

Henderson City-County
Planning Commission
August 1, 2017

The Henderson City-County Planning Commission held their regular meeting August 1, 2017 at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, 3rd floor assembly room. Members present: Chairman Herb McKee, Vice-Chair David Williams, Bobbie Jarrett, Gary Gibson, Dickie Johnson, Rodney Thomas, David Dixon, Kevin Herron, Gray Hodge, and Attorney Tommy Joe Fridy. Mac Arnold, Kevin Richard, and Doug Bell were absent.

Staff present: Director Brian Bishop, Assistant Director Claudia Wayne, Theresa Curtis, Heather Lauderdale and Chris Raymer.

(The following minutes were transcribed from an audio tape recording of the meeting on August 1, 2017. The audio tape recording is on file at the Planning Commission office and will be retained for 30 days after the minutes are approved)

MEETING BEGAN AT 6:00PM

Chairman McKee: Let's call this August meeting of the Henderson City-County Planning Commission meeting to order. Welcome everyone, I'm glad to see everyone here; I'm getting feedback (referring to the microphone). Madame Clerk, will you please call the roll?

Madame Clerk, we have a quorum.

I would like to ask the Honorable Herb Pritchett if he will join me at the podium.

You know, I decided I like your name Herb. (laughter) I'll bet it's served you well.

Herb Pritchett: It has served me very well, thank you very much.

Chairman McKee: On behalf of Judge Brad Schneider and the Fiscal Court, Mayor Steve Austin and the Board of City Commissioners, and this Planning Commission and its Staff, and the citizens of Henderson, Henderson County; we want to thank you for your service to this Planning Commission, and in token of that thanks we would like to present you with this certificate to commemorate your term of service. Thank you, Mr. Pritchett.

Herb Pritchett: I'll just be real short because you know, but I really, really enjoyed serving with you all. It was a privilege and a pleasure. So often you get in the middle of things when you try and do good, and you think what in the world, why in the world did I ever say yes; but that thought never crossed my mind while I was on this board.

The Staff, I could not ask for a better, more complimentary, helpful staff and each member of the Commission was delightful to be with, and helpful. I will really miss you all. Occasionally I might come back and just see, but I'll try and keep my mouth shut when I do.

Thank you all very much.

Chairman McKee: You're welcome anytime, thank you.

It's time that we go into Public Hearing, so the Chair will entertain a motion to convene the **Public Hearing**.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY RODNEY THOMAS TO GO INTO PUBLIC HEARING.

Chairman McKee: We have a motion and a second, any discussion? All in favor signify by saying aye. Are there any opposed?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: Thank you. Next on the agenda are the minutes of the June 6, 2017 meeting. Have you had the opportunity to read those? We didn't meet in July of course so, June 6 is the last.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY GARY GIBSON TO APPROVE THE JUNE 6, 2017 MINUTES AS DISTRIBUTED.

Chairman McKee: We have a motion and a second, any discussion? All in favor signify by saying aye. Are there any opposed?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: Minutes are approved as presented.

Next on the agenda is **Rezoning #1072**, Mrs. Wayne are you going to lead that conversation?

Claudia Wayne: Yes sir.

Chairman McKee: Please proceed.

Claudia Wayne: This was submitted by Robert and Kim Hall for the property located in Henderson County, at 1555 March Lane (a portion of PID #67A-31) containing approximately 9,387 square feet. The applicants are requesting a zoning classification from Single Family Residential District (R-1) to Two Family Residential District (R-2).

The current zoning is R-1. The proposed zoning is R-2 Two Family Residential.

To your North of the property is R-1, to the South of the property is R-1, to the West is Agricultural, and to the East is R-2.

They are wanting to cut off a portion of this right here and consolidate it to the R-2 property in order to create a larger building lot.

The Comprehensive Plan for the Future Land Use Map depicts this area as Low Density Residential.

The urban services we have electric, gas, potable water; they do not have sewer out in the county in that area.

The Planning Commission Staff recommends approval, and the Planning Commission recommends the assignment of a Two Family Residential (R-2) zoning, and approve amending the Comprehensive Plan to be consistent with the County's final action.

There are proposed motions and Findings of Facts before you, we can try to answer any questions that you may have.

I think Mr. and Mrs. Hall both are here.

Chairman McKee: Thank you. Do we have any questions for staff before we hear from the applicant?

David Williams: I assume that they are planning on putting a duplex in on this lot?

Claudia Wayne: It is where they can put multi-family there yes, and there are duplexes out in that area although it's Residential, there are still duplexes.

David Williams: Ok, when you say multi-family though what's the maximum number they can put on this lot?

Claudia Wayne: It would be just a duplex.

David Williams: A duplex, ok thank you.

Chairman McKee: Any other questions for staff? Would the applicant like to make a statement to the Commission? No? Any other comments or questions?

A positive vote would mean a recommendation to the Fiscal Court on this rezoning?

Claudia Wayne: Yes.

Chairman McKee: Hearing no comments, no questions; the Chair will entertain a motion.

MOTION WAS MADE BY DAVID DIXON, SECONDED BY RODNEY THOMAS TO MOVE THAT THE PLANNING COMMISSION RECOMMEND THE ASSIGNMENT OF A TWO-FAMILY RESIDENTIAL DISTRICT (R-2) ZONING CLASSIFICATION FOR 9,387 SQUARE FEET (A PORTION OF PARCEL PID # 67A-31), AND I LEAVE THE MOTION OPEN FOR OTHER MEMBERS OF THE PLANNING COMMISSION TO ADD FINDINGS OF FACT IN SUPPORT OF THIS MOTION, BECAUSE:

- **IN 1996 (REZONING #704) THE HENDERSON CITY-COUNTY PLANNING REZONED PID# 67A-31 FROM R-1 TO R-2 IN ORDER TO BUILD A DUPLEX.**

- **THE PROPOSED DUPLEX IS COMPATIBLE WITH THE SURROUNDING USES IN THAT THERE ARE DUPLEXES TO THE EAST AND SOUTH OF THIS SITE.**
- **THE PROPERTY IS SERVED BY ADEQUATE INFRASTRUCTURE/UTILITIES (THE AREA IS NOT SERVED BY SANITARY SEWERS).**

THE PROPOSED ASSIGNMENT OF ZONING IS IN AGREEMENT WITH THE GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN, IN THAT:

- **ENCOURAGE A VARIETY OF HOUSING TYPES THROUGHOUT THE COMMUNITY TO MEET THE NEEDS OF ALL GENERATIONS AND INCOME LEVELS. (HEALTHY NEIGHBORHOODS GOAL # 2)**
- **PROMOTE STABILITY OF EXISTING NEIGHBORHOODS AND ALL ASPECTS OF HOUSING INCLUDING INFILL, REDEVELOPMENT, AND**

**ENCOURAGE NEW DEVELOPMENT WHERE
APPROPRIATE. (HEALTHY NEIGHBORHOODS
OBJECTIVE # A)**

- **ENCOURAGE FLEXIBLE ZONING CRITERIA TO ASSIST
REDEVELOPING NEIGHBORHOODS. (HEALTHY
NEIGHBORHOODS OBJECTIVE # C)**

Chairman McKee: Does that conclude your motion Commissioner?

