

OWENSBORO BOARD OF COMMISSIONERS

Special Called Meeting
November 13, 2018 5:00 PM
Owensboro City Hall
101 E. 4th Street
Owensboro, Kentucky

1. CALL TO ORDER - Mayor Tom Watson

2. ROLL CALL - City Clerk Beth Cecil

Present:

Mayor Tom Watson
Mayor Pro Tem Bob Glenn
Commissioner Pam Smith-Wright
Commissioner Larry Conder
Commissioner Jay Velotta

3. INVOCATION & PLEDGE – Commissioner Jay Velotta

4. PRESENTATIONS

4.A. Senator Joe Bowen Award – J.D. Chaney, Deputy Executive Director and Bryanna Carroll, Director of Governmental Affairs of Kentucky League of Cities, presented Senator Bowen with the “Friends of Cities Award”. Mayor Watson presented Senator Bowen with a Proclamation declaring November 13, 2018 as “Joe Bowen Day” in Owensboro. He described Senator Bowen as a “Defender of Democracy”.

5. ORDINANCES - 2nd READING

5.A Ordinance 20-2018 entitled AN ORDINANCE REVISING THE CITY OF OWENSBORO EMPLOYEE HANDBOOK POLICIES 318 AND 319 MAINTAINING OUR DRUG AND ALCOHOL TESTING POLICIES AND PROCEDURES IN ACCORDANCE WITH APPLICABLE LAW, was unanimously approved on second reading with a motion by Mayor Pro Tem Glenn and a second by Commissioner Conder.

The City had its Triennial Review within the City of Owensboro Transit Department. As a result, it was requested that more technical language be added to our DOT Drug and Alcohol policy. These revisions merely elaborate on procedures already in process.

6. ORDINANCES - 1st READING

6.A. Ordinance 21-2018 entitled AN ORDINANCE ESTABLISHING AN ENTERTAINMENT DESTINATION CENTER IN THE DOWNTOWN OF OWENSBORO; AND FURTHER DIRECTING THE CITY OF OWENSBORO TO

APPLY FOR AN ENTERTAINMENT DESTINATION CENTER LICENSE FROM THE KENTUCKY DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL; AND FURTHER ESTABLISHING THE REQUIREMENTS FOR A LICENSEE TO SELL ALCOHOLIC BEVERAGES WITHIN THE COMMON AREAS OF THE ENTERTAINMENT DESTINATION CENTER, was introduced and publicly read on first reading.

KRS 243.030(21) authorizes the issuance of an Entertainment Destination Center (EDC) License by the Kentucky Department of Alcoholic Beverage Control. The City seeks to create an EDC within its downtown for which it shall obtain a license from the Kentucky Department of Alcoholic Beverage Control. The City further seeks to establish the requirements for a licensee to sell alcoholic beverages within the common areas of the EDC. City Manager Pagan explained this ordinance creates an Entertainment Destination Center (EDC) in downtown and authorizes application to the State. Boundaries are generally: east to J.R. Miller to include The Miller House, west of the Holiday Inn and the area to be developed along the river and south to Fifth Street; however, church properties and the playground area are exempt. This Ordinance allows alcoholic beverages to be carried in specific locations, for specific events at specific times. Event promoters are required to seek appropriate permits from the City and must provide liability insurance with the City as an additional insured. Mayor Pro Tem Glenn suggested adding Shelton Memorial to the exemption area. The footprint area can be adjusted. Andy Gamblin (Roosevelt House) expressed his concern with creating an EDC.

6.B. Ordinance 22-2018 entitled AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019, AND AMENDING ORDINANCE 9-2018 TO RECEIVE DONATIONS FOR DOG PARK AND SETUP THE DOG PARK PROJECT; AND TO RECEIVE TRANSIT GRANT FUNDS, SETUP THE RELATED TRANSIT PROJECTS AND REDUCE GENERAL FUND TRANSFER TO TRANSIT, ACCORDINGLY; AND TO TRANSFER FUNDS FROM CAPITAL IMPROVEMENTS FUND TO INTERNATIONAL BLUEGRASS MUSIC CENTER FUND PER AGREEMENT, was introduced and publicly read on first reading.

Budget amendment to receive donations for dog park and setup the dog park project; and to receive Transit grant funds, setup the related Transit projects and reduce General Fund transfer to Transit, accordingly; and to transfer funds from Capital Improvements Fund to International Bluegrass Music Center (IBMC) Fund per agreement. Per City Manager Pagan, there is no net impact to the General Fund for the dog park and IBMC amendments.

7. MUNICIPAL ORDERS

7.A. Municipal Order 26-2018 entitled A MUNICIPAL ORDER DECLARING THE PROPERTY LOCATED AT 1420 JACKSON STREET AS SURPLUS PROPERTY; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE DEEDS TRANSFERRING THE PROPERTY FOR PURPOSES OF ECONOMIC DEVELOPMENT, was approved 5-0 on one reading upon of Mayor Watson with a second by Commissioner Smith-Wright.

The property at 1420 Jackson Street was originally obtained by the City for purposes of removing a structure located thereon in compliance with City ordinances regarding blighted, abandoned, and dilapidated property. The property is now surplus and the City seeks to convey the property for purposes of building a new single family home to be sold to a low-to-moderate income family for economic development purposes. City Manager Pagan stated the Order authorizes transfer of the donated property to our local Community Housing Development Organization (CHDO) to be used for low-income housing.

