

Henderson City-County
Planning Commission
January 3, 2023

The Henderson City-County Planning Commission held a meeting January 3, 2023 at 6:00 p.m., at the Henderson Municipal Center, 222 First Street, Third Floor Assembly Room, Henderson, Kentucky. Members present: Chairman David Dixon, Vice-Chairman Kevin Richard, Bobbie Jarrett, Dickie Johnson, Kevin Herron, Gary Gibson, Gray Hodge, X.R. Royster, Frank Boyett and Tommy Joe Fridy. Doug Bell and Mac Arnold were present via ZOOM. Stacy Denton was absent. Staff present: Director Brian Bishop, Jennifer Marks, Theresa Curtis, Heather Lauderdale and Chris Raymer.

MEETING BEGAN AT 6:00 PM

Chairman Dixon: Very good. Our fancy, new clock says 6:00 p.m. so let's proceed.

I would like to call this January 3, 2023 meeting of the Henderson City-County Planning Commission to order.

Welcome everybody, thank you all for coming. Madame Secretary, please call the roll.

Chairman Dixon: Do we have a quorum?

Heather Lauderdale: We do.

Chairman Dixon: Very good.

We have some public hearing items this evening, I will entertain a motion to go into **Public Hearing**.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY KEVIN RICHARD TO GO INTO PUBLIC HEARING.

Chairman Dixon: We have a motion and a second, any discussion?

All in favor say aye of entering the public hearing say aye.

AYE: ALL

Chairman Dixon: Any opposed?

We're in Public Hearing.

The first item of business is the **approval of the minutes** from the December 6, 2022 meeting. I will entertain a motion in that regard.

MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY GARY GIBSON TO APPROVE THE MINUTES FROM THE DECEMBER 6, 2022 MEETING.

Chairman Dixon: I have a motion and a second, any discussion?

All in favor of approving the minutes?

AYE: ALL

Chairman Dixon: Any opposed? The minutes are approved, thank you very much.

The next item is **Rezoning #1138**. Ms. Marks, can you help us on that one?

Jennifer Marks: Yes, thank you, Mr. Chairman.

Rezoning #1138 is submitted by Anthony and Breanna Eiras for the property located in Henderson County at 8563 John Steele Road (PID#51-30.14), and containing approximately 1.4977 acres. The applicants request a zoning change/map amendment from Single Family Residential (R-1) to Agricultural District (AG), to place a manufactured home on the property.

So, if you will look at the screen and/or in your packet, you will see here the yellow area is all part of a bigger development we'll talk about in just a second but the highlighted yellow is the lot we are referring to in this case.

As you can see, there are a few different lots surrounding here that are all R-1 currently. Most of these were all done in a development that was done roughly around 2002, I believe, as a major subdivision. As you can tell, the area really hasn't developed in the way that the developer had originally planned for that to happen.

There is adequate water, as well as this of course would be on septic at the location.

So, if you all have any further questions with regards to that rezoning, I will entertain them or I do have findings to read into the record for rezoning.

Chairman Dixon: Any questions for staff?

Do we have any questions for the applicant? Is the applicant represented tonight?

Jennifer Marks: The applicant is here if you all have any questions for them.

Chairman Dixon: Any questions for the applicant?

You said you have findings of fact?

Jennifer Marks: I do.

Chairman Dixon: I'll swear you in so we can enter those into the record.

Jennifer Marks: Of course.

Chairman Dixon: I need your name.

Jennifer Marks: Jennifer Marks.

Chairman Dixon: Address?

Jennifer Marks: 1990 Barret Court, Suite C.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Jennifer Marks: I do.

Chairman Dixon: Thank you, would you like to share those findings, please?

Jennifer Marks: Of course.

REZONING #1138 is submitted by Anthony and Breanna Eiras for the property located in Henderson County at 8563 John Steele Road (PID# 51-30.14), and containing approximately 1.4977 acres. Applicants request a zoning change/map amendment from Single Family Residential District (R-1) to Agricultural District (AG), to place a manufactured home on the property.

