

OWENSBORO BOARD OF COMMISSIONERS

Regular Meeting
September 17, 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. A Day of Health and Well Being Proclamation was accepted by Erin Shannon and Pattie Martin, Health Horizons.

4.B. Constitution Week Proclamation was accepted by Terri Smith and Barbara Hatfield, Daughters of American Revolution.

5. BUSINESS

5.A. Minutes dated September 3, 2019 were unanimously approved upon motion of Mayor Watson with a second by Commissioner Sanford.

5.B. The following Board Appointments were approved 5-0 upon motion of Mayor Watson with a second by Commissioner Sanford.

- **Apollo Area Neighborhood Alliance** – Reappoint John Kutsor to two-year term expiring September 24, 2021
- **Dugan Best Neighborhood Alliance** – Reappoint Charles Hatchett, Bobby McCormick, and Cecil Phillips to two-year terms expiring September 25, 2021

6. ORDINANCES – 2ND READING

6.A. Ordinance 27-2019 entitled AN ORDINANCE AMENDING AND UPDATING SECTIONS OF CHAPTER 2, ARTICLE IV, DIVISION 3 OF THE OWENSBORO MUNICIPAL CODE; AND FURTHER REPEALING CHAPTER 2, ARTICLE IV, DIVISION 3, SECTION 2-161, was unanimously approved with a motion by Mayor Watson and a second by Commissioner Conder.

The Ordinance incorporates the Kentucky General Assembly 2019 HB 26 changes to the minimum purchase amounts and includes overall updates.

6.B. Ordinance 28-2019 entitled AN ORDINANCE LEVYING AD VALOREM TAXES FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020, AT THE RATE OF 26.60 CENTS PER \$100 OF ASSESSED VALUATION OF REAL PROPERTY, 26.74 CENTS PER \$100 OF ASSESSED VALUATION OF PERSONAL PROPERTY, AND 30.30 CENTS PER \$100 OF ASSESSED VALUATION OF VEHICLES, AND PROVIDING FOR THE COLLECTION AND APPORTIONMENT OF SAME, was unanimously approved with a motion by Mayor Watson and a second by Mayor Pro Tem Maglinger.

It is proposed that the tax rate for Fiscal Year 2019-2020 on real property be set at 26.60 cents per \$100 of assessed valuation of real property, 26.74 cents per \$100 of assessed valuation of personal property, and 30.30 cents per \$100 of assessed valuation of vehicles, and providing for the collection and apportionment of same. City Manager Pagan explained that the proposed rates include no change for the real property and vehicle rates and a decrease in personal property rate.

6.C. Ordinance 29-2019 entitled AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020, AND AMENDING ORDINANCE 9-2019 TO REVISE ALL BEGINNING FUND BALANCES, CARRYOVER ALL OUTSTANDING ENCUMBRANCES, CAPITAL PROJECTS AND RE-BUDGET FUNDS, was unanimously approved with a motion by Mayor Watson and a second by Mayor Pro Tem Maglinger.

Budget amendment to revise all beginning fund balances, carryover all outstanding encumbrances, capital projects and re-budget funds.

6.D. Ordinance 30-2019 entitled AN ORDINANCE OF THE CITY OF OWENSBORO, KENTUCKY AUTHORIZING THE ISSUANCE OF: (A) GENERAL OBLIGATION BONDS, SERIES 2019A IN AN AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY \$4,680,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF BONDS BY UP TO \$465,000) FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE OUTSTANDING CITY OF OWENSBORO, KENTUCKY GENERAL

OBLIGATION BOND ANTICIPATION NOTES, SERIES 2016, THE PROCEEDS OF WHICH WERE USED TO FINANCE VARIOUS PUBLIC PROJECTS THROUGHOUT THE CITY; (B) TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019B IN AN AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY \$3,750,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF BONDS BY UP TO \$375,000) FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE OUTSTANDING CITY OF OWENSBORO, KENTUCKY TAXABLE GENERAL OBLIGATION BONDS, SERIES 2010, THE PROCEEDS OF WHICH WERE USED TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION, INSTALLATION, AND EQUIPPING OF AN ECONOMIC DEVELOPMENT PROJECT WITHIN THE CITY; (C) TAXABLE GENERAL OBLIGATION PUBLIC PROJECT REFUNDING BONDS, SERIES 2019C IN AN AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY \$18,320,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF BONDS BY UP TO \$1,830,000) FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE OUTSTANDING CITY OF OWENSBORO, KENTUCKY GENERAL OBLIGATION PUBLIC PROJECT BONDS, SERIES 2011, THE PROCEEDS OF WHICH WERE USED TO FINANCE AMENITIES AT SMOTHERS PARK, UTILITY RELOCATION COSTS, AND STREET BEAUTIFICATION COSTS AROUND THE EVENT CENTER LOCATED IN THE CITY; (D) TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019D IN AN AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY \$2,145,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF BONDS BY UP TO \$215,000) FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE OUTSTANDING CITY OF OWENSBORO, KENTUCKY TAXABLE GENERAL OBLIGATION BONDS, SERIES 2011, THE PROCEEDS OF WHICH WERE USED TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION, INSTALLATION, AND EQUIPPING OF THE SECOND PHASE OF AN ECONOMIC DEVELOPMENT PROJECT WITHIN THE CITY; AND (E) TAXABLE GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2019E IN AN AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY \$36,690,000 (SUBJECT TO A PERMITTED ADJUSTMENT INCREASING OR DECREASING THE PRINCIPAL AMOUNT OF BONDS BY UP TO \$3,670,000) FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE OUTSTANDING CITY OF OWENSBORO, KENTUCKY GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2012B, THE PROCEEDS OF WHICH WERE USED TO FINANCE AND REFINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION, INSTALLATION, AND EQUIPPING OF AN ECONOMIC DEVELOPMENT PROJECT WITHIN THE CITY; APPROVING THE FORM OF EACH SERIES OF THE BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; AUTHORIZING AND DIRECTING THE FILING OF NOTICES WITH THE STATE LOCAL DEBT OFFICER FOR THE BONDS; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; ESTABLISHING A BOND PAYMENT FUND FOR EACH SERIES OF THE BONDS;