David Dixon: Yes.

Chairman McKee: We have a motion and a second. Would you entertain, you will entertain additions to the Findings of Fact if there are any. Would any Commissioner like to add Findings of Facts to the motion?

Hearing none, we have a motion and a second; Madame Clerk will you please call the roll?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: So mote it be.

Next on the agenda is **Rezoning #1073 with a Development Plan**. Mr. Bishop are you going to lead that conversation?

Brian Bishop: Yes sir.

Chairman McKee: Please proceed.

Brian Bishop: Rezoning #1073 with a Development Plan is submitted by Glen Stone for the property located in the City of Henderson at 626 & 630 Fifth Street (PID# 3-7-4-6), containing approximately 22,500 square feet. The applicant is requesting a zoning change classification from Inner-City Residential District (R-3) to General Business (GB).

You'll notice to the North, West and East we have R-3 zoning, to the South we have M-1 Light Industrial.

The Future Land Use Map shows this area developing in a Public/Semi-Public/Office manner.

The Site Plan shows a 3,750-square foot commercial building which is shown in this hatched rectangle. The proposed entrance will enter and exit onto Fifth Street.

The applicant has proposed heavy screening along each residential neighbor. And if you would please pay close attention to Note #2 on the Site Plan. It reads, "Screening shall be six (6) feet in height minimum at planting. Species, quantity, and spacing shall be coordinated between the owner and the Zoning and Codes Department prior to installation.

The hours of operation will be between 5 a.m. and 9 p.m.

The exterior façade of the building shall be brick, solid color siding, stone veneer or a combination thereof.

Landscaping shown is for presentation only.

The principal sign shall be a monument type sign, maximum of thirty-two (32) square feet.

Staff recommends approval.

A proposed Motion and Findings of Facts are attached. If you have any questions we'll do our best to answer them.

Chairman McKee: Questions for staff?

David Williams: Would you inform us as to what the previous use of the property was?

Brian Bishop: The previous use was a church. That building was damaged by fire, and the church was never reconstructed or rehabbed so that it could be occupied.

David Williams: Was there a parking lot associated with the church?

Brian Bishop: There was.

David Williams: Ok, thank you.

Brian Bishop: Commissioner Williams if you will notice, the parking lot is in this area here (referring to the projector screen showing the site plan); it's a little hard to see on the screen because it's a little blurry, but it is right here for the existing parking lot.

David Williams: Ok, so they saved the existing parking lot?

Brian Bishop: They will use part of it, yes. You can see it right here. If you would, you'll notice representation of what the building will look like, to make it more compatible with the surrounding properties.

David Williams: Alright, typical uses for this particular zoning?

Brian Bishop: We actually have a list that should have been provided to you.

David Williams: That's part of the record?

Brian Bishop: It is. Staff has conferred with City Codes, and we all feel that these are uses that would fit well with the neighborhood and help with the sustainability of the neighborhood. It has begun to develop in a much more positive, residential manner. So, we think this will be a benefit to the local residents.

David Dixon: Is every use on this sheet of paper permitting in General Business, or just the category under General Business.

Brian Bishop: It's labeled by the; anything in zoning, like for example Neighborhood Business would be allowed in General Business, so they are going to limit themselves to these uses. They do not propose uses allowed in General Business other than the ones that are on this piece of paper.

David Dixon: Ok, and all the uses on this piece of paper would be allowed?

Brian Bishop: Correct.

David Williams: Brian would you say this fits with the overall tendency for Henderson to move to a more mixed-use community, and denser spacing?

Brian Bishop: I would say.

Chairman McKee: Any questions for staff? Hearing none, would the applicant like to make a statement?

Mr. Branson, please raise your right hand and repeat after, or swear with me.

The statements you are about to make are the truths to the best of your knowledge?

Dennis Branson: I do. Dennis Branson, 916 Kelly Court.

Chairman McKee: Thank you sir, please proceed.

Dennis Branson: I'll answer any questions that Staff may have or the Commission may have of the applicant Glen Stone. He is unable to be here tonight, he's out making a living. His wife Judy is here to speak on his behalf if necessary.

But we've spent quite a while actually getting to this point, and I'll just give you a little history.

The church, of course had a fire, and the property was available. Part of the property that they had available thought they had acquired from an adjoining property owner but never got a deed to. Then those people disappeared off of the face of the planet apparently. So, it took us a year, and acquired title-action in local court to get that title marketable, and passed to Glen. So, we've been working on this for quite a long time, long, long time.

The list that you see is a very, very small list. The permitted uses in General Business is like, I don't know, four (4) or five (5) times that much, and the permitted uses in General Business include permitted uses in Neighborhood Business and Residential Office; we've got a couple out of those too. So, we've really compacted it and narrowed it down to only those things that we thought would be compatible for a sustainable neighborhood environment.

Chairman McKee: Questions for Mr. Branson, thank you Mr. Branson.

Dennis Branson: Thank you.

Chairman McKee: Would anyone else like to speak for or against this application? Are there any other comments or questions from Commissioners? Hearing none, the Chair will entertain a motion.

MOTION WAS MADE BY RODNEY THOMAS, SECONDED BY DICKIE JOHNSON TO MOVE THAT THE PLANNING COMMISSION RECOMMENDS THE ASSIGNMENT OF A GENERAL BUSINESS (GB) ZONING CLASSIFICATION/ZONE MAP AMENDMENT TO THE ABOVE PARCEL (PID# 3-7-4-5 & 3-7-4-6)), AND I LEAVE THE MOTION OPEN FOR OTHER MEMBERS OF THE PLANNING COMMISSION TO ADD FINDINGS OFFACT IN SUPPORT OF THIS MOTION, BECAUSE:

- BOTH THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN SHOWS THIS PARCEL AS PUBLIC/SEMI-PUBLIC/OFFICE.***
- THE PROPERTY IS NOT BEING USED AND THE STRUCTURE LOCATED ON THE PROPERTY IS DAMAGED BY FIRE.***
- THE PROPERTY IS SERVED BY ADEQUATE UTILITIES AND SIDEWALKS.***
- THIS REZONING WITH ALLOW THE CONSOLIDATION OF TWO PARCELS.***