I move that the Planning Commission recommend that the Henderson County Fiscal Court (the “County”) APPROVE Rezoning Application #1138 changing the zoning classification from Single-Family Residential District (R-1) to Agricultural District (AG) for the subject property. I leave the motion open for other members of the Planning Commission to add findings of fact in support of this motion because;

Although the proposed rezoning isn’t in agreement with the future land use map of the comprehensive plan, the existing zoning is inappropriate and the proposed zoning is appropriate because;

- The property in the area has not developed the way the original developer had planned,
- The property is located in a very rural area in Henderson County, near Webster County line,
- Surrounding parcels are zoned in a similar nature,
- The zoning regulations do not permit the location of a manufactured home in the current Single Family Residential District (R-1); but manufactured homes are permitted in the Agricultural District (AG), with a conditional use permit,

- The placement of a manufactured home will not adversely affect the surrounding properties as there are other manufactured homes located in the area,
- The parcel adjoins existing agriculturally zoned parcels, and
- A conditional use permit must be obtained from the Henderson Board of Zoning Adjustments before a manufactured home can be placed on the subject property.

Chairman Dixon: Thank you. Does the Commission have any further questions or comments in regards to Rezoning #1138?

Would anyone in the audience like to speak in favor of this rezoning?

Would anyone like to speak in opposition to this rezoning?

Does anyone have any questions about this?

Hearing no questions, no comments, I'll entertain a motion in regard to Rezoning #1138.

MOTION WAS MADE BY BOBBIE JARRETT, SECONDED BY KEVIN RICHARD TO MOVE THE PLANNING COMMISSION RECOMMEND THAT THE HENDERSON COUNTY FISCAL COURT (THE "COUNTY") APPROVE REZONING APPLICATION #1138 CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (R-1) TO AGRICULTURAL DISTRICT (AG) FOR THE SUBJECT PROPERTY. I ASK THAT THE FINDINGS OF FACTS READ INTO THE RECORD BY MS. MARKS BE INCLUDED AND I LEAVE THE MOTION OPEN FOR OTHER MEMBERS OF THE PLANNING COMMISSION TO ADD FINDINGS OF FACTS IN SUPPORT OF THIS MOTION.

Chairman Dixon: We have a motion and a second, any further discussion?

Madame Secretary, please call the roll.

AYE: ALL

Doug Bell: Mr. Chairman, this is Doug Bell and I'm on and a yes also.
(DOUG BELL JOINED AT 6:07 P.M.)

Chairman Dixon: Thank you Commissioner.

That motion passes, Rezoning #1138 has been approved.

The next item has to do with an alleyway closure request. Mr. Bishop?

Brian Bishop: This is submitted by Mark S. Carter of Christian Life Church to vacate a local alleyway located between Garfield Avenue and Roosevelt Street in the City of Henderson. The request is for the vacating of a 15-foot wide by 156+/- foot alley running from South McKinley Street in a SE direction between Garfield Avenue and Roosevelt Street and being approximately 2,340 square feet for the consolidation of properties.

If you would, take a look at the screen. The church has requested the alley be closed, as you can see these are the dimensions, it's roughly 2,340 square feet. The church currently owns these four parcels and then they own this parcel as well so, they are requesting the alley be closed so that they can consolidate the parcels into one parcel.

The church currently has a basketball court and playground on this side. So, the conclusion drawn from this is that way they will be one parcel and decrease the likelihood of children running into traffic on an open alley.

With that, I would probably defer any more detailed questions to our City Engineer, Mr. Doug Boom.

Chairman Dixon: Any questions for staff?

Where is the church building itself located?

Brian Bishop: The church is this building here. There is a parking lot here. This is the alley in question and then there is a separate parking lot here, I believe the playground equipment is here and the basketball goal for the children to use is here.

It's probably going to come up; this part of the alley here and this alley going to the southwest remains open and will not be affected by this.

A friendly reminder, the Planning Commission does not vote to approve or deny, we are only making a recommendation to the Board of Commissioners.

Chairman Dixon: Any questions from the commission? Comments?

Do we have the applicant represented?

Would anyone like to hear from the applicant?

Would anyone like to address the commission on this matter?

Yes, by all means. Please, ma'am.

Chairman Dixon: I need to swear you in. Your name?

Patricia Wallace: Patricia Wallace.

Chairman Dixon: Your address?

Patricia Wallace: 1523 Roosevelt Street.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Patricia Wallace: Yes.

Chairman Dixon: Thank you, go ahead.

Patricia Wallace: I just found out today and I apologize because when I look at the drawing my first question was, can I get into my garage?

I've always had difficulty in that perpendicular...you know how it comes to a "T"? The alley right behind Roosevelt and then there's one that...do you want me to point it out?

Chairman Dixon: Yes please. Where are we speaking...

Patricia Wallace: I would have to come in that other one, which I rarely ever do because it's narrow and I really question the drawing if it's more

narrow than it shows on the drawing because...and that's one thing I would have gotten out there and measured it if I had time today.

Okay, so see right up where the bus is?

Yes, there's the church.

