 24th 2026, as "**Arbor Day**" in the City of Henderson, and urge all citizens to support efforts to protect our trees and woodlands; and further, to plant trees to gladden the hearts and promote the well-being of present and future generations.

IN WITNESS WHEREOF, I have hereunto caused these letters to be spread upon this page and caused the seal of the City Henderson to be affixed this 14th day of April 2026.




Bradley S. Staton, Mayor

ATTEST:


Jessa Brandon, City Clerk

City Commission Memorandum
26-95

April 8, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners
FROM: Dylan H. Ward, City Manager *Acting WSN*
SUBJECT: Presentations

Items scheduled under the Presentations section of the April 14, 2026, regular meeting agenda are as follows:

I. Recognition of New Employees

The following newly hired employees will be introduced:

- Tyler Duncan, Wastewater Treatment Operator I, HWU

II. Service Award – Bobbie Puttman – 25 Years

Bobbie Puttman, Secretary Senior for the Public Works Department, will be in attendance to accept her 25-year service award pin.

III. Henderson Chamber of Commerce

Clay Gillham, Executive Director of the Henderson Chamber of Commerce, will be in attendance to give the Chamber annual update and discuss other matters.

**City Commission Memorandum
26-102**

April 6, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners
FROM: Dylan H. Ward, City Manager *hdw acting*
SUBJECT: Consent Agenda

The Consent Agenda for the regular meeting of April 14, 2026, contains the following:

Minutes:

March 10, 2026, Regular Meeting
March 24, 2026, Regular Meeting
April 2, 2026, Called Work Session

Resolutions and Municipal Orders:

Resolution Accepting Human Resources Report Dated April 14, 2026, and Approving all Actions Contained Within

Resolution Authorizing Submittal of a FY2027 Training Facility Grant Application in the Amount of \$40,000.00 From the Kentucky Fire Commission; Acceptance of Grant Funds if Awarded; and Authorizing City to Execute all Necessary Documents

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular *Meeting on* March 10, 2026

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, March 10, 2026, 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 Kelsey Hargis
Commissioner Robert N. Pruitt, Sr.
Commissioner Nicholas E. Whitt

ABSENT:

Commissioner Rodney Thomas

ALSO PRESENT:

Mr. Dylan Ward, City Manager
Mr. William L. “Buzzy” Newman, Jr., Assistant City Manager
Mrs. Dawn Kelsey, City Attorney
Ms. Donna Madden, Executive Assistant
Ms. Jessa Brandon, City Clerk
Ms. Holli Blanford, Public Relations Director
Mr. Thomas Kenney, Parks & Recreation Director
Mr. Chris Stachewicz, Parks & Recreation Superintendent
Ms. Megan Russelburg, Human Resources Director
Ms. Chelsea Mills, Finance Director
Mr. Brian Williams, Public Works Director
Mr. Tim Clayton, Gas Systems Director
Mr. Michael McFadden, Safety & Training Coordinator
Mr. Josh Dixon, Fire Chief
Ms. Jenna Basham, Project Manager
Ms. Breasha Pruitt, Project Coordinator
Mr. Steve Davis, Codes Administrator
Mr. Billy Bolin, Police Chief
Mr. Robert “Bob” Shoultz, Deputy Police Chief
Mr. Victor Carson, IT Network Administrator I
Mr. Wes Gower, IT Programmer Analyst
Mr. Jerrod Shehorn, Police Officer
Mr. Bart Boles, Henderson Water Utility General Manager
Mr. Paul Bird, Henderson Water & Sewer Commission Chair
Mr. Chris Smith, Henderson Water & Sewer Commissioner
Mr. Troy Lamoree, Henderson Water Utility System Worker II
Mr. Seth Washington, SFC, Deaconess Henderson Sportsplex General Manager
Mr. Vince Tweddell, Publisher/Editor, *the Hendersonian*

OATH OF OFFICE: “Swearing-In of Water & Sewer Commissioner”

MAYOR STATON administered the Oath of Office for new Henderson Water & Sewer Commissioner, Christopher Smith.

PRESENTATION: “New Employee Recognition”

BART BOLES, Henderson Water Utility General Manager, introduced TROY LAMOREE, Henderson Water Utility System Worker III.

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on March 10, 2026

THOMAS KENNEY, Parks & Recreation Director, introduced SETH WASHINGTON, General Manager Deaconess Henderson Sportsplex.

The BOARD OF COMMISSIONERS welcomed our new team member for employment with the City of Henderson.

APPROVAL OF CONSENT AGENDA:

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

Minutes: February 10, 2026, Regular Meeting
 February 17, 2026, Work Session
 February 24, 2026, Regular Meeting

Resolutions and Municipal Orders:

Res. 13-26: Resolution Accepting Human Resources Report Dated March 10, 2026, And Approving All Actions Contained Within

Res. 14-26: Resolution Accepting The 2026 Parks, Recreation, & Trail Master Plan As A Guiding Document

MOTION by Commissioner Pruitt, seconded by Commissioner Hargis, to approve the items on the Consent Agenda as presented.

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

Commissioner Hargis---- Aye: Commissioner Pruitt----- Aye:
Commissioner Thomas--- Absent : Commissioner Whitt ----- Aye:
Mayor Staton ----- Aye:

WHEREUPON, Mayor Staton declared the consent agenda items approved.

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
March 10, 2026

ATTEST:
Jessa Brandon, City Clerk _____

ORDINANCE NO. 07-26: SECOND READ
ORDINANCE AMENDING BUDGET AND APPROPRIATION ORDINANCE
AN ORDINANCE AMENDING BUDGET AND APPROPRIATION ORDINANCE
FOR THE FISCAL YEAR COMMENCING JULY 1, 2025 AND ENDING JUNE 30, 2026
FOR THE CITY OF HENDERSON, KENTUCKY

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

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
Commissioner Thomas--- Absent: Commissioner Whitt ----- 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
March 10, 2026

ATTEST:
Jessa Brandon, City Clerk _____

CITY OF HENDERSON – RECORD BOOK

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ORDINANCE NO. 08-26: SECOND READ

ORDINANCE SPECIAL PURPOSE VEHICLES

AN ORDINANCE AMENDING CHAPTER 22 – TRAFFIC AND MOTOR VEHICLES, ADDING A NEW ARTICLE VI. – STREET-LEGAL SPECIAL PURPOSE VEHICLES, RELATING TO THE AUTHORIZATION FOR STREET-LEGAL SPECIAL PURPOSE VEHICLES TO BE OPERATED ON THE CITY HIGHWAYS PURSUANT TO KRS CHAPTER 186.077, et al

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

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
Commissioner Thomas --- Absent: Commissioner Whitt----- 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
March 10, 2026

ATTEST:

Jessa Brandon, City Clerk _____

MUNICIPAL ORDER NO. 21-26:

MUNICIPAL ORDER APPROVING CHANGE ORDER REQUEST #1 TO THE CONSTRUCTION AGREEMENT WITH RIVER TOWN CONSTRUCTION, LLC UPGRADE FAIRGROUND LANE PROJECT IN AN ADDITIONAL AMOUNT OF \$26,938.00 WITH THE FUNDS COMING FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

MOTION by Commissioner Pruitt, seconded by Commissioner Hargis, to approve change order request #1 to the construction agreement with River Town Construction, LLC, for upgrades to the Fairground Lane project in an additional amount of \$26,938.00 with the funds coming from the Community Development Block Grant funds.

BREASHA PRUITT, Project Coordinator, explained that a cracked sidewalk in need of repair was discovered as the project progressed, and that the repair was not accounted for in the original scope of work for the project.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
Commissioner Thomas --- Absent : 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
March 10, 2026

ATTEST:

Jessa Brandon, City Clerk _____

MUNICIPAL ORDER NO. 22-26:

MUNICIPAL AUTHORIZING THE MAYOR OF THE CITY OF HENDERSON TO EXECUTE AN AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET FOR THE AUDUBON PARK ACCESS ROAD PROJECT (ITEM NO. 02-80309) AND RATIFYING ALL TERMS AND CONDITIONS THEREOF

CITY OF HENDERSON – RECORD BOOK

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MOTION by Commissioner Whitt, seconded by Commissioner Hargis, to authorize the Mayor of the City of Henderson to execute an agreement with the Kentucky Transportation Cabinet for the Audubon Park Access Road Project (Item Number 02-80309) and to ratify all terms and conditions thereof.

DYLAN WARD, City Manager, explained that this is a state project being managed at a local level. As previously the Board of Commissioners approved a design professional, this agreement allows for seeking permission from the state to enter into an agreement with the aforementioned design professional.

WILLIAM L. "BUZZY" NEWMAN, JR., Assistant City Manager, added that this agreement is for \$675,000.00 for design services and right of way acquisition, if required. He further cautioned that at a future date, there may be another memorandum of agreement to sign approving construction funds.

MAYOR STATON announced that he'd been advocating in Frankfort with members of Congress to request more funding for the project as well, given increased cost due to inflation. He is optimistic that we will be granted additional funding, and be able to break ground in 2027.

WILLIAM L. "BUZZY" NEWMAN, JR., Assistant City Manager, clarified that as part of the agreement, the road once constructed will be considered a City street, requiring the City to maintain it.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
 Commissioner Thomas--- Absent : 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
 March 10, 2026

ATTEST:
 Jessa Brandon, City Clerk _____

RESOLUTION NO. 15-26:

RESOLUTION APPROVING AGREEMENT WITH UNITED WAY OF HENDERSON, INC. ALLOCATING \$7,500.00 TO RECEIVE, REVIEW, VET, AND MAKE RECOMMENDATIONS REGARDING CITY OF HENDERSON'S NONPROFIT GRANT FUNDING APPLICATIONS; AND AUTHORIZING MAYOR TO EXECUTE AGREEMENT

MOTION by Commissioner Pruitt, seconded by Commissioner Whitt, to approve the agreement with United Way of Henderson, Inc., allocating \$7,500.00 to receive, review, vet, and make recommendations regarding the City of Henderson's nonprofit grant funding applications; and to authorize the mayor to execute the agreement.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
 Commissioner Thomas--- Absent : Commissioner Whitt ----- Aye:
 Mayor Staton ----- Aye:

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

/s/ Bradley S. Staton
 Bradley S. Staton, Mayor
 March 10, 2026

ATTEST:
 Jessa Brandon, City Clerk _____

CITY OF HENDERSON – RECORD BOOK

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MUNICIPAL ORDER NO. 23-26:

MUNICIPAL ORDER AWARDING BID FOR PURCHASE OF LIMESTONE ROCK, SAND, AND RECYCLED CONCRETE FOR GROUP A TO MULZER CRUSHED STONE, INC. OF TELL CITY, INDIANA, AUDUBON SAND AND GRAVEL OF HENDERSON, KY, AND HAZEX CONSTRUCTION CO. INC. OF HENDERSON, KENTUCKY; AND GROUP B TO HAZEX CONSTRUCTION CO. INC. OF HENDERSON KENTUCKY, EFFECTIVE MARCH 31, 2026

MOTION by Commissioner Hargis, seconded by Commissioner Whitt, to award the bid for purchase of limestone rock, sand, and recycled concrete for Group A to Mulzer Crushed Stone, Inc., of Tell City, Indiana, Audubon Sand and Gravel of Henderson, Kentucky, and Hazex Construction Co. Inc., of Henderson, Kentucky; and Group B to Hazex Construction Co. Inc., of Henderson, Kentucky effective March 31, 2026.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
Commissioner Thomas--- Absent : 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
March 10, 2026

ATTEST:

Jessa Brandon, City Clerk _____

MUNICIPAL ORDER NO. 24-26:

MUNICIPAL ORDER AWARDING BID FOR PURCHASE CEMENT CONCRETE FOR CITY PROJECTS TO IRVING MATERIALS, INC., OF HENDERSON, KENTUCKY, IN THE TOTAL BID AMOUNT OF \$281,280.00 AS THE PRIMARY SUPPLIER, AND MEUTH CONSTRUCTION SUPPLY, INC., OF HENDERSON, KY, AS AN ALTERNATE SUPPLIER IN THE TOTAL BID AMOUNT OF \$298,600.00

MOTION by Commissioner Pruitt, seconded by Commissioner Hargis, to award the bid for purchase of cement concrete for City projects to Irving Materials, Inc., of Henderson, Kentucky, in the total bid amount of \$281,280.00 as the primary supplier, and Meuth Construction Supply, Inc., of Henderson, Kentucky, as an alternate supplier in the total bid amount of \$298,600.00.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
Commissioner Thomas--- Absent : 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
March 10, 2026

ATTEST:

Jessa Brandon, City Clerk _____

MUNICIPAL ORDER NO. 25-26:

MUNICIPAL ORDER AWARDING BID FOR PURCHASE OF CONCRETE LABOR FOR VARIOUS CITY PROJECTS TO RIVER TOWN CONSTRUCTION, LLC OF NEWBURGH, INDIANA, IN THE AMOUNT OF \$454,000.00 AS THE PRIMARY SUPPLIER, AND KMAC CONTRACTING, LLC., OF MADISONVILLE, KENTUCKY, AS AN ALTERNATE SUPPLIER IN THE TOTAL BID AMOUNT OF \$489,855.00

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MOTION by Commissioner Hargis, seconded by Commissioner Pruitt, to award the bid for purchase of concrete labor for various City projects to River Town Construction, LLC, of Newburgh, Indiana, in the amount of \$454,000.00 as the primary supplier, and KMAC Contracting, LLC, of Madisonville, Kentucky, as an alternate supplier in the total bid amount of \$489,855.00.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
 Commissioner Thomas--- Absent : 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
 March 10, 2026

ATTEST:

Jessa Brandon, City Clerk _____

MUNICIPAL ORDER NO. 26-26:

~~MUNICIPAL ORDER AWARDED BID FOR PURCHASE ASPHALT PAVING AND RELATED STREET MAINTENANCE SERVICES TO CHARBON CONTRACTING, LLC OF MADISONVILLE, KY, IN THE AMOUNT OF \$95,500.00~~

MOTION by Commissioner Pruitt, seconded by Commissioner Hargis, to award the bid for purchase of asphalt paving and related street maintenance services to Charbon Contracting, LLC, of Madisonville, KY, in the amount of \$95,500.00.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
 Commissioner Thomas--- Absent : 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
 March 10, 2026

ATTEST:

Jessa Brandon, City Clerk _____

MUNICIPAL ORDER NO. 27-26:

MUNICIPAL ORDER APPROVING AGREEMENT FOR ELECTRICAL INSPECTION SERVICES BETWEEN THE CITY OF HENDERSON AND MIKE VILLINES; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

MOTION by Commissioner Hargis, seconded by Commissioner Pruitt, to approve the agreement for electrical inspection services with Mike Villines; and to authorize the mayor to execute the agreement on behalf of the City.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
 Commissioner Thomas--- Absent : Commissioner Whitt ----- 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
March 10, 2026

ATTEST:

Jessa Brandon, City Clerk _____

CITY MANAGER REPORT: “IRT Mission Allocation”

WILLIAM L. “BUZZY” NEWMAN, Jr., Assistant City Manager, explained that in fall of last year, the City applied for a grant with the Delta Regional Authority and has been notified that the City has received a grant for another military mission in Henderson, Union, and Webster Counties. As part of the grant process, Delta Regional Authority provides funds, requiring the local public agencies to contribute also. He elaborated that approval be needed from the Board of Commissioners to expend funds that were not accounted for in the current fiscal year budget. Mr. Newman shared that the approximate cost for Henderson will be \$35,000.00, similar to the amount previously expended for the same project’s presence in 2024. Mr. Newman, since the program will not be held until June, shared that the fund expenditure will require either a midyear budget amendment, addressed at a later date, or incorporated into the next fiscal year’s budget.

DISCUSSION WAS HELD regarding the best way to bring about the additional expenditures. The City Attorney recommended approving a Resolution to address the funding in an end of the year budget amendment. Further discussion highlighted the benefits of the program to the community, providing dental, vision, health, and mental health care services to residents.

CITY MANAGER REPORT: “Anthony Brooks Park Project”

JENNA BASHAM, Project Manager, presented a concept plan for improvements to Anthony Brooks Park. She shared that the Land and Water Conservation Fund Grant was received for \$245,000.00, for which the application defined the scope of work as removal of existing play structure, swing set, and wood chip play surfaces, replacing them with the installation of a new play structure, two swings, a rubberized play surface, flow-through splash pad system, sidewalks, and landscaping improvements. She shared that these are the minimal items to be completed, in order to remain compliant with the grant conditions, but that the City is not limited to only completing the aforementioned improvements. The City was also awarded the G.R.A.N.T. grant via the State of Kentucky, which covered a large portion of the local match for the aforementioned Land and Water Grant, in the amount of \$244,000.00. More funding was provided for the project via CDBG funds, making the total funds available for the project \$622,000.00. The concept plan included a proposed location for the new playground and swings, a zip line, a splash pad, restrooms, shelter, new sidewalks, landscaping, parking improvements, a crosswalk to JFK, and a block wall for potential dedications. No trees will be removed.

DISCUSSION WAS HELD regarding funding sources, increased scope of work for the project requiring, and the potential need for additional funding.

MAYOR STATON shared that the City, having expected to match the Federal Land and Water Grant, had previously allocated \$250,000.00 in funds for the project, and that by receiving the additional grant funding, the City will potentially be able to fund the additional projects added in the scope of work for the park, utilizing those funds that were already accounted for in the budgeting process.

DYLAN WARD, City Manager, added that as the City had been recently released to use funding from a Land & Water Grant for the Sports Complex as well, which may interfere with the timeline for receiving funding for the Anthony Brooks Park project. However, the expectation is to have the sports complex playground complete by the end of the current fiscal

CITY OF HENDERSON – RECORD BOOK

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year; and potentially be able to begin the Anthony Brooks Park work in late summer or early fall, pending federal approval to begin utilizing the grant funding.

CITY MANAGER REPORT: “HART Bus Branding”

HOLLI BLANFORD, Public Relations Director, presented a rendering of new branding for H.A.R.T. buses, which will more closely reflect the City’s branding. 2 busses and 1 van that are currently blank will be wrapped with the new branding, and as other busses age, they will be branded the same.

THE BOARD OF COMMISSIONERS gave its consensus to move forward with utilizing the new branding for HART.

CITY MANAGER REPORT: “Budget Work Session”

DYLAN WARD, City Manager, reported that the budget work session would typically be held the third Tuesday in May; however, due to scheduling conflicts with City Management, he would like to request moving the work session to the same day as the City Commission meeting on May 12, 2026.

DISCUSSION WAS HELD regarding timing, and it was decided that the Board of Commissioners will host a Called Meeting at 1:00 p.m. on May 12 with a Called Work Session immediately following for the Midyear Budget Amendment.

CITY ATTORNEY REPORT: “Zoning Ordinance Update KRS 100.348”

DAWN KELSEY, City Attorney, presented proposed zoning text amendments regarding single-family dwellings and manufactured homes to ensure the City’s zoning ordinances comply with recent amendments to KRS 100.348, which become effective July 1, 2026. The updates include a redefinition of “qualifying manufactured homes,” which includes modular homes.

STEVE DAVIS, Code Enforcement Administrator, explained that a modular home is built inside a factory, shipped to a site, and placed on a permanent foundation. He also explained that modular homes are designed on chassis, lightweight, and is designed to be moved to and from locations. He continued to explain that manufactured homes are built to HUD standards. They typically have a sticker indicating approval by HUD, and given that they are considered vehicles, they also have VIN numbers. When they are installed, the wheels are removed, they are placed on block, and it’s anchored down with straps or with a proprietary system.

DAWN KELSEY, City Attorney, continued that both manufactured homes and modular homes are now considered the same, by definition, as far as state law is concerned. The update to KRS 100.348 states that qualified manufactured homes must be allowed where single-family homes are a permitted use in all cities and counties across the State of Kentucky. Mrs. Kelsey gave a brief overview of the existing ordinances of the City, regarding allowable zones and conditional use zones, as well as presenting the proposed amendments. Mrs. Kelsey asked for a motion to send the proposed zoning text amendments to the Planning Commission for their review.

MOTION by Commissioner Pruitt, seconded by Commissioner Hargis, to send the proposed zoning text amendments to the Henderson Planning Commission for further review.

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
 Commissioner Thomas--- Absent : Commissioner Whitt ----- Aye:
 Mayor Staton ----- Aye:

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular *Meeting on* March 10, 2026

MEETING ADJOURN:

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

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

Commissioner Hargis----- Aye: Commissioner Pruitt----- Aye:
Commissioner Thomas --- Absent: Commissioner Whitt----- Aye:
Mayor Staton ----- Aye:

WITHOUT OBJECTION, Mayor Staton declared the Meeting adjourned at approximately 4:07 p.m.

ATTEST:

Bradley S. Staton, Mayor
March 10, 2026

Jessa Brandon, City Clerk

Draft

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on March 24, 2026

A meeting of the Board of Commissioners of the City of Henderson, Kentucky, was held on Tuesday, March 24, 2026, 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 Kelsey Hargis
 Commissioner Rodney Thomas
 Commissioner Robert N. Pruitt, Sr.
 Commissioner Nicholas E. Whitt

ALSO PRESENT:

Mr. Dylan Ward, City Manager
 Mrs. Dawn Kelsey, City Attorney
 Ms. Donna Madden, Executive Assistant
 Ms. Jessa Brandon, City Clerk
 Mr. Thomas Kenney, Parks & Recreation Director
 Ms. Megan Russelburg, Human Resources Director
 Ms. Chelsea Mills, Finance Director
 Mr. Brian Williams, Public Works Director
 Mr. Donte Starks, Sanitation Worker
 Ms. Jordan Webb, 911 Emergency Communications Director
 Mr. Luke Cates, 911 Emergency Communications Officer
 Mr. Josh Dixon, Fire Chief
 Ms. Jenna Basham, Project Manager
 Ms. Jeannie Quattrocchi, Project Coordinator
 Mr. Billy Bolin, Police Chief
 Mr. Robert "Bob" Shoultz, Deputy Police Chief
 Mr. Travis Owens, Assistant IT Director
 Mr. Gabriel Barker, IT System Administrator
 Mr. Bill Raleigh, IT Support Specialist
 Rev. Charles Johnson, Henderson Human Rights Commission, Executive Director
 Ms. Angie Gatten, Community Spotlight
 Ms. Abby Black, Police Officer
 Mr. Herbert McKee Jr., Commonwealth Attorney
 Mr. Tom Davis, Henderson Veterans Memorial Foundation, Board President
 Mr. James Elliott, Police Officer
 Mr. Bart Boles, Henderson Water Utility General Manager
 Mr. Rad Mattingly, HWU Water Treatment Operator I
 Henderson, Kentucky Honor Guard Members, Veterans Memorial Committee
 Mr. Vince Tweddell, Publisher/Editor, *the Hendersonian*

PRESENTATION: "Community Spotlight"

MAYOR STATON presented ANGIE GATTEN the March Community Spotlight Award in honor of her colon cancer awareness advocacy in the community, in the midst of National Colorectal Cancer Awareness Month.

ANGIE GATTEN thanked the Mayor and Commissioners for their recognition and took the opportunity to encourage everyone 45 years of age and older to please go get screened for colon cancer.

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular *Meeting on* March 24, 2026

PRESENTATION: “New Employee Recognition”

BRIAN WILLIAMS, Public Works Director, introduced DONTE STARKS, Sanitation Worker.

JORDAN WEBB, 911 Emergency Communications Director, introduced LUKE CATES, 911 Emergency Communications Officer.

BART BOLES, Henderson Water Utility General Manager, introduced RAD MATTINGLY, Henderson Water Utility Water Treatment Operator I.

The BOARD OF COMMISSIONERS welcomed our new team member for employment with the City of Henderson.

PRESENTATION: “Henderson Veterans Memorial Foundation”

TOM DAVIS, Henderson Veterans Memorial Foundation Board President, addressed the commission to discuss the previously presented proposals and renderings for the Veterans Memorial Park Project as it relates to the recently approved and publicized Parks Master Plan.

DISCUSSION WAS HELD regarding conflicting conceptual drawings for the area intended to be used for the Memorial Park, and it was communicated that the Parks Master Plan is considered a guiding document, not final; and further stated that the Veterans Memorial Foundation Board will be included in the conversations for any further actions taken within the proposed park parameters.

APPROVAL OF CONSENT AGENDA:

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

Resolutions and Municipal Orders:

Res. 16-26: Resolution Accepting Human Resources Report Dated March 24, 2026, And Approving All Actions Contained Within

Res. 17-26: Resolution Authorizing The City Of Henderson’s Application For And Acceptance Of Funding In The Amount Of \$132,039.00 From The Government Resources Accelerating Needed Transformation (G.R.A.N.T.) Program To Support The Safe Streets And Roads For All (SS4A) Action Plan And Supplemental Planning Project, Reducing The City’s Local Match To \$3,961.00, And Authorizing The Mayor To Execute All Necessary Documents

M.O. 28-26: Municipal Order Authorizing The Submission Of A Fy 2026 Crumb Rubber/Tire Derived Product Grant Application To The Kentucky Energy And Environmental Cabinet For \$31,100.00 In Funding For Crumb Rubber Surfacing At Community Park, With A City Match Of \$16,600.00; Accepting The Funds If Awarded, And Authorizing The Execution Of All Necessary Documents

M.O. 29-26: Municipal Order Authorizing Lease Between The City Of Henderson And The Housing Authority Of Henderson Kentucky, For The Dixon Hall Facility Located At 341 South Adams Street, Henderson, Kentucky; And Authorizing Mayor To Execute Same On Behalf Of City

MOTION by Commissioner Thomas, seconded by Commissioner Pruitt, to approve the items on the Consent Agenda as presented.

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

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on March 24, 2026

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

WHEREUPON, Mayor Staton declared the consent agenda items approved.

/s/ Bradley S. Staton
 Bradley S. Staton, Mayor
 March 24, 2026

ATTEST:
 Jessa Brandon, City Clerk _____

ORDINANCE NO. 09-26: FIRST READ
ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS
ORDINANCE ACCEPTING PUBLIC UTILITY IMPROVEMENTS (POTABLE
WATER, SANITARY SEWER, AND STORM SEWER SYSTEMS) FOR BENTLEY POINT
SECTION 2 (DEER VALLEY SUBDIVISION, LLC) BEING CONSTRUCTED AT THE
END OF BARRET BOULEVARD IN THE CITY OF HENDERSON

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

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

Commissioner Hargis---- Aye: Commissioner Pruitt---- Aye:
 Commissioner Thomas--- Aye : Commissioner Whitt ----- 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
 March 24, 2026

ATTEST:
 Jessa Brandon, City Clerk _____

MUNICIPAL ORDER NO. 30-26:
MUNICIPAL ORDER APPROVING THE FIRST ADDENDUM TO THE
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HENDERSON,
HENDERSON COUNTY FISCAL COURT, AND THE CENTER FOR ADDICTION
RECOVERY OF HENDERSON, INC.; AND AUTHORIZING THE MAYOR TO EXECUTE
ALL NECESSARY DOCUMENTS

MOTION by Commissioner Whitt, seconded by Commissioner Pruitt, to approve the first addendum to the memorandum of understanding between the City of Henderson, Henderson County Fiscal Court, and the Center for Addiction Recovery of Henderson, Inc., and to authorize the mayor to execute all necessary documents.

DAWN KELSEY, City Attorney, reported that Henderson County Fiscal Court approved this via Resolution at their meeting earlier in the day.

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

Commissioner Hargis---- 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

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on March 24, 2026

ATTEST: March 24, 2026
 Jessa Brandon, City Clerk _____

RESOLUTION NO. 18-26:

RESOLUTION AUTHORIZING PARTICIPATION IN THE GREEN RIVER AREA WELLNESS MISSION – INNOVATIVE READINESS TRAINING (IRT) PROGRAM AND APPROVING PAYMENT OF CITY'S CONTRIBUTION

MOTION by Commissioner Pruitt, seconded by Commissioner Thomas, to authorize the City's participation in the Green River Area Wellness Mission – Innovative Readiness Training (IRT) Program and to approve the payment of the City's contribution.

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

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

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

/s/ Bradley S. Staton
 Bradley S. Staton, Mayor
 March 24, 2026

ATTEST:
 Jessa Brandon, City Clerk _____

MUNICIPAL ORDER NO. 31-26:

MUNICIPAL ORDER AWARDDING BID FOR I-69 RIGHT-OF-WAY MOWING PROJECT TO DIRTY SOUTH, LLC D/B/A ACA LAWN CARE OF SEBREE, KENTUCKY IN THE AMOUNT OF \$94,050

MOTION by Commissioner Hargis, seconded by Commissioner Pruitt, to award the bid for I-69 right-of-way mowing project to Dirty South, LLC, doing business as ACA Lawn care of Sebree, Kentucky, in the amount of \$94,050.00.

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

Commissioner Hargis----- 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
 March 24, 2026

ATTEST:
 Jessa Brandon, City Clerk _____

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on March 24, 2026

MUNICIPAL ORDER NO. 32-26:

MUNICIPAL ORDER AWARDING BID FOR MOWING ON WATHEN LANE DIRTY SOUTH, LLC D/B/A ACA LAWCARE OF SEBREE, KENTUCKY IN THE AMOUNT OF \$16,500

MOTION by Commissioner Thomas, seconded by Commissioner Whitt, to award the bid for mowing on Wathen Lane to Dirty South, LLC, doing business as ACA Lawncare of Sebree, Kentucky in the amount of \$16,500.00.

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

Commissioner Hargis---- 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
March 24, 2026

ATTEST:

Jessa Brandon, City Clerk _____

CITY MANAGER REPORT: "United Way Funding Applications"

DYLAN WARD, City Manager, reported that as the City utilizes the services of United Way of Henderson to assist in allocating funds to nonprofit organizations through an application and review process, the application for said funding has begun, and the deadline for applications is Monday, April 6th, 2026, at 5:00 p.m. Central Time.

CITY MANAGER REPORT: "Anthony Brooks Park Project"

DYLAN WARD, City Manager, reported that following the adoption of the Parks Master Plan, the City has need to formulate an implementation plan. The suggestion of the City Manager is to host a Joint Work Session on Tuesday, April 21, 2026, at 5:30 p.m. with the Board of Park Commissioners and the Board of City Commissioners.

MAYOR STATON reported that he will later be requesting \$20,000 - \$40,000.00 be allocated in the budget to allow for some significant landscape improvements to the cloverleaf area, as the area will be anticipated to see development with the evolution of the I-69 Highway project.

MAYOR STATON reported that Kentucky has added the proposed loop road, which would continue Wathen Lane southward on the other side of Highway 60, elbow over, and trace the new I-69 corridor for about a mile and a half, and then connect to the back side of the Barret Boulevard Development, which will allow for better traffic flow in the area, better accommodate residential and economic development, and allow for more land to be made available for mixed use developments in the future, to its long plan, which may enable the project to be funded by the State rather than local tax payers.

EXECUTIVE SESSION: "Property & Business Discussion"

MOTION by Commissioner Thomas, seconded by Commissioner Pruitt, that the Board of Commissioners go into Executive Session pursuant to the KRS 61.810(1)(c) for the purpose of discussion of pending and potential litigation by or against the City; pursuant to KRS 61.810(1)(f) for discussion on personnel issues; and pursuant to KRS 83A.150(4)(d) allowing

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular *Meeting on* March 24, 2026

the Board of Commissioners to meet in a closed session for the purpose of conducting a performance evaluation of the City Manager.

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

Commissioner Hargis----- 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 Whitt, seconded by Commissioner Thomas, that the Board of Commissioners reconvene into regular session.

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

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

WHEREUPON, Mayor Staton reconvened the Board into regular session.

RESOLUTION NO. 19-26:

RESOLUTION TO PARTICIPATE IN THE SIX REMNANT DEFENDANTS OPIOID DISTRIBUTORS/DISPENSERS' SETTLEMENT INCLUDING J M SMITH CORPORATION, LOUISIANA WHOLESALE DRUG COMPANY, INC MORRIS AND DICKINSON CO., NORTH CAROLINA MUTUAL WHOLESALE DRUG COMPANY, INC. AND UNITED NATURAL FOODS, INC. (INCLUDING ITS SUBSIDIARIES SUPERVALU AND ADVANTAGE LOGISTICS) SETTLEMENT AND AUTHORIZING MAYOR TO EXECUTE ALL PARTICIPATION AGREEMENTS AND RELEASE FORMS FOR SETTLEMENT PARTICIPATION (AND/OR ANY RELATED DOCUMENTS)

MOTION by Commissioner Pruitt, seconded by Commissioner Hargis, to authorize participation in the six remnant defendants' opioid distributors/dispensers' settlement including J M Smith Corporation, Louisiana Wholesale Drug Company, Inc., Morris and Dickinson Co., North Carolina Mutual Wholesale Drug Company, Inc., and United Natural Foods, Inc., (including its subsidiaries Supervalu and Advantage Logistics) settlement and to authorize the mayor to execute all participation agreements and release forms for settlement participation (and/or any related documents).