MAINTAINING THE HERETOFORE ESTABLISHED SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BID OF THE PURCHASER OF EACH SERIES OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES, was unanimously approved with a motion by Mayor Watson and a second by Commissioner Conder.

The City is issuing Bond Series 2019A for the purpose of refunding the outstanding General Obligation Bond Anticipation Notes, Series 2016, the proceeds of which were used to finance various public projects; and issuing Bond Series 2019B for the purpose of refunding the outstanding Taxable General Obligation Bonds, Series 2012, the proceeds of which were used to finance the costs of construction of an economic development project; and issuing Bond Series 2019C for the purpose of refunding the outstanding General Obligation Public Project Bonds, Series 2011, the proceeds of which were used to finance a portion of the downtown revitalization; and issuing Bond Series 2019D for the purpose of refunding the outstanding Taxable General Obligation Bonds, Series 2011, the proceeds of which were used to finance the costs of construction of an economic development project; and issuing series 2019E for the purpose of refunding the outstanding General Obligation Refunding and Improvement Bonds, Series 2012B, the proceeds of which were used to finance and refinance a portion of the costs of a downtown revitalization project.

7. ORDINANCES – 1ST READING - NONE

8. MUNICIPAL ORDERS - NONE

9. CITY MANAGER ITEMS

9.A. The following Personnel Appointments were approved 5-0 upon motion of Mayor Watson and a second from Commissioner Smith-Wright:

PROBATIONARY STATUS:

- **Jonah Brawner** - Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective October 14, 2019
- **Andrew Clouse** - Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective October 14, 2019
- **Aaron Guzman** - Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective October 14, 2019
- **Kyle Patton** – Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective October 14, 2019

- **Shalisa Hamilton** – Probationary, full-time, non-civil service appointment to Telecommunicator with the Police Department, effective October 14, 2019

REGULAR STATUS:

- **Allison R. Schepers** – Regular, full-time, non-civil service appointment to Recreation Specialist with the Parks and Recreation Department, effective September 19, 2019
- **Kelly J. Moore** – Regular, full-time, non-civil service appointment to Finance Dept. Assistant with the Finance Department, effective September 24, 2019
- **James C. Green** – Regular, full-time, non-civil service appointment to Police Sergeant with the Police Department, effective September 30, 2019
- **Kristopher H. Collins** – Regular, full-time, non-civil service appointment to Police Sergeant with the Police Department, effective September 30, 2019
- **Michael E. Staples** – Regular, full-time, non-civil service appointment to Police Lieutenant with the Police Department, effective September 30, 2019
- **Courtney M. Yerington Burton** – Regular, full-time, non-civil service appointment to Police Sergeant with the Police Department, effective September 30, 2019

9.B. City Manager Comments – None

10. COMMUNICATIONS FROM ELECTED OFFICIALS

Communications were heard from the elected officials.

Commissioner Sanford mentioned the possibility of exploring options for Article 21 to allow downtown residential living on the first floor of a property and he asked what tax credits are available to the properties on the west side of the Convention Center to enhance their livability. Commissioner Conder added that if people want affordable housing downtown, Article 21 would need to be addressed as it now only allows retail on the first floors.

Mayor Watson recognized three (3) National Merit Semifinalists: Connor Satterly, Daniel Mays and Noah Owen. He also congratulated Lance Morris, GIS Analyst, who was recently recognized by the Kentucky Emergency Management Association as the “Support Staff of the Year”. He ended by encouraging the community to shop local.

11. OPEN PUBLIC FORUM

Emma Thompson (1660 W. 11th Street) discussed her concern with a few features in Lazy Dayz Park: poor lighting at night and the drop-offs from the play area. Lelan Hancock, Assistant City Manager, explained that the drop-off areas are age dependent. Ms. Thompson also expressed her concern with the strobe lights that are used at city functions, example Trail of Treats. Autistic children or those with epilepsy or other emotional distress may not be able to attend due to the strobing lights.

Clay Wilkey (1603 College Drive) spoke out against the Gun Show being held at the Sportscenter. He expressed his concern with the show being held on city property. He is awaiting Attorney General's opinion.

12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 5:43 p.m. upon motion by Mayor Watson and a second by Commissioner Sanford.

Thomas H. Watson, Mayor

ATTEST:

Beth Cecil, City Clerk