- ***THE GENERAL BUSINESS DISTRICT USES WILL BE LIMITED AND WILL NOT ADVERSELY AFFECT THE OTHER PROPERTIES IN THE AREA.***

THE PROPOSED MAP AMENDMENT (REZONING) IS IN AGREEMENT WITH THE GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN, IN THAT:

- ***IDENTIFIES AREAS OF OPPORTUNITY FOR INFILL, REDEVELOPMENT AND ADAPTIVE REUSE THAT RESPECT THE AREA'S CONTEXT AND DESIGN FEATURES. (BALANCING LAND USE OBJECTIVE A).***
- ***ALLOWS FOR CONNECTED, WALKABLE, AND BIKE FRIENDLY NEIGHBORHOODS. (LAND USE OBJECTIVE E).***
- ***ENCOURAGE AND SUPPORT EFFORTS TO CONSTRUCT AND MAINTAIN AFFORDABLE HOUSING FOR ELDERLY, HANDICAPPED AND OTHER DISADVANTAGED PERSONS IN AREAS WHERE THERE IS CONVENIENT ACCESS TO RECREATION, COMMERCIAL ACTIVITY AND OTHER SERVICES. (HOUSING OBJECTIVE #2).***
- ***ENCOURAGE INNOVATIVE, SAFE, AND SUSTAINABLE DESIGN FOR NEW DEVELOPMENT***

***AND/OR INFRASTRUCTURE. (LAND USE
OBJECTIVE F).***

Chairman McKee: We have a motion and a second. Are there any proposed additions to the Findings of Facts? Hearing none, Madame Clerk will you please call the roll?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: So mote it be.

Next on the agenda is **Rezoning #1074**, Mr. Bishop are you going to lead that conversation?

Brian Bishop: Yes sir.

Chairman McKee: Please proceed.

Brian Bishop: Rezoning #1074 is submitted by Amy Skaggs for the property located in Henderson County at 15751 Hwy 136 East (PID# 90A-6), containing approximately 6.758 acres. The applicant is requesting a zoning classification from Neighborhood Business District (C-1) to Agricultural (AG).

The applicant is requesting a zoning change in order to consolidate two (2) parcels. You'll notice in the drawing that this is the parcel that we

would be rezoning, and this is the parcel that it would be consolidated to (referring aerial map projected on the screen in meeting room). The Future Land Use Map shows this area developing in a commercial manner.

There is an interesting story behind this piece of property, if you would humor me for just a moment. When the applicant came in with the plat, we realized this is actually zoned Neighborhood Business. There had been previous plats of the property that had incorrectly shown this as being Ag, so there was a little bit of confusion on this property.

We had gone back and done research through the hard paper maps, through the original re zonings, and we could not find a rezoning or a justification for this being zoned Neighborhood Business. So, it's the Planning Commission's Staff recommendation to rezone this to an Agricultural use.

I will do my best to answer any questions you may have.

Chairman McKee: Questions for staff?

David Dixon: Did you say there was some type of consolidation involved here?

Brian Bishop: There will be. If the property is rezoned, they will consolidate this portion of the property which is currently zoned

Neighborhood Business to this portion, which is currently zoned Agricultural. That will create a lot that 18.756 acres I believe.

Chairman McKee: Further questions for staff?

Brian Bishop: Commissioner Dixon, to our knowledge there has never been a commercial use on this property.

Chairman McKee: Will the applicant like to make a statement?

Brian Bishop: I believe Mr. Skaggs is here to speak on behalf of this wife.

Chairman McKee: He indicated he did not choose to speak. Is there anyone...you've already been sworn in Mr. Branson.

Dennis Branson: I'll just add that much like the first one for the Hall's. The reason that the rezoning request is being made is because they want to consolidate. We can't consolidate property in two (2) different zones. I wish we would have thought to add that as an element or one (1) of the objectives or goals in the Comprehensive Plan, it would make our jobs a lot easier sometimes when we have these zoning map amendment change request; that's a mouthful, when we're just consolidating. That's the only reason they need to have that zoned changed.

Chairman McKee: Questions for Mr. Branson, thank you sir. Is there anyone else that would like to speak for or against this application?

Hearing none, no further questions or comments from the Commissioners? The Chair will entertain a motion.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY DAVID DIXON TO MOVE THAT THE PLANNING COMMISSION RECOMMEND THE ASSIGNMENT OF AN AGRICULTURAL DISTRICT (AG) ZONING CLASSIFICATION TO 6.758 ACRES, PARCEL (PID #90A-6), AND I LEAVE THE MOTION OPEN FOR OTHER MEMBERS OF THE PLANNING COMMISSION TO ADD FINDINGS OF FACT IN SUPPORT OF THIS MOTION, BECAUSE:

THE EXISTING C-1 NEIGHBORHOOD BUSINESS DISTRICT ZONING CLASSIFICATION IS INAPPROPRIATE AND THE PROPOSED (AG) AGRICULTURAL DISTRICT ZONING CLASSIFICATION IS APPROPRIATE, BECAUSE:

- ***THIS REZONING WILL ALLOW THE CONSOLIDATION OF THIS PARCEL WITH THE ADJOINING AGRICULTURAL ZONED PARCEL.***
- ***THE PROPERTY IS CURRENTLY USED AS A ONE-FAMILY RESIDENCE.***
- ***THE PROPERTY IS ADJACENT TO OTHER PARCELS CURRENTLY ZONED AGRICULTURAL.***

- ***THE PROPOSED REZONING IS COMPATIBLE WITH THE SURROUNDING USES IN THAT AREA CONSISTS OF ONE-FAMILY RESIDENCES AND FARMLAND.***

THE PROPOSED ASSIGNMENT OF ZONING IS IN AGREEMENT WITH THE GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN, IN THAT:

- ***WISELY PLAN FOR LAND USES IN APPROPRIATE LOCATIONS TO MAXIMIZE QUALITY DESIGN AND MINIMIZE THE ADVERSE IMPACTS OF DEVELOPMENT. (BALANCING LAND USE GOAL # 1)***
- ***PRESERVE AGRICULTURAL LAND, WHILE PROTECTING THE ECONOMY AND HERITAGE OF RURAL AREAS OF THE COUNTY. (BALANCING LAND USE, OBJECTIVE (J)).***

Chairman McKee: We have a motion and a second. Are there any additions proposed to the Findings of Facts? Hearing none, Madame Clerk will you please call the roll?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: So mote it be.

Next on the agenda is **Rezoning #1076 Lot 2A**, Mrs. Wayne are you going to lead that conversation?