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

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

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

/s/ Bradley S. Staton
Bradley S. Staton, Mayor
March 24, 2026

ATTEST:
Jessa Brandon, City Clerk _____

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Regular Meeting on March 24, 2026

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

WITHOUT OBJECTION, Mayor Staton declared the Meeting adjourned at approximately 4:13 p.m.

ATTEST:

Bradley S. Staton, Mayor
April 14, 2026

Jessa Brandon, City Clerk

Draft

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Called Work Session Meeting on April 2, 2026

A Called Work Session of the Board of Commissioners of the City of Henderson, Kentucky, was held on Thursday, April 2, 2026, at 5:30 p.m., prevailing time, in the conference room of the Municipal Services Center, 1449 Corporate Court, Henderson, Kentucky.

There were present Mayor Bradley S. Staton presiding:

PRESENT:

Commissioner Rodney Thomas
Commissioner Kelsey Hargis

ABSENT:

Commissioner Robert N. Pruitt, Sr.
Commissioner Nicholas E. Whitt

CITY STAFF MEMBERS included: William L. “Buzzy” Newman, Jr., Assistant City Manager; Dawn Kelsey, City Attorney; Jessa Brandon, City Clerk; Matt Anderson, Fire Division Chief; Jenna Basham, Project Manager; Steve Davis, Codes Administrator; Brian Williams, Public Works Director; Crystal Windhaus, Mass Transit Superintendent; Jeannie Quattrocchi, Project Coordinator; and Briscoe Edwards, Police Officer

ALSO PRESENT: John Marshall; Regina Pullom; Gina Howard; Bobbi Jo Marx; Beth Overfield; Lindsay Vessels-Perry; Cooper Beck; Gauge Goodson; Jessica Lang; Clinton Alexander; Kacee Campbell; John Logan; Chris Thomas; Crystal Butler; Amanda Deno; Dwight Williams; Lisa Fulkerson; Ron Alexander; Kristie Randolph; Jay Randolph; and James Pryor.

Inner City Improvement Plan (ICIP) Process Changes

Overview of the Inner City Improvement Plan

Mayor Staton provided an overview of the Inner City Improvement Plan (ICIP), including the mission and vision, prior year projects, and anticipated process changes for 2026. He explained that the purpose of this meeting is to create team rosters, elect team chairs, and gain a better understanding of process changes.

The targeted area includes the “Inner City” defined as being bordered by Green Street to Atkinson Street and Washington Street to Sand Lane.

Mayor Staton explained that the initial 6 teams has been amended to 5, removing Implementation, and now consisting of: Business, Entertainment, Health, Housing, and Transportation in order to encourage greater participation for the proposal of new ideas. To sustain this change, each team will be given prior year projects relevant to their team to assist in the completion and implementation.

Discussion was held regarding the specifics of each team, and handouts were provided to each table outlining issues identified during the kickoff meeting on February 5, 2026, as they relate to each team.

↓ Issues identified for the **Business Team** to address include:

- Investing in businesses
- Business partnerships
- Bring fun businesses to storefronts
- Childcare
- Daily needs businesses – mechanic, minimart, etc.

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Called Work Session Meeting on April 2, 2026

Implementation projects assigned to the **Business Team** include:

- Refresh the Block – With a goal of partnering with local inner-city businesses to enhance the exterior appearance of their properties, this project includes improvements that may consist of façade updates, landscaping, signage, and other visual enhancements that may contribute to a more inviting and vibrant business environment.

✚ Issues identified for the **Entertainment Team** to address include:

- Youth activities
- Youth programming, greater utilization of JFK Center
- Increase athletic participation
- Outdoor movie night
- Mobile food park
- Inner City community festivals
- Adult/children art center
- Community garden
- Inner City pool

Implementation projects assigned to the **Entertainment Team** include:

- Community Fun Days – providing free entertainment to inner city families, showcasing local businesses and places to go, and bringing the neighborhood together.
- Anthony Brooks Park Improvement – a memorial wall near the residential neighborhood to the park.

✚ Issues identified for the **Health Team** to address include:

- Mental health free or low-cost clinic
- Dentists that accept Medicaid
- Rehabilitation work centers for those starting over
- Access to affordable food (walkable)

Implementation projects assigned to the **Health Team** include:

- Food Insecurity Cooking Classes – a series of cooking classes that would include recipes that could be made with limited ingredients, at low-cost, and for families, which would include recipe cards and food given to attendees.

✚ Issues identified for the **Housing Team** to address include:

- Strengthening partnerships and engagement with local landlords
- Providing assistance programs for utility bills
- Establishing small grant programs for minor home repairs
- Supporting neighborhood renovation and revitalization efforts
- Enhancing code enforcement relating to waste or junk and property maintenance
- Promoting community beautification initiatives
- Exploring options for a local homeless shelter

CITY OF HENDERSON – RECORD BOOK

Record of Minutes of A Called Work Session Meeting on April 2, 2026

- Expanding access to affordable housing and rental opportunities
- Identifying and repurposing vacant lots and underutilized buildings

Implementation projects assigned to the **Housing Team** include:

- Training Classes to assist with Homeowner and Renter Knowledge, intended to assist in transitioning renters into homeowners
- Installation of Solar Lighting to improve safety and neighborhood aesthetics

✚ Issues identified for the **Transportation Team** to address include:

- Covered bus stops
- Practical beautification – addressing speeding and littering through beautification
- Unsafe intersections
- Improvements to alleys and roads
- Lighting in alleys
- Clay Street & Green Street sidewalks
- Safe school routes for pedestrian students
- Trees planted – Sand Lane
- East End gateways at 3 corners, similar to the one at Washington & Atkinson

Implementation projects assigned to the **Transportation Team** include:

- Blue Light Safety Poles – Emergency poles with direct lines to first responders placed in parks
- Improved Traffic/Pedestrian Safety – specifically at locations where children frequently travel (Jefferson Elementary & South Heights). Painted sidewalk routes/Crosswalks

MEETING ADJOURN:

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

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

Commissioner Thomas --- Aye: Commissioner Whitt----- Absent:
 Commissioner Pruitt----- Absent: Commissioner Hargis ---- Aye:
 Mayor Staton ----- Aye:

WITHOUT OBJECTION, Mayor Staton declared the Meeting adjourned at approximately 6:45 p.m.

ATTEST:

 Jessa Brandon, City Clerk

 Bradley S. Staton, Mayor
 April 14, 2026

City Commission Memorandum
26-97

April 1, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners
FROM: Dylan H. Ward, City Manager *WJN Acting*
SUBJECT: Resolution Approving Human Resources Report

The accompanying resolution approves the Human Resources Report dated April 14, 2026.

The Human Resources Report will serve to ensure the Board of Commissioners is fully aware of the status of employment positions including new hires, position changes, recent separations, and current vacancies within the City's workforce. A draft of the Human Resources Report is attached to the Resolution.

Your approval of the attached resolution is requested.

c: Megan McElfresh
Dawn Kelsey

**Human Resources Memorandum
26 - 13**

April 8, 2026

TO: Dylan Ward, City Manager
FROM: Megan Russelburg, Human Resources Director
SUBJECT: HR Report for the April 14, 2026 Commission Meeting

Attached is Human Resources report for the referenced Board of Commission meeting.

Megan M Russelburg
Megan McElfresh Russelburg
Human Resources Director

Attachment

Board of Commission HR Report - 4.14.26

NEW HIRES and POSITION CHANGES

Name	Department	Job Title	Date
Tyler Duncan*	HWU	HWU Wastewater Treatment Operator I	3/23/2026
Lifeguard 1**	Atkinson Pool	Lifeguard	4/7/2026
Lifeguard 2**	Atkinson Pool	Lifeguard	4/7/2026
Dalynna Main*	Atkinson Pool	Cashier	4/7/2026
Esther Wright*	Atkinson Pool	Cashier	4/7/2026

**delineates new employees*

***names redacted due to employee under age 18*

SEPARATIONS

Name	Department	Job Title	Date
Logan Cobb	Police	Police Officer	3/23/2026
Isaac Gaston	Police	Police Officer	3/25/2026

CURRENT JOB POSTINGS

Administration	Mass Transit	Bus Operator
	Engineering	Engineer
Emergency Communications		Communications Officer
Fire		Lateral Firefighter Fire Driver Engineer - Testing on 4/29/26
Parks & Recreations	Atkinson Pool	Aquatics Supervisor - Seasonal
		Cashier - Seasonal
		Lifeguard - Seasonal
		Senior Lifeguard - Seasonal
Police		Lateral Police Officer
		Police Lieutenant - Testing on 4/27/26
		Police Sergeant - Testing on 4/27/26
		Police Officer - Testing on 5/2/2026
HWU	SOC	HWU IT Systems Administrator

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RESOLUTION NO. _____

**RESOLUTION ACCEPTING HUMAN RESOURCES REPORT
DATED APRIL 14, 2026, AND APPROVING ALL ACTIONS
CONTAINED WITHIN**

WHEREAS, Human Resources provides an important function for the City of Henderson in the hiring and separation of employees; and

WHEREAS, the employees of the City are the lifeline for the efficient operation of the City in the service of its citizens; and

WHEREAS, the attached Human Resources Report dated April 14, 2026, serves to ensure the Board of Commissioners is fully aware of the status of employment positions including new hires, position changes, recent separations, and current vacancies within the City's workforce.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the attached Human Resources Report dated April 14, 2026, is accepted, and all actions contained within are hereby approved.

On motion of Commissioner _____, seconded by Commissioner _____, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Thomas:	_____	Commissioner Hargis:	_____
Commissioner Pruitt:	_____	Mayor Staton:	_____
Commissioner Whitt:	_____		

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

Bradley S. Staton, Mayor

Date: _____

ATTEST:

Jessa Brandon, City Clerk

**APPROVED AS TO FORM AND
LEGALITY THIS 8TH DAY OF
APRIL 2026.**

By: _____
Dawn S. Kelsey, City Attorney

Human Resources Memorandum
26 - 13

April 8, 2026

TO: Dylan Ward, City Manager

FROM: Megan Russelburg, Human Resources Director

SUBJECT: HR Report for the April 14, 2026 Commission Meeting

Attached is Human Resources report for the referenced Board of Commission meeting.

Megan M Russelburg
Megan McElfresh Russelburg
Human Resources Director

Attachment

Board of Commission HR Report - 4.14.26

NEW HIRES and POSITION CHANGES

Name	Department	Job Title	Date
Tyler Duncan*	HWU	HWU Wastewater Treatment Operator I	3/23/2026
Lifeguard 1**	Atkinson Pool	Lifeguard	4/7/2026
Lifeguard 2**	Atkinson Pool	Lifeguard	4/7/2026
Dalynna Main*	Atkinson Pool	Cashier	4/7/2026
Esther Wright*	Atkinson Pool	Cashier	4/7/2026

**delineates new employees*

***names redacted due to employee under age 18*

SEPARATIONS

Name	Department	Job Title	Date
Logan Cobb	Police	Police Officer	3/23/2026
Isaac Gaston	Police	Police Officer	3/25/2026

CURRENT JOB POSTINGS

Administration	Mass Transit	Bus Operator
	Engineering	Engineer
Emergency Communications		Communications Officer
Fire		Lateral Firefighter Fire Driver Engineer - Testing on 4/29/26
Parks & Recreations	Atkinson Pool	Aquatics Supervisor - Seasonal Cashier - Seasonal Lifeguard - Seasonal Senior Lifeguard - Seasonal
Police		Lateral Police Officer Police Lieutenant - Testing on 4/27/26 Police Sergeant - Testing on 4/27/26 Police Officer - Testing on 5/2/2026
HWU	SOC	HWU IT Systems Administrator

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City Commission Memorandum
26-100

April 1, 2026

TO: Mayor Bradley S. Staton the Board of Commissioners

FROM: Dylan H. Ward, City Manager *WFW Acting*

SUBJECT: Kentucky Fire Commission FY2027 Training Facility Grant

The accompanying resolution authorizes the application for, and acceptance of, grant funding from the Kentucky Fire Commission through the 2027 Training Facility Grant Program, in an amount up to \$40,000.00, or as otherwise determined by the Kentucky Fire Commission.

The FY2027 Training Facility Grant Program supports the construction and improvement of fixed structures used in firefighter training. Eligible projects include, but are not limited to, training towers; burn and smoke buildings; multi-purpose training structures; training props; facilities dedicated to firefighter training; upgrades to existing training facilities; and equipment used solely for training purposes, as outlined in KRS 95A.262. The application deadline is April 30, 2026.

If awarded, the grant funds will be used to continue improvements to the training tower at the 5th Street training facility. Phase 3 of the planned upgrades includes replacing the existing shingle roof with a metal roof; replacing all four exterior doors with heavy-duty, commercial-grade steel doors (with the current doors repurposed for interior use); replacing six window hatches with heavy-duty, commercial-grade steel swinging hatches; replacing the existing wooden railing with a metal railing; replacing the existing wooden steps leading to the fourth floor with steel steps; and constructing a rappel wall on the alpha side adjacent to the windows.

The Fire Department has successfully secured this grant over the past two years, allowing for significant upgrades to the training facility. Approval of the attached resolution is respectfully requested.

c: Josh Dixon
Chelsea Mills
Dawn Winn

Fire Department Memorandum
26-07

April 1, 2026

TO: Dylan Ward, City Manager
FROM: Josh Dixon, Fire Chief
SUBJECT: Kentucky Fire Commission Training Facility Grant

I am writing to request approval to apply for the FY2027 Training Facility Grant offered by the Kentucky Fire Commission. We are seeking a total of \$40,000.00, with no matching funds required.

If awarded, these funds will be allocated for continued updates on the training tower located at our 5th Street Facility, specifically for Phase 3 of our planned improvements. The planned enhancements include:

- Replacement of the shingle roof with metal roofing.
- Replacement of all four exterior doors with heavy-duty, commercial-grade steel doors; the current doors will be repurposed as interior doors within the structure.
- Replacement of six window hatches with heavy-duty, commercial-grade steel swinging hatches.
- Replacement of the wooden railing with metal railing.
- Replacement of the wooden steps leading to the fourth floor with steel steps.
- Addition of a rappel wall on the alpha side, adjacent to the windows.

We have successfully secured this grant for the past two years, which has allowed us to complete significant upgrades. The upcoming funding, if awarded, will ensure that we continue to enhance the facility and provide our personnel with the best training environment possible.



Josh Dixon
Chief

[skip to main content \[#main-content\]](#)

 Kentucky Community and Technical College System Logo

Training Facility Grants

The Kentucky Fire Commission administers a grant intended for training facilities. Eligibility criteria is outlined in KRS 95A.262 [<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=55110>].

Training Facility Grant funds may be used toward the following:

- Construction of fixed structures utilized in the training process, including but not limited to:
 - Training towers
 - Burn/smoke buildings
 - Multi-purpose buildings
 - Training props
 - Dedicated buildings used for the purpose of training firefighters
- Upgrade of existing training facilities
- Equipment used solely for training purposes

Upon closing of the application period, and application review by the Fire Commission's Grants Committee, select applicants may be called upon to present additional information regarding their Training Facility Grant funds request. KRS 95A.262 [<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=55110>] guidelines will be used by the Grants Committee for review, recommendation and final approval by the Kentucky Fire Commission Board.

Grant recipients are responsible to submit both quarterly progress reports and quarterly financial status reports (along with receipts and verification of payment) to the Fire Commission office until the entire allotment of grant funds has been expended.

Questions regarding the Thermal Facility Grant Program should be directed via email to firegrants@kctcs.edu [<mailto:firegrants@kctcs.edu?subject=>] or via telephone at (859) 256-3616.

Forms

Quarterly Progress Report [/fire_commission_programs/forms-programs/training-facility-grants/training-facility-grant-progress-report-apr2021.pdf]

Quarterly Financial Status Report [/fire_commission_programs/forms-programs/training-facility-grants/training-facility-grant-financial-status-report-apr2021.pdf]

grants/training-facility-grant-quarterly-report-apr2021.pdf]

Kentucky Fire Commission 110 Cleveland Drive Paris, KY 40361 (800) 782-6823

Email kyfirecommission@kctcs.edu [mailto:kyfirecommission@kctcs.edu]

KCTCS is an equal educational and employment opportunity institution [/about/privacy-terms.aspx] .

110 Cleveland Drive
Paris, KY 40361



(800) 782-6823
kyfirecommission.kctcs.edu

April 1, 2026

The Kentucky Fire Commission is now accepting applications for the FY2027 Training Facility Grant. The application is webform based and can be accessed via KyFIRES:

1. Log into KyFIRES (<https://kyfires.acadisonline.com/AcadisViewer/Login.aspx>)
2. Click on Webforms and Resources on the left menu bar
3. Click on Webforms
4. Click on FY2027 Training Facility Grant Application

Applications must be prepared and submitted by authorized KyFIRES users (i.e., those who have permissions on KyFIRES to enter personnel or training records).

The application must be filled out in its entirety with required documents uploaded or the application will not be eligible for consideration.

DEADLINE FOR SUBMISSION – April 30, 2026 at 12:00 pm (EST)

No applications will be considered after the deadline. Application and eligibility criteria can be found under KRS 95A.262. Fire departments must be compliant with Fire Commission funding and program requirements to be eligible for consideration. Fire departments who report to the Department for Local Government (DLG) must be compliant with those reporting requirements as well. DLG compliance information can be found at <https://spge.dlg.ky.gov/spge/Dashboard>

If you have any questions or we can be of any assistance please contact our Grant Specialist, Bonita Oldham at firegrants@kctcs.edu.

Sincerely,

A handwritten signature in black ink, appearing to read "Carrie Wilburn".

Carrie Wilburn
KY Fire Commission
Director of Operations

RESOLUTION NO. _____

RESOLUTION AUTHORIZING SUBMITTAL OF A FY2027 TRAINING FACILITY GRANT APPLICATION IN THE AMOUNT OF \$40,000.00 FROM THE KENTUCKY FIRE COMMISSION; ACCEPTANCE OF GRANT FUNDS IF AWARDED; AND AUTHORIZING CITY TO EXECUTE ALL NECESSARY DOCUMENTS

WHEREAS, the Kentucky Fire Commission has a state program that awards grant funds to update training facilities as part of the Training Facility Grant Program, and

WHEREAS, the Henderson Fire Department wishes to apply for grant funds to continue updates to their current training grounds located on outer Fifth Street; and

WHEREAS, the City Manager recommends authorizing the Henderson Fire Department to submit a FY2027 Training Facility Grant Application in the amount of \$40,000.00 from the Kentucky Fire Commission; acceptance of grant funds if awarded; and authorizing the City to execute all necessary documents.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, authorizing the Henderson Fire Department to submit a FY2027 Training Facility Grant Application in the amount of \$40,000.00 from the Kentucky Fire Commission; acceptance of grant funds if awarded; and authorizing the City to execute all necessary documents.

On motion of Commissioner _____, seconded by Commissioner _____, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Thomas: _____	Commissioner Hargis: _____
Commissioner Pruitt: _____	Mayor Staton: _____
Commissioner Whitt: _____	

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

Bradley S. Staton, Mayor

Date: _____

ATTEST:

Jessa Brandon, City Clerk

**APPROVED AS TO FORM AND
LEGALITY THIS 6TH DAY OF
APRIL 2026.**

By: _____
Dawn S. Kelsey, City Attorney

City Commission Memorandum
26-94

April 6, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners

FROM: Dylan H. Ward, City Manager *WJN Acting*

SUBJECT: Accept Public Utility Improvements - Bentley Point, Section 2

An item for consideration at the Tuesday, April 14, 2026, meeting is the final reading of an ordinance accepting potable water, sanitary sewer and storm sewer system improvements as part of the Bentley Point, Section 2 development on Barret Boulevard.

Included in this acceptance for the sanitary sewer system is installation of 2,054 linear feet of 8-inch SDR 35 PVC; 203 linear feet of 8-inch SDR 26 PVC; 11 manholes installed. Installation for the storm sewer system includes 200 linear feet of 15-inch RCP; 30 linear feet of 18-inch RCP; 30 linear feet of 24-inch RCP; 30 linear feet of 26-inch RCP; 134 linear feet of 15-inch HDPE; 289 linear feet of 18" HDPE; 346 linear feet of 24-inch HDPE; 341 linear feet of 30-inch HDPE; 186 linear feet of 36-inch HDPE; and 30 linear feet of 42-inch HDPE for a total of 25 installed structures. Installation for the potable water system includes 2,081 linear feet of 8" PVC C900; the installation of 6 8-inch valves, 3 6-inch valves, 3 hydrants, and one automatic release valve.

These improvements were constructed by Jagoe Homes as part of the Bentley Point, Section 2 development on Barret Boulevard.

The new improvements are in accordance with the public improvement specifications and regulations and were recommended for acceptance at a meeting of the Water and Sewer Commission held on March 16, 2026.

Your approval of the attached ordinance is respectfully requested.

c: Bart Boles
Dawn Kelsey

ORDINANCE NO. 09-26

ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS

SUMMARY: ORDINANCE ACCEPTING PUBLIC UTILITY IMPROVEMENTS (POTABLE WATER, SANITARY SEWER, AND STORM SEWER SYSTEMS) FOR BENTLEY POINT SECTION 2 (DEER VALLEY SUBDIVISION, LLC) BEING CONSTRUCTED AT THE END OF BARRET BOULEVARD IN THE CITY OF HENDERSON

WHEREAS, at a meeting of the Water and Sewer Commission of the City of Henderson, held on March 16, 2026, it was recommended that certain public utility improvements (potable water, sanitary sewer, and storm sewer systems) for Bentley Point, Section 2 (Deer Valley Subdivision, LLC) being constructed at the end of Barret Boulevard in the City of Henderson be accepted; and

WHEREAS, said improvements have been made in accordance with public improvements specifications and regulations.

NOW, THEREFORE, BE IT ORDAINED by the City of Henderson, Kentucky, that the City hereby accepts certain public utility improvements (potable water, sanitary sewer, and storm sewer systems) for Bentley Point, Section 2 (Deer Valley Subdivision, LLC) being constructed at the end of Barret Boulevard which consists of the following:

Sanitary Sewer Inventory

Total LF of 8" SDR 35 PVC = 2,054

Total LF of 8" SDR 26 PVC = 203

Number of installed manholes = 11

Storm Sewer Inventory

Total LF of 15" RCP = 200

Total LF of 18" RCP = 30

Total LF of 24" RCP = 30

Total LF of 36" RCP = 30

Total LF of 15" HDPE = 134

Total LF of 18" HDPE = 289

Total LF of 24" HDPE = 346

Total LF of 30" HDPE = 341

Total LF of 36" HDPE = 186

Total LF of 42" HDPE = 30

Number of installed structures = 25

Potable Water Inventory

Total LF of 8" (PVC C900) = 2,081

Number of installed 8" valves = 6

Number of installed 6" valves = 3

PUBLICATION DATE: _____

FIRST READ: 03/24/2026

SECOND READ: _____

Number of hydrants installed = 3
Number of Automatic Release Valve = 1

All ordinances or parts of ordinances in conflict herewith are hereby repealed and superseded to the extent of such conflict.

The ordinance shall become effective upon legal adoption.

On first reading of the foregoing ordinance, it was moved by Commissioner HARGIS, seconded by Commissioner THOMAS, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Hargis:	<u>AYE</u>	Commissioner Whitt:	<u>AYE</u>
Commissioner Thomas:	<u>AYE</u>	Mayor Staton:	<u>AYE</u>
Commissioner Pruitt:	<u>AYE</u>		

WHEREUPON, Mayor Staton declared the ordinance adopted on first reading and ordered that it be presented for second reading at a regular meeting of the Board of Commissioners.

On second reading of the foregoing ordinance, it was moved by Commissioner _____, seconded by Commissioner _____, that the ordinance be adopted.

WHEREUPON, the vote was called, on roll call the vote stood:

Commissioner Thomas:	_____	Commissioner Hargis:	_____
Commissioner Pruitt:	_____	Mayor Staton:	_____
Commissioner Whitt:	_____		

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

Bradley S. Staton, Mayor

Date: _____

ATTEST:

Jessa Brandon, City Clerk

APPROVED AS TO FORM AND LEGALITY THIS 19TH DAY OF MARCH 2026.

By: _____
Dawn Kelsey, City Attorney



Henderson Water Utility
WATER • WASTEWATER • STORMWATER

☎ 270.826.2421

💻 www.hkywater.org

📍 111 Fifth Street
Henderson, KY 42420

Date: 16 March 2026

Memo To: Mayor Brad Staton
Henderson City Commissioners

From: Bart Boles
HWU General Manager

Subject: Bentley Point Section 2
Stormwater, Potable Water,
and Sanitary Sewer System
Improvements

At its meeting on 16 March, the Water and Sewer Commission passed a Resolution (copy attached) approving the acceptance into our Stormwater, Potable Water, and Sanitary Sewer systems, the improvements constructed by **Jagoe Homes**, as part of the Bentley Point, Section 2 development. This allows section 2 of the Bentley Point development at the end of Barret Boulevard to have access to our Stormwater, Potable Water, and Sanitary Sewer systems.

This work is now complete, and the stormwater, potable water, and sanitary sewer infrastructure has been installed, inspected, and approved for acceptance.

If you have any questions or need further information on this or any other matter, please feel free to call me at 270.869.6614 (Office) or 270.875.2409 (Cell).

Re: Dylan Ward, City Manager
Wm. (Buzzy) Newman, Asst. City Mgr
Dawn S. Kelsey, City Attorney
Matt Calvert, HWU Chief Engineer

**WATER AND SEWER COMMISSION of the CITY OF HENDERSON
RESOLUTION OF THE BOARD OF COMMISSIONERS**

Resolution No. 2026 - 04

**Acceptance of Bentley Point Subdivision Section 2 Stormwater,
Sanitary Sewer and Potable Water Improvements**

The following Resolution was duly adopted by the Board of Commissioners of the Water & Sewer Commission of the City of Henderson at a regular meeting held on Monday, 16 March 2026, at which meeting a quorum was present.

BE IT RESOLVED, that the Water and Sewer Commission of the City of Henderson by and through its Board of Commissioners, under the authority granted to the Commission under Chapter 23 Article II Division 3 Sections 23-36 through 23-45.2 of the City Code of Ordinances, hereby recommends to the Board of Commissioners of the City of Henderson, Kentucky, that the City of Henderson accept certain public utility improvements as recommended by the staff of the Water and Sewer Commission, and herewith transmitted to the City, to with:

Bentley Point Subdivision Section 2

Sanitary Sewer Inventory

Total LF of 8" SDR 35 PVC = 2,054

Total LF of 8" SDR 26 PVC = 203

Number of installed manholes = 11

(SSMH 207, 208, 209, 301, 301A, 302, 303, 304, 305, 306, 309)

Phase 2 Sanitary Construction Cost: \$270,290.11

Storm Sewer Inventory

Total LF of 15" RCP = 200

Total LF of 18" RCP = 30

Total LF of 24" RCP = 30

Total LF of 36" RCP = 30

Total LF of 15" HDPE = 134

Total LF of 18" HDPE = 289

Total LF of 24" HDPE = 346

Total LF of 30" HDPE = 341
 Total LF of 36" HDPE = 186
 Total LF of 42" HDPE = 30
 Number of installed structures = 25
 (CI 199, CI 197, AD 331A, CI 331, CI 329, CI 327, CI 333, CI 333A, MH 325, MH 321, FES 323, DCI 319, DCI 317, AD 315, AD 313B, MH 313A, MH 335, CI 337)
Phase 2 Storm Construction Cost: \$458,289.29

Potable Water Inventory


Total LF of 8" (PVC C900) = 2,081
 Number of installed 8" valves = 6
 Number of installed 6" valves = 3
 Number of hydrants installed = 3
 Number of Automatic Release Valve = 1
Phase 2 Water Construction Cost: \$257,449.32

All these facilities are complete, in operation, and ready for acceptance

The General Manager is hereby authorized to deliver this Resolution to the City of Henderson.

IN WITNESS WHEREOF, having come before the Board of Commissioners on Monday, 16 March 2026, and upon Motion made by Commissioner Gary Jennings, and seconded by Commissioner Brenna Caudill, the Board of Commissioners voted as follows:

	<u>AYE</u>	<u>NAY</u>
Commissioner, Paul Bird, Jr.	✓	_____
Commissioner, Chris Smith	✓	_____
Commissioner, Steve Austin	✓	_____
Commissioner, Gary Jennings	✓	_____
Commissioner, Brenna Caudill	✓	_____



 Matt Calvert
 Director of Engineering
 Henderson Water Utility



 Bart Boles
 General Manager
 Henderson Water Utility

[External]Re: Fw: [External]12330 - Bentley Point Phase 2 - Sanitary As-built and Utilities Inventory

From Manuel Ball <manuel.ball@jagoehomes.com>

Date Tue 3/3/2026 12:22 PM

To Calvert, Matt <matt.calvert@hkywater.org>

 1 attachment (6 MB)

12330_Bentley Point PH2_Sanitary As-built_20260204.pdf;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning,

Jagoe Homes respectfully requests that HWU assume maintenance of the public sanitary sewer, storm sewer, and water infrastructure installed for **Bentley Point – Phase 2**.

Attached is the sanitary sewer as-built, and below is the full utility inventory for your review. If everything looks acceptable, I can forward the package to Matt. Please let me know if you have any questions or if additional documentation is needed.

Sanitary Sewer Inventory

Total LF of 8" SDR 35 PVC = 2,054

Total LF of 8" SDR 26 PVC = 203

Number of installed manholes = 11

(SSMH 207, 208, 209, 301, 301A, 302, 303, 304, 305, 306, 309)

Phase 2 Sanitary Construction Cost: \$270,290.11

Storm Sewer Inventory

Total LF of 15" RCP = 200

Total LF of 18" RCP = 30

Total LF of 24" RCP = 30

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Total LF of 24" HDPE = 346

Total LF of 30" HDPE = 341

Total LF of 36" HDPE = 186

Total LF of 42" HDPE = 30

Number of installed structures = 25

(CI 199, CI 197, AD 331A, CI 331, CI 329, CI 327, CI 333, CI 333A, MH 325, MH 321, FES 323, DCI 319, DCI 317, AD 315, AD 313B, MH 313A, MH 335, CI 337)

Phase 2 Storm Construction Cost: \$458,289.29

Potable Water Inventory

Total LF of 8" (PVC C900) = 2,081

Number of installed 8" valves = 6

Number of installed 6" valves = 3

Number of hydrants installed = 3

Number of Automatic Release Valve = 1

Phase 2 Water Construction Cost: \$257,449.32

Please feel free to contact me with any additional questions or concerns.

Manuel Ball
VP of Land



Where Life Happens.

Main: 270-684-0639
3624 Wathens Crossing
Owensboro, KY 42301



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On Tue, Mar 3, 2026 at 8:29 AM Calvert, Matt <matt.calvert@hkywater.org> wrote:

Manuel,

Just wanted to let you know that our next board meeting is on March 16th. If you can get us the items requested below by March 11th I can get this added the agenda.

Thanks,

Matt Calvert, PE
Director of Engineering



Henderson Water Utility
WATER • WASTEWATER • STORMWATER

1383 Commonwealth Drive
Henderson, KY 42420
Office: 270-826-2824
Mobile: 270-993-2863
matt.calvert@hkywater.org

From: Calvert, Matt <matt.calvert@hkywater.org>
Sent: Thursday, February 5, 2026 2:30 PM
To: Alejandro Mojica <AlejandroM@morleycorp.com>
Cc: Manuel Ball <manuel.ball@jagoehomes.com>
Subject: Re: [External]12330 - Bentley Point Phase 2 - Sanitary As-built and Utilities Inventory

Alejandro,

We see no issues with the submitted as-builts or the inventory list.

Manuel,

Please submit your request for HWU to assume maintenance and include the inventory list. Also, submit the cost of construction for the sanitary sewer, potable water and the storm sewer.

If you can provide us with those items we should be able to take this to our February 16th board meeting for acceptance.

Thanks,

Matt Calvert, PE
Director of Engineering



Henderson Water Utility
WATER • WASTEWATER • STORMWATER

1383 Commonwealth Drive
Henderson, KY 42420
Office: 270-826-2824
Mobile: 270-993-2863
matt.calvert@hkywater.org

From: Alejandro Mojica <AlejandroM@morleycorp.com>
Sent: Thursday, February 5, 2026 11:50 AM
To: Calvert, Matt <matt.calvert@hkywater.org>
Cc: Manuel Ball <manuel.ball@jagoehomes.com>
Subject: [External]12330 - Bentley Point Phase 2 - Sanitary As-built and Utilities Inventory

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
Matt,

Attached is the sanitary sewer as-built and below is the inventory for sanitary sewer, storm sewer, and potable water for Phase 2 at Bentley Point. Please let me know if you have you need anything else.

