

## OWENSBORO BOARD OF COMMISSIONERS

**Special Called Meeting  
September 1, 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 Larry Conder

4. BUSINESS

4.A. Minutes dated August 18, 2020 were approved 5-0 upon motion of Mayor Watson with a second by Commissioner Sanford.

4.B. The following board appointments were unanimously approved upon motion of Commissioner Sanford with a second by Commissioner Smith-Wright:

- **Owensboro Riverport Authority Board of Directors** – Reappoint J.T. Fulkerson to a four-year term effective September 10, 2020.
- **Owensboro Health Board of Directors** – Reappoint Gavin Roberts to a three-year term effective November 1, 2020.

5. ORDINANCES- 2<sup>nd</sup> READING

5.A. Ordinance 14-2020 entitled AN ORDINANCE REVISING THE CITY OF OWENSBORO EMPLOYEE HANDBOOK CHAPTER 1000, SUBCHAPTER 1004, PAY CHARTS ENTITLED "KEY EXEMPT MANAGEMENT" AND "PROFESSIONAL TECHNICAL (EXEMPT)" THEREBY RECLASSIFYING THE POSITION OF PROPERTY MAINTENANCE MANAGER, was unanimously approved on second reading upon motion of Mayor Watson and a second by Commissioner Conder.

The City desires to revise Chapter 1000, Subchapter 1004 to reclassify the position of "Property Maintenance Manager".

## **6. ORDINANCES – 1<sup>ST</sup> READING**

**6.A.** Ordinance 15-2020 entitled AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021, AND AMENDING ORDINANCE 7-2020 TO REVISE BEGINNING FUND BALANCES, CARRY OVER APPROPRIATIONS FOR ALL OUTSTANDING ENCUMBRANCES, CAPITAL PROJECTS AND RE-BUDGET FUNDS was introduced and publicly read on first reading.

Budget amendment to revise beginning fund balances, carry over appropriations for all outstanding encumbrances, capital projects and re-budget funds. City Manager Pagan explained the amendment accounts for projects in progress that were not finished by the end of the previous fiscal year. It also provides updated balances for the various funds based on actual performance last year instead of the estimates used when the current budget was approved earlier in the year. New items include \$25,000 for Owensboro Community and Technical College to help fund the match to a grant they received, as presented at the last Commission meeting; equipment and filters for the Police Department, and to account for two grants received; there is no impact to the General Fund. Commissioner Conder mentioned the Capital Projects Fund which includes an incentive for the third downtown hotel with affordable housing component. He asked for a status update of the project since an incentive of \$920,000 has already been given for the project. City Manager Pagan will find out the status from the developer and pass along to the Commission.

**6.B.** Consider Ordinance 16-2020 entitled AN ORDINANCE ANNEXING TO THE CITY OF OWENSBORO CERTAIN UNINCORPORATED TERRITORY IN THE COUNTY OF DAVIESS ADJOINING THE PRESENT BOUNDARY LINE OF THE CITY, BEING PROPERTY OWNED BY THE CITY OF OWENSBORO LOCATED AT 3800 BLOCK OF FAIRVIEW DRIVE (3805 & 3810 FAIRVIEW DRIVE AND FAIRVIEW DRIVE RIGHT-OF-WAY), CONTAINING 24.280 ACRES, MORE OR LESS was introduced and publicly read on first reading.

An Ordinance annexing the property located at 3800 Block of Fairview Drive (3805 & 3810 Fairview Drive and Fairview Drive Right-of-Way), containing 24.280 acres. City Manager Pagan stated this is the property the City purchased for the Fairview Drive extension project.

**6.C.** Consider Ordinance 17-2020 entitled AN ORDINANCE REVISING EMPLOYEE HANDBOOK POLICY 109, THEREBY INCLUDING ENTRY LEVEL POLICE OFFICER CANDIDATES THAT ARE ELIGIBLE TO PARTICIPATE IN AN ALTERNATE EDUCATION PROGRAM TO OBTAIN AN ASSOCIATE'S DEGREE TO BE CONSIDERED FOR EMPLOYMENT was introduced and publicly read on first reading.