There's an alley that comes this way. So, if you do block off that part, you're talking about blocking off, we have access two different ways to get to our garage but it's such a tight thing, like I said my first concern is accessibility to get the car into the garage. The other thing is maintenance of the...the reason I think I haven't been able to get into that little narrow thing is because of the garbage cans being left out near the road and you have to dodge garbage cans to get into the alley where you can go into it.

The other thing is the alley up on Maple Street. Right now, there is a humongous hole. So, if you come down that alley to bring your car or anything to the back of your house, it's a great big hole. I know that probably falls back onto the City but my concern is the maintenance because a lot of people don't come down that way because there is a big hole there and it's almost like your car goes "boink" if you try to go down that way.

Does that make sense? Do you guys have any questions?

Chairman Dixon: Thank you.

You said you had a representative from the City here?

Brian Bishop: Yes, Mr. Boom is here.

Chairman Dixon: Could you maybe address some of these questions for us sir? Thank you.

I need your name, sir.

Doug Boom: Doug Boom.

Chairman Dixon: Your address?

Doug Boom: 222 First Street.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Doug Boom: Yes, I do.

Chairman Dixon: Thank you very much, thanks for your help.

Doug Boom: Both of the intersecting alleys that cross there are all fifteen feet (15') wide. The drawing really doesn't give you a good view of it.

Patricia Wallace: Okay.

Doug Boom: I drove out there today and there is a playground on that one side and I'm assuming that's why they want to close it; to keep the traffic away from the kids.

If there is maintenance required, you can always call Public Works and have them come out and fill the hole.

(Laughter from audience)

David Morris: We've done that. Multiple times.

Doug Boom: Evidentially where you live, it's kind of difficult for you to even get in your garage whether it's closed or not.

Patricia Wallace: But I have been able to up until this point and I'm wondering now if I'll be able to get in my garage.

Doug Boom: You should be able to if you're coming off Garfield or coming off Maple.

Brian Bishop: Doug. To make sure we're showing this right, so roughly from this property line northwest is the portion that would be closed.

Doug Boom: Correct.

Brian Bishop: And this young lady's property is right here?

Doug Boom: Correct. That alley is not being closed.

Brian Bishop: This portion, correct.

Doug Boom: That portion, correct.

Patricia Wallace: So, who do I address about the maintenance of the road? You said you've already done that, so...

Doug Boom: Call me in the morning at the City Building and I'll address it.

Patricia Wallace: Okay.

Chairman Dixon: Very good, any other comments ma'am, or questions?

Patricia Wallace: No. Thank you.

Chairman Dixon: Does the commission have questions?

Gray Hodge: I have a question.

Doug, does the City maintain that alley or is that one of those that the City doesn't maintain.

Doug Boom: No, they do because they collect garbage in that alley, they turn up...they don't pick up from the church because they have an outside source to pick up their garbage.

They come in off Garfield and turn right to Maple.

Gray Hodge: Okay.

Chairman Dixon: Yes ma'am, I need your name.

Patricia Morris: Patricia Morris.

Chairman Dixon: And your address?

Patricia Morris: 1519 Roosevelt Street.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

Patricia Morris: I do.

Chairman Dixon: Thank you very much.

Patricia Morris: So, my main concern also is both the alleys are not maintained; the one right next to the church, my lot.

If you come off Garfield the bad thing is there's trees and so if you have a nice vehicle it's going to get scratched. There are also all kinds of trash cans always in the alleys.

Then if you have a trailer that you're pulling it makes it pretty easy just to hit the mainline versus having to pull it and bring it in.

Chairman Dixon: If I understand correctly, you all have used the portion of the alley that is being proposed to be closed; that's how you get in and out? Using that section there?

Patricia Morris: Yes.

Chairman Dixon: There are no homes that back up on that section that we're talking about, right?

Patricia Morris: On this, right here (pointing to overhead map) there is a fence right there. So, whenever I back out, I'll back out and head that way. This way there is a big manhole and you can't, I mean you're going to tear up your car.

Chairman Dixon: We're talking about the intersection we see right there?

Patricia Morris: Yes.

Dickie Johnson: The corner there where that fence is, is it angled off where you can make the turn without doing a sharp 90?

Nicolas McClure: I'm pretty sure it's at a 90-degree angle.

Patricia Morris: Yeah, yeah.

Nicolas McClure: It's definitely tight. If you pull a trailer in there, you'll never get it around that corner and not hit her garage. Just a sixteen-foot (16') car trailer, you wouldn't be able to...