Sanitary Sewer Inventory

Total LF of 8" SDR 35 PVC = 2,054
Total LF of 8" SDR 26 PVC = 203
Number of installed manholes = 11
(SSMH 207, 208, 209, 301, 301A, 302, 303, 304, 305, 306, 309)

Storm Sewer Inventory

Total LF of 15" RCP = 200
Total LF of 18" RCP = 30
Total LF of 24" RCP = 30
Total LF of 36" RCP = 30
Total LF of 15" HDPE = 134
Total LF of 18" HDPE = 289
Total LF of 24" HDPE = 346
Total LF of 30" HDPE = 341
Total LF of 36" HDPE = 186
Total LF of 42" HDPE = 30
Number of installed structures = 25 (CI 199, CI 197, AD 331A, CI 331, CI 329, CI 327, CI 333, CI 333A, MH 325, MH 321, FES 323, DCI 319, DCI 317, AD 315, AD 313B, MH 313A, MH 335, CI 337)

Potable Water Inventory

Total LF of 8" (PVC C900) = 2081
Number of installed 8" valves = 6
Number of installed 6" valves = 3

Number of hydrants installed = 3
Number of Automatic Release Valve = 1

Thank you,

Alejandro Mojica, P.E. (TN, IN)
Manager – Nashville Office



2603 Elm Hill Pike – Suite I, Nashville, TN 37214
o:615.988.7668 m:812.431.9336

alejandrom@morleycorp.com

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City Commission Memorandum
26-106

April 8, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners

FROM: Dylan Ward, City Manager *WDW Acting*

SUBJECT: Zoning Ordinance Amendment Relating to Qualified
Manufactured Homes Within Single-Family Residential Zones

An item for consideration at the Tuesday, April 14, 2026, regular meeting is first reading of an ordinance amending Appendix A-Zoning of the Code of Ordinances of the City of Henderson relating to qualified manufactured homes within single-family residential zones.

KRS 100.348 regulates the placement of qualified manufactured homes within single-family residential zones subject to the same standards as site-built homes. A “qualified manufactured home” is defined by Kentucky law as a manufactured home with a permanent foundation and in compliance with all standards contained in the Kentucky Building Code.

The proposed amendments include Article II, *Definitions* Section 2.01 *Definitions*, Article IV, *General Provisions*, Section 4.22 *Single-Family Residential Architectural Compatibility Standards*, Article XIII - *R-3 Medium To High Density Residential District*, Section 13.03 *Conditional Uses*, Article XVI – *R-MH, Manufactured Home District*, Section 16.02 *Permitted Uses*, Article XXV – *Ag, Agriculture District*, Section 25.04 *Exceptions*; Article XXXI – *Audubon Residential District*, Section 31.03 *Permitted Uses*; Article XXXV – *R-SMH Residential Subdivided Manufactured Home District*, Section 35.02 *Permitted Uses – Zoning* of the Code of Ordinances of the City Of Henderson. The amendments are outlined in the attached Ordinance and Exhibits.

The Planning Commission conducted a public hearing on Tuesday, April 7, 2026, and recommended approval of the amendments as presented.

Your approval of the attached ordinance is respectfully requested.

c: Brian Bishop
Steve Davis
Dawn Kelsey

ORDINANCE NO. _____

ORDINANCE AMENDING APPENDIX A-ZONING - ARTICLE

SUMMARY: ORDINANCE AMENDING ARTICLE II, *DEFINITIONS* SECTION 2.01 *DEFINITIONS*, ARTICLE IV, GENERAL PROVISIONS, SECTION 4.22 SINGLE-FAMILY RESIDENTIAL ARCHITECTURAL COMPATIBILITY STANDARDS, ARTICLE XIII – *R-3 MEDIUM TO HIGH DENSITY RESIDENTIAL DISTRICT*, SECTION 13.03 – *CONDITIONAL USES*, ARTICLE XVI – *R-MH, MANUFACTURED HOME DISTRICT*, SECTION 16.02 *PERMITTED USES*, ARTICLE XXV – *AG, AGRICULTURE DISTRICT*, SECTION 25.04 *EXCEPTIONS*; ARTICLE XXXI – *AUDUBON RESIDENTIAL DISTRICT*, SECTION 31.03 *PERMITTED USES*; *ARTICLE XXXV R-SMH, RESIDENTIAL SUBDIVIDED MANUFACTURED HOME DISTRICT*, SECTION 35.02 *PERMITTED USES – ZONING OF THE CODE OF ORDINANCES OF THE CITY OF HENDERSON*

WHEREAS, the Kentucky General Assembly has enacted statutes, including but not limited to KRS 100.348, which regulate the placement of qualified manufactured homes within single-family residential zones; and

WHEREAS, KRS 100.348 provides that qualified manufactured homes meeting specific criteria shall be permitted in single-family residential zones subject to the same standards as site-built homes; and

WHEREAS, a “qualified manufactured home” is defined by Kentucky law as a manufactured home with a permanent foundation and in compliance with all standards contained in the Kentucky Building Code; and

WHEREAS, this section is adopted pursuant to KRS 100.348(4) and the City’s general zoning authority for the limited purpose of establishing contextual architectural compatibility standards applicable to all single-family residential dwellings, including site-built and qualified manufactured homes, in residential zoning districts where single-family dwellings are permitted;

WHEREAS, the Henderson City-County Planning Commission held a public hearing on April 7, 2026, on the proposed Ordinance Amending Article II, *Definitions* Section 2.01 *Definitions*, Article IV, General Provisions, Section 4.22 *Single-Family Residential Architectural Compatibility Standards*, Article XIII – *R-3 Medium To High Density Residential District*, Section 13.03 – *Conditional Uses*, Article XVI – *R-MH, Manufactured Home District*, Section 16.02 *Permitted Uses*, Article XXV – *Ag, Agriculture District*, Section 25.04 *Exceptions*; Article XXXI – *Audubon Residential District*, Section 31.03 *Permitted Uses*; *Article XXXV R-SMH, Residential Subdivided Manufactured Home District*, Section 35.02 *Permitted Uses – Zoning Of The Code Of Ordinances Of The City Of Henderson* and voted to recommend approval of the amendments; and

NOW, THEREFORE, BE IT ORDAINED by the City of Henderson, Kentucky, that Ordinance Amending Article II, *Definitions* Section 2.01 *Definitions*, Article IV, General

PUBLICATION DATE: _____

FIRST READ: _____
SECOND READ: _____

Provisions, Section 4.22 Single-Family Residential Architectural Compatibility Standards, Article XIII – R-3 Medium To High Density Residential District, Section 13.03 – Conditional Uses, Article XVI – R-MH, Manufactured Home District, Section 16.02 Permitted Uses, Article XXV – Ag, Agriculture District, Section 25.04 Exceptions; Article XXXI – Audubon Residential District, Section 31.03 Permitted Uses; Article XXXV R-SMH, Residential Subdivided Manufactured Home District, Section 35.02 Permitted Uses – Zoning Of The Code Of Ordinances Of The City Of Henderson is hereby amended, copies of which are attached as Exhibit “A,” and can be found in the office of the city clerk.

The ordinance shall become effective on July 1, 2026.

On first reading of the foregoing ordinance, it was moved by Commissioner _____, seconded by Commissioner _____, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Thomas: _____ Commissioner Hargis: _____
Commissioner Pruitt: _____ Mayor Staton: _____
Commissioner Whitt: _____

WHEREUPON, Mayor Staton declared the ordinance adopted on first reading and ordered that it be presented for second reading at a regular meeting of the Board of Commissioners.

On second reading of the foregoing ordinance, it was moved by Commissioner _____, seconded by Commissioner _____, that the ordinance be adopted.

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

Commissioner Thomas: _____ Commissioner Hargis: _____
Commissioner Pruitt: _____ Mayor Staton: _____
Commissioner Whitt: _____

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

Bradley S. Staton, Mayor
Date: _____

ATTEST:

Jessa Brandon
City Clerk

**APPROVED AS TO FORM AND
LEGALITY THIS 8TH DAY OF
APRIL 2026.**

By: _____
Dawn Kelsey,
City Attorney

Exhibit A

Section 2.01 – Definitions

Dwelling unit, single-family.

(a) A building or structure designed and intended for occupancy by a single family constructed on site on a permanent foundation in compliance with all standards contained in the Kentucky Building Code; or

(b) [A building or structure designed and intended for occupancy by a single family and fabricated in whole or part in an off-site manufacturing facility and transported by truck for installation or assembly at the building site as a permanent structure with installation required to be moored to a permanent foundation in compliance with all the standards contained in the Kentucky Building Code and once installed can only be moved as a conventional home.]
Qualified Manufactured housing as defined here and as defined by KRS 100.348 with a permanent foundation and in compliance with all standards contained in the Kentucky Building Code.

Manufactured housing. A manufactured building designed for long-term residential use.

Manufactured housing includes that housing built on a chassis and is commonly referred to as "mobile homes"; however, manufactured housing does not include recreational vehicle, as defined herein at "Article II, Definitions, Section 2.01, Definitions." For the purpose of these regulations, manufactured housing is divided into four (4) classifications.

(1) [~~Class A Manufactured housing certified by the Department of Housing and Urban Development as meeting all federal manufactured home construction and safety standards and approved by the zoning administrator as meeting all the "acceptable installation standards" and all "acceptable appearance standards" herein below.~~

~~a. Acceptable installation standards.~~

~~1. The home shall be permanently attached and installed on a permanent foundation with the manufacturer's installation specifications as approved by the U.S. Department of Housing and Urban Development.~~

~~2. The home shall be anchored to the ground in accordance with manufacturer's specifications.~~

~~3. All wheel, trailer tongue and hitch assemblies shall be removed upon installation.~~

~~4. The home shall meet all requirements for lot, yard, building and other requirements for the district in which it is located. Variances may be granted for yard setbacks when manufactured home is approved as a conditional use in R-3 or Audubon Residential District zones.~~

~~5. All stairs, porches, entrances, platforms and other means of entrance and exit to the home shall be installed and constructed in conformance to the Kentucky Building Code.~~

~~6. All utilities shall be permanently connected to a public utility system in accordance with all City Codes and all public health requirements governing plumbing installations.~~

~~b. *Acceptable appearance standards:*~~

~~1. A poured concrete or masonry skirting wall shall be constructed beneath and along the entire perimeter of the manufactured home, including the perimeter of the front steps and front porch, even if the wall is not structurally required by manufactured installation specifications. Venting and access requirements shall be in accordance with the Kentucky Building Code.~~

~~2. The home shall be a minimum width of twenty (20) feet as measured across the narrowest portion.~~

~~3. The home shall be placed so that the main egress is parallel to the street. Main egress shall be considered the principal access for the home as constructed off site.~~

~~4. The manufactured home shall either be oriented so that: 1) its long axis is parallel with the street; or 2) if the narrow dimension of the unit is located parallel to the street it shall be no less than fifty (50) percent of the unit's long dimension.~~

~~5. The home shall have a minimum roof pitch of four (4) feet of rise for every twelve (12) feet of horizontal run. The roof shall be covered with material that is residential in appearance including, but not limited to, approved wood, asphalt composition shingles, standing seam metal, or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or other metal roofs.~~

~~6. Exterior siding cannot have a high gloss finish and must be residential in appearance including, but not limited to, clapboards, simulated clapboards such as conventional vinyl or metal siding, wood shingles, "glossy" shakes, or similar material but excluding smooth, ribbed, or corrugated metal or plastic panels.~~

~~7. An adequate guttering and roof drainage system shall be installed.~~

~~8. The home shall have eaves with a minimum of six (6) inch overhang.]~~

Qualified manufactured housing is as defined under KRS 100.348 and means a manufactured home that meets all of the following criteria:

a. Is manufactured on a date not to exceed five (5) years prior to the date of installation and has all parts that operate only during transport removed;

b. Is affixed to a permanent foundation and is connected to the appropriate facilities and is installed in compliance with KRS 227.570;

c. Has a width of at least twenty (20) feet at its smallest width measurement or is two (2) stories in height and oriented on the lot or parcel so that its main entrance door faces the street; and

d. Has a minimum total living area of nine hundred (900) square feet; and

e) "Permanent foundation" means a system of supports that is:

1. Capable of transferring, without failure, into soil or bedrock, the maximum design load imposed by or upon the structure and complies with KRS 227.570;

2. Constructed with materials that are compatible with surrounding residential structures so long as the materials do not compromise the structural engineering of the home in conflict with KRS 227.570; and

3. Placed at a depth below grade adequate to prevent frost damage, in accordance with the manufacturer's installation requirements and KRS 227.570.

(2) *Class B manufactured home.* Manufactured housing certified by the Department of Housing and Urban Development as meeting all federal manufactured home construction and safety standards and acceptable installation standards but not meeting all of the acceptable appearance standards described above.

(3) *Class C manufactured home.* A manufactured/mobile home built before the HUD Code (1976) which is not certified by the Department of Housing and Urban Development as meeting all federal manufactured housing and safety standards and not meeting all of the acceptable installation standards and acceptable appearance standards described above. No class C manufactured homes will be permitted.

(4) *Class D manufactured home.* A manufactured home having been issued a "class B2 seal," which means the home has been inspected and found not to be in compliance with applicable codes and is a salvage unit unfit for human habitation. No class D manufactured homes will be permitted.

Story. Story means that portion of a building included between the surface of a floor and the surface of the floor next above it or, if there is no floor above it, the space between the surface of a floor and the ceiling next above it.

Half-story. Half-story means the portion of a building between the top floor and a sloping roof, with at least two opposite exterior walls meeting the sloping roof not over three feet above such floor level

Exhibit B

Article IV. General Provisions

Section 4.22. Single-Family Residential Architectural Compatibility Standards

A. Purpose and Authority

This section is adopted pursuant to KRS 100.348(4) and the City's general zoning authority for the limited purpose of establishing contextual architectural compatibility standards applicable to all single-family residential dwellings, including site-built and qualified manufactured homes, in residential zoning districts where single-family dwellings are permitted.

These standards are intended solely to ensure compatibility, in terms of assessed value, between new single-family residential dwellings and existing single-family residential structures located within a one-eighth (1/8) mile radius of the proposed location as permitted under KRS 100.348

B. Applicability

1. The contextual compatibility standards set forth in this section shall apply uniformly to all new single-family residential dwellings, including site-built dwellings and qualified manufactured homes.

2. These standards shall be equivalent to and no more stringent than those applied to any other single-family residential structure within the same zoning district.

3. This section shall not apply to the following Zones:

a. Article XV – Planned Unit Development (PUD) District

b. Article XVI. R-MH, Manufactured Home District

c. Article XXXV. R-SMH, Residential Subdivided Manufactured Home District

4. Nothing in this section shall be construed to impose additional requirements on qualified manufactured homes beyond those permitted by KRS 100.348.

C. Reference Area

For purposes of this section, contextual compatibility shall be evaluated by comparison to existing single-family residential structures located within a one-eighth (1/8) mile radius of the proposed dwelling. The reference area is intended to reflect the existing residential context for purposes of assessed-value compatibility.

D. Permitted Contextual Compatibility Standards

The following compatibility standards are designed to ensure that all homes placed in residential zones are compatible, in terms of assessed value, with existing housing located with a one-eighth (1/8) mile or less radius from the proposed location of any new home. Contextual compatibility standards adopted pursuant to this section shall be limited exclusively to the architectural features authorized by KRS 100.348(4)(a)(c)(d) and shall be applied uniformly to all single-family dwellings as follows:

1. Roof Pitch

Minimum Roof Pitch for Single-Family Dwellings. All new single-family dwellings, except those exempted herein, including site-built homes, manufactured homes, and modular homes, shall have a minimum roof pitch of four (4) inches of vertical rise for every twelve (12) inches of horizontal run (4:12) on all primary roof structures unless the new single-family dwelling has an upper story or half story with conditioned living space.

2. Front Door

All new single-family dwellings shall be oriented to face the street (front door or primary entrance facing the street). In the case of a corner lot, any new single-family dwelling shall face the street on which a majority of the homes on the same block are oriented.

3. Foundation Treatment

All new single-family residential dwellings shall utilize permanent foundation treatments that are contextually equivalent including block, brick, concrete and natural stone to foundation treatments commonly found on existing single-family residential structures within the reference area. Foundation skirting will be required of any permitted manufactured home. The foundation wall or skirting provisions for single-family dwellings within an Area of Special Flood Hazard shall be constructed in accordance with these requirements except for any modification required by the Flood Plain Director.

4. Attached Structures

(A) Covered Front Porch Requirement. Except those zones exempted herein, all new single story or half-story single-family residential dwellings including qualified manufactured homes, located within a residential zoning district shall include a 24 square foot or more covered front porch.

(B) Exemption. The covered porch requirement shall not apply to single-family dwellings located in the following zones:

- a. Article XII-R-3 Medium to High Density Residential District
- b. Article XIV Multi-Family Residential District
- c. Article XXV – AG – Agriculture District
- d. Article XXXI – Audubon Residential District
- e. Article XXXII – Audubon Commercial District

(B) Permanent Porch Foundation. Any required covered front porch shall be constructed on a permanent foundation. Temporary, removable, or non-structural supports are prohibited.

(C) Integrated Porch Roofline. The roof of any required covered front porch shall be architecturally integrated into the primary roof structure of the dwelling and shall not appear as a detached, secondary, or add-on roof structure.

(D) Porch Columns and Railings. Porch columns and railings, where provided, shall be constructed of dimensional wood, masonry, decorative concrete, or wrapped structural posts. Exposed structural steel or pipe, or temporary supports are prohibited.

E. Private Restrictions

Nothing in this section shall be construed to affect, modify, or abolish restrictions contained in recorded deeds, covenants, or developers' subdivision restrictions, consistent with KRS 100.348(6).

F. Statutory Compliance

Any zoning regulation, ordinance, or requirement that violates KRS 100.348 is void and unenforceable pursuant to KRS 100.348(8). This section shall be interpreted and enforced in a manner consistent with that statutory mandate.

Exhibit C

Article XIII. – R-3 Medium to High Density Residential District

Sec. 13.03. Conditional uses.

- (a) Any use classified as a conditional use in the R-2, medium density residential district.
- (b) Reserved.
- (c) Reserved.
- (d) Bed and breakfast inns.
- ~~{(e) Class A manufactured homes, as defined in "Article II. Definitions, Section 2.01. Definitions," with the following limitations:~~
 - ~~(1) Manufactured home shall meet all acceptable installations standards of Class A manufactured housing as provided in Section 2.01 of this Code; and~~
 - ~~(2) Manufactured home shall meet all acceptable appearance standards of Class A manufactured housing as provided in Section 2.01 of this Code; and~~
 - ~~(3) In the granting of a variance, in no instance shall the front yard setback be less than the average front setback that exists on the nearest developed lots on the same block that front on the same side of the street as the subject lot, in accordance with the following rules:
 - ~~a. Lots that front on a different street than the subject lot or that are separated from the subject lot by a street may not be used in computing the average;~~
 - ~~b. When the subject lot is a corner lot, the average setback will be computed on the basis of the two (2) nearest developed lots that front on the same side of the street as the subject lot;~~
 - ~~e. When the subject lot abuts a corner lot fronting the same street, the average setback will be computed on the basis of the abutting corner lot and the nearest two (2) lots that front on the same street as the subject lot; and~~~~
 - ~~(4) In the granting of a variance, in no instance shall either side yard setback be less than five (5) feet; and~~
 - ~~(5) In the granting of a variance, in no instance shall the rear yard setback be less than ten (10) feet; and~~
 - ~~(6) In the granting of a variance, in no instance shall any permanent structure be permitted to be placed in a public utility or drainage easement.]~~

Exhibit D

Article XVI. R-MH, Manufactured Home District

Sec. 16.02. Permitted uses.

In all R-MH districts, no building or land, except as otherwise provided in this ordinance, shall be erected or used except for the following specified uses:

- (a) Qualified Manufactured Homes and Class [A], B manufactured homes. No class C or D will be permitted.
- (b) Manufactured home parks.
- (c) Accessory uses.
- (d) Private swimming pools.
- (e) A single-family dwelling is permitted when used by a park manager or park maintenance personnel; it must meet minimum yard requirements of the R-1 district.
- (f) Residential care facilities.
- (g) Shipping container homes.

Exhibit E

Article XXV – AG, Agriculture District

Sec. 25.04. Exceptions.

Land which is used solely for agricultural, farming, dairying, livestock raising, or similar purposes shall have no regulations imposed as to building permits, certificate of occupancy, height, yard, location, or courts' requirements for agricultural buildings, including and limited to one (1) Class B manufactured housing unit used as a dwelling except that:

- (a) Setback lines may be required for the protection of existing and proposed streets and highways.
- (b) All buildings or structures in a designated floodway which tend to increase flood heights or obstruct the flow of floodwaters may be fully regulated.

Exhibit F

Article XXXI Audubon Residential District

Sec. 31.03. Permitted uses.

1. Permitted Uses. The following uses are permitted:

- (a) Single-family dwellings.
- (b) Two-family dwellings (duplexes).
- (c) Reserved.
- (d) Townhouses in accordance with Section 4.05.
- (e) Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot and not involving any business, profession, trade or occupation.
- (f) Community gardens.
- (g) Home occupation as defined in Section 4.38.
- (h) Mixed-uses.
- i. Mixed use buildings:

Existing structures containing both residential dwelling units and non-residential commercial uses as found herein: residential dwelling units may be located on the ground floor of mixed-use buildings provided that a minimum of one thousand five hundred (1,500) square feet of non-residential floor areas is located on the ground floor, or when all the following criteria are met:

- 1. The building is a minimum of two (2) stories in height;
- 2. Commercial or office uses are restricted to the ground floor unless a conditional use permit is obtained;
- 3. Each ground floor dwelling unit is at the rear of the building, behind a commercial or office use, unless a conditional use permit is obtained.

ii. Neighborhood retail sales and services:

The use must be located in an existing structure, originally constructed for neighborhood business, or located within any mixed-use building, with the following criteria:

- 1. The gross floor area of the original structure may be expanded with a conditional use permit.

2. Retail sales and services that have been traditionally found in older urban neighborhoods. Typical uses include grocery shops, butcher shops, delicatessens, fruit and vegetable markets, ice cream shops, bakeries, cafes, pharmacies, music shops and schools, dance studios, antique shops, shoe repair, restaurants without drive-thrus, clothing and apparel stores, barber and beauty shops, and similar uses as determined by the codes administrator.

3. Bars, banks with drive thrus, and restaurants with drive-thrus are permitted with a conditional use permit.

iii. Professional offices:

The following professional office uses, may be allowed as permitted uses in existing or new buildings originally constructed for neighborhood business, or mixed-use purposes:

1. Medical, dental, optometry, chiropractic offices, architecture and engineering offices, attorney, title or other legal offices, professional services including real- estate, insurance, property management, tourism and travel, marketing, design, and other related professional services.

2. Such professional office uses shall only be permitted on the first floor of a mixed use building unless a conditional use permit is obtained.

2. Conditional uses.

(a) Funeral homes.

(b) Nonprofit public and private facilities.

(c) Schools, libraries, churches and other facilities normally incidental thereto, provided that there is adequate access to all required off-street parking areas, on-site parking spaces as required in Section 9.01 are provided, and there is no parking in the required front yard (see Section 31.05 parking (2)(a)).

(d) Bed and breakfast inns.

(e) Family child-care home, with the following limitations:

i. There shall be a maximum of ten (10) children allowed in the home of which no more than six (6) shall be unrelated to the care provider. No more than four (4) children under twelve (12) months of age nor more than six (6) children under six (6) years of age, including the provider's own or related children, shall be kept in the home.

ii. No person may be employed that is not a resident of the premises.

iii. Otherwise fully complies with the provisions of a home occupation as provided in Section 2.01 of this zoning ordinance.

~~[(f) — Class A manufactured homes, as defined in "Article II. Definitions, Section 2.01. Definitions," with the following limitations:~~

~~(1) — Manufactured home shall meet all acceptable installations standards of Class A manufactured housing as provided in section 2.01 of this Code; and~~

~~(2) — Manufactured home shall meet all acceptable appearance standards of Class A manufactured housing as provided in section 2.01 of this Code; and~~

~~(3) — In the granting of a variance, in no instance shall the front yard setback be less than the average front setback that exists on the nearest developed lots on the same block that front on the same side of the street as the subject lot, in accordance with the following rules:~~

~~a. — Lots that front on a different street than the subject lot or that are separated from the subject lot by a street may not be used in computing the average;~~

~~b. — When the subject lot is a corner lot, the average setback will be computed on the basis of the two (2) nearest developed lots that front on the same side of the street as the subject lot;~~

~~c. — When the subject lot abuts a corner lot fronting the same street, the average setback will be computed on the basis of the abutting corner lot and the nearest two (2) lots that front on the same street as the subject lot; and~~

~~(4) — In the granting of a variance, in no instance shall either side yard setback be less than five (5) feet; and~~

~~(5) — In the granting of a variance, in no instance shall the rear yard setback be less than ten (10) feet; and~~

~~(6) — In the granting of a variance, in no instance shall any permanent structure be permitted to be placed in a public utility or drainage easement.]~~

Exhibit G

Article XXXV. R-SMH, Residential Subdivided Manufactured Home District

Sec. 35.02. Permitted uses.

In all R-SMH districts, no building or land, except as otherwise provided in this article, shall be erected or used except for the following specified uses:

- (a) Qualified manufactured homes and Class [A], B manufactured homes. No class C or D will be permitted.
- (b) Single-family dwellings.
- (c) Accessory uses.
- (d) Shipping container homes meeting general requirements of section 35.06

City Commission Memorandum
26-103

April 7, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners
FROM: Dylan H. Ward, City Manager *WJN Acting*
SUBJECT: Retail and Commercial Development Incentive Plan

The attached resolution establishes and approves a Retail and Commercial Development Incentive Plan for the City of Henderson.

The City seeks to promote economic growth, expand its commercial base, and enhance the availability of retail, hospitality, and entertainment amenities for its residents. The City recognizes the importance of attracting and supporting high-quality retail and commercial developments that generate substantial capital investment and provide long-term economic benefits.

The proposed Incentive Plan is designed to encourage private investment while providing a clear framework for the evaluation and approval of eligible projects. By offering targeted incentives for qualifying developments, the Plan advances the public purpose of economic development by increasing the tax base, creating employment opportunities, and enhancing overall quality of life within the community.

Exhibit A, attached to the Resolution, outlines the eligibility criteria, qualifying project types, and available incentives to guide future development.

Your approval of the attached resolution is respectfully requested.

c: Dawn Kelsey

RESOLUTION NO. _____

**RESOLUTION ESTABLISHING AND APPROVING A RETAIL
AND COMMERCIAL DEVELOPMENT INCENTIVE PLAN FOR
THE CITY OF HENDERSON, KENTUCKY**

WHEREAS, the City of Henderson, Kentucky (“City”) seeks to promote economic development, expand its commercial base, and enhance the availability of retail, hospitality, and entertainment amenities for its residents; and

WHEREAS, the City recognizes the importance of attracting and supporting high-quality retail and commercial developments that generate significant capital investment and long-term economic benefit; and

WHEREAS, the City desires to establish a Retail and Commercial Development Incentive Plan to encourage investment and to provide a framework of evaluation and approval; and

WHEREAS, the City finds that providing targeted incentives for qualifying projects serves the public purpose of economic development by increasing the tax base, creating jobs, and improving the quality of life within the community; and

WHEREAS, the City Commission desires to set forth eligibility criteria, qualifying project types, and available incentives to guide future development opportunities as set forth in Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the attached Retail and Commercial Development Incentive Plan in Exhibit A is hereby approved.

On motion of Commissioner _____, seconded by Commissioner _____, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Thomas:	_____	Commissioner Hargis:	_____
Commissioner Pruitt:	_____	Mayor Staton:	_____
Commissioner Whitt:	_____		

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

Bradley S. Staton, Mayor

Date: _____

ATTEST:

Jessa Brandon
City Clerk

**APPROVED AS TO FORM AND
LEGALITY THIS 6TH DAY OF
APRIL 2026.**

By: _____
Dawn S. Kelsey, City Attorney

RETAIL AND COMMERCIAL DEVELOPMENT INCENTIVE PLAN
City of Henderson, Kentucky

1. Purpose

This Incentive Plan is established to encourage retail and commercial development within the City of Henderson that expands the community's commercial base, increases capital investment, and enhances quality of life.

2. Minimum Eligibility Requirements

Projects must include a minimum capital investment of Five Million Dollars (\$5,000,000) or more to be eligible for consideration.

3. Eligible Project Types

Grocery stores; hotels and hospitality establishments; family entertainment centers; and other retail or mixed-use developments that expand the community's commercial base.

4. Available Incentives

Discounted land pricing (City-owned land); infrastructure support not to exceed \$250,000; and forgivable loans structured as follows:

- \$5,000,000 to \$9,999,999: up to \$250,000
- \$10,000,000 to \$19,999,999: up to \$500,000
- \$20,000,000 and above: up to \$1,000,000

5. Review and Negotiation

All incentives shall be reviewed and negotiated by the Henderson Economic Development Retail Committee.

6. Approval Requirement

All incentive packages shall be subject to the approval of the City of Henderson Board of Commissioners.

7. Additional Incentives

Nothing in this Incentive Plan shall prevent the Board of Commissioners from offering additional incentives authorized under applicable state law or through programs of the Kentucky Cabinet for Economic Development.

8. Development Agreement

All approved incentives shall be memorialized in a written Development Agreement to be approved by the Board of Commissioners.

**City Commission Memorandum
26-101**

April 6, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners
FROM: Dylan H. Ward, City Manager *DHW Acting*
SUBJECT: City Manager Salary

The accompanying resolution approves the salary increase of the City Manager, Dylan H. Ward.

Pursuant to the terms of his Employment Agreement dated March 3, 2025, the Board of Commissioners has conducted an annual performance evaluation and has approved a 3.25% salary increase effective March 3, 2026.

Your approval of the attached resolution is respectfully requested.

c: Megan Russelburg

RESOLUTION NO. _____

**RESOLUTION INCREASING SALARY OF CITY MANAGER
BY THREE POINT TWO FIVE PERCENT (3.25%) EFFECTIVE
MARCH 3, 2026.**

WHEREAS, by the terms of the Employment Agreement effective March 3, 2025, whereby the City of Henderson employed Dylan Ward. as City Manager, it is provided that the City shall conduct an annual performance evaluation for the purpose of determining whether to increase the compensation paid to Mr. Ward ; and

WHEREAS, the Board of Commissioners of the City has conducted such an evaluation and has concluded that Mr. Ward’s job performance warrants the granting to him of a Three point two five percent (3.25%) salary increase.

NOW, THEREFORE, BE IT RESOLVED by the City of Henderson, Kentucky, that the salary to be paid Dylan Ward for his services as City Manager shall be increased to \$161,813.75 effective as of March 3, 2026.

On motion of Commissioner _____, seconded by Commissioner _____, that the foregoing Resolution be adopted, the vote was called. On roll call the vote stood:

Commissioner Thomas: _____ Commissioner Hargis: _____
Commissioner Pruitt: _____ Mayor Staton: _____
Commissioner Whitt: _____

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

Bradley S. Staton, Mayor

Date: _____

ATTEST:

Jessa Brandon, City Clerk


**APPROVED AS TO FORM AND
LEGALITY THIS 27th DAY OF
MARCH 2026.**

By: _____
Dawn S. Kelsey, City Attorney

City Commission Memorandum
26-98

April 10, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners

FROM: Dylan H. Ward, City Manager  Acting

SUBJECT: Purchase of a New 2026 4WD Super Crew Cab 4 X 4 Pickup Truck for Parks, Recreation and Cemeteries

The attached municipal order authorizes the award of a bid for the purchase of a new 2026 4WD super crew cab 4 X 4 pickup truck with a 145-inch wheelbase for the Parks, Recreation and Cemeteries Department to Kate Faupel Ford, Henderson, Kentucky, in the amount of \$45,457.68.

This purchase is for a new 2026 Ford F150 4X4 SuperCrew XLT equipped with a 2.7L V6 Ecoboost engine and 10-speed automatic transmission. The vehicle will provide the Parks and Recreation Director with reliable transportation to support daily departmental operations more efficiently.

Bid packages were sent to eight (8) vendors, with five (5) bids received. The lowest bid, submitted by Sternberg, Inc., did not meet the required specifications, specifically the inclusion of an 8-way power driver's seat and a 145-inch wheelbase. The next lowest responsive and responsible bid was submitted by Kate Faupel Ford; therefore, award is recommended accordingly in the amount of \$45,457.68.

Sufficient funds have been appropriated in the FY2026 budget.

Approval of the attached municipal order is respectfully requested.

c: Thomas Kenney
Dawn Winn

Park and Recreation Memorandum
26-05

Monday, March 30, 2026

TO: Dylan H. Ward, City Manager

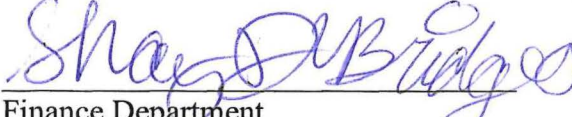
FROM: Thomas Kenney, Park and Recreation Director

SUBJECT: Bid Reference 26-13, One (1) New 2026 4WD Super Crew Cab 4x4 145" Wheelbase Truck

Bids were opened on March 20, 2026, for the purchase of a new 2026 4WD Super Crew Cab 4x4 145" Wheelbase Truck for the Parks Department. A complete bid tabulation sheet is attached. Five bids were received as follows:

Bidder/Vendor	Bid Amount
Sternberg Inc.	\$42,468.00
Kate Faupel Ford	\$45,457.68
Vogler Motor Company	\$46,968.68
Wild Rose Chevrolet	\$49,953.00
Audubon Chrysler Center	\$54,213.00

Sternberg Inc. was the lowest bid but did not meet bid specifications which were for a Work Truck with an 8-Way Power Drivers Seat and a 145" wheelbase minimum. Their bid was for a model with Manual Adjust 4-Way Driver Seat and 144.5" wheelbase. Kate Faupel Ford was the lowest responsive bid and it is my recommendation they receive the bid award in the amount of \$45,457.68. This purchase will provide the Parks and Recreation Director with a vehicle better suited to support daily operations, as the current passenger vehicle lacks the capacity required for departmental needs. This purchase is within the budgeted amount for Motor Vehicles in the Parks budget.