The City and Owensboro Community and Technical College (OCTC) have collaborated to establish the opportunity to further the education of new recruits for the Owensboro Police Department. This Ordinance updates the Employee Handbook Policy 109 relating to entry level police officer candidates education requirements reflecting the alternate program. City Manager Pagan explained that the City's requirements for

Police Officer recruits recently changed. It previously required an Associate's Degree or equivalent prior to being hired, but amended the requirement to allow recruits to obtain an Associate's or equivalent after their hire date but during their training period, taking advantage of a program the State offered called Educating Heroes. The State stopped offering the Educating Heroes program. The Commission approved an agreement with OCTC to provide a similar program called Project Badge. When the policy was amended in February, the Educating Heroes program was specifically referenced; this amendment adds the language "or alternate program" to accommodate Project Badge or similar other projects that may occur in the future.

**6.D.** Consider Ordinance 18-2020 entitled AN ORDINANCE LEVYING AD VALOREM TAXES FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021, AT THE RATE OF 26.40 CENTS PER \$100 OF ASSESSED VALUATION OF REAL PROPERTY, 27.87 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 introduced and publicly read on first reading.

It is proposed that the tax rate for Fiscal Year 2020-2021 on real property be set at 26.40 cents per \$100 of assessed valuation of real property, 27.87 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 the Ordinance sets three different property tax rates for the year. The largest by revenue is on real property, or real estate. Staff is proposing to decrease the real estate rate from last year, with a rate of 26.4 cents per \$100 of valuation, compared to rate of 26.6 cents for 2019. No changes are proposed to the vehicle rate and personal property rate; the personal property rate is calculated automatically based on the real property rate.

## **7. MUNICIPAL ORDERS**

**7.A.** Municipal Order 27-2020 entitled A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE DAVIESS COUNTY FISCAL COURT SETTING OUT THE TERMS BY WHICH THE COUNTY WILL IMPLEMENT A PUBLIC SAFETY GRADE P25 TRUNKED RADIO SYSTEM USING THE CITY'S ASTRO 25 CORE; AND FURTHER PROVIDING THAT THE COUNTY AGREES TO PAY ANY INCREMENTAL AND MAINTENANCE EXPENSES THAT MAY ARISE THROUGH USAGE OF SUCH CORE, was unanimously approved on motion of Mayor Watson with a second by Mayor Pro Tem Maglinger.

Daviess County Fiscal Court plans to implement a Public Safety Grade P25 Trunked Radio System to enhance the continued operation of the Consolidated 9-1-1 Emergency Operations Center at the Owensboro Police Department and its 9-1-1 Emergency services. The County will consider compatible radio and telecommunications options that may require the shared utilization of the City's existing ASTRO 25 Core. The Order approves a MOA between City and County outlining details of the project. City Manager Pagan stated the County is in the process of moving from

an analog to a digital radio system. The County's new system will use the core of the City's radio system so the two systems will integrate appropriately and best ensure communication between city and county agencies. There should be no impact on the functionality of the City's system, and their use of the core will not cause city costs to increase. This Municipal Order approves an agreement with the County allowing use of the core and stipulates that should the City's costs increase because of the County's use, the County will be responsible for the additional cost.