Claudia Wayne: Yes.

Chairman McKee: Please proceed.

Claudia Wayne: Submitted by Canoe Creek Subdivision, LLC (Hugh Stone) for the property located in the City of Henderson (PID#56C-19), adjacent to 540 Fair Street, containing approximately 11.2869 acres. Applicants are requesting a zoning classification from High Density Residential District (R-4) to Urban Single Family Residential District (R-5).

Let me show you on the map; right here is where they are talking about, the eleven (11) acres. Right here is Canoe Creek Subdivision, Mr. Stone developed this one also, and they are wanting to connect it. If you look, the rezoning to your North is High Density Multi-Family, and then to the South, that's where you have your PUD. They are wanting to change this to the R-5 zone so it can be more dense, and be single family residential units. Where R-4 is more multi-family dwellings and single-family dwellings there.

The proposed Land Use Map depicts this area as being High Density Residential. They have all urban services are available to the site. They

will be connecting with here, on Fairground with this also. So, there will be more entrances for them to be coming in and out of the subdivision that they are wanting to develop; which that would come back to the Planning Commission.

The Planning Staff does recommend approval, and your proposed motions and findings of facts are attached. Mr. Stone is here, and I will try to answer any questions that you have.

Brian Bishop: I would like to add one (1) thing that Claudia touched on.

The Preliminary Plat with the proposed lots, and the related construction drawings will also come back to the Planning Commission for your approval.

Chairman McKee: Questions for staff?

David Williams: Claudia, what's the second note here; Lot 2B not included in rezoning"; what's that pointing to exactly?

Claudia Wayne: Hang on let me see if I've got a big copy; Denny you might be able to answer that better than me.

Dennis Branson: Lot 2B did you say?

David Williams: Yes.

Dennis Branson: The property is currently one (1) tract, and we're proposing to divide it into two (2) tracts. One (1) of which we've asked

for a rezoning that's before you tonight from R-4 to R-5. The other lot, Lot 2B we're leaving as R-4, and it's not going to be included in this single-family development. That's a proposed lot division that will be going before staff if the rezoning's approved. Recommended for approval.

Claudia Wayne: This right here is what's included in the rezoning.

Dennis Branson: That Lot 2A is all that we're asking for rezoning to.

Claudia Wayne: Right.

David Dixon: What is the difference between R-4 and R-5 in terms of use?

Brian Bishop: That's probably a question better suited for the City Codes personnel. I would like to request that one of those gentlemen come up and answer that please.

Chairman McKee: Will you please raise your right hand? Do you swear the statements you are about to make are the truths to the best of your knowledge?

John Stroud: I do.

Chairman McKee: Please state your name and address.

John Stroud: John Stroud, 1040 North Elm Street; 1990 Barret Ct.

Chairman McKee: Thank you sir.

John Stroud: I actually have R-5 marked. R-5, if you'll remember was a relatively new zone that we put in to replace what was then called Planned Unit Developments. Planned Unit Developments, years ago, were not actually Planned Unit Developments, they were just a way to make smaller lots. Now we've put in a real Planned Unit Development so to replace that we've put in something they call R-5 Urban Single Family Residential District.

It's a district which is established with the principal use of land as single-family dwellings within a dense urban setting. The specific intent of this article is to protect the residential character of the district by prohibiting commercial activities, and to encourage suitable neighborhood environments for family life, and to encourage urban single-family development with compact lot sizes and setbacks.

The only thing that can go in R-5 is R-1 uses, which are single-family homes, accessory uses, and home occupations.

Now R-4 is more of your multi-family residential. That's where you're going to see your big housing units. You can go, obviously anything in R-1 or R-2, multi-family dwellings, and apartments, townhouses and condominiums.

I'll be glad to read, David, the statement of purposes.

David Dixon: No it's...

John Stroud: But that's what it is basically. It's your larger, multi-family developments go in R-4 because it allows you to get super dense with your population.

R-5 is mainly smaller lots, and the setbacks are a little bit smaller, the square footage of the lots are a little bit smaller, so.

David Dixon: Ok, thank you.

Chairman McKee: Thank you Mr. Stroud, any other questions?

Claudia Wayne: This will be subject to the subdivision plats coming back to the Planning Commission.

Chairman McKee: Are those comments in the recommended motion?

Brian Bishop: They are not.

Claudia Wayne: No.

Chairman McKee: Do they need to be?

Claudia Wayne: Yes.

Chairman McKee: So if you decide to make a motion to the affirmative, you'll need to add that comment to; is there anything else that needs to be added to the motion?

Claudia Wayne: No sir.

David Dixon: What was that subject-to?

Brian Bishop: Subdivision approval.

Chairman McKee: Is there anyone here that would like to speak for or against this proposed rezoning? Mr. Branson?

Dennis Branson: Very quickly, I'm sure you notice on the proposed Development Plan; did we submit a Development Plan yet?

Claudia Wayne: No.

Dennis Branson: We're making...Hugh Stone has had a passion for many years to connect Canoe Creek Subdivision with Fairground Lane, which is an admirable goal; it doesn't have to be done he could just take the street down there and cul-de-sac it.

But the City is working with him also on helping to make that connection. The City has a water booster station down there but it's an admirable goal, I'm surprised to see him make it if he can make the dollars work, and I hope that he can because a community sorely needs this level of housing. We don't have any, any available in Henderson. This is exactly the kind of housing we need terribly.

I'm really proud of Hugh and his sons for attempting this.

Chairman McKee: Questions for Mr. Branson?

Dennis Branson: Thank you.

Chairman McKee: Thank you Mr. Branson.

Brian Bishop: Can I add to what Mr. Branson said? The connectivity is a very helpful item with this rezoning. Currently the folks that live in Canoe Creek Subdivision only have one (1) point of ingress and egress which is to South Green Street this way. If this is developed and built, they will actually have a second point to leave the neighborhood.

So, if for some reason this was blocked by say a firetruck or unfortunate accident, they would have the means to get out this way towards Sand Lane.

Chairman McKee: Any further questions for staff? Would anyone else like to speak for or against the proposed rezoning? Hearing none, the Chair will entertain a motion.

MOTION WAS MADE BY DAVID DIXON, SECONDED BY DICKIE JOHNSON TO MOVE THAT THE PLANNING COMMISSION RECOMMEND THE ASSIGNMENT OF URBAN SINGLE FAMILY RESIDENTIAL DISTRICT (R-5) ZONING CLASSIFICATION TO 11.2869 ACRES PARCEL (PID # 56C-19), SUBJECT TO THE SUBDIVISION PLAT COMING TO THE PLANNING COMMISSION FOR APPROVAL, AND I LEAVE THE MOTION OPEN FOR OTHER MEMBERS OF THE PLANNING COMMISSION TO ADD FINDINGS OF FACT IN SUPPORT OF THIS MOTION, BECAUSE:

- ***THE PROPOSAL IS IN COMPLIANCE WITH THE***

COMMUNITY'S ADOPTED COMPREHENSIVE PLAN.