Finance Department
Date: 3/27/2026


Director of Parks & Recreation
Date: 3/27/2026

c: Chelsea Mills, Finance Director

City of Henderson, Kentucky
Invitation to Bid

Bid Reference No. 26-13

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

The City of Henderson is soliciting bids for one (1) new 2026 4WD Super Crew Cab 145" Wheelbase Truck.

Each bidder shall furnish specifications, length of warranty, list of all features, and/or optional equipment and delivery time required after receipt of order.

TECHNICAL SPECIFICATIONS:

All bid prices shall include delivery to the City of Henderson, Municipal Service Center, 1449 Corporate Court, Henderson, Kentucky. Delivery shall be made within sixty (60) days of the City Commission approval.

Bids shall remain valid for a period of **sixty (60)** days after bid opening.

Bid procedure questions may be directed to Shay Bridges, Finance Manager, at 270-831-1200, ext. 2290.

The following are minimum specifications:

One (1) New 2026 4WD Super Crew Cab 145" Wheelbase Truck

- New 2026
- 2.7 L V6 Gasoline Engine or higher
- Four Wheel Drive
- 10-Speed Automatic transmission
- White Exterior
- A/C
- Dual airbags
- AM/FM radio
- 4 Door
- Power windows and locks
- 8 Way Power Drivers Seat
- Sport cloth 40/console/40 transmission shifter in console
- GVWR, 6650 lbs. or higher
- pickup bed
- 3.31 Ratio Regular Axle or higher
- 275/60R18 or higher All Terrain Package
- 18" Gloss Black Wheels
- Preferred Black appearance Package

- End of Section -

GENERAL CONDITIONS

Page 2

10. All bids shall remain valid for a period of sixty (60) days after bid opening unless a longer period is otherwise stated herein.
11. Bidder may be required to obtain a City of Henderson Occupational License within ten days of contract award.
12. All federal, state, and local law requirements must be followed.
13. The City accepts responsibility of merchandise upon receipt at the City's delivery point unless otherwise noted herein.
14. Prior to a contract being awarded to the lowest responsible and responsive bidder whose bid meets specifications, a resident bidder of the Commonwealth shall be given a preference against a nonresident bidder registered in any state that gives or requires a preference to bidders from that state. The preference shall be equal to the preference given or required by the state of the nonresident bidder.

Bids will be evaluated and awarded on the following basis (*as marked*):

Lowest Bid Price; or

Lowest Evaluated Bid Price. The objective measurable criteria for this evaluation are enclosed.

“Responsible bidder” means a person who has the capability in all respects to perform fully the contract requirements, and the integrity and reliability which will assure good faith performance.

15. Special Conditions, if any, are enclosed. A conflict between *Special Conditions* and *General Conditions* shall be construed in favor of the *Special Conditions*.
16. The Description of Requirements and Specifications (technical specifications) for the procurement are enclosed herewith.

MUNICIPAL ORDER NO. _____

MUNICIPAL ORDER AWARDING BID FOR PURCHASE ONE (1) NEW 2026 4WD SUPER CREW CAB 4X4 145” WHEELBASE TRUCK FOR THE PARKS DEPARTMENT TO KATE FAUPEL FORD, HENDERSON, KENTUCKY, IN THE AMOUNT OF \$45,457.68

WHEREAS, the City of Henderson has issued invitations to bid for the purchase of one (1) new 2026 4WD Super Crew Cab 4x4 145” Wheelbase Truck for the Parks Department; and

WHEREAS, bids were submitted to the City pursuant to said invitations, and were publicly opened on March 20, 2026, and while not the lowest bid received, Kate Faupel Ford of Henderson, Kentucky, submitted the lowest responsive and responsible bid meeting all required specifications, including an 8-Way Power Driver’s Seat and a 145” wheelbase minimum (which the lowest bid did not include), which bid the City Manager recommends be accepted.

NOW, THEREFORE, BE IT ORDERED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and award is hereby made to Kate Faupel Ford, 2530 U.S. 41 North, Henderson, Kentucky 42420, for the purchase of a new 2026 4WD Super Crew Cab 4x4 145” Wheelbase Truck for the Parks Department, in the amount of \$45,457.68 in strict accordance with its bid as submitted pursuant to Bid Reference 26-13.

On motion of Commissioner _____, seconded by Commissioner _____, that the foregoing Municipal Order be adopted, the vote was called. On roll call the vote stood:

Commissioner Thomas: _____ Commissioner Hargis: _____
Commissioner Pruitt: _____ Mayor Staton: _____
Commissioner Whitt: _____

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING, this the _____ day of April 2026.

Bradley S. Staton, Mayor

Date: _____

ATTEST:

Jessa Brandon
City Clerk


APPROVED AS TO FORM AND LEGALITY THIS 1ST DAY OF APRIL 2026.

By: _____
Dawn S. Kelsey
City Attorney

City Commission Memorandum
26-99

April 10, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners

FROM: Dylan H. Ward, City Manager  Acting

SUBJECT: Bid Award for HMG Geneva & Smith Mills Expansion Project – Phase I

The attached municipal order authorizes the award of a bid for the Henderson Municipal Gas Geneva and Smith Mills Expansion Project – Phase I Gas Main Installation to Roe Enterprises, Inc. d/b/a Swartz Pipeline Contracting, of Olympia, Kentucky. The bid is submitted at a unit price of \$13.51, for a total amount of \$222,915.00. The order also includes conditional approval for Phase II at the same unit price.

This project includes all labor, equipment, supervision, and services required for the installation of approximately 16,500 feet (3.1 miles) of 4-inch polyethylene (PE) gas main along KY Highway 136 W, extending through Geneva and continuing west toward Smith Mills. In accordance with Kentucky Transportation Cabinet (KYTC) regulations, the gas main will be installed within KYTC right-of-way under an approved encroachment permit.

The proposed expansion will provide safe and reliable natural gas to residents in Geneva and Smith Mills, offering an efficient alternative to electric and propane heating systems. In addition, the project will support the continued growth of Henderson Municipal Gas's residential customer base and generate additional utility revenue. This project represents a significant infrastructure improvement for western Henderson County. Phase II will be necessary to complete the extension, including the installation of an additional two miles of gas main into Smith Mills.

Bid packages were sent to six (6) vendors, with four (4) bids received. Roe Enterprises, Inc. d/b/a Swartz Pipeline Contracting, submitted the lowest responsive bid. Accordingly, it is recommended that the bid be awarded accordingly at the unit price of \$13.51, for a total of \$222,915.00 for Phase I.

HMG is looking at funding opportunities and/or partnerships to move Phase II along as quickly as possible. Upon completion of Phase I, contingent upon funding availability and mutual agreement of both parties, the City may authorize the contractor to proceed with Phase II. This phase will include the installation of approximately two miles of 4-inch PE gas main from 5510 Hwy 136 W through Smith Mills to 6363 Hwy 136 W, under the same terms and conditions and subject to any required approvals.

Funding in the amount of \$150,000.00 is available in the FY2026 budget for this project, with the remaining balance allocated in the FY2027 budget. Approval of the attached municipal order is respectfully requested.

c: Tim Clayton
Dawn Winn

Gas Department Memorandum
26-6

March 31, 2026

TO: Dylan H. Ward, City Manager

FROM: Tim Clayton, Gas System Director

SUBJECT: Bid 26-14 Award for Phase I of Geneva/Smith Mills Extension

Phase I of the Geneva & Smith Mills Expansion project includes the installation of approximately 16,500 feet (3.1 miles) of 4-inch PE gas main along KY HWY 136 W, stretching through Geneva and continuing west toward Smith Mills. In compliance with Kentucky Transportation Cabinet (KYTC) regulations, the main line will be installed in KYTC right of way per encroachment permit. By bringing safe and reliable natural gas to Geneva and Smith Mills, this project will provide residents with an efficient alternative to electric and propane heating systems. Ultimately, this expansion will grow Henderson Municipal Gas's residential customer base while generating new utility revenue. This will be a major upgrade for the residents of Western Henderson County in this area. Phase II will be required to finish the extension of gas main including the installation of another 2 miles into the town of Smith Mills. HMG is looking at funding opportunities and/or partnerships to move Phase II along as quickly as possible.

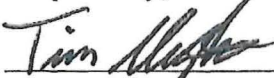
Sealed bid 26-14 was posted on 3/20/2026 and was opened on 3/27/2026 by the finance department. The bid was for labor, equipment, and misc. materials needed to completed phase I of the project as described above. Henderson Municipal Gas received 4 bids as shown below with the low bid being Swartz Pipeline Contracting of Olympia, KY.

- 1) Swartz Pipeline Contracting - \$222,915
- 2) Envision Contractors - \$280,500
- 3) Utility Safety & Design (USDI) - \$312,510
- 4) Miller Pipeline - \$519,420

HMG has worked with Roc Enterprises Inc. DBA: Swartz Pipeline Contracting previously on the Pratt Pipeline project. It was a 5 mile extension of 8-in steel pipeline and had an estimated contract price of \$1.8 million. Swartz did a good job on the project and completed it on time and on budget and I have no doubt they will be successful on this project.

I am recommending that the city please award bid 26-14 to Roc Enterprises Inc. DBA: Swartz Pipeline Contracting.

Respectfully,

 4/1/26
Tim Clayton - Gas System Director

 4/1/26
Finance Department Approval

cc: Donna Madden, Chelsea Mills, William "Buzzy" Newman Jr., Dawn Kelsey

City of Henderson, Kentucky
Invitation to Bid

TECHNICAL SPECIFICATIONS

4.1 Description of Services

The contractor shall furnish all labor, equipment, supervision, and a materials not furnished by the City necessary to complete the Geneva-Smith Mills Phase I Gas Main Installation in accordance with the *Technical Specifications* and construction drawings as part of the bid package.

The detailed construction requirements for this project are contained in the attached specification document and drawings, which are incorporated into these bid documents by reference.

4.2 Contractor Qualifications

The contractor shall possess demonstrated experience in gas pipeline construction and shall maintain personnel qualified to perform the work required under this contract.

The contractor shall comply with all applicable operator qualification requirements and provide documentation upon request by the City.

4.3 Equipment and Personnel

The contractor shall provide all equipment and personnel necessary to safely and efficiently perform the work required under this contract.

4.4 Safety and Regulatory Compliance

All work shall be performed in accordance with applicable federal, state, and local safety regulations, including those governing pipeline construction and excavation safety.

The contractor shall comply with all applicable OSHA requirements and other safety regulations associated with construction activities.

TECHNICAL SPECIFICATIONS

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4.5 Field Adjustments

The City reserves the right to make reasonable field adjustments to the project alignment, sequencing, or construction methods as necessary to accommodate field conditions or existing utilities.

Any such adjustments shall not relieve the contractor of responsibility to complete the work in accordance with the contract documents.

4.6 Completion and Acceptance

All work shall be subject to inspection by the City. Work shall not be considered complete until all required testing, documentation, and inspections have been satisfactorily completed and accepted by the City.

4.7 Miscellaneous Specifications

4.7.1 Enumeration of Drawings, Specifications and Addenda

The following Drawings and Specifications for the **2026 Henderson Municipal Gas Geneva & Smith Mills Expansion Phase I Gas Main Installation** form a part of the Contract as set forth in the General Conditions.

- CONSTRUCTION DRAWINGS

4.7.2 Quantities of Estimate

Wherever the estimated quantities of work to be done and materials to be furnished under this Contract are shown in any of the Documents, including the Bid Schedule, they are given for use in comparing Bids and the right is especially reserved, except as herein otherwise specifically limited, to increase or diminish them as may be deemed reasonably necessary or desirable by the Owner to complete the work contemplated by this Contract.

TECHNICAL SPECIFICATIONS

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4.7.3 Sequence of Construction and Construction Schedule

The project shall start as soon as possible after bid award and the contractor shall make all efforts to complete the work by June 30th, 2026.

The sequence of construction and construction schedule shall be filed with the Engineer for his approval prior to construction. They shall show order of construction and starting/completion dates and shall be adhered to with reasonable accuracy.

4.7.4 Applicable Codes

All the Work shall be governed by and shall be performed in accordance with the following codes and standards, except where the Contract Documents specifically require a greater degree or quality of work: 49 Code of Federal Regulations, Part 192.

Contractor must meet Owners Operator Qualification requirements and provide copies to the Owner. Before work can begin all contractor Operator Qualifications must be provided to the Owner for each employee. If there is any conflict or discrepancy among these codes and standards, Contractor shall perform in accordance with the code or standard requiring the greater degree or higher quality of work.

4.7.5 Qualification of Polyethylene Pipe Joining

A. Polyethylene Pipe and Fittings

Contractor shall use the pipe Manufacturers Qualification Procedure for joining of the polyethylene pipe and fittings. A copy of the procedure shall be available to the persons making and inspecting joints at the site where joining is accomplished. No person may make a joint in a plastic pipe unless that person has been qualified. Qualifications shall be in accordance with Owners O & M procedures and Section 192.285 of the DOT Title 49 Regulations, and the Manufacturers Qualification Procedure. Contractor shall provide the City of Henderson a copy of Contractors PE Qualification and Operator Qualification prior to construction. All bidding contractors must have an existing and established OQ program and employees must have appropriate OQ certifications as needed to perform the work. Failure to meet this requirement will eliminate the bidding contractor from consideration.

TECHNICAL SPECIFICATIONS

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4.8 Scope of Work

4.8.1 General

The proposed work consists of furnishing all labor, misc. materials, tools, equipment, and services necessary for the construction of the **2026 Henderson Municipal Gas Geneva & Smith Mills Expansion Phase I Gas Main Installation**, including all other incidental work as shown on the Drawings and as herein specified.

The project includes installation of approximately 16,500 ft of 4" PE gas main. Gas main must be installed at minimum of 48-in depth per KYTC requirements. The construction site will run along KY HWY 136W through Geneva and continue toward Smith Mills as shown in the attached drawings. The work shall include connecting to existing Henderson Municipal Gas facilities on Amiet Rd. in Henderson County, KY, as shown on the construction drawings. The contractor will be responsible for pressure testing and purging the newly installed gas main of air. There will be no individual gas service line installation involved with this project. Horizontal Directional Drilling will be required on much of this project due to terrain and other factors. Other acceptable methods of installation are trenching and bucket digging.

The approximate course of the pipeline route is indicated on the associated Drawings. The right-of-way on KY HWY 136W through the scope of this project is 35-ft from the centerline of the road. The approximate centerline location of the new gas main route will be 30-ft from the centerline of the road. The route can be adjusted up to 3-ft the proposed centerline as needed to avoid existing utility and other conflicts as found in the field.

Contractor will be responsible for crossing Texas Gas transmission lines near Station 9 on the construction drawings. It is the responsibility of the contractor to work with Texas Gas to coordinate and meet the requirements of Texas Gas to complete this crossing. HMG will complete a right-of-way permit with KYTC for the entire route of the pipeline before the project starts.

Owner retains the right to make changes or alterations in the routing

4.8.2 Responsibility

It shall be the responsibility of the Contractor to furnish and install a complete and working system to perform the intended purposes as required by the Drawings and these Specifications. The Contractor shall be responsible for all details which may be necessary to properly install, adjust, pig and test and place into operation the complete installation. The work shall not be considered complete until all required records (see

TECHNICAL SPECIFICATIONS

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Section 4.12.13) have been turned into the Gas Director. Costs of all such details shall be included in the bid.

The Contractor shall Guarantee that the materials furnished shall be properly installed and, when properly operated, shall perform the duty for which it is intended. They shall guarantee all materials, workmanship, and completed installation to be first class in every particular and shall, at their own expense, furnish and replace any part or parts that may prove defective in workmanship within one (1) year from the date of substantial completion.

4.9 Materials

4.9.1 General

Materials and material handling associated with the gas mains and appurtenances to be constructed shall be in compliance with this specification and the following specifications for materials.

All materials to be utilized in this installation are to be new and are to be thoroughly examined by the Owner prior to installation. Any cracked, chipped, bent, scarred, or otherwise damaged material shall be returned to the supplier for replacement by the Owner.

TECHNICAL SPECIFICATIONS

4.9.2 Owner Furnished Gas Piping

The following items shall be furnished by the Owner and installed by the Contractor. All 4” pipe as well as all 4” fittings listed or not listed below will be provided by owner. The Specifications on the material involved is as follows:

1. PIPE

<u>Quantity</u>	<u>Size, O.D.</u>	<u>SDR</u>	<u>Wall Thickness</u>	<u>Type</u>	<u>Material</u>
16,500	L.F.	4.50”	11/11.5	500’ Coil	4” PE

2. FITTINGS: (All PE should be 4710)

3. QUANTITY:

- | | | |
|----|------------------------------|--------|
| 1. | 4” PE FULL BUTT FUSE TEE | 1 |
| 2. | 4” PE END CAP, PE 4710 | 2 |
| 3. | 4” IPS E/F COUPLING, PE 4710 | 40 |
| 4. | Test Post w/wire | 4 |
| 5. | Tracer Wire | 16,500 |
| 6. | 4” x 2” reducer | 1 |
| 7. | 2” poly valve | 1 |

Contractor shall furnish all necessary supervision, labor, equipment, and supplies to promptly move and string on right-of-way all Owner furnished pipe required for the Project. All handling of pipe shall be in such a manner that will avoid damage to the pipe.

The Contractor shall be accountable for all materials issued to him. There shall be no allowance for waste. Any other items, materials, tools, equipment, or facilities required to complete the Work shall be furnished by the Contractor at their expense.

TECHNICAL SPECIFICATIONS

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4.9.3 Contractor Furnished Materials

All materials necessary for the complete construction of the **2026 Henderson Municipal Gas Geneva & Smith Mills Expansion Phase I Gas Main Installation** shall be furnished by the Contractor. It shall include, but not limited to, the following items:

- A) Any materials not listed above that will be provided by the Owner needed to complete work outlined in project.
- B) All test equipment necessary to complete pressure testing of all main.

4.9.4 Care and Handling

Care shall be exercised to avoid rough handling. Pipe shall not be dragged, dropped, or have other objects dropped on it. Caution shall be exercised to prevent kinking, buckling, flattening, or other damage. Any damage which occurs shall be removed by cutting out as a cylinder.

Coated pipe shall be carefully inspected prior to use for cuts, scratches, gouges, and other imperfections. Defective pipe shall not be used. Coated pipe shall also be protected from fire, excessive heat, or harmful chemicals.

Special padded forks, padded calipers or nylon slings shall be used in handling, and storage shall be on padded skids spaced to give adequate support.

4.10 Excavating, Boring, Trenching, and Backfilling

4.10.1 Scope

Furnish materials, equipment, labor, and related items required to complete the work indicated on the Drawings and/or Specifications, other than the materials listed in section 4.10. Attention is directed to the *General Conditions* and other Sections of the Specifications which affect the work under this Section. The work under this Section includes, but is not limited to, the following items:

Excavation, Sheet piling and Backfill of gas main, bores, and related items.

TECHNICAL SPECIFICATIONS

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4.10.2 General

Excavating and backfill shall include all excavation, backfilling, compacting, and disposal of surplus material, restoration of all disturbed surfaces and all other work incidental to the construction of trenches, including any additional excavation which may be required for the installation of the pipeline.

- A) Risk - The Contractor must assume the risk of encountering quicksand, hardpan, high water tables, and other soil types which might hinder or slow their progress. No claim for additional compensation shall be entertained on account of the character of the ground in which the excavation is being made.

Depth- The Depth of installation should follow these minimums. The depth of installation must be a minimum of forty-eight inches (48"). The depth of installation at ditches must be a minimum of Five feet (5').

4.10.3 Surface and Subsurface Structures and Obstructions

Various underground and surface structures may, or may not, be shown on the Drawings. The location and dimensions of such structures, where given, do not purport to be absolutely correct. The structures are plotted on the Drawings for the information of the Contractor, but information so given is not to be construed as a representation that such structures will be found or encountered as plotted. Other structures may also be encountered which are not shown on the Drawings.

- A) Utilities - The Contractor shall be aware that utility companies may have buried facilities in some areas of the gas line construction. Before the Contractor begins operations, they shall notify all utility companies affected by construction and request their assistance. Contractor shall also comply with Kentucky law and the KENTUCKY 811 System requirements. The Contractor, however, shall be solely responsible for the location of all utilities.

Private sewers are not registered in the KENTUCKY 811 system, and therefore are not located by any utility company. Therefore, it will be required for the Contractor, at his expense, to locate and expose by whatever means necessary each residence and businesses sewer that the new pipeline will be crossing or be near prior to boring and/or trenching.

The Contractor shall maintain, in operating condition, all utilities encountered in his work. When the Contractor intends to interrupt utility service, the owner of the utility, the Owner's Representative and the

TECHNICAL SPECIFICATIONS

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Contractor shall mutually agree upon a date and time for interruptions which are convenient for the utility and to the utility customer. The Contractor shall indicate to the Owner's Representative at the Pre-Construction Meeting where, and how long, the service interruption will occur. No additional compensation shall be allowed if it is determined necessary to interrupt the existing utility at a time which is beyond regular working hours.

- B) Utility Damage - Any damage to existing utilities as a result of this construction shall be repaired to the satisfaction of the owner of the utility at the Contractor's expense, whether or not said utilities are shown on the Drawings. If such repairs are not made promptly or satisfactorily, the Owner's Representative may have the repairs made, or may deduct the cost thereof from any moneys due, or become due, the Contractor.
- C) Clearance With Underground Utility Structures - Hidden structures should be located in advance of ditching and the owner consulted to co-ordinate activities. Presence of the utility Owner's representative should be requested to observe work and protect the owner's property. A minimum clearance of eighteen inches (18") should be provided from foreign structures, unless otherwise approved by the Owner's Representative.
- D) Property Damage - The Contractor shall be entirely responsible for all damages to streets, pavements, sidewalks, curbs, fences, culverts, buildings, or other structures of any kind met with during the completion of the work; and shall be liable for damages to public or private property resulting therein, which amount may be deducted from any moneys due him for work done.
- E) Restoration of Property - All existing streets, sidewalks, alleys, driveways, entrances, road shoulders, parking areas, lawns, signs, fences, sheds, and other miscellaneous property and drainage features which are removed to allow for the construction, or damaged by it, whether or not the Contractor has paid for the damage under a specific measurement and payment section, shall be restored to a condition at least equivalent to that which existed at the commencement of the work; unless additional written arrangements are made satisfactory to the owner of said property. The Contractor shall be solely liable for damages to items described herein and moneys due him may be withheld to cover such damages.

Suitable crossings shall be provided and maintained over the open ditch, where necessary, to permit property owners and the general public to move equipment, or vehicular traffic, over the excavation.

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- F) Trees and Shrubs - Existing trees and shrubs within easements and right-of-ways shall be protected from damage and when such trees and shrubs are in the way of construction, the Owner's Representative may instruct the Contractor to prune branches interfering with the work, or remove and dispose of trees and shrubs, or transplant trees and shrubs out of the way of the construction, and the Contract Price shall not be increased for the performance of such work. The Contractor shall be liable for damages to trees and shrubs which were to have been protected as directed by the Owner's Representative, unless such damages are determined by the Owner's Representative to have been unavoidable, and moneys due to Contractor may be withheld to cover such damages.
- G) Area Utilities - Before beginning work in an area, the Contractor shall comply with Kentucky law and for location of utilities, contact KENTUCKY 811 (1-800-752-6007) and any companies maintaining utilities along the right-of-way and request their assistance in locating utilities in that area. HMPL is not a member of KY 811 and must be contacted directly. The Contractor, however, shall be solely responsible for the location of the utilities. A Joint Meet (96 hour process) should be scheduled by the Contractor in accordance with the latest edition of the KENTUCKY 811 Excavators Manual.
- H) Equipment - Tool boxes, equipment, and materials shall not be placed in roadways, driveways, walkways, or any place where they will interfere with pedestrian or vehicular traffic. If it is necessary to obstruct a driveway or walkway, prior permission must be obtained from the owner involved.

4.10.4 Surface Removal

The Contractor shall remove the surface materials along the proposed pipeline if indicated on the Drawings only to such widths as will permit a trench to be excavated, which will afford sufficient room for proper safety and construction. Where driveways, pavements, drainage, and utilities are encountered, care shall be taken to protect such against fracture or disturbance beyond reasonable working limits.

- A) Trenches in Lawns - Care shall be taken in making excavations in lawns, or other grassed areas, to preserve the sod and topsoil so that it may be replaced in proper sequence when backfilling. A tarpaulin shall be used to separate the sod from other backfill material.

When trenching equipment is to be used for excavation in grassed areas, the sod shall be removed along the trench line prior to the start of actual

TECHNICAL SPECIFICATIONS

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excavation. Wood planks shall be used as a platform for the trenching equipment, when necessary, to avoid damage to grassed areas.

- B) Piling Earth - The soil shall be piled in such a manner that it will not prevent access to fire hydrants, mailboxes, or valve boxes of other utilities. The soil shall not be placed in the gutter, unless other drainage is provided, such as placing boards to span the gutter so that water can drain through the gutter beneath the boards. If at all possible, the soil should be kept between the trench and road traffic. The soil shall clear the trench excavation by at least twelve inches (12").

4.10.5 Width of Excavation

- A) The Bottom Width of the trench at and below the top of the pipe and inside the sheeting and bracing, if used, shall be a minimum of the outside diameter of the pipe, plus six inches (6") and a maximum of the outside diameter of the pipe, plus twenty inches (20").
- B) Trench Sheeting and bracing, or a trench shield, shall be used as required by the Rules and Regulations of OSHA.

4.10.6 Exploratory Excavation

Whenever, in the opinion of the Engineer, it is necessary to explore and excavate to determine the best line for the construction of the proposed pipeline, the Contractor shall make explorations and excavations for such purposes.

4.10.7 Rock Excavation

Wherever "rock" is used as the name of excavated material, it shall mean boulders or pieces of natural rock measuring one (1) cubic yard, or more, hard shale or solid ledge rock which, in the opinion of the Engineer, requires for its removal and continuous use of pneumatic tools, or drilling and blasting.

- A) Extra Payment for rock excavation may be allowed as per General Conditions. Before extra payment is allowed, however, the Contractor shall be required to demonstrate the material cannot be removed by hand pick, or by power operated excavator or shovel.
- B) No payment shall be made for rock excavations, unless air tools or explosives are used by the Contractor. Any blasting done to facilitate rock excavation shall be done according to Federal Regulations and the Standard Specifications. No rock excavation is anticipated.

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4.10.8 Braced and Sheeted Trenches

- A) Open cut Trenches shall be sheeted and braced, or otherwise protected as required by any governing Federal or State Laws and Municipal Ordinances, and as may be necessary to protect life, property, or the Work. In any event, the minimum protection shall conform to the recommendations in OSHA Safety and Health Standards of Construction.
- B) A Sand Box, or trench shield, may be used in lieu of sheeting as permitted by OSHA.
- C) When Close Sheeting is used, it shall be so driven as to prevent adjacent soil from entering the trench either below, or through, such sheeting.

4.10.9 Trenches with Sloping Sides, Limited

The Contractor may, at his option, where working conditions, easements, and rights-of-way permit (as determined by the Owner's Representative), excavate pipeline trenches with sloping sides, but with the following limitations:

- A) Limited - In general, only braced and vertical trenches will be permitted where trenches endanger structures and buildings.
- C) Sloping Sides - Where trenches with sloping sides are permitted, the slopes shall not extend below the top of the pipeline and trench excavations below this point shall be made with vertical sides, with widths not exceeding those specified in Paragraph 3.4.05 for the various sizes of pipes. Sloping sides above the pipe shall be as OSHA Regulations required.

4.10.10 Piling Excavated Material

All excavated material shall be piled in a manner that will not endanger the WORK and that will avoid obstructing road and driveways.

4.10.11 Removal of Water

The Contractor shall, at all times during construction, be responsible for all erosion control, provide and maintain ample means and devices with which to promptly remove and properly dispose of all water entering the excavations, or other parts of the Work, until all work to be performed therein has been completed.

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4.10.12 Excavation Protection

Excavations shall be protected by barricades. The entire excavation shall be roped off or fenced and flagged when the work area is unattended. All barricades, signs, fencing, etc. shall be supplied by the Contractor. No excavations may be left open over weekends or holidays.

- A) Safety Signs and Flags - Safety signs and flags shall be used when a trench is opened and when men are working. Special care shall be taken in placing safety signs, or flags, so that traffic will be adequately warned of the danger. Material and equipment shall be kept out of the way of pedestrians and traffic and shall be stored in a safe manner.
- B) The Rules and Regulations by OSHA, and appropriate authorities respecting safety provisions shall be observed. The KYTC "Manual on Uniform Traffic Control Devices" for streets and highways shall be followed.

4.10.13 Construction in Easements

- A) Private Property - In easements across private property, the Contractor shall confine all operations in the easement area and shall be responsible and liable for all damage outside of the easement area, including crop damage.
- B) Surface Improvements - Trees, fences, shrubbery, or other types of surface improvements located in easements shall require protection during construction.

4.10.14 Backfill

Remove all timber, chunks of wood, or other organic material from the backfill. No trash or debris will be allowed in the backfill at any time. Special precautions must be taken with frozen backfill material to prevent clods from falling directly on the pipe.

In rocky soil, a minimum of six inches (6") of rock-free soil padding should be provided beneath, around, and above the pipe. Rock shield may be used in lieu of dirt padding to protect the pipe.

Sufficient backfill shall be used so that no depressions remain after settling to interfere with traffic or drainage. Excessive mounds shall be avoided. The backfill shall be compacted by use of tamping machines, rolling or wetting down.

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Avoid delays in backfilling to prevent the open ditch from interfering with traffic or normal activities. Special attention must be given to adjacent structures to prevent damage during backfilling. Any tile runs interrupted by the ditch shall be carefully restored and protected.

Ditch checks shall be installed, where required, by use of sandbags or other methods.

Granular backfill shall be used at all road and driveway crossings above sand fill around pipe.

Special care shall be taken to fill voids due to settling or cave-ins caused by boring equipment.

4.10.15 Road Crossings

- A) All highway and road crossings shall be continuously maintained to insure safe passage of traffic. Where crossing is made by the open ditch method, by-pass roads, temporary backfill, or temporary bridging shall be installed to permit the uninterrupted flow of traffic. At all crossings, adequate and proper traffic aids such as warning signs, flares, guards and other safeguards shall be utilized to insure the safety of the public.

All open cut crossings, driveways or roads shall be backfilled with sand to six inches (6") above top of pipe and should contain no stones, and should be spread in uniform layers as to completely fill the trench with a uniform dense backfill on the pipe. The remainder of the trench shall be filled with Aggregate Surface Course, Type B, CA-6 or CA-10. In instances where the bore for the crossing leaves voids around the pipe due to cave-ins, washouts, or shifting of the soil, these shall be backfilled with granular backfills above and compacted by hand tamping or machine tamping.

4.10.16 Directional Boring

The procedures outlined in this section should be followed whenever directional boring is being used.

DAMAGE PREVENTION WHEN BORING

- A) Use the one-call notification system (KENTUCKY 811) to have facilities within the immediate area located and marked. Directly contact known, non-participating utility owners for facility location.
- B) Ensure that known facilities are located and marked prior to commencing work.

TECHNICAL SPECIFICATIONS

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- C) Expose facilities within the immediate work area by hand excavation before starting a bore if the depths of the facilities are not established by other means.
- D) Consider sewer systems within the area. Sewer systems are especially vulnerable to damage from boring operations for the following reasons:
 - 1. Lines are often non-metallic, making them difficult to locate.
 - 2. Clean-outs or other indications of laterals may be hidden or non-existent.
 - 3. Damage may not be readily apparent when a sewer, particularly a gravity flow system, is pierced by a boring machine.
- E) Notify residential and business neighbors in the area of impending work.
- F) Ensure adequate clearance of overhead electric, telephone, or cable lines.