Brian Bishop: Just so the Planning Commission understands about the 90 degree, the alley is being closed nearly nine feet (9') back from that intersection.

If you'll look at the drawing here, you'll notice this dimension and that's the 90 they are talking about here; this is nine feet (9') back from that intersection.

So, it's back and it's hard to see on that drawing because it's very static but it's more back this way. I think the fence that they are referring to is up this way.

Nicolas McClure: My name is Nicolas McClure...

Heather Lauderdale: I'm sorry?

Nicolas McClure: I live at 1525 Roosevelt Street, third house from the church.

Chairman Dixon: What was your name again, sir?

Nicolas McClure: Nicolas McClure.

Chairman Dixon: Okay, do you have his address?

Heather Lauderdale: No. What's your address please?

Nicolas McClure: 1525 Roosevelt Street.

Heather Lauderdale: Thank you.

Chairman Dixon: And do you promise to tell the truth, the whole truth and nothing but the truth this evening?

Nicolas McClure: Yes sir.

Chairman Dixon: Thank you, thank you.

Nicolas McClure: Okay. So, you can't really see it because the bus is in this picture but at this corner right here to about here, it actually drops off a good two-feet (2').

So, you being able to swing wide and make that corner; it's not going to happen without you going into their property.

The trees that are grown up right there. They stick out into the alley a good two- or three-foot (2'-3') and nobody maintains it and as soon as you get behind where that privacy fence is behind the bus there is like four (4) properties right there and they've got two (2) big trees and then...there's these two (2) trees and then that's a fence that runs all the way...and there isn't but a foot or foot and a half (1'-1.5') for you to go down through here and it's almost impossible to see it.

Then up here at the top on Maple Street, right here where it looks like the yard is going over the line...

Brian Bishop: This is the fence that you're referring to here?

Nicolas McClure: Yeah, yeah. There is a fence that comes up all the way to this corner and then cuts right along the edge of the alley and goes to every property through there and every property has a fence like that.

Then there is a big tree here and a big tree here so you can't, you're not able to drop off and make that turn if you have any kind of trailer or anything. Like she said, the trees and stuff have grown out into the alley so you can't get over away from the limbs because it scratches your stuff and everybody's trash down through there is thrown in the alley all the time and I've patched three (3) or four (4) tires of friends that were trying to leave the alleyway and couldn't go through there and ended up circling the block and they're like, hey, my tire is flat out of nowhere.

I mean, being able to make that turn and the poor maintenance at the end of Maple Street, it's not reasonable for you to pull in there. If you try to pull in off of Maple Street in a regular car, I promise you're going to scrape all the way down the driver's side of your car trying to turn down that way, it's a pretty good size drop and it hasn't been maintained, and we have called about it before.

I've lived there seven (7) years and I've used that alley five (5) days a week almost for the last two (2) or three (3) years because I pull a trailer through there and I have to load my equipment and everything out of my garage and being able to make that corner is absolutely impossible.

I'd like to be able to access that or continue to.

Dickie Johnson: It looks like that one, the one vertical view that you put up, Brian, it looks like the property goes all the way out but the fence don't, it's got somewhat of a radius there on the corner of that property.

Brian Bishop: So, it looks like the gravel has kind of migrated over the years to make this part...

Nicolas McClure: You can see if you look straight down the alley where their dumpster has caused them, the last time they went and put gravel and they had to go around the dumpster because their dumpster was technically in the alleyway and it still is, in one of ya'lls photo's that ya'll showed even shows that.

Gary Gibson: You only use the alley to get to the back of your property, you have street parking?

Nicolas McClure: We have garages and we have a brand-new car that just got bought a couple of months ago and the only place that I was allowed to put a carport was out back next to my garage at the alley and there is no way that we were able to pull her car directly into the garage because of the fence across the way. The way she pulls in now, she turns in off of McKinley, comes up next to the church and hugs that fence to turn right next to the garage, into the carport; which I had to get a permit for that and everything else, which I did. It's all legal.

If you try to come in from the other way it would be on the neighbor's property trying to turn in.

Brian Bishop: So, they couldn't come southwest this way and pull into the garage like this?

Nicolas McClure: This is my garage, we just put a carport right here.

Brian Bishop: Okay.

Nicolas McClure: Then this is the first lady that came up and talked, you cannot back out.

Gary Gibson: In other words, you're going to have trouble regardless of whether the alley is closed or not to get into your garage because the alley down there is too narrow, right?

Nicolas McClure: Yeah, it's too narrow to be able to take a trailer or truck with anything behind it and go around that corner and not drop off onto the church's property because right behind that bus is a good drop off. It's not like flat ground or a slight slope, it's a pretty good drop. So, if you drop off in it, you're going off into their property by the playground because they moved the bus and put a playground there.