- ***THIS REQUEST WILL ALLOW THE EXPANSION OF THE EXISTING AND ESTABLISHED NEIGHBORHOOD (CANOE CREEK SUBDIVISION).***
- ***THIS REZONING WILL ALLOW FOR THE CONNECTION OF ARROW WAY TO FAIRGROUND LANE WHICH ALLOWS BETTER TRAFFIC CIRCULATION IN THE AREA.***
- ***THE PROPERTY IS SERVED BY ADEQUATE UTILITIES AND SIDEWALKS.***
- ***PROVIDES FOR A TYPE OF HOUSING SORELY NEEDED IN HENDERSON.***

THE PROPOSED ASSIGNMENT OF ZONING IS IN AGREEMENT WITH THE GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN, IN THAT:

- ***WISELY PLAN FOR LAND USES IN APPROPRIATE LOCATIONS TO MAXIMIZE QUALITY DESIGN AND MINIMIZE THE ADVERSE IMPACTS OF DEVELOPMENT. (BALANCING LAND USE GOAL # 1)***
- ***IDENTIFY AREAS OF OPPORTUNITY FOR INFILL, REDEVELOPMENT AND ADAPTIVE REUSE THAT***

***RESPECT THE AREA'S CONTEXT AND DESIGN
FEATURES. (BALANCING LAND USE OBJECTIVE # A)***

- ***GUIDE DEVELOPMENT TO EXISTING CENTRALIZED
AREAS SERVED BY ADEQUATE INFRASTRUCTURE TO
AVOID DECENTRALIZED AND SCATTERED
DEVELOPMENT. (BALANCING LAND USE OBJECTIVE #
B)***
- ***STRIVE FOR CONNECTED WALKABLE AND BIKE-
FRIENDLY NEIGHBORHOODS. (BALANCING LAND USE
OBJECTIVE # E)***

Chairman McKee: We have a motion and a second. Would anyone like to add Findings of Facts to the motion?

David Williams: I would just add that I want to second what Denny said about this provides for a type of housing sorely needed in Henderson, and should be supported by the Planning Commission.

Chairman McKee: Would you like to add that to the Findings of Facts?

David Williams: Yes.

Brian Bishop: Commissioner Dixon would you consider adding the Subdivision approval as well to your motion?

Dickie Johnson: He did.

Claudia Wayne: He did.

Brian Bishop: I'm sorry.

David Dixon: Was that sufficient?

Chairman McKee: Would you consider adding to the recommendation the need for housing of this caliber?

David Dixon: Yes good point, I agree.

Chairman McKee: Where did the second come from?

Dickie Johnson: Yes, from here, I agree.

Chairman McKee: You agree?

Dickie Johnson: Yes.

Chairman McKee: Ok, we have a motion and a second, any other discussion? Madame Clerk will you please call the roll?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: So mote it be. I agree, we need this housing badly.

Thank you.

The Chair will entertain a motion to **go out of Public Hearing.**

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY BOBBIE JARRETT TO GO OUT OF PUBLIC HEARING.

Chairman McKee: We have a motion and a second, any discussion? All those in favor signify by saying aye.

ALL IN FAVOR: AYE

Chairman McKee: Those opposed?

OPPOSED: NONE

Chairman McKee: We are out of public hearing. First on the agenda of the non-public hearing items is the Finance Report for July 2017. Mrs. Curtis, are you going to lead that conversation?

Theresa Curtis: Yes sir.

Chairman McKee: Please do.

Theresa Curtis: We are at thirteen percent (13%) of budget for month of July, which is the first month for the new fiscal year. If you have any questions I'm here to answer them.

Chairman McKee: Questions for Mrs. Curtis about the financials? If there are none, the Chair will entertain a motion.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY GARY GIBSON TO APPROVE THE HENDERSON CITY COUNTY PLANNING COMMISSION FINANCE REPORT FOR JULY 2017 AS PRESENTED.

Chairman McKee: We have a motion and a second, any discussion? All those in favor signify by saying aye.

ALL IN FAVOR: AYE

Chairman McKee: Those opposed?

OPPOSED: NONE

Chairman McKee: The finance report is approved, thank you Mrs. Curtis. Next on the agenda is the **Bond Report**, Mrs. Wayne will you lead that conversation?

Claudia Wayne: Yes sir.

Chairman McKee: Please proceed.

Claudia Wayne: We have Burger King, the recommendation on that is to release; that's complete.

Braxton Park, the recommendation is the acceptance of Section 2A; that's the streets and the sidewalks. And extend Section 2 for one (1) year, and the amounts stay the same. There are two (2) lots left in Section 2.

Rivers Edge, the recommendation on streets, sidewalks, and erosion control is to extend it one (1) year, but to reduce the amount to thirty-five percent (35%) of the original amount of the bond which would get it to \$55,000.

Merrill Place Subdivision, Section 2, sidewalks and erosion control is to extend it one (1) year, and this amount was already reduced down to thirty-five percent (35%) of the original amount of the bond. The original amount was \$482,788, and we're holding \$168,976.

Chairman McKee: Are those reductions in accordance with the Subdivision Regulations?

Claudia Wayne: Yes sir, they are.

Dennis Branson: Mr. Chairman.

Chairman McKee: Yes sir?

Dennis Branson: May approach the Commission please?

Chairman McKee: Please do, you're already sworn in.

Dennis Branson: I appreciate you taking the time to listen to me on this bond topic; and I'm speaking on behalf of Clark Merrill who is the owner of the property that we just extended Barret Boulevard through, and we sold to Deaconess and Owensboro Health.

The original bond was how much Claudia?

Claudia Wayne: \$482,788.

Dennis Branson: The principal characters on this development were myself, Clark Merrill, and Chris Hopgood. None of us have ever built a subdivision, so bonding was; and I've never dealt with bonds before. As many years I've been dealing with subdivisions and development; industrial, commercial, and residential, I never really had to deal with bonds. That's always the builders and the contractors.

Unbeknownst to me, and Chris, and Clark we had the opportunity when we posted bond for the improvements of the extension of Barrett Boulevard in our busiest and most successful are in town, to post bond in two (2) parts.

One part being the street and accompanying infrastructure such as sanitary sewer, water, and storm sewer.

The second bond being for just sidewalks.