PROTECTING EXISTING GAS FACILITIES

- A) When it is anticipated that the bore will cross or come near the edge of an underground facility, expose that facility to determine its precise location to ensure adequate separation between the existing and proposed facilities. ***It is a requirement that private sewers be located and exposed, at the Contractors expense, prior to boring.***
- B) When the bore will run parallel to an existing facility, expose that facility (pothole) or use locating technology to verify that adequate clearance is maintained between the bore and the existing facilities during the boring operation (for both the drilling of the pilot hole and the back reaming operation). Calculation of the separation distance should account for the largest diameter back reamer that will be used in the boring process.
- C) Where potholes are used for visual inspection, they should be placed at intervals that will ensure that clearance is maintained during boring operations. Factors to consider for pothole intervals include the following:
 - 1. Proximity of proposed bore path to the pipeline facilities.
 - 2. Type of facility (existing and proposed).
 - 3. Type of soil.
 - 4. Size and controllability of the bore.
- D) Locate the existing facility and the newly installed facility to ensure that the installation is in the intended location.
- E) Conduct a leakage survey over pipelines that could have been affected by the trenchless installation.

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LIMITS AND OBSTRUCTIONS

Obstructions that should be considered include the following.

- A) Magnetic influences within 75 feet of the proposed bore path.
- B) Buried or abandoned structures.
- C) Utility infrastructure.
- D) Underground or elevated pipelines.
- E) Overhead obstructions at the drill site or exit areas.
- F) Geotechnical characteristics.

INSTRUMENTATION

- A) A surface monitoring system may be used to track the location of the down-hole probe during the pilot hole drilling. The installer should ensure that such monitoring controls the drilling path accuracy and allows for necessary corrections. The space between monitor readings is determined by the need for accuracy in placement of the pipeline.
- B) Some form of gauging should be used to monitor the pulling force.

CONSTRUCTION INSPECTION

- A) The installers should ensure that the pipe pull section is adequately supported during pullback. PE pipe should be protected during pullback.
- B) The proper containment and disposal of drilling mud or fluids should be verified to ensure compliance with applicable requirements.
- C) Other considerations are as follows.
 - 1. Pipe handling during stringing, welding, and pullback operations. Care should be taken to prevent stretching and/or deformation of PE pipe.
 - 2. Pipeline testing process.

TECHNICAL SPECIFICATIONS

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DAMAGE CAUSED BY DIRECTIONAL DRILLING

If damage is done to existing utilities, the following shall be done.

- A) The situation shall be stabilized to prevent additional safety hazards and to prevent more damage to utilities. (Note: Safety hazards can include electrocution, explosion, and contamination depending on the type and size of pipeline damaged.)
- B) The affected utility shall be notified of the damage created, including preliminary observations by the boring machine operator of the location and nature of the damage.
- C) One call enforcement shall be notified of the damage. Information needed by one call includes dig number for the area, type of facility, the affected utility, and the location of the damage at the dig site. See Section 3 for more details on reporting main line damages to one call.
- D) Boring in the affected area shall be delayed until the hazard is removed and additional locating is done to prevent future damage. This additional locating can include hand digging and additional line locates. Once an area is determined to be safe and the true location of the damaged utility is located boring can resume.

4.10.17 Clean-up

Following the installation and backfilling of the pipeline, the right-of-way and the surrounding area traversed shall be restored to its former condition. All holes and ruts shall be repaired and smoothed over, and the area restored to a stable and usable condition consistent with the use intended prior to building of the pipeline.

The good will of the property owner, private or public, is essential. All temporary roads, bridges and culverts shall be removed, unless required for permanent access and meet with the landowner's approval.

Fences shall be restored in kind to their former strength and condition, or better. Other types of enclosures, such as hedges, require special attention.

All surplus materials and all tools and temporary structures shall be removed from the site by the Contractor. All dirt, rubbish, and excess earth from the excavation shall be hauled to a dump provided by the Contractor and the construction site left clean and acceptable to the Owner Representative's discretion at the earliest possible date. No open burning will be allowed.

TECHNICAL SPECIFICATIONS

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Clean-up shall be performed as nearly as practicable behind the rest of the construction to prevent inconvenience to the property owner. Complete co-operation with the owner is essential to ensure that all requirements of right-of-way agreements are satisfied.

4.10.18 Seeding

Where existing grassed areas have been disturbed by construction operation, or where designated by the Engineer, the Contractor shall prepare seed beds, furnish and spread fertilizers and lime and furnish and plant seeding as specified below.

A) Material

1. Fertilizer shall be standard commercial 10-8-6 grade, uniform in composition, free flowing and suitable for application with approved equipment.
2. Lime shall be ground limestone containing all of the finer particles obtained in the grinding process and ground sufficiently fine so that not less than eighty percent (80%) will pass through a No. 8 sieve.

B) Preparation of Seed Bed

1. After the areas to be seeded have been brought to the proper grades and cleared of all stones, boulders and debris, the areas shall be thoroughly tilled to a depth of at least three inches (3") by discing, harrowing, or other approved methods.
2. Fertilizer shall be distributed uniformly at the rate of four hundred (400) pounds per acre, over the area indicated to be fertilized, and shall be incorporated into the soil to a depth of at least three (3) inches by discing, harrowing or other approved methods acceptable to the Engineer. The incorporation of fertilizer may be a part of the tillage operation specified above.
3. Lime shall be distributed uniformly on all areas to be fertilized at the rate of one (1) ton to one (1) acre and shall be incorporated in the soil to a depth of at least three (3) inches by discing, harrowing, or by other methods acceptable to the Engineer, immediately following or simultaneously with the incorporation of the fertilizing.

TECHNICAL SPECIFICATIONS

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- C) Seeding Methods - No seed shall be sown during high winds or when the ground is not in a proper condition for seeding. Equipment shall be operated in a manner to ensure complete coverage of the entire area to be seeded.

Within 12 hours all seed areas shall be rolled at right angles to the runoff with an approved type of roller or culti-packer to compact the seed bed and place the seed in contact with the soil. The optimum depth for seeding shall be one quarter inch.

Following installation of the fertilizer and seed, straw should be placed over the area seeded as needed.

- D) Disposal of Surplus Excavated Material - Surplus excavated material not seeded for backfill shall be promptly removed from the site by the Contractor.

The cost of removal and disposal of surplus excavated materials will be included in the price bid and no additional payment shall be allowed therefore.

4.11 Installation

4.11.1 General

The Work to be performed under this Specification includes the installation of all PE pipeline, bores, excavation, cathodic protection, and associated appurtenances. The Contractor shall be responsible for the safe storage of all materials to be used in this Work until it has been incorporated into the Work. Attention is directed to the *General Conditions* and also other sections of the Specifications which offset the Work under this section.

4.11.2 Supervision and Employees

The Contractor shall always have an experienced Superintendent on the job. They shall have read and be familiar with these Specifications and the Drawings and be prepared to direct the work in such a manner as to obtain compliance with these Specifications and Contract Documents. Lack of experience with gas piping construction will constitute a valid reason for complete removal of any Superintendent. All employees engaged in the execution of this Contract shall be experienced and qualified in the work they perform to produce a first class installation.

TECHNICAL SPECIFICATIONS

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4.11.3 Laying of Pipe

Under normal circumstances, a minimum of Thirty-six inches (36") of cover below future finished grade of the surrounding area is required. Additional cover may be required at highway bores and road crossings as indicated on the Drawings. All waterways shall be crossed at least five feet (5') below flow line of waterway. This depth is to apply to all pipe within the waterway and to twenty-five feet (25') each side of the crest of the backslope. In cultivated areas, or in areas where grading is to be done, or where the area is subject to erosion, additional cover may be required to compensate for these conditions. Cover shall be as indicated on the Drawings, including KYTC permits.

- A) Polyethylene Pipe Installation - Plastic pipe shall not be installed above ground. It shall be supported by a firm rock-free bed so as to avoid shear or tensile stresses resulting from backfill, thermal expansion and contraction, or external loading.
- B) Skids - Skids used to support pipe alongside ditch prior to lowering shall be of sufficient cross-section and strength to support pipe without danger of breaking. They shall be of sufficient length and bearing to provide necessary support at each side of the ditch when used to support pipe over the ditch. Padding shall be used where skids are in contact with coating.
- C) Bends - The number of bends shall be kept to a minimum by proper grading of the ditch in approaches to road crossings, streams, shallow water coarse, across rises in the ground, and other obstructions. Changes in vertical or horizontal directions shall be accomplished by use of fittings, if possible, as indicated on the Drawings.

Night Capping - The open ends of the pipe shall be securely closed (water tight under 10 ft. head of water) at the end of each day's work, or when work is discontinued on a section, and shall not be reopened until work on the section is resumed.

4.11.4 Details of Work

CLEARING

- A) Clearing is defined as the removal of boulders, rocks, trees, shrubs, grass, weeds, crops, or other obstacles on the construction area or right-of-way which of necessity must be removed to accomplish the work.
 - 1. Contractor shall preserve without injury all roads, poles, lawns, stone walls, ditches, canals, and similar property, as well as trees (in farm yards, groves, orchards, windbreak areas and casual shade

TECHNICAL SPECIFICATIONS

Page 21

trees), shrubs and similar desirable growths, to the full extent consistent with the performance of the work.

2. The method of clearing rights-of-way should take into account matters of soil stability, protection of natural vegetation, and the protection of adjacent resources.
- B) Contractor shall clear the right-of-way only to a width sufficient for his needs in constructing the line, and within the limits of the rights-of-way furnished by Owner.
 - C) Contractor shall protect Owner's survey stakes while clearing and thereafter as long as useful.

4.11.5 Stringing Pipe

- A) All pipe, valves, fittings, pipe coating, casing and material of any description to be used in or about the construction of the facilities hereunder shall be strung on the right-of-way provided by Owner.
- B) Contractor shall take all necessary precautions to prevent injury or damage to pipe and casing during stringing and shall lift all pipe and casing from trucks with slings equipped with padded hooks or padded calipers.
- C) Contractor shall string the pipe so as to leave gaps across the right-of-way where requested by the landowner, tenants, or Owners Representative to facilitate the movement of vehicles, or equipment.
- D) It will be the responsibility of the Contractor to see that the pipe is strung for proper placement of the pipe by size, weight and Specifications as called for herein. Any moving of pipe resulting from failure to comply with these requirements shall be at Contractor's expense.
- E) In muddy and other areas designated by the Owner's Representative, pipe shall be strung on skids high enough to keep foreign matter from entering the pipe.

TECHNICAL SPECIFICATIONS

Page 21

4.11.6 Crossing other Underground Facilities

- A) Protect all underground facilities encountered in the progress of the work.
- B) Underground facilities located at points where excavation is required shall be uncovered by hand before machine excavation will be permitted.
- C) The exact location of all underground facilities (except tile lines) shall be marked with appropriate signs by Contractor prior to the commencement of machine excavation.

4.11.7 Joints

- A) All pipe joints shall be thoroughly cleaned and all pipe shall be free from obstructions before pipe connections are made. All main line pipe should be butt fusion except at fittings. Fittings may be electrofusion.
- B) All burrs at end of pipe due to cutting must be removed by reaming to full pipe size.
- C) All open ends must be thoroughly protected.

4.11.8 Lowering Pipe

- A) All pipe shall be placed on skids at the side of the trench.
- B) The pipe shall be lowered into the trench gradually and uniformly so that each point of suspension bears its proportional part of its total weight.
- C) Pipe shall not be lowered into the trench unless Owner's Representative is present.
 - 1. Contractor shall, before installation of pipe, remove water from the trench to the extent necessary to prevent floating of pipe, and pipe must be kept dry until coating is repaired.
 - 2. Mechanical means or devices shall not be used to force pipe into the trench.

TECHNICAL SPECIFICATIONS

Page 22

3. Pipe shall not be hauled or handled by any means or process which allows risks of injury to the pipeline or prevents inspection of the pipeline in place in the trench before same is covered, except as and to the extent that the Owner's Representative does not prohibit another method of handling.
4. If rock is encountered, padding material free from rock or gravel, (subject to approval of the Engineer) shall be placed around the pipe to protect the pipe coating from injury.
5. Distribution of slack in the line shall conform to the following:
 - a. Contractor shall construct pipelines hereunder so as to provide adequate slack and properly distribute such slack throughout the pipeline.
 - b. All overbends shall be installed to allow six inches (6") clearance or more between pipe and trench bottom.
 - c. Sag bends will conform to the bottom of the ditch

4.11.9 Cleaning and Pigging

The entire length of installed main shall be cleaned by the Contractor with suitable smooth "pigs" before testing is done and tie-ins are made.

4.11.10 Miscellaneous

- A) Any gouges, grooves, dents or arc burns in the pipeline resulting from Contractor's operations, as further defined below, shall be removed by Contractor, at no expense to Owner.
- B) Fusion operations shall not be performed during periods of rain or excessive wind, unless such operations can be properly protected by the use of shields or other shelter.
- C) Pipe Damage - No dents, gouges, or grooves shall be permitted in the pipeline.

TECHNICAL SPECIFICATIONS

Page 23

4.11.11 Trace Wire

- A) Contractor shall install trace wire in valve boxes.
- B) If after testing by Owner's Representative the leads are found to be inoperative, the leads will be repaired or replaced at Contractor's expense.

4.11.12 Testing and Purging Polyethylene Pipe

- 1) All polyethylene gas mains shall be subjected to a standup air test of at least one hundred 140 PSIG with a maximum of 150 PSIG. All mains shall be pressure tested prior to being placed in service. All testing shall be conducted using a 4" diameter (minimum) pressure gauge, 0 to 150 PSIG, recording gauge, or a dead weight tester. Any drop in the initial test pressure not explained by a temperature change shall result in a failed test. Mains shall be tested for a minimum of 24 hours. No test shall be terminated without the approval of the Owner.
- 2) Prior to being placed in service, (test required), all piping shall be purged with gas until completely air free. A moderately rapid and continuous flow of gas shall be introduced at the one end of the gas line and air vented at the other end. The gas flow shall be continued without interruption until vented gas is free from air. The purging may require to be done from multiple points to ensure that the new installation is completely free of air.

4.11.13 Recordkeeping

All test records of main shall be turned in to the Gas Director *daily*. Main installations require the completion of the "Main Installation or Replacement Form", a sample of which is included at the end of this section.

TECHNICAL SPECIFICATIONS

Page 24

4.11.14 Clean-up

- A) General - Contractor shall keep all working areas clear and free from any accumulation of defective material junk, brush, trees, rock, and boulders and similar movable objects during the entire process of the work.
1. All such movable objects shall be accumulated, segregated, and disposed of by Contractor in areas approved by the Owner and at Contractor's expense.
 - a. Each of Contractor's crews shall keep all working areas completely clear and free from junk and debris resulting from their particular operation, including immediate disposal of discarded welding rod, pipe trimmings, paint containers, broken skids, or any other similar material that might become hazardous if worked into the surface of the ground by traffic.
 - b. In all phases of cleanup, there shall be no open burning. Contractor shall, as a contingency of the work, haul and dispose of any material, debris, trees, stumps, or vegetation from the right-of-way.
 2. Contractor shall restore drainage ditches as required for the continuation of gravity flow.
- B) As soon as the work is completed, Contractor shall clean the entire area utilized by his organization.
1. All new or used construction materials not incorporated in the work shall be neatly piled or stacked on the site of the work, as designated by the Owner's Representative.
 2. In respect to pipeline construction, final cleanup work along the right-of-way shall be done continuously as the work progresses and shall follow the lowering operation.
 3. The work shall not be deemed completed for the purpose of payment until all provisions have been complied with to the satisfaction of the Owner.

TECHNICAL SPECIFICATIONS

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4.12 Payment

4.12.1 Payment Basis

- A) Payments shall be made on the Contract Unit Price Bid on the items listed in the “Bid Schedule” and shall be based on construction (stake or re-stake) station numbers and estimates of work completed.

4.12.2 Final Payment

- A) Prior to requesting Engineers inspection for final completion of project, complete the following and submit to Engineer in one package:
1. Final pay request with Contractor’s lien waiver for entire project amount and subcontractors and material men lien waivers evidencing payment in full.
 2. Consent of Surety to Final Payment.
 3. Contractor’s affidavit that all payrolls and bills have been paid in full.
 4. Contractor’s one year warranty.
 5. All punch-list items are complete.
 6. Advise Owner of pending insurance change-over requirements.
 7. Discontinue and remove from site all temporary facilities and remove construction tools and facilities.
 8. Complete final clean up.
- B) Inspection procedures: Upon receipt of Contractor’s properly executed request, Engineer will proceed with inspection and either recommend to Owner that final payment be released or advise Contractor of work that must be performed prior to the recommendation. Inspection will be repeated upon assurance that remaining work is complete.

— End of Section —

MUNICIPAL ORDER NO. _____

MUNICIPAL ORDER AUTHORIZING AWARD OF BID TO ROE ENTERPRISES INC. DBA: SWARTZ PIPELINE CONTRACTING OF OLYMPIA, KENTUCKY, FOR THE INSTALLATION OF GAS MAIN FOR PHASE I OF GENEVA/SMITH MILLS EXTENSION IN THE AMOUNT OF \$222,915.00; PLUS CONDITIONAL APPROVAL FOR PHASE II AT THE SAME UNIT PRICE; AND AUTHORIZING MAYOR TO EXECUTE ALL NECESSARY RELATED DOCUMENTS.

WHEREAS, the City of Henderson has issued invitations to bid for the installation of approximately 16,500 feet (3.1 miles) of 4-inch PE gas main along KY HWY 136 W, stretching through Geneva and continuing west toward Smith Mills for Phase I; and

WHEREAS, in compliance with Kentucky Transportation Cabinet (KYTC) regulations, the main line will be installed in KYTC right of way per encroachment permit; and

WHEREAS, by bringing safe and reliable natural gas to Geneva and Smith Mills, this project will provide residents with an efficient alternative to electric and propane heating systems; and

WHEREAS, ultimately, this expansion will grow Henderson Municipal Gas System's residential customer base while generating new utility revenue; and

WHEREAS, bids were submitted to the City pursuant to said invitation, and were publicly opened on March 27, 2026, with Roe Enterprises Inc. d/b/a: Swartz Pipeline Contracting submitting the best bid meeting all specifications for bid 26-14, which bid the City Manager recommends be accepted.

NOW, THEREFORE, BE IT ORDERED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and award is hereby made to Roe Enterprises Inc. d/b/a: Swartz Pipeline Contracting, 87 Elk Lick Road, P.O. Box 44, Olympia, Kentucky 40358, to meet specific needs required by Henderson Municipal Gas, in the unit price amount of \$13.51 for a total amount of \$222,915.00 for Phase I, in strict accordance with its bid as submitted pursuant to Bid Reference 26-14; and

BE IT FURTHER ORDERED that, upon completion of Phase I and upon funding availability with mutual agreement of both parties, the City may authorize the vendor to proceed with Phase II (installation of 2 miles of 4-inch PE gas main from 5510 HWY 136 W thru Smith Mills to 6363 HWY 136 W) of the project under the same terms and conditions, subject to any required approvals.

On motion of Commissioner _____, seconded by Commissioner _____, that the foregoing Municipal Order be adopted, the vote was called. On roll call the vote stood:

Commissioner Thomas: _____ Commissioner Hargis: _____
Commissioner Pruitt: _____ Mayor Staton: _____
Commissioner Whitt: _____

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING, this the _____ day of April 2026.

Bradley S. Staton, Mayor

ATTEST:

Date: _____

Jessa Brandon, City Clerk

APPROVED AS TO FORM AND LEGALITY THIS 8TH DAY OF APRIL 2026.

By: _____
Dawn S. Kelsey, City Attorney

City Commission Memorandum
26-105

April 8, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners

FROM: Dylan H. Ward, City Manager *DHW Acting*

SUBJECT: Bid Award for Pavement and Intersection Striping for Various City Projects

The attached municipal order authorizes the award of a bid for pavement and intersection striping services for various City projects to Reynolds Sealing and Striping of Bowling Green, Kentucky, in the amount of \$317,074.00.

This contract provides for the replacement and installation of pavement striping and marking services, including but not limited to: permanent paint striping (white and yellow); thermoplastic pavement markings; durable Type 1 pavement marking tape; legends, symbols, arrows, crosswalks, stop bars, and railroad markings; inlaid pavement markers; surface preparation and removal of existing markings where required; and all necessary traffic control to ensure safe completion of the work. Pavement markings will include both linear and non-linear applications such as stop bars, crosswalks, arrows, words, symbols, and other markings. Work will be performed on various City streets, and the quantity of work may vary from year to year.

Bid packages were sent to four (4) vendors, with one (1) responsive bid received. Reynolds Sealing and Striping submitted the sole responsive bid. Accordingly, it is recommended that the bid be awarded in the amount of \$317,074.00.

The total bid amount is based on estimated quantities for comparison purposes only and does not guarantee the actual volume of work or total expenditures by the City. Instead, the contract establishes unit pricing for services to be performed on an as-needed basis. In accordance with the contract terms, the City guarantees a minimum of \$3,000.00 per work order. The contract will be extend through March 31, 2027, with the option to renew for up to two (2) additional one-year periods.

Funds are available in the FY2026 budget under the City's annual pavement and street repairs.

Approval of the attached municipal order is respectfully requested.

c: Jenna Basham
Dawn Winn

Project Manager Memorandum
26-05

April 7, 2026

TO: Dylan H. Ward, City Manager

THROUGH: William L. "Buzzy" Newman, Jr., Assistant City Manager *WLN*

FROM: Jenna L. Basham, Project Manager *JLB*

SUBJECT: Bid Reference 26-12, Pavement & Intersection Striping for Various City Projects

Bids were opened on April 1, 2026, for Pavement & Intersection Striping for Various City Projects. The bids opened were as follows:

<u>Bidder</u>	<u>Total Bid Price</u>
Reynolds Sealing and Striping	\$ 317,074.00

The total bid price is derived from estimated quantities for bid comparison purposes and **does not constitute a guarantee of work or expenditure by the city**. The contract establishes unit pricing for services to be performed on an as-needed basis. Striping is typically completed bi-annually following spring and fall paving, under this contract the city will guarantee a minimum of \$3,000 worth of work per work order.

This bid is for the furnishing of all labor, materials, equipment, and incidentals necessary to complete pavement striping, parking lot striping, pavement markings, and pavement marker installation. This work will include, but not be limited to, centerlines, edge lines, parking spot lines, directional arrows, crosswalks, stop bars, legends, bike markings, and other related pavement markings and symbols.

This bid award will be effective through **March 31, 2027**, with the option to extend the contract for up to two additional one-year (1) periods if agreed upon by both the City of Henderson and the successful bidder.

The bid package states that "if the awarded vendor is unable to fulfill the contract within the specified time, the next lowest responsible bidder, if one, will be awarded the contract. If an emergency exists, the City retains the right to fill its needs strictly on the basis of availability." It also states that "if the contractor shall fail to respond within the seven-day notice period on more than two occasions during the contract, the City may immediately cancel the contract."


Should the primary bidder default on their contract as described above or fail to respond within the notice periods as outlined in the bid documents, then the bid documents also state that “the City of Henderson may procure the articles or services from other sources and hold the bidder or contractor responsible for any excess cost occasioned thereby.”

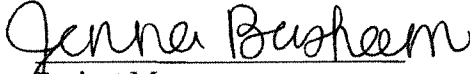
Pavement and intersection striping is a budgeted item that is included under the city’s annual pavement and street repairs.

Only one vendor submitted a bid due to the specialized nature of the work and the required qualifications, including experience, references, and KYTC prequalification. As a result, very few vendors in the region are capable of meeting the specifications.

The city has previously utilized Reynolds Sealing and Striping and has been very satisfied with the quality of work performed.

I recommend awarding **Bid Reference 26-12 to Reynolds Sealing and Striping, 720 Beech Street, Bowling Green, KY**, as the only responsible bidder meeting all specifications.


Finance Department
Date: 4/7/2026


Project Manager
Date: 4/7/2026

cc: Brian Williams, Public Works Director

CITY OF HENDERSON, KENTUCKY
 BID TABULATION SHEET

BID REFERENCE NO.: 26-12

DATE BID OPENED: 04/01/26

APPROVAL DATE: _____

ACCEPTANCE FORM SENT: _____

Reynolds Sealing and Striping

Unit Price Extension

**Pavement & Intersection Striping for
 Various City Projects**

1. Pavement Striping - Permanent Paint,
 4" White

\$0.42 \$22,176.00

2. Pavement Striping - Permanent Paint,
 4" Yellow

\$0.42 \$11,088.00

3. Pavement Striping - Thermoplastic, 4",
 White

\$1.45 \$7,250.00

4. Pavement Striping - Thermoplastic, 4",
 Yellow

\$1.45 \$7,250.00

5. Pavement Striping - Durable Type I
 Tape, 4", White

\$9.50 \$380.00

6. Pavement Striping - Durable Type I
 Tape, 4", Yellow

\$9.50 \$380.00

7. Pavement Marking, Thermoplastic,
 Cross Walk, 6"

\$3.50 \$140.00

8. Pavement Marking, Thermoplastic,
 Cross Walk, 12"

\$8.00 \$320.00

9. Pavement Marking, Thermoplastic,
 Cross Walk, 24"

\$16.00 \$640.00

10. Pavement Marking, Thermoplastic,
 Stop Bar, 12"

\$8.00 \$320.00

11. Pavement Marking, Thermoplastic,
 Stop Bar, 24"

\$16.00 \$640.00

12. Pavement Marking, Thermoplastic,
 Cross Hatch

\$6.50 \$6,500.00

13. Pavement Marking, Thermoplastic,
 Dotted Lane Extension

\$1.25 \$125.00

14. Pavement Marking, Thermoplastic,
 Arrow, Through

\$130.00 \$3,900.00

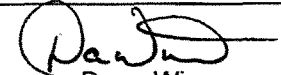
15. Pavement Marking, Thermoplastic, Arrow, Left Turn	\$130.00	\$5,200.00				
16. Pavement Marking, Thermoplastic, Arrow, Right Turn	\$130.00	\$2,600.00				
17. Pavement Marking, Thermoplastic, Arrow, Combo (Left & Through/ Right &	\$215.00	\$2,150.00				
18. Pavement Marking, Thermoplastic, Arrow, Merge	\$285.00	\$14,250.00				
19. Pavement Marking, Thermoplastic, "ONLY"	\$225.00	\$1,125.00				
20. Pavement Marking, Thermoplastic, "SCHOOL" - 8'	\$275.00	\$1,375.00				
21. Pavement Marking - Thermoplastic R/R Advance Warning Symbol	\$895.00	\$5,370.00				
22. Pavement Marking Thermoplastic - Sharrow Bike	\$215.00	\$8,600.00				
23. Pavement Marking TY I Tape, Cross Walk, 6"	\$9.25	\$370.00				
24. Pavement Marking TY I Tape, Cross Walk, 12"	\$14.50	\$580.00				
25. Pavement Marking TY I Tape, Corss Walk, 24"	\$28.00	\$1,120.00				
26. Pavement Marking TY I Tape, Stop Bar, 12"	\$14.50	\$580.00				
27. Pavement Marking TY I Tape, Stop Bar, 24"	\$28.00	\$1,120.00				
28. Pavement Marking TY I Tape, Cross Hatch	\$14.50	\$14,500.00				
29. Pavement Marking TY I Tape, Dotted Lane Extension	\$9.25	\$925.00				
30. Pavement Marking TY I Tape, Arrow, Through	\$450.00	\$13,500.00				

31. Pavement Marking TY I Tape, Arrow, Left Turn	\$615.00	\$24,600.00				
32. Pavement Marking TY I Tape, Arrow, Right Turn	\$615.00	\$24,600.00				
33. Pavement Marking TY I Tape, Arrow, Combo (Left & Through/ Right &	\$1,165.00	\$23,300.00				
34. Pavement Marking TY I Tape, Arrow, Merge	\$1,550.00	\$15,500.00				
35. Pavement Marking TY I Tape, "ONLY"	\$750.00	\$37,500.00				
36. Pavement Marking TY I Tape, "SCHOOL" -8'	\$1,250.00	\$6,250.00				
37. Pavement Marking TY I Tape, Thermoplastic R/R Advance Warning	\$1,600.00	\$9,600.00				
38. Pavement Marking TY I Trape, Sharrow Bike	\$1,250.00	\$25,000.00				
39. Inlaid Pavement Marker - Bi-Directional Yellow	\$25.00	\$2,500.00				
40. Inlaid Pavement Marker - Bi-Directional Yellow/Red	\$25.00	\$2,500.00				
41. Removal of Pavement Striping by Water Blasting for Lines	\$0.75	\$3,750.00				
42. Removal of Pavement Markings by Hand Grinding for Symbols	\$100.00	\$2,000.00				
43. Mobilization/Demobilization Fee (One per Round Trip)	\$2,750.00	\$5,500.00				
Total Bid Price		\$317,074.00				

Other Bidders Contacted:

Brehm Striping Company Inc, Reynolds Sealing and Striping Inc., Atlantic Construction Co., Saf-Ti-Co Inc

Bids Opened & Recorded By:



Dawn Winn
Shay Bridges



City of Henderson, Kentucky
Invitation to Bid

Bid Reference No. 26-12

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

The City of Henderson is soliciting sealed bids from qualified contractors for the furnishing of all labor, materials, equipment, and incidentals necessary to complete pavement striping, parking lot striping, pavement markings, and pavement marker installation. This work will include, but not be limited to, centerlines, edge lines, parking spot lines, directional arrows, crosswalks, stop bars, legends, bike markings, and other related pavement markings and symbols. Work locations are not guaranteed and may include areas with limited working space as well as open roadway conditions.

For the purposes of this bid the term "City of Henderson" or "City" shall also include the Henderson Water Utility (HWU) and Henderson Municipal Power and Light (HMP&L).

Any questions may be directed to Jenna Basham, Project Manager, at jlbasham@hendersonky.gov or (270) 831-4986.

SPECIFICATIONS AND REQUIREMENTS:

The work involved under this contract is for the replacement and new installation of pavement striping and pavement marking services including, but not limited to:

- Permanent paint striping (white and yellow)
- Thermoplastic pavement markings
- Durable Type I pavement marking tape
- Legends, symbols, arrows, crosswalks, stop bars, and railroad markings
- Inlaid pavement markers
- Surface preparation and removal of existing markings where required
- Traffic control necessary to complete the work safely

Pavement markings shall include, but are not limited to, stop bars, crosswalks, arrows, words, symbols, legends, and other non-linear markings.

The work involved under this contract is for the pavement striping and pavement marking along various city streets. The quantities can vary from year to year; therefore, the City cannot guarantee any certain quantity of work. The streets are located in different sections of the city and any moving around by the contractor, or other perceived inconveniences, shall be included in the base bid price. Because the City does not guarantee any certain amount of work, it will not pay for what the contractor perceives as lost production due to moving around.

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

The contractor shall have a crew that is available within thirty (30) days of notice to proceed, on any citywide project, and all work shall be completed within a reasonable length of time. In any case the City deems an emergency; the contractor shall have a crew available immediately.

If a crew is not available from the low bidder within a reasonable time, in order to fill its needs, the City shall have the right to contract out striping services with the next lowest bidder. If an emergency exists, the City retains the right to fill its needs strictly on the basis of availability.

If the contractor shall fail to respond within the thirty (30) day notice period on more than two occasions during the contract, the City may immediately cancel the contract.

MINIMUM DELIVERY AND MOBILIZATION/DEMobilIZATION FEE:

A minimum delivery order value of **\$3,000** shall apply to all work items under this contract, including linear striping, pavement markings, inlaid pavement markers, and striping removal.

Delivery orders issued below the minimum value may be subject to one mobilization/demobilization fee (round-trip), as bid. Only one mobilization/demobilization fee shall be paid per delivery order, regardless of the number of work locations or types of work included. **The mobilization fee shall only be paid if the order value falls below \$3,000.**

A delivery order may include any combination of contract items. Mobilization between multiple work locations included within a single delivery order shall be incidental to the work and shall not be paid separately.

If the Contractor elects to divide or phase a delivery order for scheduling, operational, or logistical reasons, the City shall be responsible for only one mobilization/demobilization fee.

An additional mobilization/demobilization fee shall be paid only if the City issues a separate delivery order requiring the Contractor to return to perform additional work not included in the original delivery order.

WORK BUNDLING AND OPERATIONAL INTENT:

Striping work will typically correspond with the City's milling and repaving program (Completed in the spring and fall) and will generally consist of complete roadway segments or entire blocks.

Pavement markings, inlaid pavement markers, and striping removal may be issued at scattered or isolated locations as needed.

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

Page 3

All work shall conform to the following:

- Kentucky Method:
 - ▣ KM 64-201-08: Evaluation of Retroreflectivity on Intersection Pavement Markings Using Portable Hand-Operated Instruments
 - ▣ KM 64-202-12: Evaluation of Retroreflectivity on Pavement Markings Using Portable Hand-Operated Instruments
 - ▣ KM 64-203-12: Evaluation of Retroreflectivity of Permanent Pavement Markings Using Mobile 30 Meter Geometry Instruments
- 2012 Standard Specifications for Road and Bridge Construction
 - ▣ Section 713 - Permanent Pavement Striping
 - ▣ Section 714 - Durable Pavement Striping
 - ▣ Section 717 - Intersection Markings
- Materials Handling: 2012 Standard Specifications for Road and Bridge Construction (or most recent version)
 - ▣ Section 831: Construction Zone Temporary Marking Tapes
 - ▣ Section 836: Durable Preformed Pavement Markings Type I Tape
 - ▣ Section 837: Extruded Thermoplastic Pavement Markings Materials
 - ▣ Section 842: Pavement Striping Paint
 - ▣ Section 846: Durable Pavement Striping Paint
- Manual on Uniform Traffic Control Devices (MUTCD)

SURFACE PREPARATION:

Pavement shall be clean, dry, and free of dirt, oil, loose material, or moisture. Existing markings shall be removed where directed by the City

SAMPLING AND TESTING:

When requested by the owner, the successful bidder shall be responsible for sampling and testing the striping as a part of this contract and no extra payment will be made in addition to the unit bid prices. All sampling and testing shall be performed in compliance with the appropriate procedures set forth in Kentucky Methods.

