

OWENSBORO BOARD OF COMMISSIONERS

**Special Called Meeting
October 20, 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 September 15, 2020 were approved 5-0 upon motion of Mayor Watson with a second by Mayor Pro Tem Maglinger.

4.B. Board Appointments:

4.C. The following board appointments were approved 5-0 upon motion of Commissioner Sanford with a second by Commissioner Conder:

- **Owensboro Parks and Recreation Advisory Board** – Reappoint Sally Knight-Ward and John Hill to a two-year term effective November 1, 2020
- **Audubon-Bon Harbor Neighborhood Alliance** – Reappoint Christina Hayden to a two-year term effective November 13, 2020
- **Old Owensboro Neighborhood Alliance** – Reappoint Schuyler Glahn and Christara Lee to a two-year term effective November 14, 2020

5. ORDINANCES- 2nd READING

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

The current "Garbage and Refuse Collection Service Ordinance of the City of Owensboro" was originally enacted in Ordinance 61-95 on December 5, 1995.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.

6. ORDINANCES – 1ST READING

6.A. Ordinance 20-2020 entitled AN ORDINANCE REVISING THE CITY OF OWENSBORO EMPLOYEE HANDBOOK CHAPTER 1000, SUBCHAPTER 1004, PAY CHARTS ENTITLED "PROFESSIONAL TECHNICAL (EXEMPT)" THEREBY ESTABLISHING THE POSITION OF COMMUNICATIONS AND MARKETING SPECIALIST, was introduced and publicly read on first reading

The City desires to revise Chapter 1000, Subchapter 1004 to establish the position of "Communications and Marketing Specialist". City Manager Pagan explained that the intent with the new position is to enhance the City's social media efforts and marketing of city programs and events. Although it is a new position, it replaces an existing vacant position, so there is no net increase to staff or budget.

7. MUNICIPAL ORDERS

7.A. Municipal Order 31-2020 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 1421 JACKSON STREET; DECLARING THE PROPERTY AS SURPLUS; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE A DEED TRANSFERRING THE PROPERTY IN ACCORDANCE WITH KRS 82.083 TO HABITAT FOR HUMANITY OF OWENSBORO-DAVIESS COUNTY, INC., was approved 5-0 on one reading upon motion of Mayor Watson with a second by Commissioner Sanford.

The City participates in neighborhood redevelopment in qualified census tracts through homeownership. The property owner of 1421 Jackson Street has agreed to sell such property to the City of Owensboro. The City desires to declare the property as surplus property so that it can be sold in accordance with KRS 82.083 to Habitat for Humanity of Owensboro-Daviess County, Inc. City Manager Pagan added that the lot is being purchased with federal HOME funds. The lot and \$25,000 will be provided to Habitat for Humanity to build a new home for low-income buyer.

7.B. Municipal Order 32-2020 entitled A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR AN URBANIZED AREA PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE KENTUCKY TRANSPORTATION CABINET AND OWENSBORO TRANSIT SYSTEM VIA THE VOLKSWAGEN SETTLEMENT MITIGATION TRUST FUND PROJECT, IN AN AMOUNT NOT TO EXCEED \$158,000.00, THE PROCEEDS OF WHICH WILL BE USED TO PURCHASE AN ELECTRIC BUS; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE OTHER AGREEMENTS, INSTRUMENTS, OR DOCUMENTS NECESSARY AND APPROPRIATE FOR SAID GRANT; AND FURTHER PROVIDING THAT ALL GRANT FUNDS ARE FEDERAL DOLLARS, WITH THE \$158,000.00 PROCEEDS REPRESENTING THE CITY'S MATCH WITH NO ADDITIONAL CITY FUNDS REQUIRED, was unanimously approved on one reading upon motion of Mayor Watson with a second by Commissioner Smith-Wright.

The Transit Department has submitted an application requesting financial participation in the Volkswagen Settlement Mitigation Trust Fund Project, whereby the City will scrap an obsolete bus and shall receive approximately \$158,000.00 to fund the purchase of a new electric bus, no additional city funds being required. City Manager Pagan stated the agreement is with the Kentucky Transportation Cabinet to participate in the Volkswagen Mitigation Trust Fund. Volkswagen provided incorrect information for emissions testing for its vehicles several years ago and ultimately reached a settlement with the federal government. The funding provided to the State, is being made available for environmental mitigation efforts. The Agreement provides \$158,000 to serve as the matching funds for the acquisition of the electric bus.