Being able to swing that is not...we've tried it. Whenever they were out there and had kids and had people sitting in the alley keeping you from being able to go up and down the alley.

Chairman Dixon: Are any of these...this is probably a question for the City's representative, are any of these obstructions on the City's right of way?

Doug Boom: I don't know, I can't answer that question.

Brian, can you use Google Maps and come in off Garfield on that alley?

Brian Bishop: Garfield?

Doug Boom: There is a drop off I noticed today.

Nicolas McClure: Yeah, I was going to say it's kind of hard to see there.

Doug Boom: There is a drop off on the backside if you come in off of Garfield.

(Nicolas McClure and Doug Boom are not speaking into the microphone, conversation cannot be detected.)

Doug Boom: There is a drop off back there where someone has (inaudible)...like railroad ties.

Nicolas McClure: It's right on the edge of that corner. As soon as you try to make that corner, if you try to swing wide and take it you're going to drop off. So you have to stay right in the gravel and as you can see right here, most of that...they've got bushes and stuff that grow out and

then these two (2) trees right here almost hit the top of your car because the limbs are so bad.

They look like, I just found out today myself that this was happening but I just looked before we left to come up here and it looked like somebody went down through there and tried to trim some limbs but in the seven (7) years I've been there it's never been trimmed up, until today. I've never seen it in seven (7) years.

(Doug Boom and Nicolas McClure are speaking at the same time-inaudible)

Nicolas McClure: But you can go and look, it's freshly cut stuff. It's not like it's been done a few weeks ago or something. It was just done within the last few days.

(Doug Boom inaudible)

Nicolas McClure: And then at the top side of Maple, there is a water meter right next to...if you're on Maple and looking down the alley way, the house to the right of the alley there's a sewage or pothole deal, like a maintenance port type of thing and it's got a big concrete square around it it's all lifted so if you try to turn in quick on that alley you'll drop off and try to take it wide you end up hitting that and you're in the other people's yard. So, being able to turn in from there is not feasible. If you look at all the cars that park in that alley way behind their houses and under their carports, they're all low sitting cars and none of them are sitting off the ground any more than this. That pot hole is guaranteed to (inaudible) when you drop off the side of the road, I mean it will "woosh" trying to turn into that alley coming from Maple.

(Doug Boom inaudible)

Chairman Dixon: Anything else you would like to share with us?

Nicolas McClure: No, I'm good.

Dickie Johnson: Doug, how much more investigation would it take for you or the City to investigate?

Doug Boom: I'll investigate some more. I'll get with Public Works and go out there. They indicated to me that they go down the alley from Garfield and turn up Maple on garbage pick-up.

Dickie Johnson: A garbage truck is a lot different than somebody's nice vehicle.

Doug Boom: They're a lot longer.

Dickie Johnson: But it's a lot bigger, most times.

Doug Boom: I'll take a look at it.

Chairman Dixon: Yes, by all means.

I need your name, sir.

Mark Carter: Mark Carter.

Chairman Dixon: Your address?

Mark Carter: 8061 Old 60 East, Spottsville, Kentucky.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth this evening?

Mark Carter: I do, I'm the pastor so I promise.

I just wanted to remind you we have a Christian School there and we have sixty-seven (67) students that come to school there every day. We've had a school there for twenty-nine (29) years and that's my main concern is kids playing back there across the alley and as the gentleman mentioned that sometimes when we are at recess we do put a teacher at the ends where we're wanting to close because we own on both sides of the alley and just to keep the kids safe. Through the years, there is a lot less traffic, they may be the only two (2) that use it, I don't know but there is not a lot of traffic that uses that but I do think the trash truck makes that curve, you know the ones that pick up the garbage; they don't come up that section that runs up the middle of our property.

Anyway, our main concern is those sixty-seven (67) kids, thirty-one (31) of which are pre-school, kindergarten and first grade and I don't know if

you've ever had to coral thirty-one (31) kids but we just feel like it would be safer for them most of all if we could close that because we own on both sides of it.

And then there is an entrance and exit for the neighbors. All we're wanting to do is close an alley that runs up the middle of our property that other people use.

If it wasn't for the school there it wouldn't be an issue but it's about the kids; that's our number one (1) concern.

Chairman Dixon: Do you intend to physically block the alley?

Mark Carter: I don't know.

Gray Hodge: Would you develop it? Get rid of the gravel and make it greenspace?

