

OWENSBORO BOARD OF COMMISSIONERS

Special Called Meeting
September 15, 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

Unavailable:

Commissioner Jeff Sanford

3. INVOCATION – Mayor Tom Watson

4. BUSINESS

4.A. Minutes dated September 1, 2020 and September 8, 2020 were approved 4-0 upon motion of Mayor Watson with a second by Mayor Pro Tem Maglinger.

4.B. Board Appointments:

4.B.1. The following board appointment was approved 3-1 upon motion of Mayor Watson with a second by Mayor Pro Tem Maglinger; Commissioner Conder abstained:

- **Owensboro-Daviess County Drug and Alcohol Steering Committee** – Reappoint Larry Conder to a three-year term effective October 4, 2020

4.B.2. The following board appointment was unanimously approved upon motion of Mayor Watson with a second by Commissioner Smith-Wright:

Owensboro-Daviess County Regional Airport Board – Appoint Joe Bowen to a four-year term effective October 2, 2020

5. ORDINANCES- 2nd READING

5.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 unanimously approved on second reading upon motion of Mayor Watson and a second by Commissioner Conder.

Budget amendment to revise beginning fund balances, carry over appropriations for all outstanding encumbrances, capital projects and re-budget funds.

5.B. 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 unanimously approved on second reading upon motion of Mayor Pro Tem Maglinger and a second by Commissioner Conder.

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.

5.C. 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 unanimously approved on second reading upon motion of Mayor Watson and a second by Commissioner Smith-Wright.

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.

5.D. 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 unanimously approved on second reading upon motion of Mayor Watson and a second by Commissioner Conder.

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.

6. ORDINANCES – 1ST READING

6.A. Ordinance 19-2020 entitled AN ORDINANCE AMENDING AND UPDATING CHAPTER 26, ARTICLE VI, OF THE OWENSBORO MUNICIPAL CODE TITLED “SOLID WASTES”; AND FURTHER AMENDING SECTION 26-263 BY IMPOSING A \$25.00 FINE FOR REPEATED RETURNS FOR COLLECTION OR FAILURE TO REMOVE MOBILE CONTAINER FROM THE CURB; AND FURTHER AMENDING SECTION 26-266 TO IMPOSE A \$50.00 FINE FOR STACKING LIMBS AND BRUSH ON STREETS, SIDEWALKS, AND MEDIANS REQUIRING REMOVAL; AND FURTHER AMENDING SECTION 26-298 BY IMPOSING A FINE OF \$100.00 TO \$500.00 FOR FAILURE OF COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS TO MAINTAIN OPERATING CONDITIONS OF THEIR MOBILE CONTAINERS, was introduced and publicly read on first reading.

The current “Garbage and Refuse Collection Service Ordinance of the City of Owensboro” was originally enacted in Ordinance 61-95 on December 5, 1995. Since that time various amendments, updates, and additions to the ordinance have become necessary. Assistant City Manager Lelan Hancock gave a brief explanation of the changes, as previously presented at a work session by Public Works Director Wayne Shelton. The amendment includes reorganization of department and the ability to enforce violations of the ordinance, similar to the Property Maintenance ordinance. Brief conversation occurred and the Commissioners requested the changes be made available to the public either via social media or with an OMU bill. City Manager Pagan added that the changes would also be disseminated through the Neighborhood Alliance Program.

7. MUNICIPAL ORDERS

7.A. Municipal Order 28-2020 entitled A MUNICIPAL ORDER APPROVING THE FILING BY THE OWENSBORO POLICE DEPARTMENT OF AN APPLICATION FOR A STATE HOMELAND SECURITY GRANT IN THE AMOUNT OF \$259,674.00 WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE PURCHASE OF A TACTICAL MULTIPURPOSE RESPONSE AND RESCUE VEHICLE FOR THE OPD EMERGENCY RESPONSE TEAM, was approved 4-0 on one reading upon motion of Mayor Watson with a second by Commissioner Conder.

