

OWENSBORO BOARD OF COMMISSIONERS

Regular Meeting
May 7, 2019 5:00 PM
Owensboro City Hall
101 E. 4th Street
Owensboro, Kentucky

1. CALL TO ORDER - Mayor Tom Watson

2. ROLL CALL – Beth Cecil, City Clerk

Present:

Mayor Tom Watson
Mayor Pro Tem Larry Maglinger
Commissioner Pam Smith-Wright
Commissioner Larry Conder
Commissioner Jeff Sanford

3. INVOCATION & PLEDGE – Commissioner Jeff Sanford

4. PRESENTATIONS

4.A. Mayor Watson presented Byron Hartz with a Mayor's Certificate of Appreciation in recognition of 20 years of service.

4.B. A Mental Health Proclamation was presented to Jamie Johnson and Dr. Lionel Phelps with RiverValley Behavioral Health.

4.C. National Small Business Week Proclamation will be mailed.

4.D. Beth Cecil, City Clerk, accepted the Municipal Clerks Week Proclamation.

5. BUSINESS

5.A. Minutes dated April 9, 2019; April 16, 2019; April 23, 2019; April 24, 2019 and May 1, 2019 were unanimously approved upon motion of Mayor Watson with a second by Commissioner Sanford.

6. ORDINANCES – 2ND READING

6.A. Ordinance 4-2019 entitled AN ORDINANCE PROVIDING FOR THE DEFEASANCE OF A PORTION OF THE OUTSTANDING ELECTRIC LIGHT AND POWER SYSTEM REVENUE BONDS, TAXABLE 2010-A SERIES, OF THE CITY OF OWENSBORO, KENTUCKY, was approved 5-0 on second reading upon motion of Mayor Watson with a second by Commissioner Smith-Wright.

Owensboro Municipal Utility (OMU) has requested that the City approve defeasing Electric Light and Power System Revenue Bonds in an aggregate principal amount of not to exceed \$3,500,000. Approximately \$3.2 million will be applied to the defeasance of the outstanding Series 2010A Bonds, and with approximately \$30,000 to be applied to the payment of costs of defeasance. However, the actual amount of the Bond defeasance will be determined based on market conditions at the time of defeasance of the Bonds.

6.B. Ordinance 5-2019 entitled AN ORDINANCE AMENDING SECTION 26-82 OF ARTICLE IV OF CHAPTER 26 OF THE OWENSBORO MUNICIPAL CODE, ENTITLED, "ELECTRIC UTILITY"; AND APPROVING AND ADOPTING RATES FOR ELECTRIC SERVICE FURNISHED BY THE CITY UTILITY COMMISSION OF THE CITY OF OWENSBORO, KENTUCKY, was unanimously approved on second reading upon motion of Mayor Watson with a second by Mayor Pro Tem Maglinger.

The City Utility Commission of the City of Owensboro, Kentucky, by Resolution passed on March 21, 2019, approved, adopted and fixed rates for electric service furnished by the said Commission pursuant to the Statutes of the Commonwealth of Kentucky and the Ordinances of the City of Owensboro, Kentucky. The Mayor and the Commissioners of the City of Owensboro, Kentucky, will consider said rates which are for the payment of interest upon all bonds and to create a sinking fund to pay the principal thereof when due, to provide for the operation and maintenance of the electric utility of the City of Owensboro, and an adequate depreciation account therefore, and to furnish a fair and reasonable return to the municipality on the fair value of the used and useful property of the said electric utility. James Lacy Kamuf (1119 Pennbrooke #4) spoke about solar power, etc.

6.C. Ordinance 6-2019 entitled AN ORDINANCE APPROVING AND ADOPTING TEXT AMENDMENTS TO APPENDIX F, ARTICLES 3, 8, 14, 20, AND 22 OF THE OWENSBORO METROPOLITAN ZONING ORDINANCE FOR THE CITIES OF OWENSBORO AND WHITESVILLE, AND DAVIESS COUNTY, was unanimously approved on second reading upon motion of Mayor Watson with a second by Commissioner Smith-Wright.

The Owensboro Metropolitan Planning Commission proposes an amendment to the text of the Zoning Ordinance for the Cities of Owensboro and Whitesville, and Daviess County regarding revisions to Article 3 (General Zone & District Regulations) will help allocate wisely the use of land for various activities by encouraging sound land development policies and are an example of creating flexible zoning regulations for existing redeveloping neighborhoods, 8 (Schedule of Zones), 14 (Definitions), 20 (Cellular Antenna Tower Regulations) and 22 (Arena Overlay District) will help maintain Daviess County as a viable economic unit.