Mark Carter: That's our goal, eventually....make our parking lot.

We've also bought the property on the other side of the property that is there across the alley from our church and we've also bought the property next to that and recently had that house torn down too which will make our playground bigger but we would like to pave that part where the alley is and make it parking.

Gray Hodge: So, you would still access McKinley, I guess it is from the curb cut there?

Mark Carter: Sure, yes.

Chairman Dixon: Is there anything else you would like to share with us, sir?

Mark Carter: No, I just didn't want the kids to get lost in the "making the turn" and all of that, it's about the safety of the children.

Chairman Dixon: Does the Commission have any questions for this gentleman?

Thank you.

Would anyone else like to speak to this matter? In favor or opposition or just have questions?

Yes sir?

Your name please?

David Morris: David Morris.

Chairman Dixon: Your address?

David Morris: 1323 Huntspoint Way.

Chairman Dixon: Do you promise to tell the truth, the whole truth and nothing but the truth?

David Morris: I do.

Chairman Dixon: Very good.

David Morris: My interest in this is I have historical vehicle and I have it parked in the garage next to the church; the property that's owned by my daughter and I usually use the egress/ingress off of McKinley Street.

I just have a couple of questions to ask.

If you notice, the maintenance of that alley over their property is a lot better maintained than the rest of the alley; you can see the grass growing up once you get past there and I was just wondering, is the church maintaining that? Are you doing that or...?

Mark Carter: We have put gravel through there, yes. The City has done it also but when it needed it, we did it too. We have done it.

David Morris: And you'll also notice that their dumpster there...now, your dumpster does use that ingress/egress...

Chairman Dixon: Excuse me folks.

David Morris: coming off McKinley Street to empty that dumpster then they will back out because I've been when they're trying to get in and out.

Chairman Dixon: Excuse me. We've got to make sure that all of this is on the record.

David Morris: Oh, I'm sorry.

Chairman Dixon: So, to the pastor...if you would like to answer his question please come to the podium so we can hear and get that recorded.

David Morris: I'm sorry.

Chairman Dixon: That's okay, you guys are fine.

Mark Carter: I was referring to the City trash, I wasn't talking about ours. I didn't want to lie.

David Morris: Oh no, I wasn't inferring that but now you bought that property and the property on the other side of that too and I think that's one of the problem areas where the trees are grown up.

Mark Carter: It may be.

David Morris: Are you planning on removing those?

Mark Carter: We are, yes.

David Morris: Ok, alright. There is also a big problem there as there is a drop off right there at that intersection on your property.

Mark Carter: On the property we just bought.

David Morris: Yes. Is there any way that maybe you could get with the City or whoever and fill that in and maintain that alley where that could be more of an access that you could swing in and out because I tried to bring my trailer in that way too and it's almost impossible to make that curve to get up in there.

That's just all I wanted to say.

Chairman Dixon: Okay, thank you.

Mr. Carter, if I'm understanding what's been said here, you're willing to look at the neighbor's concerns and perhaps alleviate some of these?

Mark Carter: Sure. Yes.

Chairman Dixon: Very good, thank you sir.

Tommy Joe Fridy: Are you willing to sign an agreement to that effect for the Planning Commission?

Mark Carter: Yes sir.

That we're willing to look at it and see what we can do help, yes.

Tommy Joe Fridy: Look at it, or do it?

Brian Bishop: Can I ask a question about that?

I guess my question is, is it appropriate to sign it to the Planning Commission because we are only making a recommendation to the City. We do not have the authority to enforce that.

Tommy Joe Fridy: It would be to the City.

Gray Hodge: Well, they would also be doing this as a good citizen act, right? They're not required maintain the alley way, that's not their responsibility.

Gary Gibson: Also, if we do recommend closing that alley that's not going to solve the people problem. The old alley needs to be cleaned up.

Brian Bishop: There are a lot of moving parts here that are not included in our application that we have no purview over.

Would it be wise for us to ask Doug to do some research and come back?

Dickie Johnson: I think that would be...that's what I was going to do was table this until Doug could get some information for us.

Brian Bishop: Mr. Boom, is that satisfactory from the City Engineer's standpoint?

Tommy Joe Fridy: How long do you need? A month, two (2) months?

Doug Boom: I'll have it by the next meeting.

Brian Bishop: So, the February meeting?

Doug Boom: Yes.

Jennifer Marks: Mr. Carter, were there any timelines or anything that you all were trying to meet or just trying to get this done by warmer weather so you can...

Mark Carter: No, there's no particular...

Jennifer Marks: Okay.