## **8. CITY MANAGER ITEMS**

**8.A.** The financial report for the period ending June 30, 2020 was presented by Angela Hamric Waninger, Director of Finance and Support Services. Of note, in the General Fund Occupational Payroll Withholding, the average annual wage growth increased three percent (3%) from 2016-17 to 2019-2020. After brief comments from the elected officials, the report was unanimously approved with a motion by Mayor Watson 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 Sanford:

### **NEW HIRE/PROBATIONARY STATUS:**

- **Derek D. Jessee** – Probationary, full-time, non-civil service appointment to Roadworker with the Public Works Street Department, effective September 14, 2020
- **Gabor S. Morcz** – Probationary, full-time, non-civil service appointment to Bus Driver with the Public Works Transit Department, effective September 14, 2020
- **PROMOTIONAL/PROBATIONARY STATUS:**
- **Shawn Murphy** – Probationary, full-time, non-civil service, promotional appointment to Crew Leader with the Public Works Sanitation Department, effective September 13, 2020

### **REGULAR STATUS:**

- **Christopher H. York** – Regular, full-time, non-civil service appointment to Fire Driver/Engineer with the Fire Department, effective September 1, 2020
- **William Seth Abell** – Regular, full-time, non-civil service appointment to Crew Leader with the Public Works Street Department, effective September 2, 2020
- **Mark A. Pearre** – Regular, full-time, non-civil service appointment to Maintenance Equipment Operator with the Public Works Street Department, effective September 2, 2020

- **Jesse D. Rhinerson** – Regular, full-time, non-civil service appointment to Refuse Truck Driver with the Public Works Sanitation Department, effective September 3, 2020
- **Kevin J. Schrecker** – Regular, full-time, non-civil service appointment to Public Works Driver/Sanitation with the Public Works Sanitation Department, effective September 3, 2020

#### **8.C. City Manager Comments – None**

### **9. COMMUNICATIONS FROM ELECTED OFFICIALS**

Brief comments were heard from the elected officials. The Commissioners commented on the success of the recent dedication of the Gold Star Families Memorial Monument and the Louise Kirtley monument.

Commissioner Smith-Wright stated the Freedom Walk will not be an actual “walk” this year, however, they will meet at the Shelton Memorial on September 11 at 11:00 am. Also, on September 24 at 2:00 pm, Fourth Street Baptist Church will be receiving a Kentucky Historical Marker in honor of their 190<sup>th</sup> year; they are the oldest African-American church in Owensboro.

Commissioner Sanford again mentioned the traffic and noise downtown. City Manager Pagan said staff is looking into the issues.

Mayor Watson recognized the sponsors of the Gold Star Families Memorial Monument: Committee members Cathy Mullins, Adrienne Carrico, Lelan Hancock and himself; Hershel “Woody” Williams Foundation members; and community donors – Atmos Energy, Bailey Monuments, Castlen Steel, LLC, City of Owensboro, Clay Ingels Company, Daviess County Fiscal Court, Downtown Owensboro, Inc., Gary’s Fleur De Lis, Glenn Funeral Home & Crematory, Inc., Independence Bank, Owensboro Grain, LLC, Owensboro Rotary Club Foundation, Inc., Owensboro Warehouse Leasing, LLC, Owensboro-Daviess County Veterans Association, Public Life Foundation of Owensboro, Inc., Southern Star Central Gas Pipeline, Inc., Sterett Crane & Rigging, LLC, Tom & Barbara Watson and VFW Post 696. There was discussion on the possibility of installing lights at the monument. He thanked the VFW for hosting the reception.

City Manager Pagan added a sentiment of condolence to the family of former City Attorney David Fowler, who recently passed away.

**10. CLOSED SESSION** – Motion was made by Mayor Watson and seconded by Commissioner Conder to enter into closed session under KRS 61.810(1)(g) to discuss a specific proposal with representatives of a business entity; motion carried unanimously.

## 11. ADJOURNMENT

The closed session adjourned upon motion of Mayor Watson and a second by Mayor Pro Tem Maglinger; motion passed unanimously.

There being no further business to discuss, the meeting unanimously adjourned at 6:10 p.m. upon motion of Mayor Watson and a second by Commissioner Smith-Wright.

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Thomas H. Watson, Mayor

ATTEST:

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Beth Cecil, City Clerk