7. ORDINANCES – 1ST READING

7.A. Ordinance 8-2019 entitled AN ORDINANCE CLOSING AND ABANDONING A PORTION OF AN ALLEY RIGHT-OF-WAY BETWEEN 1121 MOSELEY STREET AND 416 EAST 11TH STREET IN THE CITY OF OWENSBORO, KENTUCKY, AT THE REQUEST OF HAYDEN DEVELOPMENT, LLC, was introduced and publicly read on first reading.

Hayden Development, LLC has petitioned the City to close and abandon a 20 foot wide alley right-of-way which runs between 1121 Moseley Street and 416 East 11th Street. The adjacent property owner has consented in writing to the closure. Commissioner Conder asked if this was related to a development. City Manager Pagan said the property is being marketed for potential development, but he is not aware of any at this time.

8. MUNICIPAL ORDERS

8.A. Municipal Order 9-2019 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN APPLICATION FOR A FY2019 COMPETITIVE GRANT THROUGH THE KENTUCKY 911 SERVICE BOARDS IN AN AMOUNT NOT TO EXCEED \$35,000.00, THE PROCEEDS OF WHICH WILL BE UTILIZED BY THE CITY OF OWENSBORO TO PURCHASE AN INTERFACE TO COMMUNICATE BETWEEN THE CAD AND THE NECESSARY SOFTWARE FOR USE BY THE OWENSBORO-DAVIESS COUNTY CENTRALIZED 911 COMMUNICATIONS CENTER; A TEN PERCENT (10%) MATCH BEING REQUIRED BY THE CITY, was approved 5-0 on one reading upon motion of Mayor Watson and a second by Commissioner Smith-Wright.

The Owensboro-Daviess County Centralized 911 Communications seeks to file an application for a FY2019 Competitive Grant through the Kentucky 911 Service Boards to purchase an interface to communicate between the CAD and the necessary software. The text to speech program will improve the incoming calls to 911 dispatch by allowing the call taker to initiate an immediate dispatch prior to the dispatcher viewing and dispatching the incident. A ten (10%) match is required.

8.B. Municipal Order 10-2019 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN APPLICATION FOR A FY2019 COMPETITIVE GRANT THROUGH THE KENTUCKY 911 SERVICE BOARDS IN AN APPROXIMATE AMOUNT NOT TO EXCEED \$30,307.50, THE PROCEEDS OF WHICH WILL BE UTILIZED BY THE CITY OF OWENSBORO TO PURCHASE RADIO CONSOLE EQUIPMENT FOR USE BY THE OWENSBORO-DAVIESS COUNTY CENTRALIZED 911 COMMUNICATIONS CENTER; A TEN PERCENT (10%) MATCH BEING REQUIRED BY THE CITY, was approved 5-0 on one reading upon motion of Mayor Watson and a second by Commissioner Sanford.

The Owensboro-Daviess County Centralized 911 Communications seeks to file an application for a FY2019 Competitive Grant through the Kentucky 911 Service Boards to purchase radio console equipment. The radio console equipment will be used if one (1) of the nine (9) radio consoles goes down and can be set up quickly in case of a major event. A ten (10%) match is required.

8.C. Municipal Order 11-2019 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN APPLICATION FOR A FY2019 COMPETITIVE GRANT THROUGH THE KENTUCKY 911 SERVICE BOARDS IN AN APPROXIMATE AMOUNT NOT TO EXCEED \$12,434.00, THE PROCEEDS OF WHICH WILL BE UTILIZED BY THE CITY OF OWENSBORO TO PURCHASE SPECTRACOM NETCLOCK EQUIPMENT FOR USE BY THE OWENSBORO-DAVIESS COUNTY CENTRALIZED 911 COMMUNICATIONS CENTER; A TEN PERCENT (10%) MATCH BEING REQUIRED BY THE CITY, was approved 5-0 on one reading upon motion of Mayor Watson and a second by Mayor Pro Tem Maglinger.