PAINT ON VEHICLES

The Contractor shall be solely responsible for addressing all public complaints regarding paint on vehicles resulting from its operations and shall make a good-faith effort to resolve such complaints promptly. The Contractor may dispute liability and deny settlement where damage is determined to be caused by the negligence of the vehicle owner. Unresolved claims shall be handled through the legal system. The City shall not be held responsible for paint on vehicles under any circumstances

MAINTAIN AND CONTROL TRAFFIC:

The Contractor shall furnish and maintain traffic control in accordance with MUTCD requirements. All costs associated with traffic control shall be included in the unit prices.

The following obligations by the City of Henderson and the Contractor shall apply:

- A. The City of Henderson shall be responsible for the following:
- Providing access to the work sites, including coordination with other City operations as necessary.
 - Identify the locations where pavement striping, pavement markings, and inlaid pavement markers are required.
 - The City shall determine the material type (paint or thermoplastic) used for both linear striping and pavement markings.
 - Reviewing and approving contractor submittals, including materials and methods.
 - Inspecting completed work to ensure compliance with City standards, KYTC Standards, and the MUTCD.
 - Providing any necessary notifications to the public or affected parties regarding road closures or traffic impacts, unless otherwise specified in the contract.
- B. The contractor shall be responsible for the following:
- Furnishing all labor, materials, equipment, tools, and incidentals necessary to complete pavement striping, pavement markings, and inlaid pavement marker installation.
 - Installing centerlines, edge lines, directional arrows, crosswalks, stop bars, legends, bike markings, and other related pavement markings and symbols as directed by the City.
 - Preparing pavement surfaces, including cleaning, removal of existing markings when required, saw-cutting grooves for inlaid markers, and applying approved adhesives or epoxy materials.
 - Providing, installing, and maintaining all required traffic control in accordance with the MUTCD and applicable regulations.
 - Performing work in a safe and workmanlike manner, adhering to KYTC Standards, the MUTCD, and all applicable local, state, and federal regulations.
 - Coordinating with the City regarding site access, work scheduling, traffic impacts, and special site conditions, including areas with limited working space or restricted hours.

- Correcting any defective or unacceptable work at no additional cost to the City.
- Verify all work with the Public Works Director or Project Manager prior to placement of any materials. **Failure to obtain verification may require the Contractor to remove and replace the unverified striping at the Contractor's expense.**

ALTERNATE WORK:

For any additional striping work that is required by the City but does not fit neatly into the scope of work provided by one of the bid items, the City reserves the right to require the successful contractor to provide a rate sheet upon award of the contract and complete the work under "Time & Material," whereas the City will pay the contractor per hour and for any needed material.

DISPOSAL SITE:

All waste generated as a result of the work shall be removed and properly disposed of by the Contractor at their own expense. The City will not supply, designate, or approve a disposal site.

CAUSE FOR CANCELLATION:

If the quality of work is not acceptable, and/or if the work is not completed within a reasonable amount of time as determined by the City, this contract can be cancelled upon ten (10) days written notice to the contractor. If quality of work is not acceptable, the contractor will be given an opportunity to correct it at their cost. If the contractor fails to correct any inferior work after being given ten (10) days written notice, the contract can be cancelled by the City.

PAYMENT:

The City's payment terms are net 30. **All invoices shall state: 1) Location – street names with start and stop locations, 2) the amount of material used at each location (e.g., gallons of paint, pounds of thermoplastic, pounds of reflective beads, etc.) Failure to provide this information may result in a delay of payment. The City will provide a worksheet template for recording completed work.**

BONDS:

Each bidder must execute a bid bond in an amount no less than \$5,000.00. This bond may be in the form of cash, cashier's or certified check, a bond issued by a surety company authorized to do business in the state of Kentucky and made payable to the City of Henderson, or other form approved by the

The successful bidder must execute a performance bond and a payment bond each in the amount of \$50,000.00, issued from a surety company authorized to do business in the state of Kentucky and made payable to the City of Henderson. An irrevocable letter of credit in the City's favor from a bank registered to do business in the State of Kentucky may be substituted for the payment and performance bonds. Such bond or letter of credit must be delivered to the Finance office within seven (7) days of notice of approval of this bid by the City Commission. Failure to do so will automatically forfeit the bid bond and the bid will no longer be considered valid. The City may then consider other bids.

INSURANCE

During the term of the contract and before any part of the services are performed or the goods are delivered, Bidder shall, at Bidder's sole expense, cause to be issued and maintained not less than the insurance coverage's set forth below:

- A. Broad Form Comprehensive General Liability, including Products and Completed Operations.

Bodily Injury:	\$1,000,000 each occurrence \$2,000,000 aggregate
Property Damage:	\$1,000,000 each occurrence

- B. Automobile Liability, including any auto, hiring autos and non-owned autos.

\$1,000,000 combined single limit

- C. Umbrella Insurance Aggregate limits of liability: \$2,000,000

Bodily injury and Property Damage Liability
Personal and Advertising Injury Liability

- D. Workers Compensation for all employees used on the job pursuant to statute.

Certificates of insurance, issued by companies authorized to do business in the state of Kentucky, satisfactory in form to the City and signed by the Bidder's insurer shall be supplied by Bidder to the City evidencing that the above insurance is in force and that not less than thirty (30) calendar days written notice will be given to the City prior to any cancellation or restrictive modification of the policies. Bidder shall replace any cancelled policy within the thirty (30) day notice period so that there is no lapse in coverage at any time during the period covered by this contract. The City of Henderson shall be listed as an Additional Insured with waiver of subrogation in states where permitted.

SPECIAL CONDITIONS AND TECHNICAL SPECIFICATIONS

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OTHER REQUIREMENTS:

City of Henderson Occupational License: The Contractor will be required to obtain a City of Henderson Occupational License and Contractor Registration prior to contract award by the City Commission.

The successful bidder shall comply with all applicable local, state, and federal rules, regulations, and guidelines.

Bidders must demonstrate that they have the resources and capability to provide the services as described herein. Potential bidders must submit the included Pre-Qualification Form to the Finance Department by February 26th at 5:00 PM. Bidders shall be notified by the end of the day on February 27th of their pre-qualification status. **Bidders shall meet the following pre-qualification requirements to be eligible to bid on this contract:**

1. Demonstrate that they have been in business providing similar striping services for at least five (5) years as an on-going business.
2. Provide a minimum of three (3) comparable references of which similar work has been performed. These references shall be for work performed for other governmental agencies or large private companies.
3. Include any KYTC prequalification's related to striping and pavement markings.

TERM:

Upon approval by the City of Henderson Board of Commissioners, the successful bidder shall receive a contract effective through **March 31, 2027. The contract may be extended for one or two additional one-year (1) periods, if agreed upon by both the City of Henderson and the successful bidder, effective through March 31, 2028 and March 31, 2029 if renewed both years.** Should the contract be extended for one or two additional years, all other provisions of the original contract shall still apply.

- End of Section -

MUNICIPAL ORDER NO. _____

MUNICIPAL ORDER AWARDING BID FOR PAVEMENT AND INTERSECTION STRIPING FOR VARIOUS CITY PROJECTS TO REYNOLDS SEALING AND STRIPING OF BOWLING GREEN, KY, IN THE AMOUNT OF \$317,074.00

WHEREAS, the City of Henderson, Kentucky, has issued invitations to bid for pavement and intersection striping services for various City projects; and

WHEREAS, the total bid price is based upon estimated quantities for the purpose of bid comparison only and does not constitute a guarantee of the amount of work to be performed or expenditures to be made by the City, but instead establishes unit pricing for services to be performed on an as-needed basis; and

WHEREAS, pursuant to the terms of the contract, the City guarantees a minimum of Three Thousand Dollars (\$3,000.00) of work per work order; and

WHEREAS, bids were submitted to the City pursuant to said invitations, and were publicly opened on April 1, 2026, with Reynolds Sealing and Striping of Bowling Green, Ky, submitting the lowest bid, which bid the City Manager recommends be accepted.

NOW, THEREFORE, BE IT ORDERED by the City of Henderson, Kentucky, that the recommendation of the City Manager is approved, and award is hereby made to with Reynolds Sealing and Striping, 720 Beech Street, Bowling Green, KY 42101 for pavement and intersection striping for various City projects, in the amount of \$317,074.00 in strict accordance with its bid as submitted pursuant to Bid Reference 26-12.

On motion of Commissioner _____, seconded by Commissioner _____, that the foregoing Municipal Order be adopted, the vote was called. On roll call the vote stood:

Commissioner Thomas:	_____	Commissioner Hargis:	_____
Commissioner Pruitt:	_____	Mayor Staton:	_____
Commissioner Whitt:	_____		

INTRODUCED, PUBLICLY READ AND FINALLY APPROVED ON ONE READING, this the _____ day of April 2026

Bradley S. Staton, Mayor

Date: _____

ATTEST:

Jessa Brandon
City Clerk

**APPROVED AS TO FORM AND
LEGALITY THIS 7TH DAY OF
APRIL 2026.**

By: _____
Dawn S. Kelsey
City Attorney

**City Commission Memorandum
26-104**

April 7, 2026

TO: Mayor Bradley S. Staton and the Board of Commissioners
FROM: Dylan H. Ward, City Manager *DHW Acting*
SUBJECT: City Manager's Report

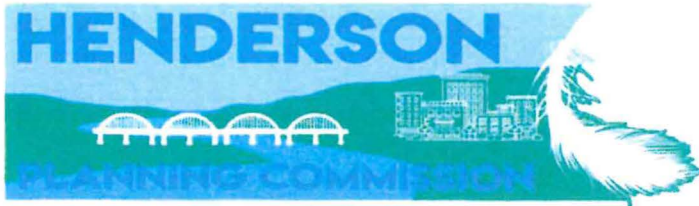
I. Rezoning: #1182 With a Development Plan – 2560 Highway 60 E

The Planning Commission conducted a public hearing at a meeting on March 3, 2026. The Findings of Fact were completed at the April 7, 2026, meeting. This rezoning affects property located at 2560 Highway 60 E (PID #65-22.5), containing approximately 6.03 acres. Applicants submitted a zoning change/map amendment with a Development Plan to rezone from Agriculture (AG) to Highway Commercial (HC).

The Planning Commission approved the Zoning Map Amendment which shall become final on Wednesday, April 29, 2026, unless an aggrieved party or the Board of Commissioners files written notice to the Planning Commission within the allotted twenty-one (21) day time period to have the Board of Commissioners make the final decision. Minutes have been delayed and will be made available upon completion.

No formal action is necessary unless a written request is received by the Planning Commission from either an aggrieved person or the Legislative Body on or before the end of business, April 28, 2026.

c: Brian Bishop



**Henderson City/County Recommendation on Zoning Map Amendment
To: Henderson City Commission**

APPLICANT & OWNER: Sarah Hutcheson Rev. Living Trust
ADDRESS: 2560 Hwy 60 E
RE-ZONING CASE NUMBER: #1182 with a Development Plan
ZONE CHANGE REQUESTED: Highway Commercial (HC)



Having considered the above matter at a Public Hearing on (date): March 3, 2026
And having voted (tally): (9) Yes (0) No
To submit this Recommendation to the (jurisdiction): Henderson City Commission
The Henderson City/County Planning Commission hereby recommends: Approval

FINDINGS OF FACT

MOTION WAS MADE BY CURT HAMILTON, SECONDED BY MAC ARNOLD TO APPROVE THE FINDINGS OF FACTS IN RELATION TO REZONING #1182.

SEE ATTACHED*



CONDITIONS:

DESCRIPTION: The applicants request a Zoning Change/Map Amendment from Agricultural (AG) to Highway Commercial (HC)

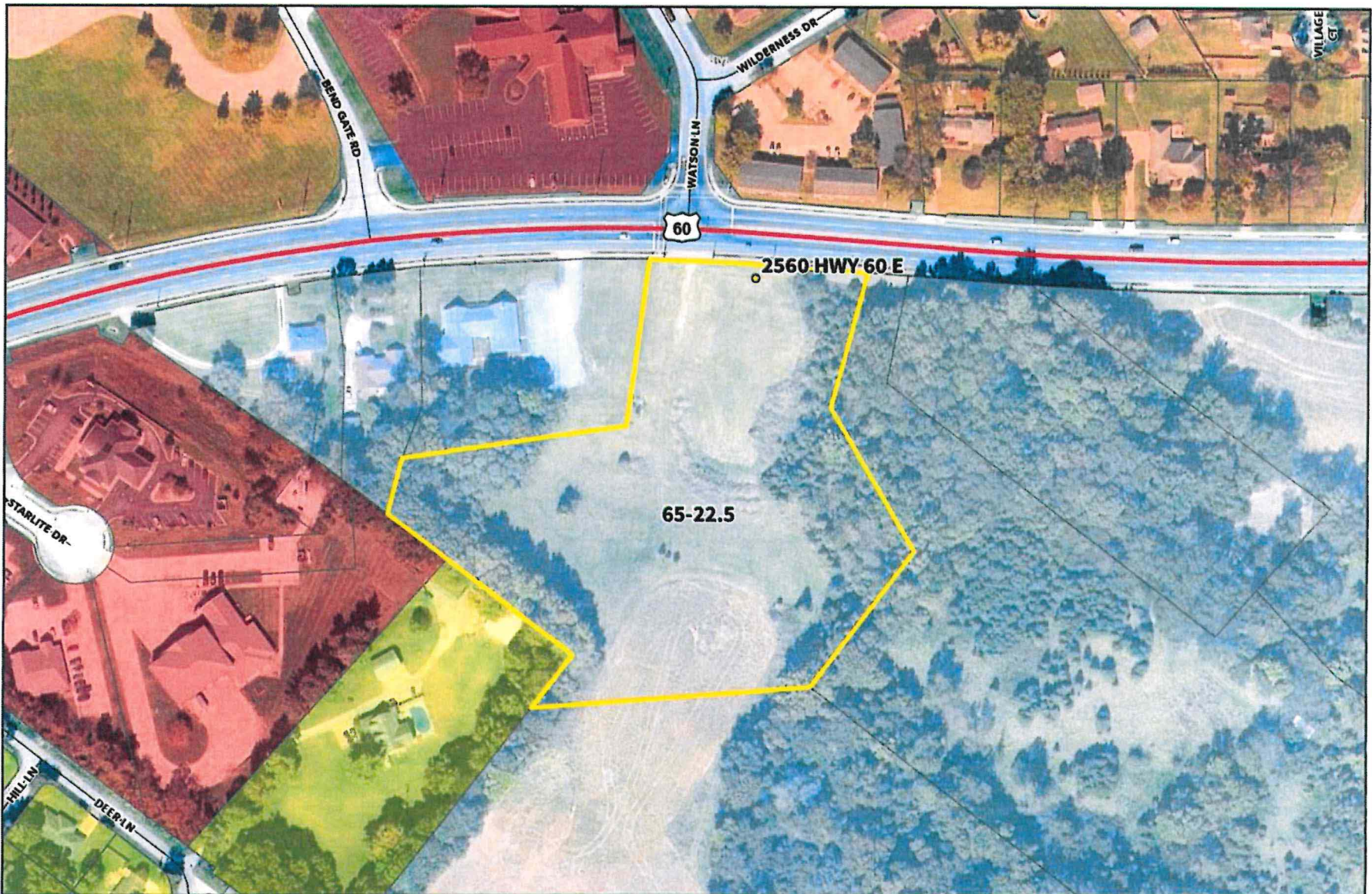
ATTESTED TO ON: MONTH: 04 DAY: 09 YEAR: 2026



EXECUTIVE DIRECTOR

ENCLOSURES: (MAP, STAFF REPORT, FINDINGS OF FACT, AND MINUTES)

The above recommendation of the Henderson City-County Planning Commission will be final on Wednesday **4/28/26** unless Henderson City Commission decides to make a final decision on this zoning map amendment by filing notice with the Planning Commission, or an aggrieved person files notice with Henderson City Commission to make a final decision, within twenty-one (21) days after the action of the Planning Commission. In the event notice is filed for the appropriate body to make a final decision on this application, a full transcript of the minutes of the Planning Commission meeting will be forwarded to Henderson City Commission with this recommendation.



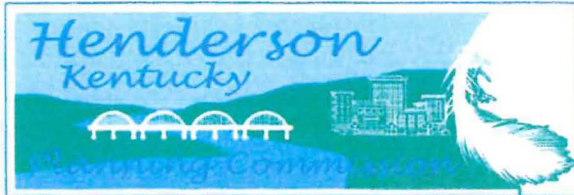
Henderson City-County Planning Commission **March 3, 2026 Regular Meeting**
Public Hearing Item #2

Rezoning #1182 with a Development Plan- Submitted by Sarah Hutcheson Rev. Liv Trust for the property located in the City of Henderson at 2560 Hwy 60 E (PID# 65-22.5) containing approximately 6.03 acres. The applicant has requested a zoning change/map amendment with a Development Plan to rezone from Agricultural (AG) to Highway Commercial (HC)

Legend

○ Subject Address	— US Hwy	R-1
▭ Subject Parcel	City Zoning	R-2
▭ Parcel	AG	Co. Zoning
— City Street	GB	AG

0 50 100 ft



Rezoning #1182		
General Information		
Applicant: Sarah Hutcheson Rev. Lining Trust		
SITE LOCATION: 2560 HWY 60 E.	PID #: 65-22.5	Acreage: 6.03
Applicant's Request: Rezone property to Highway Commercial		
Infrastructure: Utilities are available		
Zoning District Information		
	Current Zoning: City AG	Proposed Zoning: City HC
Minimum Lot Size	1 Acre	N/A
Minimum Lot Width (feet)	50	50
Setback Requirements (feet)	Front: 25 Rear: 25 Side: 15	Front: 30 Rear: 20 Side: 10
Building Height (feet)	N/A	30
Surrounding Zoning Classifications & Uses:		
North: R-2	Current use: Apartments	
South: R-1/GB	Current use: Single Family Residences/Fire Station	
East: AG	Current use: vacant lot	
West: AG	Current use: Church	

Proposed Zone & Land Use Plan

The applicant proposes rezoning the parcel to Highway Commercial to develop the vacant lot into a Goodwill.

Staff Findings

Zoning Classification

Currently, the property is zoned AG. For the proposed development, the applicant would need to rezone to a commercial zone.

Comprehensive Plan

The proposed rezoning agrees with the Future Land Use Map of the Comprehensive Plan, as it shows the area developing in a commercial nature.

NOTICE

The City of Henderson has adopted the Alternative Rezoning procedures in KRS 100.2111. Under KRS 100.2111(4), the recommendation of the Planning Commission shall become final and be automatically implemented; unless, within 21 days, either (a) an aggrieved person files a written request with the Planning Commission that City Commission consider the matter and make a final determination, or (b) the Henderson City Commission files a notice with the Planning Commission that it (City Commission) will consider and finally determine the application to rezone.

The Appeal procedures set out in KRS 100.347 are also applicable.

Rezoning 1182

Proposed Motion and Findings of Fact (For)

Rezoning #1182 with a Graphic Development Plan- Submitted by Sarah Hutcheson Rev. Liv Trust for the property located in the City of Henderson at 2560 Hwy 60 E (PID# 65-22.5) containing approximately 6.03 acres. The applicant has requested a zoning change/map amendment with a Development Plan to rezone from Agricultural (AG) to Highway Commercial (HC).

MOTION:

I move that the Planning Commission recommend that the Henderson Board of Commissioners (the "City") APPROVE Rezoning Application #1181, changing the zoning classification from Agricultural (AG) to Highway Commercial (HC) to develop a Goodwill Retail Store, **subject to approval of an engineered site plan and a major subdivision review and approval by the Planning Commission.** I leave the motion open for other members of the Planning Commission to add findings of fact in support of this motion because:

The proposed rezoning is consistent with the Future Land Use Map of the Comprehensive Plan and other elements of the current Comprehensive Plan.

- Planning staff presented the request to the Planning Commission at its March 3, 2026, regular meeting and summarized the application of the proposed development as including an approximately 20,100 square-foot building, associated parking, walkways, and approximately 600 linear feet of new public street. Staff further advised that, if the requested rezoning (map amendment) is approved, it should be approved subject to future review and approval of the subdivision application and engineered site plan.

- Planning staff testified that the Future Land Use Map shows the area as developing in a commercial nature and stated that the rezoning process concerns land use rather than a specific retailer or operator.
- The applicant, through counsel, testified that the property is located on the Highway 60 corridor between the I-69 interchange and the Cloverleaf, that the corridor is planned for commercial development, and that the proposed HC zoning is consistent with the Comprehensive Plan and Future Land Use Map.
- The applicant presented evidence that the proposed project would involve an estimated \$5 million to \$6 million investment, would retain the existing Goodwill location in Henderson, would create a second location, and would include construction of the public street at the developer's expense.
- The applicant's engineer testified that the site would utilize an existing signalized intersection, would not create a new entrance directly onto Highway 60 East, and that the public street would be designed and constructed to applicable standards as part of the later subdivision and site plan, engineering process.
- The record reflects staff's testimony that no portion of the subject property lies within the floodplain, and testimony from the applicant's engineer that surveyed boundaries and later engineering review would govern site design and public improvements.
- Opponents and concerned citizens presented testimony raising concerns about traffic, gateway appearance, compatibility with nearby residences, property values, drainage, wildlife, buffering, landscaping, and whether a Goodwill store was the preferred use at this location.
- The Planning Commission further finds that the objections and concerns raised by neighboring property owners and other citizens were considered.

The proposed Rezoning is also in agreement with the following additional elements of the adopted Comprehensive Plan:

Balancing Land Use

Goal #1: Wisely plan for land uses in appropriate locations to maximize quality design and minimize the adverse impacts of development.

Objective F; Encourage innovative, safe, and sustainable design for new development and/or infrastructure.

Objective H; Promote aesthetically pleasing commercial development with appropriate access, signage and landscaping while discouraging strip commercial development.

Protecting Natural Systems

Goal #1: Protect and enhance the quality of the natural environment while permitting appropriate development on suitable lands.

Objective A: Encourage innovative design on sites with constraints based on the presence of natural systems and incentivize the protection of quality open space.

Attachments

- The Graphic Development Plan.
- In addition to the above summary, a full transcript of the Public Hearings is attached hereto and incorporated herein by reference to provide a better understanding of the proceeding.

NOTICE

The City of Henderson has adopted the Alternative Rezoning procedures set out in KRS 100.2111. Under KRS 100.2111(4), the recommendation of the Planning Commission shall become final and be automatically implemented; unless, within 21 days, either (a) an aggrieved person files a written request with the Planning Commission that the City consider the matter and make a final determination, or (b) the Board of Commissioners/City files a notice with the Planning Commission that it (Board of Commissioners) will consider and finally determine the application to rezone.

The Appeal procedures set out in KRS 100.347 are also applicable.

Henderson City-County
Planning Commission
April 7, 2026

The Henderson City-County Planning Commission held a meeting April 7, 2026, at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, Third Floor Assembly Room, Henderson, Kentucky. Members present: Chairman David Dixon, Kevin Richard, Bobbie Jarrett, Mac Arnold, Dickie Johnson, Gary Gibson, Gray Hodge, Stacy Denton, Frank Boyett, Curt Hamilton, and Tommy Joe Fridy, Attorney. Heather Crooks and Kevin Herron were absent. Director Brian Bishop, Jennifer Allen, Rhonda Thompson, Heather Lauderdale and Chris Raymer.

MEETING BEGAN AT 6:00 PM

Chairman Dixon: Mrs. Allen, I think you have the findings of fact for Rezoning #1182.

Jennifer Marks: **Rezoning #1182 with a Graphic Development Plan-** Submitted by Sarah Hutcheson Rev. Liv Trust for the property located in the City of Henderson at 2560 Hwy 60 E (PID# 65-22.5) containing approximately 6.03 acres. The applicant has requested a zoning change/map amendment with a Development Plan to rezone from Agricultural (AG) to Highway Commercial (HC).

MOTION: I move that the Planning Commission recommend that the Henderson Board of Commissioners (the “City”) APPROVE Rezoning Application #1181, changing the zoning classification from Agricultural (AG) to Highway Commercial (HC) to develop a Goodwill Retail Store, subject to approval of an engineered site plan and a major subdivision review and approval by the Planning Commission. I leave the motion open for other members of the Planning Commission to add findings of fact in support of this motion because:

The proposed rezoning is consistent with the Future Land Use Map of the Comprehensive Plan and other elements of the current Comprehensive Plan.

Planning staff presented the request to the Planning Commission at its March 3, 2026, regular meeting and summarized the application of the proposed development as including an approximately 20,100 square-foot building, associated parking, walkways, and approximately 600 linear feet of new public street. Staff further advised that, if the requested rezoning (map amendment) is approved, it should be approved subject to future review and approval of the subdivision application and engineered site plan.

Planning staff testified that the Future Land Use Map shows the area as developing in a commercial nature and stated that the rezoning process concerns land use rather than a specific retailer or operator.

The applicant, through counsel, testified that the property is located on the Highway 60 corridor between the I-69 interchange and the Cloverleaf, that the corridor is planned for commercial development, and that the proposed HC zoning is consistent with the Comprehensive Plan and Future Land Use Map.

The applicant presented evidence that the proposed project would involve an estimated \$5 million to \$6 million investment, would retain the existing Goodwill location in Henderson, would create a second location, and would include construction of the public street at the developer's expense.

The applicant's engineer testified that the site would utilize an existing signalized intersection, would not create a new entrance directly onto Highway 60 East, and that the public street would be designed and constructed to applicable standards as part of the later subdivision and site plan, engineering process.

The record reflects staff's testimony that no portion of the subject property lies within the floodplain, and testimony from the applicant's engineer that surveyed boundaries and later engineering review would govern site design and public improvements.

Opponents and concerned citizens presented testimony raising concerns about traffic, gateway appearance, compatibility with nearby residences, property values, drainage, wildlife, buffering, landscaping, and whether a Goodwill store was the preferred use at this location.

The Planning Commission further finds that the objections and concerns raised by neighboring property owners and other citizens were considered.

The proposed Rezoning is also in agreement with the following additional elements of the adopted Comprehensive Plan:

Balancing Land Use

Goal #1: Wisely plan for land uses in appropriate locations to maximize quality design and minimize the adverse impacts of development.

Objective F: Encourage innovative, safe, and sustainable design for new development and/or infrastructure.

Objective H: Promote aesthetically pleasing commercial development with appropriate access, signage and landscaping while discouraging strip commercial development.

Protecting Natural Systems

Goal #1: Protect and enhance the quality of the natural environment while permitting appropriate development on suitable lands.

Objective A: Encourage innovative design on sites with constraints based on the presence of natural systems and incentivize the protection of quality open space.

Attachments

The Graphic Development Plan.

In addition to the above summary, a full transcript of the Public Hearings is attached hereto and incorporated herein by reference to provide a better understanding of the proceeding.

MOTION WAS MADE BY CURT HAMILTON, SECONDED BY MAC ARNOLD TO APPROVE THE FINDINGS OF FACTS IN RELATION TO REZONING #1182.

Chairman Dixon: A motion to approve the findings of fact in relation to Rezoning #1182, is that the motion?

Curt Hamilton: That's the motion.

Chairman Dixon: Any further discussion? Madame Secretary, please call the roll.

ALL: AYE

Chairman Dixon: Thank you very much, the motion passes.

Henderson City-County
Planning Commission
March 3, 2026

The Henderson City-County Planning Commission held a meeting March 3, 2026, at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, Third Floor Assembly Room, Henderson, Kentucky. Members present: Chairman David Dixon, Kevin Richard, Bobbie Jarrett, Dickie Johnson, Gary Gibson, Stacy Denton, Frank Boyett, Curt Hamilton, and Eric Shappell, Attorney. Mac Arnold, Heather Crooks, Kevin Herron were present via ZOOM. Gray Hodge and Tommy Joe Fridy were absent. Staff present: Director Brian Bishop, Jennifer Allen, Rhonda Thompson, Heather Lauderdale and Chris Raymer.

Chairman Dixon: Any opposed? Very good, that moves us to **Rezoning #1182 with a Development Plan**. Mr. Bishop, I think you're going to kick that off?

Brian Bishop: Yes sir.

Rezoning #1182 with a development plan is submitted by Sarah Hutchenson Rev. Living Trust for the property located in the City of Henderson at 2560 Hwy 60 E (PID#65-22.5) containing approximately 6.03 acres. The applicant has requested a zoning change/map amendment with a development plan to rezone from Agricultural (AG) to Highway Commercial (HC).

With that, the staff will give a little bit of background on this. The applicant is proposing the construction of approximately 20,100 square foot building and related improvements such as parking, walkways and entrances. The applicant is also proposing the construction of approximately 600 linear feet of street that will be accepted into the City's system if it is built to the subdivision regulations.

If the rezoning is approved, staff recommends that it be subject to a major subdivision with the related construction drawings for the road, water lines and things of that nature, and for an engineered site plan to come back to the Planning Commission where we would look at drainage, lighting and things of that nature.

The Future Land Use Map of the Comprehensive Plan shows this developing in a commercial nature. A reminder to everyone in the crowd and on the Planning Commission, the Planning Commission makes a recommendation to the Board of Commissioners. This is not the final decision. This is outlined in KRS 100.21.11, and one thing to make note of the rezoning process only regulates the use, not any particular retailer or business.

So, with that Mr. Chairman, I'll do my best to answer any questions.

Chairman Dixon: Okay.

Brian Bishop: Mr. Chairman, I'm sorry, I misspoke, I said Highway 136, I meant Highway 60 E. Sorry about that.

Chairman Dixon: Very good. We'll look first at the rezoning, and then the development plan. Is that the procedure here?

Brian Bishop: Yes.

Chairman Dixon: Okay. So, we're going to gather information from everybody, and based on the information, make a recommendation to the City Commission on the possible rezoning of this and the development plan.

So, like I say, they can take our recommendation and do nothing. They can take it and put it into place. They can hold their own hearing and start over. So, there is a lot of possibilities still ahead.

In any case, the applicant is requesting a zoning change from Agricultural to Highway Commercial, is that correct?

Brian Bishop: Correct.

Chairman Dixon: Neighboring zones are what?

Brian Bishop: We have neighboring zones of agricultural to the east and south. Residential-1 to the southwest and then commercial to the west, and then agricultural to the northwest, and then it looks to be commercial across the street and then I believe the apartment buildings are R-3, multi-family.

Chairman Dixon: Okay, good. Does the commission have any questions for staff at this point? Okay, do we have anyone who would like to speak in favor of this rezoning this evening? Sir?

Dane Shields: Dane Shields, 101 First Street, Henderson, Kentucky.

Chairman Dixon: And do you promise to tell the truth, the whole truth and nothing but the truth?

Dane Shields: I do.

Chairman Dixon: Very good, thank you sir.

Dane Shields: I'm the attorney of record for the applicant, Goodwill.

This is a zoning change and also a request to amend the zoning map. I'm the attorney but I have witnesses that have knowledge, who are affiliated with Goodwill, and I'll identify them, I'm not going to call them all, I'm going to try to stay with two (2) witnesses.

I have seated on the first and second row I have Connie Ralph. Connie is the CEO and the President of the Evansville Goodwill Industries.

I have Jim Morley. Jim, if you would raise your hand. Jim is an engineer. He has been involved in this job, on a professional basis from the beginning and he will stay with it throughout the project.

I have Dan Temme. Dan is a board member of Goodwill and also, he is a licensed surveyor. I'm sorry, architect. We're not quite at that stage yet to draw the renderings but he is on board to do that once that starts.

I have three (3) board members here, Jarod McIntosh who is the Chairman of the Board. I have Mike West, and I have Claire Esche.

This is a request to amend the zoning map. Now, I would offer to this group that this is on Highway 60 E, as you come off the Cloverleaf and pass Wal-Mart and Chapel Hill Methodist Church, there's a stoplight right at the Methodist Church. That stoplight is the intersection where coming from Henderson if you turn right, you go into this six (6) acre tract. So, it's right there. There's already an intersection that's been used going three (3) ways for years. This will be the new going into what was an agricultural tract that is now a six (6) acre property that is under contract for sale to Goodwill if it can be converted to commercial use.

Now, Brian mentioned that this use that is being requested, we're agricultural right now, this is part of the Warren farm, George Warren farm. Since Interstate 69 has come in, from the intersection of I-69 to the Cloverleaf, this is on that strip. The future Land Use Map that is a component of the Comprehensive Plan has this location designated as commercial. Did I say that right, Brian?

Brian Bishop: Yes sir.