Mark Carter: We try to be good neighbors and we know these people along the back and this gentleman, we've dealt with him. We had an issue with him with the cars from the school lining up in front of his house and I think we've taken care of that, that doesn't happen anymore.

We really do, we give out fruit baskets at Christmastime to all of our neighbors because I know it's not easy being neighbors to a church and a school with sixty-seven (67) kids. So, we try. Our ball bounces every which way and it's crazy sometimes but we try to be good neighbors and we'll continue to try to be, we're not trying to be difficult at all. We're just looking out for our kids, that's what we're trying to do.

Chairman Dixon: Very good. Any other questions for Mr. Carter?

Thank you so much.

Mark Carter: Thank you.

Chairman Dixon: Does anyone want to speak to this matter?

Questions? Suggestions?

Brian Bishop: Mr. Chairman? It may be wise to remind the people in the audience that we will meet the first Tuesday in February, same building, same time and everything but the first Tuesday and the date escapes me. Does anyone know what that date is?

Jennifer Marks: I believe it's the 7th.

Brian Bishop: Hopefully the 7th but the first Tuesday in February.

Chairman Dixon: If no one has any questions or comments I'll entertain a motion in regards to this alleyway closure request.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY X.R. ROYSTER TO TABLE THIS UNTIL OUR FEBRUARY PLANNING COMMISSION MEETING TO GIVE DOUG BOOM THE OPPORTUNITY TO LOOK AND TRY TO RESOLVE SOME OF THE ISSUES.

Chairman Dixon: We have a motion and a second, any other further discussion?

Madame Secretary, please call the roll.

AYE: ALL

Chairman Dixon: Very good, the motion passes.

I appreciate everyone's spirit of cooperation here and looking for solutions, I thank you all.

That concludes the public hearing portion of the meeting.

I'll entertain a motion to go out of public hearing.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY KEVIN RICHARD TO GO OUT OF PUBLIC HEARING.

Chairman Dixon: Motion and a second, any discussion?

All in favor of leaving public hearing please say yes.

AYE: ALL

Chairman Dixon: Any opposed?

Very good, we are out of public hearing.

The next item is the **December Finance Report**, Mrs. Curtis?

Theresa Curtis: Yes sir, for the December Finance Report...

Brian Bishop: Theresa, hang on a second. (Waiting for crowd to exit room due to noise)

Theresa Curtis: December Finance Report and we're at fifty-six percent (56%) of our budget and we have six (6) months left.

I just need approval, please.

Chairman Dixon: Any questions about the Finance Report?

MOTION WAS MADE BY GARY GIBSON, SECONDED BY BOBBIE JARRETT TO APPROVE THE FINANCE REPORT AS READ.

Chairman Dixon: We have a motion and a second, all in favor of approval say aye.

AYE: ALL

Chairman Dixon: Any opposed?

The December Finance Report is approved.

The next item on our agenda is the **Bond Report**, I think Ms. Marks this is back to you.

Jennifer Marks: Yes, thank you Mr. Chairman.

We have one (1) project up for review this month. It is Gray Stone Subdivision, the portion that is under JM Development. As you all may remember that subdivision did split with the developers so we have two (2) different portions. The next portion will be on next month's meeting.

We are looking at sidewalks there. Currently, we are holding a bond for the amount of \$50,096 for the remaining sidewalk work.

The recommendation is to extend that bond for one (1) year but the amount of the bond will increase to \$55,450 due to the increase in price of concrete.

If you guys are good with that, I just need approval to move forward with updating it.

Chairman Dixon: Any questions?

I'll entertain a motion.

MOTION WAS MADE BY DICKIE JOHNSON, SECONDED BY X.R. ROYSTER TO APPROVE THE BOND REPORT AS PRESENTED.

Chairman Dixon: We have a motion and a second, any further discussion?

All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

The Bond Report is approved.

Next item on the agenda is some housekeeping, annual housekeeping; determining the nominations for officers for the year 2023.

I'll entertain any nominations.

MOTION WAS MADE BY FRANK BOYETT, SECONDED BY GARY GIBSON THAT ALL THREE (3) OF OUR CURRENT OFFICERS SERVE ANOTHER TERM IN THEIR RESPECTED POSITIONS.

Chairman Dixon: We have a motion and a second, any discussion or any other nominations?

Any additions?

Madame Secretary, please call the roll.

Tommy Joe Fridy: You have to vote by ballot.

Dickie Johnson: Ballot, yeah.

Tommy Joe Fridy: I guess you could vote out loud, you can vote by voice vote, I'm sorry.

Dickie Johnson: No opposition, so.