The Owensboro Police Department had the opportunity to file an application for a State Homeland Security Grant with the Kentucky Office of Homeland Security. At the time that the grant application was due to be filed, the regular meetings of the Owensboro Board of Commissioners were being cancelled and/or rescheduled due to COVID-19. OPD was unable to obtain the approval of the Board of Commissioners prior to the grant deadline. The application has been filed and we are awaiting approval. Chief Ealum answered a few brief questions; City Manager Pagan added that there is no local match required.

7.B. Municipal Order 29-2020 entitled A MUNICIPAL ORDER APPROVING THE FILING BY THE OWENSBORO FIRE DEPARTMENT OF AN APPLICATION FOR A STATE HOMELAND SECURITY GRANT IN THE AMOUNT OF \$214,481.40 WITH

THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE PURCHASE OF CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND EXPLOSIVE (CBRN-E) DETECTION EQUIPMENT AND PROTECTIVE GEAR, was unanimously approved on one reading upon motion of Mayor Watson with a second by Commissioner Smith-Wright.

The Owensboro Fire Department had the opportunity to file an application for a State Homeland Security Grant with the Kentucky Office of Homeland Security. At the time that the grant application was due to be filed, the regular meetings of the Owensboro Board of Commissioners were being cancelled and/or rescheduled due to COVID-19. OFD was unable to obtain the approval of the Board of Commissioners prior to the grant deadline. The application has been filed and we are awaiting approval. Battalion Chief Tate explained the equipment would expand the capabilities of the regional hazard detection team. After brief discussion, City Manager Pagan added that there is no local match required.

7.C. Municipal Order 30-2020 entitled A MUNICIPAL ORDER APPROVING THE EXECUTION OF SEPARATE AGREEMENTS BETWEEN THE CITY OF OWENSBORO, GLOBAL SPECTRUM, L.P., ATMOS ENERGY CORPORATION, BOARDWALK PIPELINES, L.P., SOUTHERN STAR CENTRAL GAS PIPELINE, INC., AND STATON FAMILY FOUNDATION FOR THE EVENT SPONSORSHIP OF ENERGY ON ICE, was unanimously approved on one reading upon motion of Mayor Watson with a second by Commissioner Conder.

Atmos Energy, Boardwalk Pipelines, Southern Star Central Gas Pipeline and the Staton Family Foundation have each entered agreements with the City of Owensboro and Global Spectrum for sponsorship of the new outdoor ice skating rink, Energy on Ice. City Manager Pagan thanked the sponsors for their support, which will cover the upfront cost of the rink. Global Spectrum staff will operate the rink due to the proximity of the Convention Center. If there is a deficit, the City will cover it. Mayor Watson thanked David Johnson and Fred Reeves as one of the driving forces for the project, as well as Dave Kirk for the video.

8. CITY MANAGER ITEMS

8.A. The following personnel appointment was approved 4-0 with a motion by Mayor Watson and second by Mayor Pro Tem Maglinger:

NEW HIRE/PROBATIONARY STATUS:

- **Aquado R. Douglas** – Probationary, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Grounds Department, effective September 28, 2020

8.B. City Manager Comments – None

9. COMMUNICATIONS FROM ELECTED OFFICIALS

Brief comments were heard from the elected officials.

As a follow-up in a previous meeting, Commissioner Conder asked for an update on the third downtown hotel. City Manager Pagan had reached out to the developer and as of now there is not a groundbreaking date set; the hotel market is dependent on the travel market. Commissioner Conder expressed his concern with the project agreement signed in 2019, which included an incentive to the developer.

Mayor Watson announced the October 6 and October 13, 2020 meetings have been cancelled.

10. ADJOURNMENT

There being no further business to discuss, the meeting unanimously adjourned at 5:27 p.m. upon motion of Mayor Watson and a second by Commissioner Smith-Wright.

Thomas H. Watson, Mayor

ATTEST:

Beth Cecil, City Clerk