

OWENSBORO BOARD OF COMMISSIONERS

**Special Called Meeting
June 16, 2020 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 – Commissioner Jeff Sanford

4. BUSINESS

4.A. Minutes dated June 2, 2020 were unanimously approved upon motion of Mayor Watson with a second by Commissioner Smith-Wright.

4.B. The following board appointments were unanimously approved upon motion of Commissioner Conder with a second by Mayor Pro Tem Maglinger:

- **Owensboro-Daviess County Drug and Alcohol Steering Committee –**
Reappoint Debbie Zuerner-Johnson as a joint city-county appointment to a term expiring September 1, 2022. Appoint Sarah Adkins as a joint city-county appointment to a term expiring September 1, 2022.

5. ORDINANCES- 2nd READING

5.A. Ordinance 6-2020 entitled AN ORDINANCE AMENDING CHAPTER 3, ARTICLE III, SECTION 3-57 OF THE OWENSBORO MUNICIPAL CODE RELATING TO THE ENTERTAINMENT DESTINATION CENTER, was approved 4-0 on second reading upon motion of Mayor Watson and a second by Commissioner Sanford; Commissioner Conder abstained.

In 2018, the City created an Entertainment Destination Center (EDC) in the Owensboro riverfront area. The creation of the EDC has been successful and popular with visitors to downtown Owensboro. The City seeks to expand the hours in which visitors may enjoy the EDC and to amend the description of the designated cup that must be used within

the boundaries of the EDC. City Manager Pagan explained the change allows designated cups (purchased from participating businesses within The District licensed to serve alcohol) to be openly carried from 5:00 p.m. to midnight on Friday and from noon to midnight on Saturday and Sunday. The amendment also includes a provision that if an event is occurring when The District is active and organizers do not want alcohol to be present, the designated cups can be restricted while the event is taking place. Commissioner Smith-Wright stated that the ordinance can be changed at any time.

5.B. Ordinance 7-2020 entitled AN ORDINANCE ADOPTING AND APPROVING THE ANNUAL BUDGET OF THE CITY OF OWENSBORO, KENTUCKY, FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021, AND APPROPRIATING THE REVENUES TO THE VARIOUS DEPARTMENTS OF THE CITY AS SET FORTH HEREIN, was unanimously approved on second reading upon motion of Mayor Watson and a second by Commissioner Smith-Wright.

The estimated revenues and fund balances set forth in the 2020-2021 Budget of the City of Owensboro are hereby appropriated to the various departments of the City of Owensboro for the fiscal year beginning July 1, 2020, and ending June 30, 2021, in the amount of \$128,574,851, inclusive of Internal Service Funds, for the various purposes designated in the 2020-2021 Annual Budget. City Manager Pagan stated the budget contains no changes to tax rates and has a proposed surplus of approximately \$26,000.

5.C. Ordinance 8-2020 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 APPROPRIATE FUNDS FOR COVID-19 RELATED EXPENSES, OVERTIME COSTS DUE TO VACANCIES, AND CHANGES IN HEALTH INSURANCE ELECTIONS IN THE GENERAL FUND; TO CARRYOVER GRANT REVENUE FOR TWO (2) BUSES AND TO RECEIVE AND APPROPRIATE CARES ACT FUNDS IN TRANSIT FUND; TO RECEIVE AND APPROPRIATE CARES ACT FUNDS IN COMMUNITY DEVELOPMENT FUND; AND TO APPROPRIATE FUNDS FOR OBKY SMALL BUSINESS GRANTS IN THE ECONOMIC DEVELOPMENT FUND, was unanimously approved on second reading upon motion of Commissioner Sanford and a second by Mayor Pro Tem Maglinger.

Budget amendment to appropriate funds for COVID-19 related expenses, overtime costs due to vacancies, and changes in health insurance elections in the General Fund; to carryover grant revenue for two (2) buses and to receive and appropriate CARES Act funds in Transit Fund; to receive and appropriate CARES Act funds in Community Development Fund; and to appropriate funds for OBKY small business grants in the Economic Development Fund.