Dane Shields: So, we're asking for a rezoning consistent with the proposed development according to the Future Land Use map which is a component of the Comprehensive Plan.

So, we're not asking this commission to make any exceptions or find that there's been substantial changes in the neighborhood, this is how it is envisioned how this highway strip will unfold in the future. This is the first development from the I-69 interchange going to the Cloverleaf.

Now, this is Goodwill Industries. Some of you may be familiar with the Goodwill store at the corner of South Green and Sand Lane. That is a store that has been in operation for decades. It employs thirty-four (34) people. Connie Ralph will speak to this new store so, there's no proposal to close the store. This will be a second, independent, Goodwill store employing at least a number of people that the present store employs. This will be a \$5 million - \$6-million-dollar investment by Goodwill into Henderson County, bringing jobs, additional jobs into Henderson County.

Goodwill is a 501(C)3. They're a nonprofit. They have been for decades. They've been a neighbor, a commercial neighbor in the Tri-State since the 1930's. This is a company that is well established and well run and they seek to expand in Henderson County.

This rezoning is the first step. There will be other requirements along the way that will deal with subdivision, that will deal with construction drawings, that will deal with engineering. Everyone of which Goodwill is committed to full compliance, and they have a team together that is well experienced in commercial development, and we'll touch on those qualifications and experience as we go through this.

If I could procedurally, what I would like to do, if I could kind of stand here and I'd like to call up two (2) witnesses, one at a time. One, Connie Ralph who is the CEO and President and ask her questions and get her information in bite size nuggets instead of just a narrative that goes on. Mr. Chairman, are you okay with that procedure?

Chairman Dixon: I think that's going to be okay. First of all, does the commission have any questions for this gentleman at this moment? Okay, yes sir, if you have someone else you would like to bring forward, please do so.

Dane Shields: I appreciate that. Connie Ralph, would you please come forward and give your name and your address please?

Connie Ralph: Connie Ralph, my home address is 12474 South Rosetta Drive, Haubstadt, Indiana.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Connie Ralph: I do.

Chairman Dixon: Very good, thanks for coming.

Dane Shields: Connie, can you please tell us your affiliation and your position with Goodwill?

Connie Ralph: Yes. I'm the President and CEO.

Dane Shields: And how many years have you been in the employment and the association with Goodwill?

Connie Ralph: Thirty-four (34) years.

Dane Shields: And how long have you been the CEO of Goodwill?

Connie Ralph: Seven (7) years.

Dane Shields: Now, when we say Goodwill before the commission, is this the local affiliation of Goodwill's?

Connie Ralph: Yes.

Dane Shields: Could you please tell the commission the CEO organization that you're over, how many Goodwill stores and how many counties and states are you speaking of.

Connie Ralph: Okay. Evansville Goodwill is located in Evansville. We are responsible for providing services and retail stores throughout twenty-eight (28) counties in Indiana, Kentucky and Illinois. We currently operate fourteen (14) retail stores and an outlet throughout that territory.

Dane Shields: Now, this proposed store which would be your second store in Henderson County, will it be your fifteenth (15) store?

Connie Ralph: Yes. It will be our fifteenth (15).

Dane Shields: Is there any discussion or plans on closing the present Goodwill store that is at the corner of Sand Lane and South Green?

Connie Ralph: No. Our current plans are to keep that current store open and continue to employ people at both locations.

Dane Shields: Now, employment, let's talk about jobs a minute. Can you please tell the commission how many employees that you have at your current operation at Sand Lane and South Green?

Connie Ralph: We currently employ thirty-four (34) employees.

Dane Shields: Alright. Now, what type of jobs are those and what time of employees are you looking for to run these stores?

Connie Ralph: The jobs consist of a management team that is responsible for the leadership of the store as well as people who accept donations, they're called donor greeters, sales associates, and production associates. These positions are somewhat entry level. The majority of them except for the management team and the management team will consist of at least four (4) or five (5) different employees.

Dane Shields: Okay. Now, if you go to Sand Land and South Green, there's a front door and parking out front and usually seems busy.

Connie Ralph: Usually.

Dane Shields: Then, if you're a donor and you want to donate things to the store, you come to the back door. Are the people there that come out to receive and help you unload?

Connie Ralph: Yes.

Dane Shields: Are you a 501(C)3?

Connie Ralph: Yes, we are.

Dane Shields: And how long have you been given that designation by the Internal Revenue Service?

Connie Ralph: As soon as that designation became available which I believe was in the 50's. But we've been in the area since 1935.

Dane Shields: Okay. Now, this new store approximately, I know when you start building stuff its hard to say what that's going to cost but do you have a rough range on what you're going to have invested new dollars in this community with this new store on 60 E.

Connie Ralph: Our current estimate is \$5 million to \$6 million dollars.

Dane Shields: Alrighty. Now, do you have a team that you've assembled to help Goodwill get through the process, which is step by step, you understand that?

Connie Ralph: Absolutely.

Dane Shields: This is one of the first steps.

Connie Ralph: Yes.

Dane Shields: Who is your engineer in charge of the engineering of this?

Connie Ralph: Jim Morley.

Dane Shields: And the plat that's been presented as the site plan is he on that plat?

Connie Ralph: Yes.

Dane Shields: Do you have an architect on staff?

Connie Ralph: Yes.

Dane Shields: And is that, Dan Temme?

Connie Ralph: Yes.

Dane Shields: Alrighty. That may be all the questions I have for you. Now, we'll open it up please if any of you would like to ask Mrs. Ralph questions.

Chairman Dixon: Does the commission have any questions at this point? Okay. Is there someone else you would like to bring forward, sir?

Dane Shields: There's one more question I would like to ask her please. Now, there's a development plan that Morley and Associates has submitted, and it has the intersection coming off of Highway 60 E and Watson Lane, okay. Then, it has a public street that is on that plat that is approximately...

Brian Bishop: Roughly six-hundred feet (600').

Dane Shields: Approximately six-hundred feet (600'). Who is paying for that street that is going to be dedicated to the City of Henderson?

Connie Ralph: Goodwill.

Dane Shields: Okay. So, you are paying for that improvement and then you understand that's going to be transferred to the City of Henderson?

Connie Ralph: Yes.

Dane Shields: Alright. And you are aware that building that street is not just whatever you want to do, its according to City Standards, County?

Brian Bishop: Subdivision Regulations are both city and county.

Dane Shields: City and county, you understand that?

Connie Ralph: Yes, I do.

Dane Shields: And you're committed to the long-haul of doing a class act?

Connie Ralph: Yes, exactly.

Dane Shields: One other thing, I'm sorry, the way this building will look. We know, most of us will know what Sand Lane and Green looks like, will this be identical or will this be a new exterior.

Connie Ralph: Yes. It will be different from that look in the current store. We will actually be doing a more modern and contemporary look that will mirror what we did in Evansville at the Washington Square Mall renovation when we purchased the Sears building.

Dane Shields: One of your buildings is the old Sears building at Washington Square Mall?

Connie Ralph: Yes.

Dane Shields: And it has a new look to it and that look will be similar to what this is but not exactly.

Connie Ralph: Yes. It will be similar to that. It will have a similar appearance. Of course, the shape will obviously be smaller.

Dane Shields: Yes, and this is a 20,000 square foot store you've got planned for Henderson.

Connie Ralph: Yes, approximately.

Dane Shields: Is that approximately the same size as the Sand Lane/South Green?

Connie Ralph: It's probably a little bigger.

Dane Shields: Okay, alright.

Chairman Dixon: I have a question. On our drawing up there, we see the building, we see the road, our consideration tonight also includes part of that lot to the west of the road, right?

Dane Shields: Correct.

Connie Ralph: Uh huh.

Chairman Dixon: Is there a plan for that?

Dane Shields: The road will essentially divide the six-acre lot. There's no current, and you can correct me, there's no current sale proposed. It will be space located behind the existing church that is a neighbor to them to the west. So, that may be available for something in the future but in its own by Goodwill.

Chairman Dixon: Okay, and it is part of the request that we're considering tonight to change to commercial?

Connie Ralph: Yes.

Dane Shields: A six-acre tract that includes...

Chairman Dixon: It's just an odd shape, the whole thing.

Dane Shields: It is. It's ended up as an odd shape.

Chairman Dixon: Okay, very good.

Dickie Johnson: Dane, you covered just about everything. Engineering, architect, what about the construction part of it? Do y'all have a particular contractor lined up like you have in the past?

Connie Ralph: We do not have one lined up at this point in time.

Dickie Johnson: Okay.

Dane Shields: We would bid it out.

Connie Ralph: Yes.

Chairman Dixon: Okay.

Dane Shields: With an architect and would be under the supervision of what the plan is, and we want to get it done right. You know, this is a major investment, and they want to do it right, and they have the means to do it. So, we'd have to get a construction company online with this once we get the approval to start construction.

Curt Hamilton: Mr. Shields?

Dane Shields: Yes, Mr. Hamilton?

Curt Hamilton: Is this an inside the City Limits now?

Dane Shields: Can you... I think so.

Curt Hamilton: It is? My second question is zoning aside, it's zoned agricultural now, what's actually there?

Dane Shields: It's a field.

Curt Hamilton: Its an empty field, that's what I had...

Dane Shields: I had mud on my tires from driving through there this morning.

Curt Hamilton: Its not being used for anything really.

Dane Shields: It's not. It's part of the George Warren farm that's been there forever and then this particular tract was conveyed by one Warren Trust to the applicant/owner at this time.

So, there's a lot of other farmland that surrounds this that is proposed to be commercial with the I-69 intersection just right down the road. I mean, it's half mile.... not too far.

Curt Hamilton: I guess but this is not being used as anything at this point. No tillable acres, no...

Dane Shields: I would say that's tillable.

Curt Hamilton: It's not being tilled.

Dane Shields: It's not being tilled right at the present but we're off season. That is farmland, yes sir.

Curt Hamilton: Okay.

Chairman Dixon: Very good. Other questions from the commission? Good. Was there someone else you would like to introduce?

Dane Shields: Yes, one other one please.

Chairman Dixon: Thank you, ma'am, we may need you back.

Dane Shields: Thank you, Connie.

Jim Morley, Jr., please. Jim, would you please introduce yourself and the company that own and are affiliated with?

Jim Morley, Jr.: Jim Morley, Jr., President of Morley Corporation.

Chairman Dixon: You're address sir?

Jim Morley, Jr.: 4800 Rosebud Lane, Newburgh, Indiana, 47630.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Jim Morley, Jr.: I do.

Chairman Dixon: Very good.

Dane Shields: Jim, you're appearing tonight in a professional capacity. Can you tell us what your profession is?

Jim Morley, Jr.: I'm a registered land surveyor and registered land surveyor in Indiana and Kentucky and we do civil site design and platting and so we would be, our company would be the land surveyors and civil engineers for this project.

Dane Shields: Are you second generation, your company?

Jim Morley, Jr.: Yes sir. Second generation, we're celebrating our 50th anniversary this year.

Dane Shields: Alrighty. Was your father the founder of the company?

Jim Morley, Jr.: Yes sir.

Dane Shields: Have you done commercial construction projects in the Commonwealth of Kentucky?

Jim Morley, Jr.: Yes, we have.

Dane Shields: Have you done projects in Henderson County, Kentucky?

Jim Morley, Jr.: Yes, we have.

Dane Shields: And this is one of the first steps in dealing with the city and county of Henderson. You understand that? There are other processes we will need to go through before this project takes off from the ground. As long as you and Goodwill are on the same page, are you committed to staying throughout this procedure?

Jim Morley, Jr.: Yes sir.

Dane Shields: Alrighty. Now, is it your information that the intersection that turns into the property, that that is an existing intersection that is currently being used for traffic going in three (3) directions?

Jim Morley, Jr.: Yes sir.

Dane Shields: And the proposed street coming off at the existing intersection, going into the Warren Trust property that we're talking about today, that will create an entryway into an agricultural site that will be converted into commercial for future development?

Jim Morley, Jr.: Yes sir.

Dane Shields: Now, with this project right here, does your project create any new entryways into or onto Highway 60 E other than the intersection that is existing?

Jim Morley, Jr.: No. The new road would be extended south from the existing intersection, and in fact the existing traffic signal there already has lights pointed towards the grass field. So, when you were out at the site this morning, getting mud on your tires and you pulled up to the stoplight, you actually had to wait for that light to turn green for you to leave the field.

Dane Shields: And that's what happened.

Jim Morley, Jr.: That's good. We don't want you to break any rules.

Dane Shields: That's right. So, this entryway coming into the subdivision, that's a KYTC intersection where...Brian, can you help me with that? KYTC?

Brian Bishop: Kentucky Transportation Cabinet.

Dane Shields: Okay, so, that intersection is there, and it was previously existing so, we're not creating anything new except coming into an existing....and there has been a light there forever.

Jim Morley, Jr.: For a long time.

Dane Shields: For a long time. Since that intersection is there. So, you're not proposing any new stoplights up and down Highway 60 E, it's the existing light?

Jim Morley, Jr.: Correct.

Dane Shields: Alrighty. Now, the street itself, that street will be paid for by the applicant and you will assist the applicant in following subdivision reg's to get that constructed?

Jim Morley, Jr.: Yes. The street will be fully designed in accordance with the subdivision code and built to city standards.

Dane Shields: Can you give us just an approximate cost a private company investing money to build a street and then giving it to the municipality?

Jim Morley, Jr.: For this road it's probably about \$250,000.

Dane Shields: Alright. Okay, very good. That's all the question I have. Are there any questions for Mr. Morley from the commission?

Chairman Dixon: Any questions at this point?

Very good, thank you.

Jim Morley, Jr.: Thank you all.

Dane Shields: That's all the questions and witnesses I have. I have board members here; we brought them along in case there were questions about something.

Chairman Dixon: Okay, thank you.

Dane Shields: Thank you very much.

Chairman Dixon: Okay, do we have anyone else here this evening that would like to speak in favor of this rezoning? Yes ma'am? Yes, let's do one side, then we will do the other side.

Okay, anybody else here this evening that wants to speak in favor of this.

Okay, are there those.... oh, sir?

Edward Shaw: I'm neutral so I'm not in favor or against but I have some questions.

Chairman Dixon: Okay, if I don't have anybody who has an in-favor type of angle here, sir, why don't we hear from you. There might be others here that just have questions. Your name.

Edward Shaw: Edward Shaw.

Chairman Dixon: And your address?

Edward Shaw: 2834 Trails Way, Owensboro, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Edward Shaw: I do.

Chairman Dixon: Very good.

Edward Shaw: Okay, I am the pastor of the church next to the field. The Henderson Seventh-day Adventist Church. So, I'm the pastor of that church. I've been the pastor less than two (2) years, about eighteen-

nineteen (18-19) months so, I'm new to the area. Don't really know it very well.

So, we see that field every day, every Sabbath, every time we go to church. I just have some questions about the property line. Is the property line going to be adhered to? You're not going to cross over into our church's property, I want to make sure of that. And the other question is, do we have to worry about any kind of chemicals through the construction or anything? If there are chemicals used, will they have SDS's that we can have or at least have access to, so we know throughout the construction and maybe the Goodwill operation anything that we need to be worried about. And the other thing is we are, are we in the city or county, are we under the city or county?

Brian Bishop: City. If I.... Jennifer, do you care to pull up GIS? There's a weird, little island of county right there but let us verify that on our GIS system.

Mr. Chairman, can we come back to that while its loading?

Edward Shaw: So, that leads to my next question because um, it would be beneficial, one thing that would be beneficial for us with this construction is if we could get on the City's sewer system. Because right now we're not on the City's sewer system.

Chairman Dixon: Okay.

Edward Shaw: Okay, so those are just the concerns that we have. And there is a cemetery behind our church, and we want to make sure that is maintained and not infringed upon and also our property line and I'm not.... are they going to conduct a survey to where the property...

Chairman Dixon: Okay, I'll try to get the answers to these questions.

Edward Shaw: Okay.

Chairman Dixon: Anything else?

Edward Shaw: That's all I have.

Chairman Dixon: Okay, thank you sir.

Edward Shaw: Thank you.

Chairman Dixon: Do we have someone here that can address this gentleman's questions?

Dane Shields: I would ask our surveyor and engineer, Jim Morley to come forward.

Chairman Dixon: Okay. I believe you're already sworn in sir. So, the question is about the property line, has that been established?

Jim Morley, Jr.: Uh yeah, Jim Morley, Jr., so, I tried to take some notes on Mr. Shaw's questions. Yes, on the site plan that you had on the screen a minute ago, we've done a full survey of that property so, we would not cross over the property lines. They have no rights to cross over onto the church so they would not be crossing onto the church property lines.

Do you have that site plan? So, I can show you if I can step over and that would be alright.

Chairman Dixon: Okay.

Jim Morley, Jr.: This darker black line right here and right here, those are the existing church property lines and so we surveyed all that and so we would be staying off of church property for sure.

Chairman Dixon: There would be setbacks in place, right?

Brian Bishop: Yes.

Jim Morley, Jr: Yes.

Brian Bishop: The pre-determined setbacks by the City Zoning Ordinance.

Jim Morley, Jr.: Their setbacks and relative to the road, we have to line the road up with the intersection and it needs to be straight as it comes through that intersection so, up in that area the road is also quasi-defined in its location based on the existing intersection where we have to connect to.

He also asked about chemicals. We would be using standard construction materials and stuff like that. I mean, I guess when you paint, you have paint thinner and it has a chemical in it or something but nothing, nothing non-normal construction materials that I'm aware of.

Kevin Richard: Mr. Morley, it may be somebody else could... I think the just of his question if I heard him say if he asked so, I guess if he had concerns would there be somebody that he could contact or would be opposed to providing him the SDS's if a concern would arise, and they were just curious?

Jim Morley, Jr.: If they have a concern, I can for sure give him my contact information before I leave, and he can always reach out to me, and I can get him the information. So, can you catch me before we leave, I'll give you my contract information.

The question about the church being on sanitary sewer. We will have to extend sanitary sewer from off-site to get to here. I have not done that full design yet so, I don't know 100% about the elevations and such but when we get into that process, I've got a note that is something the church would like to get on the sanitary sewer if that is possible.

I also took note about a cemetery being behind the church. Obviously, we won't be crossing the property line, but I did take note of that also to make sure we're aware of that also.

Frank Boyett: So, you can't speak to how many graves are in that cemetery?

Jim Morley, Jr.: I can't.

Frank Boyett: I didn't think so.

Jim Morley, Jr.: At least one (1).

Frank Boyett: Oh yeah.

Jim Morley, Jr.: But I took note of that also, and so we'll pay attention to that too.

Chairman Dixon: This cemetery we're speaking of is owned by the church, correct?

Edward Shaw: Yes.

Chairman Dixon: The other question I had was a question of city or county, have we figured that out?

Brian Bishop: Yes sir. So, if you'll see the screen, the parcel that Jennifer has the cursor on, that and the two (2) properties to the west are a little pocket of county as is the parcel Jennifer is showing now. They are weird, little pockets of county.

As far as the sewer tap, he could request that through HWU, and a lot of times they will have them sign basically a document saying they would not fight annexation when that comes. So, I think that's probably possible, but it would be done at their expense.

Chairman Dixon: Okay, so we've got these lots are in the county, but they're totally surrounded by city.

Brian Bishop: Yes.

Chairman Dixon: Okay?

Jim Morley, Jr.: Ours is in the city.

Brian Bishop: Yes.

Jim Morley, Jr.: But the church is in the county.

Chairman Dixon: Okay. Thank you, sir. You need to come back to the podium, sir so we can get you recorded.

Edward Shaw: So, they one to the east where the trees are, if you're saying that's county, that's right outside of the.... oh, outside of their zone? It is? Okay. I was just confused.

Jennifer Allen: Just a side note, GIS isn't always going to be 100% accurate. So, that's when we would take that survey data, once the surveyor has done that and we go in and people that are much better at mapping than me and make those changes so the lines will line up. So, its never going to be 100% there until we have official survey data, then we can go in and update that.

Chairman Dixon: So, there is no doubt that the lot that we are discussing this evening is in the city.

Brian Bishop: Yes sir.

Chairman Dixon: Okay.

Edward Shaw: Thank you.

Chairman Dixon: Thank you, sir. Anyone else have questions they would like to have answered? Yes sir?

Marty Coursey: Thank you. I'm Marty Coursey, 2731 US Hwy 60 E.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Marty Coursey: I do.

Chairman Dixon: Thank you, sir.

Marty Coursey: Progress is wonderful, and you know, one way or another this is going to happen. I live at 2731 US Hwy 60 E, the only question I have is, we're across the street, we're two (2) houses down from the apartment complex. The turning lane is the only thing I'm just

curious about. If they had to do it, if the county or city has to do a traffic study or you know, how far does that turning lane go? Because when we turn left into our house, I don't want oncoming traffic coming at me.

Brian Bishop: That will be addressed through the subdivision process and the site plan. KYTC and the city will both have to sign off on this. So, that will be something they answer.

Marty Coursey: Okay.

Brian Bishop: But KYTC has final approval on their road.

Marty Coursey: Okay. No problem.

Chairman Dixon: The question has to do with the, there is a turn lane there now?

Marty Coursey: There is a turning lane there now. Most people, the house right beyond the apartment complex, the Littrell's I believe live there, our house, and then three (3) other houses and then Frontier Drive. They all use that turning lane to go left to either go into our houses or into Frontier Drive. It's going to be addressed though.

Brian Bishop: Yes, it will.

Marty Coursey: Okay, that's all I needed to know. Thank you.

Chairman Dixon: Thank you, sir. Anyone else have questions?

Timothy Hall: My name is Timothy Hall.

Chairman Dixon: Okay, your address?

Timothy Hall: 1989 Wesley Drive.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Timothy Hall: I do.

Chairman Dixon: Good.

Timothy Hall: I have a question about the street that goes into this, is that the only street there will be or there be another street to go through the property onto another location? Does the city have a plan for an additional street?

Chairman Dixon: Okay. Any other questions?

Timothy Hall: That's all. That's the only question I have.

Chairman Dixon: Okay. Can anyone here speak to that?

Frank Boyett: That would pretty much depend on the desires of the landowners, wouldn't it?

Chairman Dixon: I would think so. And the city. Pull the plan back up please. The development plan so we can see where we're talking about. At the moment, this proposed street dead-ends at the back of the lot, right?

Brian Bishop: Correct.

Timothy Hall: Does there have to be a secondary street to get to Highway 60 or would that be the only available street?

Brian Bishop: At this time, it's the only available street.

Timothy Hall: But if that were developed down there, what would the status be?

Brian Bishop: We can't say because we don't know what the future development could be or would be or if it will ever exist.

Timothy Hall: Okay, that's the only question I have.

Chairman Dixon: Okay.

Timothy Hall: We would be notified obviously, I assume, if there would be another street proposed at that time?

Chairman Dixon: What's the zoning on the lot below it there? That would dead-end. Okay, for that to be developed, we would have to be back for a zoning change.

Brian Bishop: Correct. Depending on the use. So, for example, if they wanted to build a subdivision, it would most likely go through a rezoning for a residential. If it's a commercial development, similar process to what we're doing here; Ag to Highway Commercial.

Chairman Dixon: If someone wanted to farm it, I assume they could use that street to get back to their farm.

Brian Bishop: If the city would allow it. I think a lot of it would probably determine on weight limit.

Chairman Dixon: Okay.

Timothy Hall: Thank you.

Chairman Dixon: Thank you. Other questions? Yes?

Robert Clum: Good evening and thank you for hearing me.

Chairman Dixon: Your name, sir?

Robert Clum: My name is Robert Clum.

Chairman Dixon: And your address?

Robert Clum: 2015 Wesley Drive, Henderson, Kentucky, 42420.

Chairman Dixon: And do you promise to tell the truth, the whole truth and nothing but the truth?

Robert Clum: Yes, sir I do.

Chairman Dixon: Very good, thank you.

Robert Clum: Thank you. A couple of questions.

Chairman Dixon: Okay.

Robert Clum: They're talking about investing \$5 million to \$6 million dollars. In their current facility, I believe there are significant number of lots behind them on Sand Lane that could be utilized also, in my opinion. Again, I'm not into construction but just a thought. Enlarge that facility. Why are we having two (2) such facilities in Henderson? How many does, curious, how many does Evansville have?

Connie Ralph: Three (3) stores.

Robert Clum: Oh, three (3) stores? Okay, alright. I was not aware of that, thank you.

The current lot is laid out, definitely in the city. I live about ½ mile further east out Highway 60 behind Pebble Creek Apartments and Aqua City Swim Club. I guess one (1) suggestion I would have would be contact the people at Wegmans Grocery Stores up in the northeast. They would employ a lot more people than that store and they are rated as one of the number one (1) places of employment in the northeast. They constantly come out as number one (1) employee rating.

Thank you, I appreciate your time.

Chairman Dixon: Thank you, sir. Could someone address the question of the need or the wisdom of a second store in Henderson?

Thank you, ma'am.

Connie Ralph: The reason that we want to locate on the other side of town is for the convenience of our donors and our shoppers. When you only have one (1) location, regardless of how big it is, somebody is going to have to travel a distance in order to get there. So, we are very intentional about trying to locate new stores throughout our region and locations that are easily accessible by the people in that area.

Chairman Dixon: Okay, thank you.

Any questions from the commission? Very good. Anyone else like to address this question? Ma'am, would you like to speak? Your name please?

Deborah Sauer: Deborah Sauer but I'm not saying my address because of certain people watch T.V. and I do not want them to come over and bother me.

Chairman Dixon: Okay.

Deborah Sauer: But I live here in Henderson.

Chairman Dixon: Okay, do you promise to tell the truth, the whole truth and nothing but the truth?

Deborah Sauer: Yes.

Chairman Dixon: Good.

Deborah Sauer: I know other places that can build a Goodwill. Either have a building where Trees n Trends is and its around restaurants. If someone is hungry when they get through shopping, they can go eat.

Also, which one was it? I forgot what the other one was. Oh yes, where the old flea market used to be and they tore down that building, they can have it there. And they should not have the Goodwill there because that is a flood zone.

Plus, they're going to mess up wildlife because there's bald eagles that, you know, on the north by the bridge, they're protected. They tear the trees down there; they will destroy their nest and their homes. There's deer there.

Plus, there's wild turkey. My son seen wild turkey's there and my daughter even seen a mother deer and a baby deer walking on the sidewalk towards Wal-Mart. And we do not need it like that. Especially in a flood zone. Because people try to go through there when it rains or snows and gets stuck. They have to towed out, I seen this myself.

Plus, I agree with him about the, I can't remember what it was, but there is other places they can build a Goodwill at. And is there any way when they build the Goodwill by our church, Seven-day Adventist, can they put up some kind of a wall there? And also, people will play their boom-boom-boom and disturb people in church on Saturdays with that and you cannot have church and be able to listen to the pastors when they do that.

Plus, the light when you're going toward to go either to Wal-Mart or Pebble Creek, they need to have that light where they have a left turn signal or straight because if they don't, there's going to be a lot and lot of wrecks there. Just like they had one up here by Ellis Park by the bridge cause somebody, a van hit a motorcycle and tore the motorcycle up cause people aren't paying attention to the traffic and they figure well, I got my license, I can do what I want and go as fast as I want. They don't care about other people and their lives.

Chairman Dixon: Anything else, ma'am?

Deborah Sauer: Pardon?

Chairman Dixon: Anything else?

Deborah Sauer: Nah.

Chairman Dixon: Okay. Commission have any questions?

Brian Bishop: Mr. Chairman? The only thing that we should address there is that no portion of this is in the floodplain. This lot that we're looking at, right now.

Chairman Dixon: Okay. Thank you, ma'am.

Deborah Sauer: You're welcome.

Chairman Dixon: Anything you like?

Lisa Thompson Meyer: I'm Lisa Thompson Meyer. My address is 13341 Highway 136 E in Henderson.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Lisa Thompson Meyer: Yes, I do.

Chairman Dixon: Okay.

Lisa Thompson Meyer: Okay. I've got several items I want to bring up. First of all, I don't see where there is a need because I actually drive by the existing Goodwill down on the south end and there is rarely few cars there. I would say the most I've seen there is maybe six (6) or seven (7). So, I'm wondering about how much is going to be there as far as customers and so forth.

The items, I've never been in there, but I have friends that go there, and they tell me the items are very expensive. Like, jeans that have been donated will be like \$20, and you can go to Kohl's or any of the department stores and actually buy them for that price or less. So, I'm, you know, this goes along with the need.

And then the other concern is that I do have a house very close by and I wondered about the property values. Is this going to impact the property values in that area? I have one close to the one that its existing and I have one that's there in New Frontier also and I have a big concern about the property values. Will they be going down or will it impact them at all?

Another question I have is they advertise that they are non-profit, but their president makes over \$700,000 a year before, or that's what's been in the newspapers before his bonus and that kind of things. I would assume the people that are under him, you know, that doesn't include his bonus and the people under him would be making those types of salaries too. But yet, they're only going to be paying, according to what was in the newspaper, wage rates of \$13 but it says that some people will be getting .22 cents and hour to .75 cents an hour. I don't see that that has a lot of advantages increasing people that live here's standard of living.

You know, for people working there. I wouldn't work there for .22 an hour or .75 cents or \$13 but I think that's critical to looking at anything that is going to be taking up that kind of space, and a new development we want it to be profitable and offer things to the county or the city both.

And also, it is my understanding that there will be no benefits for anyone that works there; any of the part-time people and that's a concern also because a lot of those people that are making .22 to .75 cents, I'm sure that they're on welfare or some other government program. So, how is that going to help Henderson if they don't have any income and then they won't have any benefits either. That's a big concern.

Another concern I have on the people that will be working there, are those going to be people that are desirable in that area? My renters in that house and other house, they've always had concerns about the people that are coming in there or the people that are working there, if they're drug addicts or they have, you know, substance abuse problems or whatever, that is a huge concern for me also as far as my property values.

Chairman Dixon: Okay. Very good. I've got several concerns you've shared with us, you're three (3) minutes are up.

Lisa Thompson Meyer: I've got just two (2) more.

Chairman Dixon: Well, you'll get another three (3) minutes here in a second, okay?

Lisa Thompson Meyer: Okay.

Chairman Dixon: We're going to keep on going.

Brian Bishop: Mr. Chairman, can I address something?

One thing that I mentioned before, the Planning Commission cannot regulate particular uses. We certainly cannot regulate the market value that Goodwill sees. The items that they take in, the hourly rate or the people they employ, that is not under the purview of the Planning

Commission and ultimately when we forward that to the Board of Commissioners, it's not going to be part of our report because we cannot act on that.

Chairman Dixon: Okay, anyone else.... Would you like to respond?

Dane Shields: If we could have just a moment to respond to a couple of matters. Could I please call the President and the CEO up again, please?

So that we're dealing with facts instead of non-facts, could you tell us what the minimum rate that you pay your employees at the Goodwill at Sand Lane and South Green?

Connie Ralph: The minimum is \$13.00 per hour.

Dane Shields: So, this .13 cents an hour or whatever, do you know anything about that?

Connie Ralph: No, I do not.

Dane Shields: Is that in your store?

Connie Ralph: No.

Dane Shields: Okay. It's none of my business but, do you make \$700,000 a year?

Connie Ralph: I do not.

Dane Shields: Do you know anybody that works for Goodwill that makes \$700,000 a year?

Connie Ralph: I do not.

Dane Shields: Is that news? I mean, I guess people can come up and say anything. What you're saying, is it factual?

Connie Ralph: Yes. What I'm saying is factual.

Dane Shields: Alright, that's all.

Chairman Dixon: Thank you. Would anyone else like to speak in opposition to this project or have questions?

Curt Hamilton: Mr. Chairman?

Chairman Dixon: Yes, I'm sorry. Yes commissioner?

Curt Hamilton: I have a question for Mr. Bishop. So, the proposal that's before our commission is to change the zoning regulation from agricultural to highway commercial, correct?

Brian Bishop: Correct.

Curt Hamilton: Is the Planning Commission or you know, if this approved, if this change is approved by the Fiscal Court or the city government, Board of Commissioners, right?

Brian Bishop: Correct.

Curt Hamilton: Do they have any way to say what actually goes into this space? Subject-to all the codes and everything else. I mean, if we wanted...if, if the owners of the property wanted to build a Prada or a Ferrari dealer or a Target or something like that, as long as it fits in the space, do we have any say so on what the actual use is?

Brian Bishop: I do not believe so. I think if it meets the intent of the zoning ordinance and is a permitted or conditional use that's outlined in the City's zoning ordinance it can go there.

Chairman Dixon: If we approve this development plan that's attached, can that be changed?

Brian Bishop: It would have to come back to the Planning Commission for that. So, the development plan is recorded in the courthouse under what we call an LUR (Land Use Restriction). So, that way when someone comes in and does a title search or they want to buy the building, there will be a restriction of this recorded in the courthouse.

So, for example, if someone wanted to come back and make it a Ferrari dealership, they would have to come back to the Planning Commission and amend the development plan that's there.

Curt Hamilton: So, the question before us today isn't how good the business is going to be or whether we like one store over another store, it's whether we need to change this to highway commercial. Is that correct?