The Owensboro-Daviess County Centralized 911 Communications seeks to file an application for a FY2019 Competitive Grant through the Kentucky 911 Service Boards to purchase Spectracom Netclock equipment. The current Spectracom Netclock 9000 series equipment has met its end-of-life cycle and it is used to validate 911 event records, improve response times and facilitate interoperability between networks, systems and interagency coordination. A ten (10%) match is required.

8.D. Municipal Order 12-2019 entitled A MUNICIPAL ORDER APPROVING THE 2019-2020 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP FUNDS, PREPARED BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE SAME, was approved 5-0 on one reading upon motion of Mayor Watson and a second by Commissioner Smith-Wright.

The Citizens Advisory Committee has recommended that the Owensboro Board of Commissioners accept the 2019-2020 Annual Action Plan for Community Development Block Grant and HOME Funds in order to continue to address the need for housing and community development in the community. Community Development Director Abby Shelton reviewed a presentation (attached). The budget to date for Triplett Twist is made up of \$2,559,980 in public funds and \$2,815,240 in private funds. Work is ramping up on the façade at Gabe's Shopping Center, landscape, signature signage and the downspout removal program.

8.E. Municipal Order 13-2019 entitled A MUNICIPAL ORDER APPROVING THE CONVEYANCE TO THE CITY OF OWENSBORO OF A ONE-THIRD (1/3) PORTION OF PROPERTY OWNED BY THE DAVIESS COUNTY FISCAL COURT CONTAINING 30.897 ACRES AND LOCATED AT 3300 CARTER ROAD; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE A DEED TRANSFERRING

THE PROPERTY TO RIVERFRONT FORWARD, LLC IN ACCORDANCE WITH KRS 82.083(4), was approved 5-0 on one reading upon motion of Mayor Watson and a second by Mayor Pro Tem Maglinger.

The City approved Municipal Order 8-2019 on April 24, 2019 approving the sale of one-third (1/3) portion of property located at 3300 Carter Road and authorizing the Mayor to execute a purchase agreement to transfer the property to Riverfront Forward, LLC. Due to differing statutory requirements for the disposition of real property, the Daviess County Fiscal Court now seeks to convey its one-third (1/3) portion of the 30.897 acres at 3300 Carter Road to the City in order for the City to convey the property to Riverfront Forward, LLC. Riverfront Forward, LLC wishes to purchase the one-third (1/3) interest in the property to be conveyed by Daviess County to the City and build on the property in furtherance of development of the City. The proceeds of the sale of the one-third (1/3) interest from the City to Riverfront Forward, LLC, will be paid to the County. City Manager Pagan explained that the property is held one-third (1/3) each by the County, City and Economic Development Properties. The order authorizes the City to receive the County's one-third (1/3) share and authorizes it to be sold to the same buyer as mentioned in previous order. This does not change the financial implications of the transaction.

9. CITY MANAGER ITEMS

9.A. The following personnel appointments were approved 5-0 upon motion of Mayor Watson and a second by Commissioner Smith-Wright:

NEW HIRE / PROBATIONARY:

- **Stephen Mayfield** – Probationary, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Grounds Department, effective May 13, 2019
- **Hunter Rowe** – Probationary, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Grounds Department, effective May 13, 2019
- **Joan Fedor** – Probationary, full-time, non-civil service appointment to Telecommunicator with the Police Department, effective May 27, 2019

PROMOTIONAL / PROBATIONARY:

- **Chadd Clark** – Probationary, full-time, non-civil service, promotional appointment to Construction Inspector with the Public Works Engineering Department, effective May 12, 2019

9.B. City Manager Comments - None

10. COMMUNICATIONS FROM ELECTED OFFICIALS

Communications were heard from the elected officials.

11. OPEN PUBLIC FORUM

Mike Johnson (111 Sycamore Street) expressed his concern with the safety for pedestrians crossing Frederica Street in light of two children that were recently hit by a car. He requested the solar signs and lighted braille buttons be illuminated. Mr. Johnson stated there are no flashing lights to aid the kids crossing the street near Owensboro High School. Mayor Watson replied that staff will look into it.

12. CLOSED SESSION

12.A. Motion was made by Mayor Watson and seconded by Commissioner Sanford to enter into a closed session under KRS 61.810(1)(c) to discuss proposed or pending litigation; motion carried unanimously.

13. ADJOURNMENT

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

There being no further business to discuss, the meeting adjourned at 6:33 p.m. by acclamation.

Thomas H. Watson, Mayor

ATTEST:

Beth Cecil, City Clerk