7.C. Municipal Order 33-2020 entitled A MUNICIPAL ORDER AUTHORIZING THE RETENTION OF ONE PERCENT (1%) OF ALL NEW OCCUPATIONAL LICENSE FEES DUE AND PAYABLE TO THE CITY OF OWENSBORO, KENTUCKY FROM THE SALARIES, WAGES AND OTHER COMPENSATION TO BE PAID TO NEW EMPLOYEES OF OWENSBORO GRAIN COMPANY, LLC (FORMERLY APPROVED AS OG&A BIOSPECIALTIES, LLC), FOR A PERIOD OF TEN (10) YEARS, PROVIDED SAID CORPORATION MEETS THE CRITERIA SET FORTH IN ITS APPLICATION FOR INCENTIVES UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM, was unanimously approved on one reading upon motion of Mayor Pro Tem Maglinger with a second by Commissioner Sanford.

Owensboro Grain Company, LLC has made application and received approval for certain benefits and incentives available to it under the Kentucky Business Investment Program as a result of its commitment to expand and create jobs and investments in Owensboro. The site of the operation is located at 1145 Ewing Road with total investment costs of approximately \$8,100,000. Brittaney Johnson, Economic Development Corporation CEO, explained the business plan received preliminary approval in 2017 and the company is ready to activate. They plan to diversify their existing company into new markets.

8. CITY MANAGER ITEMS

8.A. The financial report for the periods ending July 31, 2020 and August 31, 2020 were unanimously approved to file for audit with a motion by Mayor Watson and a second by Commissioner Conder. Mrs. Angela Waninger presented the reports (presentation attached).

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

NEW HIRE/PROBATIONARY STATUS:

- **Devon J. Carden** – Probationary, full-time, non-civil service appointment to Telecommunicator with the Police Department, effective October 26, 2020
- **Dylan R. Clark** – Probationary, full-time, non-civil service appointment to Telecommunicator with the Police Department, effective October 26, 2020
- **Jacob S. Pace** – Probationary, full-time, non-civil service appointment to Telecommunicator with the Police Department, effective October 26, 2020
- **Cory D. Patmore** – Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective October 26, 2020, *contingent upon successful completion of all pre-employment, post-offer requirements*

PROMOTIONAL/PROBATIONARY STATUS:

- **Joseph V. Sublett** – Probationary, full-time, non-civil service appointment to Property Maintenance Manager with the Public Works Property Maintenance Department, effective October 26, 2020

REGULAR STATUS:

- **David Lopez** – Regular, full-time, non-civil service appointment to Crew Leader with the Public Works Grounds Department, effective October 13, 2020
- **Shalisa D. Hamilton** – Regular, full-time, non-civil service appointment to Telecommunicator with the Police Department Central Dispatch, effective October 14, 2020
- **Jason D. Winkler** – Regular, full-time, non-civil service appointment to Police Major with the Police Department, effective October 27, 2020
- **Hunter B. Ragan** – Regular, full-time, non-civil service appointment to Engineering Technician with the Public Works Engineering Department, effective October 28, 2020

8.C. City Manager Comments – City Manager Pagan said the City has received a few complaints about campaign signs being placed in the right-of-way. Signs should be removed from the right-of-way; if they are not, authorized staff will remove them and they will be available to be picked up at the Public Works lot at 1410 W. 5th Street.

9. COMMUNICATIONS FROM ELECTED OFFICIALS

Brief comments were heard from the elected officials.

Mayor Watson announced he had received the draft Kentucky COVID-19 Vaccination Plan from the Kentucky Public Health Department; contact his office to receive a copy. Mayor Watson revealed the 2020 City of Owensboro Christmas card. He commissioned Aaron Kizer to design the card based on the National Lampoon's Christmas Vacation movie; it will be available mid-November to purchase.

Mayor Watson presented a Proclamation to Commissioner Smith-Wright in honor of Fourth Street Baptist Church's 190th Anniversary.

The November 3 Commission meeting is cancelled.

10. ADJOURNMENT

There being no further business to discuss, the meeting adjourned by acclamation at 5:35 p.m.

Thomas H. Watson, Mayor

ATTEST:

Beth Cecil, City Clerk