7.B. Municipal Order 27-2018 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF OWENSBORO AND DAVIESS COUNTY FISCAL COURT EXTENDING THE JUVENILE DRUG COURT PROGRAM AN ADDITIONAL THREE (3) YEARS, was approved 5-0 on one reading upon of Mayor Watson with a second by Commissioner Smith-Wright.

Juvenile drug court can provide effective and early intervention for young people caught in the web of addiction to illegal drugs. Such intervention can also prevent a juvenile from acquiring a criminal record that can negatively affect future employment and educational opportunities in the future. County Attorney Claud Porter gave a presentation (attached) of the accomplishments of the Program. The requested funding is lower than in previous years. The program has developed into a family program vs. child program. The issues previously reported on 22nd Street have been cleared up in part to a new program created and called "Restorative Justice Program".

8. CITY MANAGER ITEMS

8.A. The financial report for the period ending September 30, 2018 was presented by Finance and Support Services Director Angela Hamric. Ms. Hamric reported the following: General Fund revenues through September 30, 2018 of \$10,716,374 are \$12,551 higher than budget. General Fund expenditures of \$13,228,615 were \$2,532,831 under budget primarily due to variance in Capital due to reflecting prior year purchase orders and project carryovers and the total annual budget in month of July. There is also savings in Salaries and Benefits and timing in Maintenance and Supplies. Revenues and Expenditures in other funds are in line with the year-to-date budget, with the following exception(s): Sanitation Fund expenditures are \$1,680,736 under budget primarily due to timing of capital outlay. Transit Fund Revenues and Expenditures are under budget due to timing. Motion to file the report for audit passed unanimously with a motion by Mayor Watson and a second by Commissioner Velotta.

8.B. Personnel appointments were approved 5-0 upon motion of Mayor Watson with a second by Commissioner Smith-Wright.

NEW HIRE / PROBATIONARY:

- **James Devine** – Probationary, full-time, non-civil service appointment to Parkkeeper/Maintenance Helper with the Public Works Department, effective November 26, 2018, ***contingent upon successful completion of all post-offer, pre-employment requirements***
- **Benjamin LaRue** – Probationary, full-time, non-civil service appointment to Public Works Bus Driver with the Public Works Department, effective November 26, 2018
- **Mike Stinnett** – Probationary, full-time, non-civil service appointment to Public Works Bus Driver with the Public Works Department, effective November 26, 2018, ***contingent upon successful completion of all post-offer, pre-employment requirements***
- **John Doucet** – Probationary, full-time, non-civil service appointment to Police Officer with the Police Department effective November 26, 2018; ***contingent upon completion of post offer tests.***
- **John Bell** - Probationary, full-time, non-civil service appointment to Police Officer with the Police Department effective November 26, 2018.
- **Corey Moore** – Probationary, full-time, non-civil service appointment to Police Officer with the Police Department effective November 26, 2018.

REGULAR STATUS:

- **Stephen Franklin** – Regular, full-time, non-civil service appointment to Deputy Director of Public Works with the Public Works Department, effective November 13, 2018
- **Joseph Newton** – Regular, full-time, non-civil service appointment to Public Works Laborer/Maintenance Helper with the Public Works Department, effective November 13, 2018
- **Aaron Creager** – Regular, full-time, non-civil service appointment to Police Officer with the Police Department, effective November 15, 2018
- **Andrew O'Bryan** – Regular, full-time, non-civil service appointment to Police Officer with the Police Department, effective November 15, 2018

8.B. City Manager Comments - At the recent Kentucky Recreation and Park Society Conference, the Street Soccer court at Legion Park received the "Facility of the Year" award. Also, the Owensboro Parks Department received the President's Citation. Deputy Chief Jeff Speed gave an update on the success of the Flex Unit. Several deadly weapons and violent offenders have been taken off the street, including 410 traffic stops resulting in 440 charges; 103 warrants served, 139 drug charges and 12 weapon charges; additionally, 300 verbal warnings were given.

Participating officers: Sgt. Jason Lee, Sgt. Mike Nichols, Officers Coffman, Matthews, Phillips and Watkins.

9. COMMUNICATIONS FROM ELECTED OFFICIALS

Communications were heard from the elected officials.

Mayor Pro Tem Glenn stated it has been an honor and pleasure to serve the City.

Mayor Watson said the 4th Floor had been through a tremendous transition and the positive atmosphere has given way to economic development. He commended Josh Bachmeier for his hard work as HR Manager. Mayor Watson received a letter from Site Selection Magazine stating Owensboro had earned the "Great River Cup" in lieu of their analysis of per-capita metro-area corporate facility location and expansion activity along the entire Ohio River corridor. This is only the second time a trophy has been presented.

10. OPEN PUBLIC FORUM - NONE

11. CLOSED SESSION

11.A. Motion was made by Mayor Watson and seconded by Commissioner Velotta to enter into Closed Session under KRS 61.810(1)(b) to discuss the acquisition or sale of property; motion carried unanimously.

12. ADJOURNMENT

The closed session adjourned upon motion of Mayor Watson and a second by Commissioner Smith-Wright; motion passed unanimously.

There being no further business to discuss, the meeting adjourned at 6:40 p.m. upon motion of Commissioner Smith-Wright and a second from Mayor Pro Tem Glenn.

Thomas H. Watson, Mayor

ATTEST:

Beth Cecil, City Clerk