6. ORDINANCES – 1ST READING - None

7. MUNICIPAL ORDERS

7.A. Municipal Order 16-2020 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SECOND AMENDED LEASE WITH THE BLUEGRASS MUSIC HALL OF FAME & MUSEUM (FORMERLY THE INTERNATIONAL BLUEGRASS MUSIC MUSEUM, INC.) AMENDING TERMS RELATING TO USE OF THE CAPITAL RESERVE MAINTENANCE FUND, RELEASING ALL FINANCIAL CLAIMS AGAINST THE CITY, AND REAFFIRMING ALL TERMS IN THE LEASE AND FIRST AMENDED LEASE, was unanimously approved on one reading by motion of Mayor Pro Tem Maglinger with a second by Commissioner Smith-Wright.

The City and Bluegrass Music Hall of Fame & Museum entered into a lease agreement, as of November 2015, with a first amended lease executed August 2018. Due to the COVID-19 pandemic and the emergency closing of businesses, the Museum has had to temporarily close its doors and cancel many of its previously scheduled events. Both parties desire to amend the lease relating to the use of the Capital Reserve Maintenance Fund, financial claims against City and reaffirm terms in the first lease and first amended lease. City Manager Pagan explained the Order authorizes an amendment to the agreement between the City and the Bluegrass Music Hall of Fame & Museum. The City owns the building and during the development, both parties entered into a lease agreement for the Museum to operate the facility. The agreement requires the Museum to maintain a capital maintenance reserve of \$250,000 for capital and maintenance needs of the property. COVID-19 has had a negative implication for the Museum and their programming, including ROMP. The Order allows the Museum to use \$100,000 of the required \$250,000 Capital Maintenance Reserve for cash flow for expenses related to COVID-19 and ROMP. The \$100,000 must be repaid to the Capital Maintenance Reserve within five (5) years to ensure future funds remain available for the facility.

8. CITY MANAGER ITEMS

8.A. The financial report for the period ending April 30, 2020 was presented by Angela Hamric, Director of Finance and Support Services. After brief comments from the elected officials, the report was unanimously approved with a motion by Commissioner Conder and a second by Commissioner Sanford. Presentation attached.

8.B. The following personnel appointments were approved 5-0 with a motion by Mayor Watson and second by Commissioner Smith-Wright.

PROMOTIONAL/PROBATIONARY STATUS:

- **John David Rudy** – Probationary, full-time, non-civil service, promotional appointment to Maintenance Worker with the Public Works Grounds Department, effective June 21, 2020

REGULAR STATUS:

- **Nicholas D. Bramschreiber** – Regular, full-time, non-civil service appointment to Network Systems Engineer with the Information Technology Department, effective June 23, 2020
- **Jeffrey S. Glass** – Regular, full-time, non-civil service appointment to Network Systems Engineer with the Information Technology Department, effective June 23, 2020
- **Kenneth L. Winchester** – Regular, full-time, non-civil service appointment to Network Systems Engineer with the Information Technology Department, effective June 23, 2020

8.C. City Manager Comments - None

9. COMMUNICATIONS FROM ELECTED OFFICIALS

Brief comments were heard from the elected officials.

Commissioner Smith-Wright congratulated the LGBTQ community on the Supreme Court ruling. Mayor Watson asked how the ruling effected local government. Steve Lynn, City Attorney responded that the local effect will be through Title VII protection of employment. Commissioner Conder contacted County Attorney Claud Porter for clarification on the ruling as it relates to employment, housing, and public accommodation; Mr. Porter will review further.

10. ADJOURNMENT

There being no further business to discuss, the meeting unanimously adjourned at 5:24 p.m. upon motion of Mayor Watson and a second by Commissioner Smith-Wright.

Thomas H. Watson, Mayor

ATTEST:

Beth Cecil, City Clerk