Brian Bishop: Correct.

Curt Hamilton: Okay, alright. Thank you.

Chairman Dixon: Thank you, commissioner. Yes ma'am? Your name, please?

Ruth Clum: My name is Ruth Clum, 2015 Wesley Drive.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Ruth Clum: I do.

Chairman Dixon: Thank you.

Ruth Clum: I've lived in this neighborhood behind this development for 35 years. We were the second house in this division. So, I've watched it grow.

My concern is that I don't want you to move too fast. There are over one hundred (100) new houses in the development that are going to be affected by this. I ask you please, take your time. Talk to the people that are going to be impacted by this. I actually went through the neighborhood, excuse me, my voice, I'm not a good public speaker. I went through the neighborhood on Saturday to see how many people knew about this. Nobody had really seen it. I guess it was on Facebook. I think you need to take the time and find out what the people who are

really going to be affected by this feel and let's get the word out. That's all I have.

Chairman Dixon: Thank you, ma'am. Anyone else have something they would like to add, contribute? I'm not seeing anything so, we're back to you ma'am.

Lisa Thompson Meyer: Okay. Lisa Thompson Meyer, 13341 Highway 136 E in Henderson.

Chairman Dixon: Thank you.

Lisa Thompson Meyer: Some other concerns that I have are actually employing some undesirable people in that area. I think that's on a lot of people's minds around there and one of the things that I don't understand is if they build it there, its what, two (2) miles to the other one, just going through town, just straight down Green Street. Are they going to take the donations from there and send them to other stores and other locations? You know if they think link in Grantwood or in Balmoral or some of those, they're going to get a higher level of donations and they would, you know, ship those somewhere else or whatever. There was an article that I read, I don't remember where I read it something about a motorcycle that got donated at one store and that it kind of disappeared. That's another concern that I have. Are those items going to stay in Henderson to actually benefit people who actually live in Henderson that are lower income or are they going to be shipped somewhere else so they can get a higher profit?

Curt Hamilton: Mrs. Meyer, are you against rezoning this to commercial generally or just the type of store?

Lisa Thompson Meyer: The type of store.

Curt Hamilton: Right, which isn't before us today, correct?

Lisa Thompson Meyer: No, but it all comes in together.

Curt Hamilton: It's not before us today.

Lisa Thompson Meyer: But, in my opinion, it all comes in together. You have your opinion, I have mine.

Chairman Dixon: Okay. Please continue.

Lisa Thompson Meyer: And then, my concern again is the clientele. The people they will be employing that don't have any benefits, okay, and I covered that earlier and then the undesirable people is also still a concern for me. Those are the things that immediately came to mind. Thank you.

Chairman Dixon: Okay, thank you. Can someone speak to the question about where the donations end up? Thank you, ma'am.

Connie Ralph: Uh huh. Our business model is that we, as much as possible, utilize the donations that are donated at one location, we sell them at the same location. If we become overwhelmed with donations and its more than that store can handle, we may transport them to another location just to make sure that they are able to be sold somewhere. But for the most part, the donations that come in one store, that's where they stay.

Chairman Dixon: Okay, thank you. Anyone else like to address the matter? Yes, please?

Susan Spiller: My name is Susan Spiller. My address is 718 Center Street, Henderson.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Susan Spiller: I do.

Chairman Dixon: Good.

Susan Spiller: That was a very good point that you made because that was a great question, probably one of the best questions asked.

So, we're here to discuss changing the zoning from agricultural to commercial.

Brian Bishop: Correct.

Susan Spiller: And it doesn't matter what business is located there? What type of business.

Brian Bishop: If it's a permitted use in the city zoning ordinance, then it could be allowed in that zone.

Susan Spiller: Right.

Brian Bishop: So, as Mr. Hamilton said, if it's a Prada store or a Goodwill store, from a zoning standpoint, they're both commercial retailers. It does not distinguish between level of perceived class.

Susan Spiller: So, we're not deciding tonight on whether Goodwill is going to be there or not. We're deciding whether its going to be a commercial property.

Brian Bishop: That is not correct. We are deciding if Goodwill is getting the rezoning as a co-applicant with the current owner. So, yes, we are deciding at the very early stages if Goodwill is going there.

Susan Spiller: Okay. Okay, then I have a question. What is a city park considered? It's not commercial, is it? Is that agricultural?

Brian Bishop: There is a separate designation, I believe it's called parks/recreation on the Future Land Use map.

Chairman Dixon: Is there a zone that would entail that?

Brian Bishop: Typically, if it's a city park, its exempt from zoning so, it could be just about any zone.

Chairman Dixon: Okay.

Susan Spiller: Okay, um, I just want to make some comments that I see Henderson, always have as a growing community but I don't think its

progressive. Its certainly not like Owensboro. I think that if we want Henderson to thrive economically, we need something that is higher class than a Goodwill building on that prime location that 69 is going to come through.

So, I think, I have some suggestions as I'm sure other people do but I'm not going to throw those out there. One thing I would suggest, however, would be the consideration of a park because all the parks that we have in the City of Henderson are on the other side of the highway. There are about four (4). We have no parks over there on that side of the highway and once I-69 goes through I think it would be nice to have a rest area where families could get out and you know and stretch their legs with their children in a park. And that also addresses the wildlife that you were concerned about.

So, I think that we need to, you know, consider Henderson becoming as equally progressive as the community of Owensboro or even Madisonville or Evansville and I don't think that putting in, I mean we've taken away... we don't have a Skateway, the kids don't have anything to do. We don't have a Skateway, we don't have a drive-in, I think we have a bowling alley, I'm not sure but you know, this is a family friendly community, especially out in that area and I think that these are some things that we seriously need to consider and the increase of the property values as you said.

We certainly don't need to decrease the property values putting in a Goodwill Industry.

Chairman Dixon: Excuse me...

Susan Spiller: That's it.

Chairman Dixon: I mean, you can come back and speak again. Anybody else want to address the matter tonight? Are you sure? Anybody like to continue? We're going to keep going as long as everybody says their piece. Yes ma'am?

Ruth Clum: I just want to point out that there are several people here from my neighborhood that aren't speaking. So, there are several people in that Pebble Creek/Balmoral that are here today that are feeling the same way I am.

Chairman Dixon: Okay. Thank you, ma'am.

Brian Bishop: Mr. Chairman, whenever you're ready, I have an email to read into the record from Mr. George Warren.

Chairman Dixon: Okay. Okay, let's do that.

Brian Bishop: This is submitted by George Warren; it was sent to me earlier today.

"Brian:

Sorry I am unable to be at the meeting discussing the Goodwill project. I respect the citizens for expressing their concerns.

I will not be able to give as much detail via email, compared to in person comments and questions. I own the adjoining tract of approximately 18 acres to the back side of this property. My family hopes to make it a development that Henderson will be proud of. We anticipate professional offices and mixed retail. We will have numerous property restrictions to protect value of the development. Therefore, we would like for the Planning Commission to consider the following:

- ***Street name- Warren Drive, there thereby five lanes of US 60 that provides a clear separation to road across.***
- ***Property border to be defined by shrubs or trees.***
- ***Brick front as they will have their two Green River Road locations.***
- ***Trees within the parking lot, same to Lowe's. Providing beauty and shade.***
- ***Minimum of \$8,000 for landscaping excluding parking lot trees.***

- *Antique lighting along the street. All power lines underground.*
- *Second lot should be restricted to professional offices or retail.*

This will be the entrance for many as they travel west on US 60. We want it to be a site and future development that Henderson's citizens can and should be proud of. We want what is BEST for Henderson. Thanks to you and the Planning Commission members.

George Warren & Family”

Chairman Dixon: Very good. Does reading it at this point in the meeting get that onto the record then, counselor?

Eric Shappell: Yes, it does.

Chairman Dixon: Has the applicant seen this?

Brian Bishop: They have not. I just received this today. I can share that once we get back into the office tomorrow.

Chairman Dixon: Okay. Anyone else like to address this matter?

Susan Warren: My name is Susan Warren, 2570 US 60 E and sir, I would like to correct you...

Chairman Dixon: Time out. Time out. Speak to me.

Susan Warren: Sorry David.

Chairman Dixon: Your address?

Susan Warren: 2570 US 60 E, Henderson.

Chairman Dixon: And do you promise to tell the truth, the whole truth and nothing but the truth?

Susan Warren: I will darn well try.

Chairman Dixon: Very good, thank you.

Susan Warren: Okay, thank you.

Chairman Dixon: Please proceed.

Susan Warren: Okay. You kept referring to the farm as George Warren's farm. My dad was Gene Warren, Gene and Alice Warren. My brothers George, I have another brother Gene, a sister Sarah who has owned this plot and she's the one that is selling it, and I am Susan.

So, it's the Gene Warren property.

Dane Shields: Thank you for correcting me.

Susan Warren: I'm glad to do that for you.

Chairman Dixon: Good.

Susan Warren: Good. So, in a time that we're coming together this evening I hope that we can come together with the spirit of the community of Henderson, Kentucky that we're most concerned about. Right now, we don't have to worry about the DOW having dropped a thousand points today, we don't have to worry about the international security code the State Department put out throughout the world for us to be careful because of a war going on in another part of this world, and then we don't have to worry about the tripling of the national debt. Right now, all we have to focus on is a small plot of land in Henderson.

I would like to address the comments about the little square of Henderson County being in that area. After my parent's died, the four (4) kids, we divided up what was left of the estate and my two (2) brothers and sister wanted it to become part of the city. I'm a bit more cantankerous, I wanted to stay in the county. I'm a farm girl. I wanted to be a part of the county. So, I said no. So, we came down to a compromise which is what we will all eventually end up doing but I had purchased five (5) acres previously, and I had the ability legally to make that remaining a part of the county. I still have sheep on that. In fact, me and my neighbors here probably this past spring, saw repeatedly a couple of my sheep, Jimmy and Bro, get out pretty much every day.

Jimmy, you have to understand, he's preparing for the Summer Olympics; the high jump for sheep, it's a new class. But he's preparing and that's what he was doing every day. He would jump the fences that kept putting higher and higher so he could go eat the soybeans but, none the less. That's why there is a little five (5) acre square that is part of the county and the remainder of it, I agreed for it to become part of the city. I'm just not a city person, even in Henderson.

I want as we're discussing this land, I want us to take a moment to understand this land has been loved. It was loved when it was purchased back in the 1920's by an Irishman who came here in his twenties and bought that land for the development of his ideal estate. His name was Charles Argue.

Chairman Dixon: Before we go on, you've used up your three (3) minutes. Let me give someone else a chance if they wish. Anybody else like to speak? I'm not seeing anything so, please proceed.

Susan Warren: Okay, thank you David. When Mr. Argue died, Mrs. Argue sold the property to my mom and dad, and then that's where we are now. At their death, as I said, it was divided into four (4) plots, one for each one of the kids. My sister, who lives out of town is the one who has decided to sell her property. She has attempted to sell the property for a number of years, and it turns out that Goodwill is the one that stepped forward to buy her property. All these other suggestions of other possibilities, great suggestions but they did not step forward, Goodwill has.

I concur with my brother on the improvements that he would like to see. I want to make sure, that on my property, which is on the east side of the plot, a lot of it is on a slope. I want to make sure that as water drains off according to city codes, that there are retaining ponds that prevent a quagmire of water collecting down below but I understand from my brother that that's city code and that will be addressed.

Brian Bishop: It will. It will be addressed during the engineering portion that I referred to earlier, the site plan. They will be required to retain their stormwater.

Susan Warren: Okay. I also want to make sure that the privacy of the woodlands. My brother is more of the developer, I'm more of the naturalists. I fight for the wildlife on my property. I fight for the wild turkeys, the deer, and I want to make sure their privacy in that wooded area below is maintained and I would ask that good, healthy shrubbery be provided along there along with the retaining pond.

If you all could please tell your neighbors and your friends and your kids to respect our property. There is no hunting on our property. No guns, no bows, no hunting. We're having a problem with that.

I also want to ensure that, again as my brother has mentioned that there be greenery, trees if possible and green grass. That there be more than just asphalt and rocks.

Then lastly, I would like to say is this going to be a Goodwill or a good won't. I know that in your mission statement it does indicate that you chose to help individuals that struggle in life; the disabled, people with poverty issues and also substance abuse issues. I would like to see active involvement which I have not seen on the south end with places like the Hugh E. Sandefur Center. To find disabled people that want to find jobs and other groups in the county that deal with these disadvantaged people.

To your point about the salary. I googled, I'm not saying that's going to be the end all to everything but there is a Steven Preston who is a CEO of Goodwill International that makes \$632,000 a year. Right, the national. But I'm just saying, it starts there and then goes down and then there's some noted at that site but I'm not bringing up but were in the couple of hundred thousand salaries but I'm not going to go there because Google is not always the most accurate that you want to use.

But I would like to see if, in fact, Goodwill does build because I know an individual that has disabilities that received no training while he was there, aside from how to hang clothes. That's not what your mission statement should mean, it should mean you're providing training for these individuals from a national level down to a local level.

Chairman Dixon: Excuse me, ma'am. You've used up another three (3) minutes or more. Anybody else have anything to say, otherwise we will continue. Okay, please go ahead.

Susan Warren: Okay, thank you Mr. Dixon.

The south end store, I shop there. These clothes, these boots, my farm boots, they're from there, they have good stuff. They also have furniture and other items, and they are well maintained. The staff there are professional. Good people. But again, my point is, its not addressing their mission statement if in fact they're known for their goodwill, it needs to be a goodwill for the population that they've expressed in their mission statement that their going to provide for.

There are alliances I would be glad to provide you with and the phone numbers of people and things like that.

So, all I'm asking is if you do build there, live up to your name, Goodwill. That's it.

Chairman Dixon: Thank you, ma'am, any questions from the commission? Thank you.

Susan Warren: Thank you.

Chairman Dixon: This list of suggestions in this email, who would come up with the name of this new street?

Brian Bishop: It would typically be addressed here in the planning process so when they submit the plat, they can submit the requested road name. From there, we would work with the City, 911 and city itself to see what they would like to road to be. In the past, they have expressed

reluctance to have streets that are divided by an intersection just because it creates confusion. So, we would address that during the platting process is the quick answer.

Chairman Dixon: The owner would make the determination, correct?

Brian Bishop: They would make the request via the platting process and the city ultimately has the authority to name it.

Chairman Dixon: And all of these other things brick front, trees in the parking lot, a minimum of \$8,000 of landscaping, antique lighting, power lines underground. I think there is bordering, property border to be defined by shrubs or trees. All of those suggestions, what becomes of that?

Brian Bishop: The suggestions can be entered into the record. The city zoning ordinance does not have an enforcement mechanism for those items, but I think it would be probably advised if the applicants were to address those items on their site plan because that is where we are going to see more detailed information such as the detention pond, the screening, things of that nature.

Chairman Dixon: Okay, and the applicant and their experts and engineers will have this email immediately.

Brian Bishop: Yes, it will be forwarded to them.

Chairman Dixon: Immediately.

Brian Bishop: Yes.

Chairman Dixon: Okay. Yes ma'am?

Susan Spiller: Susan Spiller, again.

Once we vote tonight is that the final decision that Goodwill will then go forward with the plan?

Brian Bishop: So, the process is the Planning Commission will make a recommendation to the board of commissioners. The board of commissioners has the final say. So, once we make that recommendation, there is a 21-day window where any aggrieved party can request that the City Commission take the matter up. That's not to say that they will but they can possibly take the matter up. That's outlined in KRS 21.11, I believe.

Susan Spiller: Do they let....so, this is kind of asking a question about...can the members of the community address their concerns with anyone else expect just tonight with the City Commission or anything else?

Brian Bishop: That's where the aggrieved party comes in. You have a 21-day window to reach out to the city to express your concern.

Susan Spiller: How does that process work? Who do we call about that?

Brian Bishop: We have a form in our office that I can share with you then, that way it can be sent to the city.

Susan Spiller: Okay, thank you.

Chairman Dixon: Good questions. Anything anybody else would like to add?

Mary Scarlett Hill: I'm Mary Scarlett Hill. I'm going to tell the truth. 2966 Green River Road.

Chairman Dixon: Okay, and you do promise to tell the truth, the whole truth and nothing but the truth?

Mary Scarlett Hill: I just...yes sir.

Chairman Dixon: Very good.

Mary Scarlett Hill: So, I would like to see that beautiful piece of property enhanced and not suffocated with more concrete. I mean,

you've got a Buy-Low, you've got an empty Walgreens. I don't know if anybody is really listening. How about, you know, a Goodwill? Instead of pouring more concrete and suffocating...I've seen the wildlife. I live like six (6) blocks away. I have seen the wildlife and with this 69 coming in its going to be very limited for them and I just would like to see that piece of property enhanced. Like my sister said, a park. A zip-line. Swing-sets. People coming from 69 that want to exit and let their children get out of the car and just spread their wings or whatever, you know, exercise.

Yeah, I don't want another concrete building but that's just my opinion. Thank you for hearing me.

Chairman Dixon: Thank you, ma'am. Any questions? Would anyone else like to speak to this?

Do we have findings of fact in this case?

Brian Bishop: Mr. Chairman, we have provided a motion directing staff to come back with findings of fact either for or against. We typically do that on larger rezonings because there is so much information being put into the record that we come back with the findings of fact. The members of the public would know the Planning Commission's decision tonight but there's two (2) versions. There is a sample motion for and a sample motion against. I believe Heather passed that out earlier.

Chairman Dixon: Does the commission have these motions?

Frank Boyett: I don't see it in front of me.

Chairman Dixon: I don't see it.

Dickie Johnson: No.

Chairman Dixon: This is good. We can use this time to make sure that everybody has had their opportunity to speak to this.

Brian Bishop: Mr. Chairman, I would suggest that the Planning Commission if they would like, if they make the determination of either or against, make that subject to the Planning Commission staff to come back with the findings of fact to support that decision. I believe staff, we have misplaced those.

Chairman Dixon: Okay.

Frank Boyett: Are we ready for a motion?

Dickie Johnson: When he closes the public hearing.

Brian Bishop: We have...Mr. Shappell to the rescue. He has the copy that I emailed him.

Chairman Dixon: Okay. It seems as if we are ready to call this for a motion, okay. Oh, yes sir? Your name, sir?

Adam Blythe: Adam Blythe, 1653 Bruce Street, Henderson, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Adam Blythe: I do.

Chairman Dixon: Good, go-ahead sir.

Adam Blythe: So, when I first saw the announcement, I was like a lot of the folks, kind of taken back by what it was. So, I reached out to Connie the CEO and asked for a phone call.

She was nice enough to invite me to their facility in Evansville and gave me a tour and gave me an opportunity to ask some questions.

I can tell you I went into that meeting with an attitude and a feeling of kind of um, again, was hoping for a Schnuck's or some of the other grocery stores. I can tell you after learning about the second chance employment, after learning about how they have affected adult

education and got folks from Evansville to graduate, it made me feel much different.

Hearing that their mission is 85% funded by themselves. They don't to go out and find try to find those donors, they do I believe one fundraising session per year, but it was impressive to hear that they're able to reach out and do what they can and their self-sufficient, and they're doing that through these retail stores.

I think that those retail stores give those folks secondary employment, like I said, as well as the idea of giving the folks in our town an option to buy things and possibly resell it.

I can tell you something, I learned something I didn't realize, 10% of their customers buy 50% of their products. So, when we look at that think of how many young or old or anyone that's an entrepreneur that can actually have a chance to make some money. I think there are folks out there right now that are doing it illegally but there's ways that this could be an end to where they can actually find themselves on the right side of the law.

So, as much as I can say I was against it at first, after taking the time to listen, to understand, and to understand what you folks do, I have to say that I'm for the project. I think that as a city when folks come to us and want to spend \$5-\$6 million dollars, we need to be more open-minded to what they're doing, what they bring and my hope through that conversation is to challenge them is that I would like to see that adult education here in our town. We have an issue with graduation here in town and I believe that they can help us with that mission, and by giving them the opportunity to come here and open a second store, I believe that would give the opportunity to help us in more than just a re-sale store. That's all I've got.

Chairman Dixon: Thank you, sir. Thank you. Any questions for this gentleman? Anyone else like to add to this? Good. Yes ma'am, your name?

Diane Bremer: Diane Bremer, 929 Watson Lane. My property is two (2) blocks from this proposed site.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Diane Bremer: I do.

Chairman Dixon: Good, go ahead.

Diane Bremer: I understand progress, and I'm for progress and I understand this property will eventually be developed, whether it be with project. The point that was made about the seller can't control who will come and offer to buy the land, that's out of their control, that's out of our control also as far as the city making decision.

Zoning this commercial is the first step of the entire development that will go through the process all the way down 60 probably to the new interstate interchange.

My comments today are more to the future and the planning for the commission that we really put together a process to understand how important this is primarily a residential area and how this commercial progress is going to impact our residential properties and how that impacts the city overall.

But more importantly, we have the vacant buildings that were brought up this evening too. Again, we can't direct people to buy but is there a task force that can be put together addressing some of these vacancies and how we can work with potential interest in our community and developing these older properties, renovating, and rehabilitating, if you will. That's really what I see a concern for is the future and how we commercially develop these and what our plan is for that in the future.

Chairman Dixon: Thank you, ma'am, thank you. Interesting ideas. Anyone else? Sir?

Dane Shields: If I could, to kind of sum a couple of things up, I would like to ask two (2), very simple questions.

One to Brian if I could please. With the future land use map that has been developed for this area, is the development that is before the commission tonight, is that use consistent with the future land use map of Henderson County?

Brian Bishop: Yes. Commercial in nature.

Dane Shields: And, secondly, does the Goodwill application for rezoning, does it check all the boxes from rezoning from the planning commission perspective?

Brian Bishop: It does.

Dane Shields: And then, Jennifer could I ask you a question please? You work for the Planning Commission?

Jennifer Allen: Yes.

Dane Shields: I noticed as part of the comprehensive plan of Henderson County there has been a new chapter recently added, and the new chapter is Enabling I-69 and that's in the comprehensive plan. Now, I-69 going through this county is constructed almost up to the bridge, it's happening. And there are different ways to do things, but Henderson County now has an I-69 running north/south through it. There has been substantial planning in regard to that. This is not, you know we came up with something a week ago and now we're bringing it, and you know, there's been no planning, this is a component of the comprehensive plan that has been studied long and hard. If one of the goals on the I-69 plan that is part of the comprehensive plan, page four (4) of Chapter ten (10); is 60 E, is it a key, commercial corridor that will go from I-69 into Henderson?

Brian Bishop: Yes.

Dane Shields: So, that's what we're talking about here. We've got an interstate coming into the county, and we have wonderful parks in Henderson County. I love parks. We've got good parks, but this is an interstate coming into this county and this is a commercial designated strip, and we are, this applicant is the first applicant to step forward willing to spend millions of dollars coming before this commission to make that happen. We're putting our money, or they are putting their money to develop this county and bring jobs to this county.

So, as you're considering our application, I would ask your consideration to allow this county to develop, as is planned pursuant to your comprehensive plan.

I thank you very much for your consideration.

Chairman Dixon: Thank you, sir. Okay. Yes ma'am?

Susan Spiller: But I also agree that there is no need to rush it. That if residents are just now finding out about it, that they need to be more informed, fully informed and they need to have a say in it, so.

But you indicated that they will have a chance to do that.

Brian Bishop: Yes. They can take it up with the board of commissioners.

Susan Spiller: Exactly, okay.

Chairman Dixon: Anyone else? Yes ma'am?

Lisa Thompson Meyer: Lisa Thompson Meyer. The only comment I have is, I think it was Adam that mentioned they were developing people or that's part of their advertisement so much, you know disabled people, developing them to get job skills and so forth.

I would like to see some of the people, they've had a Goodwill store there on Green Street for a long, long time. I would like to see some of the people that they've worked with there and actually help them further

their skillset and their job qualities and so forth. I think that would help a lot, to see what to expect.

Chairman Dixon: Thank you, ma'am. Yes, ma'am.

Connie Ralph: I would like to respond about the mission since that is something that has been brought up a number of times. The mission of Goodwill is to help people, families and communities thrive through the power of relationships, education and work. The thirty-four (34) employees that we have currently in the Henderson store, over 50% of them are self-designated as having some type of a barrier to employment. That may include a disability, it could include a history of criminal involvement, it could include recovery from substance use disorder, it could include housing instability. There is a variety of types of barriers to employment. The way we work with those employees is different based on the needs that they have, and probably you're not going to see that in the store as a customer but that doesn't mean that we are not working very closely with these employees to make sure that they are having their barriers addressed.

So, as a quick example, some of the internal programs that we offer to our employees include our Good Guide Program where we assist employees who are struggling with a barrier to deal with crisis situations and also to deal with things that they need to do in order to achieve their goals and dreams.

We work with people to help them find jobs outside of Goodwill. We're probably the only employer in the area who is happy to see employees move on to better jobs in the community, that is our mission.

We do provide extensive training for our employees to do the jobs not only that they are doing as an employee but to also give them opportunities to grow within our company. We have training programs that address soft skills, that address manager and training, we're developing a driver in training program right now because we know that

is a useful skill that people would be able to go and find jobs to make more than the \$13 an hour that they earn when they are at Goodwill, when they first join Goodwill.

So, our whole mission is to continually help people to grow, and develop, and learn, and move on into better paying jobs and be contributing members back into the community.

Chairman Dixon: Thank you, ma'am. Any questions from the commission? Would anyone else like to speak?

Jarod McIntosh: I think I need to say something. Sorry Connie, I apologize.

Chairman Dixon: Your name, sir?

Jarod McIntosh: Jarod McIntosh.

Chairman Dixon: Your address?

Jarod McIntosh: 5741 Drakewood Drive, Evansville, Indiana, 47711.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Jarod McIntosh: I do.

Chairman Dixon: Thank you, sir.

Jarod McIntosh: Well first off, I would like to thank all of you and everyone who is here today for being here. You can tell that there is a lot of passion and desire to see the community of Henderson to become better and also to continue to achieve their goals.

One of the things that I wanted to say as the chairperson of Evansville Goodwill is that we believe in the mission we're doing. We believe that what we do makes a tangible effect in the community. We did have listening sessions, two (2) listening sessions actually and many people in this room were there. We wanted to hear what the community had to

say. We wanted to listen to what the community had to say and show that we wanted to be a partner to the community.

Now, as we said before, we can't control who's going to go in this area, but we hope that this community see's that Evansville Goodwill is extending a hand of partnership and fellowship to the community of Henderson and what we're asking for is for you to also shake that hand, that we work together. That this won't be the last time we have listening sessions. We're going to make sure that we try to bring our wrap-around services to the community of Henderson and make an impact that can benefit all of us.

So, I just wanted to say that we did want to make sure that everyone knew that if you have questions about what we do, who we are, why we're so passionate about this; we have several board members that are here. None of us are paid. We donate our time because we believe in the mission of Goodwill, and we want to make sure that your community believes in that mission as well.

So, please, make sure you come up and talk to us. Come see us in Evansville. We want to make sure that we work together with you and not against you. Thank you.

Chairman Dixon: Thank you, sir. Okay, anyone else? Okay, let's take just a minute or so to catch our breath, make sure that we've said all that we can. I appreciate everybody's efforts and understanding here tonight.

Okay, I think its time we entertain a motion in regard to Rezoning #1182 with a development plan.

Frank Boyett: I do not believe that a Goodwill Store is the highest and best possible use of an intersection on what is going to be a new gateway to the City of Henderson but, this project meets all of the requirements of both the zoning ordinance and the comprehensive plan, and we have no legitimate reason to reject it. So, for that reason...

MOTION WAS MADE BY FRANK BOYETT, SECONDED BY DICKIE JOHNSON TO PROPOSE THAT STAFF PREPARES A MOTION AND FINDINGS OF FACT BASED ON THE RECORD RECOMMENDING APPROVAL OF REZONING #1182 WITH A DEVELOPMENT PLAN FOR THE PROPERTY LOCATED IN THE CITY OF HENDERSON AT 2560 US HIGHWAY 60 E CONTAINING APPROXIMATELY 6.03 ACRES SUBMITTED BY THE SARAH HUTCHESON REVOKABLE LIVING TRUST THAT THE MATTER BE TABLED UNTIL THE NEXT REGULAR MEETING, THAT THE PUBLIC HEARING NOT BE RE-OPENED AT THE NEXT MEETING, IN OTHER WORDS, NO ADDITIONAL PUBLIC COMMENTS WILL BE HEARD AT THAT TIME, THE RECOMMENDATION WILL NOT BE RECONSIDERED AT THE NEXT MEETING, AND THAT THIS VOTE NOT BE CONSIDERED FINAL ACTION. THIS MOTION IS REGARDING THE APPLICANTS REQUEST FOR A ZONING CHANGE/MAP AMENDMENT WITH A DEVELOPMENT TO REZONE FROM AGRICULTURE TO HIGHWAY COMMERCIAL.

Chairman Dixon: We have a motion and a second. The motion is to recommend approval of this zoning change to the City Commission, correct? The motion is to recommend approval.

Frank Boyett: Yes.

Chairman Dixon: Okay, we have a motion and a second, any further discussion by the commission?

Curt Hamilton: Mr. Chairman? I have struggled with this just like a lot of the commentators. This is, you know, we are all, our whole commission is community members, that's why we're appointed, and this picture right here is my community. I've lived right here in this area for almost thirty (30) years. My three (3) adult children, three (3) of four (4) of my adult children have homes within two (2) miles of this, to which I can see their addresses on here. So, I've struggled with this as

well as far as what's going in. But I don't think it's our purview to say what's going in. If another developer wants to come in and they meet all the restrictions, they have the plan that gets approved, it corresponds with the master plan then who am I to say it can't happen. I mean, if this was a Buc-ee's or a Love's Travel Plaza or whatever, I don't think it's, you know as long as it meets with the plan, the applicant, we're not voting on who the applicant is or what they do or what their business. I wish them well, I definitely wish them well if this passes but that's true isn't it, we can't really say what specific business is?

Brian Bishop: Yes.

Curt Hamilton: If they wanted to sell it to Target tomorrow it's a whole, different set up.

Eric Shappell: The request is for a retail establishment, not a specific store brand.

Curt Hamilton: Understood.

Eric Shappell: The request is for a local retail store, not a specific store name.

Curt Hamilton: I'm with Frank. I don't really see that there is any good reason to say no because we can't tell someone what to do with their business except for under limited circumstances.

Eric Shappell: As long as it meets the requirements of the land use...

Curt Hamilton: As long as it meets the requirements and is a permitted use.

Brian Bishop: Mr. Chairman, I would just ask the Planning Commission members that are on ZOOM to make sure their cameras are on when they vote.

Heather Lauderdale: Thank you.

Kevin Richard: At this point we have a motion and a second so, we need to vote.

Chairman Dixon: We have a motion and a second, we're now discussing the motion. If anyone has anything else they would like to add, if not, please call the roll Madame Secretary.

YES: ALL

Chairman Dixon: Very good, the motion passes.

UPCOMING BOARD APPOINTMENTS

<u>BOARD</u>	<u>EXPIRATION DATE</u>	<u>TERM</u>
<u>CIVIL SERVICE PENSION FUND BOARD OF TRUSTEES</u>		
Linda Epley	June 1, 2025	4-Year
Jason Buchanan	June 1, 2025	4-Year
<u>BOARD OF APPEALS (NET PROFITS & OCCUPATIONAL TAX-CITY)</u>		
Alternate Member (Vacant-former member moved out of town)		3-Year
Rodney Thomas	December 31, 2026	3-Year
<u>PARKS & RECREATION BOARD</u>		
Tre Perkins	September 14, 2025	4-Year
Brenna Caudill	September 14, 2025	4-Year
Dr. Melanie Lee	September 14, 2026	4-Year
<u>MUNICIPAL HOUSING COMMISSION</u>		
Stephanie Chrisman	September 30, 2025	4-Year
Rosa Woods	September 30, 2026	2-Year*
James Hickerson	September 30, 2026	4-Year
<u>ETHICS BOARD</u>		
Adam Blythe	February 14, 2026	2-Year
<u>BOARD OF ZONING ADJUSTMENT (BOZA)</u>		
Tara Hunter	February 24, 2026	4-Year
Heather Knight	February 24, 2026	4-Year
<u>CITY UTILITY COMMISSION</u>		
Russell R. Sights	April 25, 2026	3-Year
Mark Weaver	April 25, 2026	3-Year
<u>TAX ASSESSMENT APPEALS BOARD</u>		
Amber Wood	May 21, 2026	3-Year
<u>HENDERSON CITY-COUNTY PLANNING COMMISSION</u>		
Mac Arnold	June 1, 2026	4-Year
<u>CODE ENFORCEMENT BOARD</u>		
Alan Taylor	June 30, 2026	3-Year
<u>HENDERSON TOURIST COMMISSION</u>		
Dee Patel	June 30, 2026	3-Year
<u>HENDERSON CITY-COUNTY HUMAN RIGHTS COMMISSION</u>		
Maximillian Lisembee	September 17, 2026	3-Year
Ginger Stovall	September 17, 2026	3-Year

*Rosa Woods was appointed by Bobbie Jarrett to be non-voting member for 2 years.