None of the three (3) of us, and I've talked to all three (3), remember or knew that we had that option. I'm sure we were probably told, somebody was probably told; now we find out that what subdivision developers typically will do if they just want to be left with just a sidewalk bond is to place two (2) bonds. Claudia correct me if I am in error in anyway here, Claudia and I like to agree to disagree and or not agree to disagree sometimes.

But what Clark is faced with, and Clark is...he's not a resident of Henderson but he's the kindest-hearted guy just like his dad was that you would ever meet in your life. His concern, and he asked me to just check into this, and when I did and learned of what I believe is an unfairness on his...towards him; that's when I began to question the issue of bonds and learned that if you place one (1) bond, that one (1) bond you can build the street and all the infrastructure except the sidewalks, but that one (1) bond can only be reduced to thirty-five percent (35%) of its original amount. I think the sidewalks that are left; Owensboro Health has bonded their own sidewalks in front of their property and we don't really have any hot buyers on the rest of it.

So, what we've got left is sidewalks, and I talked to Ken...Ken is over here (directing question to Ken Ferry) we don't really have any storm water issues right?

Chairman McKee: If you plan to comment, please come to the podium so you can get on the record Ken. Let the record show that Ken Ferry

from the Henderson Water Utility is standing at the podium. I don't have to swear you in on this one, go ahead.

Ken Ferry: We have no further issues with this project to answer the question as broadly as I can.

Dennis Branson: As far as erosion control is concerned. Claudia mentioned sidewalks and erosion control, but erosion control is a simple...

Ken Ferry: I'll admit error on that. When Claudia sent the report to me to inspect for her Bond Report for this meeting, I misread the project and thought it was a different project. So, my recommendation for her to extend was not for this project. I admit the error on that.

Chairman McKee: Thank you sir.

Dennis Branson: But at any rate, the original bond was four-hundred and something thousand dollars, and thirty-five percent (35%) of that would be, I don't know, one-hundred and something thousand dollars, and the cost of the sidewalks are like forty or fifty thousand dollars (\$40,000 or \$50,000).

So, Clark is having to post bond for about triple the amount of what he would have to post bond on if had posted two (2) separate bonds. That just didn't seem right to me.

So, and I understand what Claudia is saying completely the regulations are the regulations. She's a steady supporter of the regulations that we have and she sticks to her guns pretty good.

So, I just wanted to bring this to the Planning Commissions attention. If there is anything the Planning Commission can do to help Clark in this matter in a way that's fairer to him because in essence, he's continuing to pay for a bond on things that the City has already accepted. If only fifty-thousand dollars (\$50,000) is left for sidewalks but he has to bond three (3) times that amount, then he's bonding things that the City has already accepted; a hundred thousand dollars (\$100,000) already accepted by the City in essence.

So, there seems to be an unfairness in that, and I don't know if there is a way that the Planning Commission can exchange bonds, let him bond the sidewalks and release his current in exchange just for a bond for the sidewalks. I don't know if there's a mechanism to do that, but I would just like to ask if you guys, if the Bond Committee would think about it or maybe the Planning Commission will think about it and see if there is something that could be done to correct that inequity.

David Williams: Denny do you or Claudia know why it stated that the bond can only be reduced to thirty-five percent (35%).

Dennis Branson: Well there's good reason for that.

Claudia Wayne: Yeah.

Dennis Branson: You're not going to use an example are you Brian?
(laughing)

Brian Bishop: I'll use it without names. In the past, we have dealt with a subdivision that the bond was reduced so much to a point there was not

enough bond to cover the proposed utilities, roads, sidewalks things of that nature, and then the County had a hard covering the cost to put those improvements in.

The thirty-five percent (35%) was as a mechanism to make sure we had enough money to put in proposed improvements.

Dennis Branson: Costs go up sometimes, they're underestimated a lot of different things can cause; if in the rare event, and we haven't had this happen very many times and it's a shame that like so many times everybody has to suffer for the sins of a very few, this is one of those times; I get it, I really do. We have to protect the public's investment in accepting those subdivisions that the improvements don't get built in ever.

Dickie Johnson: Denny, am I understanding you that some developers are separating the bonds out into two (2) separate bonds?

Dennis Branson: They've got the experience to know that at the end when they get everything built, they don't want to have a huge bond that they are having to pay interest on, and they just want to be left paying interest on the sidewalks. Typically, we don't build the sidewalks until after the improvements are made to the lots that we're platting. In a residential subdivision where you have a; you've got a ninety-foot (90') lot and you've got concrete trucks, and brick trucks and things that are driving over the curbs; you can't leave out a section of sidewalk and assign an area for these big heavy trucks to traverse, you have to leave

just the sidewalks out and just know that they are going to get built after the house is built.

A commercial subdivision is a little bit different, admittedly. We could actually build the sidewalks, and we could leave out a section for trucks to go thru, and Owensboro Health, I think, they did that with their curb, didn't they? With their curb cut.

We could actually do that, and that may wind up being my advice to Clark but I would hate to have to see him do that. But still, we would be left with the same dilemma, and even more unfair. Because then we would be left with sections of sidewalk that are still bonded but still a one hundred-twenty-thousand-dollar bond (\$120,000) bond, or (one hundred-sixty thousand dollar) \$160,000 bond for even less sidewalks.

So, unless we can figure out a way to maybe get that reduced, it wouldn't make any sense for him to build them and leave out sections.

We wouldn't want to build the sidewalks knowing that big, giant trucks; and in commercial situations just wouldn't be concrete trucks. It would be bulldozers and things are going to be driving over these sidewalks and they're gone. Then the City owns them and the City has to replace them. Or they've got to bond them, and they've got to rebuild them.

So, it just doesn't make sense when it could be handled simply with a more practical bond application.

Claudia Wayne: I have sent; I send letters and which I've only dealt with Chris Hopgood, and they get a breakdown and I always tell them that they can bond either in one (1) or separate bonds.

Because usually if they do separate bonds it costs them to do two (2). So, a lot of them will do one (1), but a lot of your developers will do sidewalks separate and the erosion and all that stuff separately.

Dennis Branson: In Chris' defense he wouldn't know what he was, you know, he would just be getting that and trusting me or everybody.

David Williams: Claudia, could we, could the developers offer a bond covering the sidewalks on top of this original bond, we accept that bond, and then we can then say alright, we've got the sidewalks covered, we can retire the previous bond?

Claudia Wayne: Go ahead.

Tommy Joe Fridy: We have some very specific language in the Subdivision Reg's, and the Planning Commission doesn't have the authority, the jurisdiction to just do right; do what you think is right in a particular situation. You're bound by the Subdivision Reg's.