Tommy Joe Fridy: Excuse me, I got caught off guard there for a second.

Kevin Richard: Tommy Joe, I did want to check, there is nothing procedurally wrong with making a motion by acclamation for all three (3) offices, is there?

Tommy Joe Fridy: There is not unless someone objects and wants to vote against one of the candidates.

Chairman Dixon: Okay, I think we have a motion and a second on the floor, we're in the discussion stage, right? So, if anyone would like to propose a different course of action this would be the time to do it.

Very good, please call the roll.

AYE: ALL

Chairman Dixon: Very good, the motion passes.

Kevin Richard: Thank you. When I saw this on the agenda, it didn't seem like it's already been a year from when we did this last time.

Chairman Dixon: Time flies when you're having fun.

I thank everybody for their support and I thank the fellow officers for lending their service. I thank everybody for all the work they do all year long.

Other business? Any other business from anybody for the good of the cause?

Frank Boyett: Do we have Planning Commission Committee's?

Chairman Dixon: Oh check! Very good, thank you Frank.

Everybody's packet should include a list of the current committee assignments for those who have volunteered to serve on these committees. I believe that we will re-establish the membership of these during our February meeting.

Theresa Curtis: Mr. Chairman, everybody else doesn't have a copy, just you. The reason why is because you get a copy and you usually call each one of them to see if they want to be on the board and in February, we bring it back and assign committees.

Chairman Dixon: Let's try this, I'm going to read the current committee assignments and if someone would like to make a change in that regard whether it be added to a committee or taken off a committee, I think we're pretty flexible as far as membership.

The current Bond and Finance Committee; Bobbie Jarrett is your Chair. Kevin Richard, Mac Arnold, Dickie Johnson, David Dixon and Doug Bell. That is the Bond and Finance Committee as currently set up.

The Budget Committee is David Dixon, Bobbie Jarrett, Kevin Richard and Gary Gibson.

Executive Committee, we've dealt with.

The Land Development Committee; David Dixon, Kevin Richard, Mac Arnold, Gary Gibson and Kevin Herron.

The GIS Advisory Committee, this includes; Brian Bishop, Chris Raymer, Bill Hubiak, that's not right, we're going to have a new one there, right?

Brian Bishop: Yes.

Chairman Dixon: ...David Dixon and PC Members who wish to appreciate and Mr. Williams is the current, Tom Williams is the current representative so that will go back to someone else next year, right?

Brian Bishop: Yes. Chris, they rotate if I remember correctly. Is that right?

Chairman Dixon: So, unless I hear from you all...

Frank Boyett: I've been going to the LDC meeting's right along thinking I was a member.

Dickie Johnson: Anybody can attend that.

Chairman Dixon: Congratulations Frank, you're our new member.

(Laughter)

Brian Bishop: Thanks for volunteering, Frank.

Chairman Dixon: I thought you had been.

Dickie Johnson: Am I correct that any Planning Commission member can attend the LDC?

Brian Bishop: Correct. That is a regular, scheduled, Planning Commission meeting, yes.

Chairman Dixon: Frankly, I'm not sure why any Planning Commission members couldn't attend any of the committee meetings if they so desire.

Tommy Joe Fridy: If their standing. If the time is a standing time.

Chairman Dixon: Okay.

Tommy Joe Fridy: Otherwise, they have to be advertised as special meetings.

Chairman Dixon: Okay, very good.

Brian Bishop: But once that is done, they can still attend.

Chairman Dixon: For example, the Executive Committee, we have no standing meeting date of that. The Budget Committee meets what, once a year?

Brian Bishop: Roughly.

Chairman Dixon: The Bond and Finance, that's monthly at a regular time.

Theresa Curtis: For the meeting.

Chairman Dixon: Perhaps it would be a good idea to get this list out to everybody between now and the next meeting so people can see it and see what they want to...have something in front of them to decide or how they would like to participate.

Now, back to any other business?

I'll entertain a motion to adjourn.

MOTION WAS MADE BY X.R. ROYSTER, SECONDED BY DICKIE JOHNSON TO ADJOURN.

Chairman Dixon: We have a motion and a second, any discussion?

All in favor say aye.

AYE: ALL

Chairman Dixon: Any opposed?

We stand adjourned.

MEETING ADJOURNED AT 6:46 P.M.

I, HEATHER LAUDERDALE, hereby certify that the foregoing is a true and accurate transcription of the Henderson City-County Planning Commission Meeting of, January 3, 2023 to the best of my ability.

Heather Lauderdale, HCCPC Clerk

X