Now, you can go through the process and change the Subdivision Reg's, you may very well want to. But to try to fashion a practical solution, and I haven't read the reg's other than hurriedly on the screen, and that's not the way to deal this situation. It's not the way for the Planning Commission to deal with it, and it's not the way for Staff to deal with it.

So, I suggest you discuss it as much as you want to but I also suggest you do not try to resolve this tonight.

Dennis Branson: I agree with that. No, I agree Tommy, that's why I asked if you would just think about it. If you remember I said, just think about it and maybe see if there... see if maybe you need to look at how, how we do things. We may recommend to Clark that he just go ahead and build the sidewalks, it just depends on the cost of the bond. I don't even know how much bonds cost, a dollar (\$1) per thousand or something? Does anybody know, do you know?

Claudia Wayne: Do what, I'm sorry?

Dennis Branson: Do you know what bonds cost?

Tommy Joe Fridy: What kind of bond is it?

Claudia Wayne: It's a letter of credit.

Chairman McKee: It's either one (1) or 2 (two).

Dennis Branson: So, and I understand what Mr. Fridy saying about you don't have the authority to just do what you think is right because of the Subdivision Regulations. I know everybody in this room understands what I'm saying, and I know even Mr. Fridy, being a lawyer, sympathies with it.

Tommy Joe Fridy: Sure.

Dennis Branson: I understand that you can't act beyond the Sub Reg's but this is just a plea to; if you could think about some way, something might be done. And the reason I'm asking this today, in 2017, is we

don't know how long it's going to take to sell, for these commercial lots to move or be built on or improved. Right now, we're looking at other lots areas of the development. We haven't had any serious interest, we've had a lot of interest, but no serious interest so it could be years. A lot of times it is years in a commercial environment. So, to think that Clark is going to be bonding these sidewalks perhaps for a long, long time. We've got time to think about it, and see if there is a way that maybe he wouldn't have to bond the sidewalks plus another one-hundred thousand dollars (\$100,000) for another ten (10) years or however long it takes.

Chairman McKee: Just an observation Denny; isn't there a time limit as well?

Claudia Wayne: Yes.

Chairman McKee: How long?

Claudia Wayne: Three (3) years.

Dennis Branson: That's unfortunate in commercial.

Chairman McKee: They're checking.

Claudia Wayne: I think it's three (3) years, and then they have to request an extension.

Tommy Joe Fridy: And then? (Claudia Wayne is looking up bonding information)

Dennis Branson: Well maybe the solution is, I'm just spit-balling here, maybe the solution is just to build the sidewalks.

Chairman McKee: You hate to do that, I know.

Dennis Branson: Well yeah, but if we built the sidewalks whoever develops the lot has to bond, would have to bond those same sidewalks. So, I was wrong. It's not like the City's going to have to pay for sidewalks, whoever builds there would do that and if they wanted to cut out a section they could do that. So, that might be the unfortunate...

David Williams: Well either way, Mr. Merrill would be relieved of that.

Dennis Branson: I'm sorry?

David Williams: That way Mr. Merrill would be relieved of the bonding responsibility and it would be shifted off to whoever the new developer is.

Dennis Branson: Clark wasn't upset he was just curious, and asked me to look into it and see; find out about it and explain to him what that was all about. It just didn't seem fair.

Claudia Wayne: I can read you the time limit. It says, "For Subdivisions which no bond has been posted, construction of the improvements shall begin within one (1) year of approval or all approvals shall be voided. If the improvements are not completed within one (1) period, the Planning Commission may grant an extension of not more than two (2) years for completion of all improvements. If the improvements are not timely and satisfactorily complete and

accepted within the extended time period, the approval shall be deemed to have expired and the plat should have been voided, and not recorded.

But there's another section.

Tommy Joe Fridy: That section doesn't apply to this subdivision.

Claudia Wayne: No that doesn't apply to that.

Tommy Joe Fridy: It's for when somebody; that section is for when you don't post a bond but you can't sell lots until you sell all the improvements.

Claudia Wayne: A period of not more than thirty-six (36) months.

Dennis Branson: Don't misunderstand, I'm sorry...Claudia made it clear what the regulations were and I understood that. And Claudia knew that I didn't think the Planning Commission could actually do tonight but if it's something that we think we might encounter down the road it might be worth thinking about. Some solution for, some way in the Sub Reg's.

Chairman McKee: Would you be ok with us taking your comments under advisement and letting staff deal with the question and get back to us?

Dennis Branson: Absolutely. All I want to do is bring to your attention the issue so that if; and you may decide that we really shouldn't make any changes.

Chairman McKee: As you can see, it's a lot to think about.

Dennis Branson: Thank you.

Chairman McKee: Thank you Mr. Branson. So, did we get the Bond Report approved.

Claudia Wayne: Not yet.

Chairman McKee: Are there any other questions or comments about the Bond Report? Hearing none, the Chair will entertain a motion.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY BOBBIE JARRETT TO APPROVE THE BOND REPORT AS PRESENTED.

Chairman McKee: We have a motion and a second, any discussion? All those in favor signify by saying aye.

ALL IN FAVOR: AYE

Chairman McKee: Those opposed?

OPPOSED: NONE

Chairman McKee: Thank you Mr. Branson.

As it's been widely advertised, we have a special called meeting on Tuesday, August 15. Mr. Bishop, would you like to discuss that with us please?

Brian Bishop: Sure, I'll give a brief description. I believe that everyone knows that we will be addressing a rezoning that deals with the Player's Club Golf Course. Along with that we will have a few short zoning text amendments that the City has requested that we hear as quickly as possible. I will be reaching out to each member individually to discuss all of the subjects that we will be discussing. I just want to be sure that everyone knows that on August 15 we will have a Special Called meeting.

It will be held in this room, and I will do my best to answer any questions you may have.

David Williams: Weren't we going to propose some special rules for that meeting?

Chairman McKee: Yes, thought is worth mentioning there would be rules for the road for that meeting, and it has the potential of going on for more than one (1) night. In the event that there is that much interaction between the public and the applicants, and the Planning Commission we could be here for more than one (1) night.

Brian Bishop: We have reserved this room for the next night as well. The room is not available for the following night, which would be a

Thursday, so staff has reserved the room for the following week in case it is needed.

Chairman McKee: The proposed rules for the meeting are being worked on, being drafted as soon as they are ready, I'm assuming you will send them out to the Planning Commission members?

Brian Bishop: We can do that.

Chairman McKee: Give you a chance to think about it.

Dickie Johnson: Didn't we have specific rules at the last rezoning of the clubhouse?

Brian Bishop: We did, and it's probably more appropriate for Mr. Fridy to answer that.

Tommy Joe Fridy: Yes.

Dickie Johnson: Is it going to be similar to...

Tommy Joe Fridy: Similar.

Dickie Johnson: Ok.

Tommy Joe Fridy: We've learned from time to time, and hopefully we can make them a little more-simple. The thing is they were drafted in haste, and you can use hind-sight and clean them up.

Gary Gibson: Six o'clock (6p.m.), here?

Brian Bishop: Yes sir.

Chairman McKee: Additional comment, when you get those and study them, one of the first things we will do at that meeting is approve the rules of the road. If you have additions or corrections that you find, please let staff know as soon as you can, and if not, we'll entertain when we get here at the meeting.

Dickie Johnson: Ok.

Chairman McKee: Any comments or questions? Next on the agenda is the **Executive Directors Annual Performance Evaluation**.

Brian Bishop: Mr. Chairman I'm going to excuse myself for this portion.

Chairman McKee: That will be fine. Should we ask the audience to leave, should we go into Executive session?

Tommy Joe Fridy: No.

Chairman McKee: The Executive Committee did meet and opened the formal evaluation forms that you all sent in, if you sent one in, and tabulated the results and I would like to ask Vice Chairman David Williams if he could remember what the...

Claudia Wayne: Bobbie has them.

Chairman McKee: Bobbie has it?

Claudia Wayne: Yes.

David Williams: There were three (3) sections with two (2) to four (4) questions in each section. If you're interested, I can give you the average score for each of the questions but the overall average on a one hundred (100) point scale was 89.5 with this rating which would put him right at the line of Outstanding to Very Good.

Chairman McKee: Does anyone have a comment about that? Do we also need to approve the merit increase at this time?

Claudia Wayne: Yes.

Chairman McKee: Do we know what that is?

Bobbie Jarrett: 1.5.

Chairman McKee: That's in addition to the COLA?

Bobbie Jarrett: Yes.

Claudia Wayne: Yes, that's separate.

Chairman McKee: So you know our personnel procedures are very similar with the City of Henderson procedures, and they have two (2) components in their salary reviews and recommendations. One (1) is a cost of living increase, and the other is a merit increase. This evaluation has its relationship to the merit increase, which given the full merit

increase would be a one-point-five percent (1.5%) increase in pay. Are there any questions or comments about that?

It is the Executive Committee's recommendation that Mr. Bishop get the one-point-five percent (1.5%).

Dickie Johnson: Do you need that in the form of a motion?

Chairman McKee: Yes sir.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY BOBBIE JARRETT TO APPROVE THE EXECUTIVE DIRECTOR'S 1.5% MERIT PAY INCREASE.

Chairman McKee: Any discussion?

Dickie Johnson: Now that one-point-five percent (1.5%), do you all have a figure that the new increase would be?

Chairman McKee: Do you know what it is?

Claudia Wayne: Uh...

Dickie Johnson: I think everybody needs to know.

Claudia Wayne: I can't think of the number off the top of my head.

David Dixon: Is this increase before or after the cost of living increase?

Claudia Wayne: It's after the cost of living that automatically everyone gets July 1.

David Dixon: Because the question is what is, what are we going to pay him? What's the total?

Claudia Wayne: I don't have that with me, I'm sorry.

Chairman McKee: What would you like to do Commissioner Johnson?

David Dixon: I guess we could ask him?

Dickie Johnson: Most people have emails or text messages, I think that the Planning Commissioners should know exactly what the increase is going to be, and...

Claudia Wayne: Do you want me to email that out tomorrow?

Dickie Johnson: I would...

Claudia Wayne: Ok.

Dickie Johnson: I would...

Claudia Wayne: Ok.

Dickie Johnson: I would like that everyone knows it. Because somebody will question it...

Claudia Wayne: Do you want it before and after the increase?

David Dixon: Yes.

Claudia Wayne: Ok, I will send that out in the morning. I apologize for not having it.

Chairman McKee: Are you comfortable with voting on this before you get your email.

David Dixon: I'm not going to vote on it, I mean I'm not going to vote in favor without seeing the numbers. I think that's the whole point.

Chairman McKee: Will that delay us thirty (30) days?

Tommy Joe Fridy: You could do it at the special meeting.

Chairman McKee: Oh, August 15. And if it's approved at the August 15 meeting, can it be made retro?

Claudia Wayne: Yes.

Chairman McKee: Well, we've had one (1) commissioner say he would not vote in the affirmative without the number, is that collective wisdom? Does anyone disagree?

Dickie Johnson: I withdraw my motion until we...

Claudia Wayne: Never mind, we might have it.

Dickie Johnson: Huh?

Claudia Wayne: \$81,604.32.

Dickie Johnson: \$81,604.32, is that before?

Claudia Wayne: No that's after.

Chairman McKee: After COLA?

Bobbie Jarrett: Uh huh.

Claudia Wayne: Yes, after merit.

David Williams: Will you be clear on that Claudia?

Claudia Wayne: That will be his annually salary at 1.5 merit with twenty-four (24) pays.

Chairman McKee: That's after COLA, and after merit?

Claudia Wayne: Right.

David Dixon: \$81,604.32, correct?

Claudia Wayne: Yes sir.

Dickie Johnson: That's what his new wage rate will be?

Claudia Wayne: Yes.

David Williams: I want to make absolutely sure Claudia, that includes both the merit raise, and the cost of living raise?

Claudia Wayne: Yes sir.

Dickie Johnson: Ok, then the motion stands.

Tommy Joe Fridy: You withdrew it, make a new motion.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY BOBBIE JARRETT TO APPROVE THE EXECUTIVE DIRECTOR'S 1.5% MERIT PAY INCREASE.

Chairman McKee: We have a motion and second, any discussion now? Out of an abundance of caution, Madame Clerk will you please call the roll?

ALL IN FAVOR: AYE

OPPOSED: NONE

Chairman McKee: So mote it be. Is there anything to come before the Planning Commission tonight?

Claudia Wayne: No sir.

MOTION WAS MADE BY DAVID WILLIAMS, SECONDED BY DICKIE JOHNSON TO ADJOURN.

Chairman McKee: We have a motion and a second. All in favor signify by saying aye.

ALL IN FAVOR: AYE

Chairman McKee: Opposed?

OPPOSED: NONE

MEETING ADJOURNED AT 7:18 P.M.

CERTIFICATE

I, HEATHER LAUDERDALE, hereby certify that the foregoing is a true and accurate transcription of the Henderson City-County Planning Commission Meeting of, June 6, 2017, to the best of my ability.

Heather Lauderdale, HCCPC Clerk

X

Herb McKee, HCCPC Chairman