

OWENSBORO BOARD OF COMMISSIONERS

**Regular Meeting
June 15, 2021 5:00 PM**

Owensboro City Hall
101 E. 4th Street
Owensboro, Kentucky 42303

1. CALL TO ORDER - Mayor Tom Watson

2. ROLL CALL – Beth Davis, City Clerk

Present:

Mayor Tom Watson
Mayor Pro Tem Larry Maglinger
Commissioner Mark Castlen
Commissioner Jeff Sanford
Commissioner Bob Glenn

3. INVOCATION & PLEDGE - Mike Cisneros

4. BUSINESS

4.A. Minutes dated June 1, 2021 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 Mayor Watson with a second by Mayor Pro Tem Maglinger:

- **Apollo Area Neighborhood Alliance** – Appoint Tom Norvell, Barbara Norvell, Jonathan Bailes, and Anita Scrivner to a two-year term effective June 15, 2021

5. ORDINANCES - 2nd READING

Ordinance 8-2021 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 RECEIVE VARIOUS GRANT FUNDS (TO INCLUDE THE FIRST TRANCHE OF AMERICAN RESCUE PLAN ACT GRANT FUNDS); TO PROVIDE FOR APPROPRIATIONS DUE TO SHORTFALL, PRIMARILY FROM COVID-19 PANDEMIC; THE PURCHASE OF THE LINCOLN STATUE, RECEIVING HALF OF THE COST FROM THE YOUNG FOUNDATION; THE PURCHASE OF REAL ESTATE, ADDITIONAL DEVELOPER ANNEXATION REIMBURSEMENTS AND FOR REVENUE AND EXPENDITURE OF SECONDARY POLICE EMPLOYMENT, was approved on second reading by motion of Mayor Watson and a second by Commissioner Glenn.

Budget amendment to receive various grant funds (to include the first tranche of American Rescue Plan Act grant funds); to provide for appropriations due to shortfall, primarily from COVID-19 pandemic; the purchase of the Lincoln statue receiving half of the cost from the Young Foundation; the purchase of real estate, additional developer annexation reimbursements, and for revenue and expenditure of secondary police employment.

6. ORDINANCES - 1st READING

6.A. Ordinance 9-2021 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 LOCATED AT 280 HARBOR RIDGE DRIVE, CONTAINING 0.414 ACRES, MORE OR LESS, AT THE REQUEST OF SARA JANE MCNULTY, was introduced and publicly read on first reading.

An Ordinance annexing the property located at 280 Harbor Ridge Drive, containing 0.414 acres at the request of Sara Jane McNulty. City Manager Pagan explained the consensual annexation is behind four (4) homes in the Harbor Hills subdivision located within the City. The four (4) homeowners are purchasing the property being annexed to expand their yards. In order to consolidate the additional land into their respective properties, it must be annexed into the City since their houses are located in the City. There is no incentive agreement for this annexation.

7. MUNICIPAL ORDERS

7.A. Municipal Order 24-2021 entitled A MUNICIPAL ORDER ADOPTING THE 2021 GREEN RIVER AREA DEVELOPMENT DISTRICT HAZARD MITIGATION PLAN UPDATE; AND FURTHER AUTHORIZING THE GRADD HAZARD MITIGATION COUNCIL AND LOCAL EMERGENCY MANAGEMENT OFFICIALS TO REVIEW THE HAZARD MITIGATION PLAN AND DEVELOP AND PRESENT AMENDMENTS TO THE OWENSBORO BOARD OF COMMISSIONERS, was unanimously approved on one reading by motion of Mayor Watson and a second from Commissioner Sanford.

Under the Disaster Mitigation Act of 2000, FEMA stipulates that all local Hazard Mitigation Plans must be updated and FEMA approved every five (5) years to maintain the eligibility of local jurisdictions for certain Federal mitigation funding. The Green River Area Development District (GRADD) facilitated the development of a multi-jurisdictional Hazard Mitigation Plan and the five (5) year updates covering member jurisdictions of the GRADD, including Owensboro. City Manager Pagan explained the Hazard Mitigation plan for our region is administered by GRADD, who provides assistance to local governments and utilities in our seven (7) county area. GRADD Director of Community & Economic Development Blake Edge gave a brief description of the program.

7.B. Municipal Order 25-2021 entitled A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH DAVIESS COUNTY FISCAL COURT AND GLOBAL SPECTRUM, L.P. FOR PURCHASE AND USE OF SPORTS EQUIPMENT AT THE OWENSBORO CONVENTION CENTER, was unanimously approved on one reading by motion of Commissioner Sanford and a second from Mayor Pro Tem Maglinger.

The City, Daviess County Fiscal Court and Global Spectrum, L.P. desire to cooperate in obtaining and maintaining flooring and sports related equipment to be used for sporting events at the Owensboro Convention Center. The order authorizes an Amendment to Sponsorship Agreement with Owensboro Health and an Agreement with Daviess County Fiscal Court for the equipment. City Manager stated a partnership between Owensboro Health, the City and the County was recently announced to acquire removable sports flooring and related equipment to accommodate basketball and volleyball at the Owensboro Convention Center. The Municipal Order authorizes agreements related to the initiative. Owensboro Health will provide Three Hundred Thousand Dollars (\$300,000) and will be the official sponsor of the flooring and equipment with its logo placed on the flooring. The City and County will each provide One Hundred Fifty Thousand Dollars (\$150,000) and the equipment will be owned by the City. Any unused funds will be held in escrow for the future maintenance and repair of the flooring and equipment. When not in use, the equipment will be stored in trailers offsite, and the County will move the trailer through the use of their staff and vehicles. Through its management of the facility, Spectra will book events at the Convention Center and its staff will lay and remove the flooring. The partnership provides equipment to pursue events that could not occur in the Convention Center at this time, which will help reduce the few weekends when events are not scheduled to take place.

7.C. Municipal Order 26-2021 entitled A MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF FUNDS FROM THE FEDERAL TRANSIT ADMINISTRATION IN THE TOTAL AMOUNT OF \$157,299.00; AND AUTHORIZING AND DIRECTING THE FUNDS TO BE DISBURSED TO WENDELL FOSTER CENTER, INC. TO FACILITATE TRANSPORTING SENIORS AND INDIVIDUALS WITH DISABILITIES; AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH WENDELL FOSTER CENTER, INC. CONCERNING THE TRANSIT FUNDS, was unanimously approved on one reading by motion of Mayor Watson and a second from Commissioner Sanford.

The Federal Transit Administration has Section 5310 (the Enhanced Mobility of Seniors and Individuals with Disabilities program) funds available under both the Coronavirus Response and Relief Supplemental Appropriations Act ("CRRSAA") and the American Rescue Plan Act ("ARPA") for the purpose of assisting nonprofit groups in meeting the transportation needs of older adults and people with disabilities. Wendell Foster Center, Inc. (WFC) desires to acquire funds to help satisfy payroll and operating expenses. The City by and through the Owensboro Transit System will act as a conduit for obtaining the funds and disbursing them to WFC. City Manager Pagan explained that Wendell Foster Center received One Hundred Fifty Seven Thousand Two Hundred Ninety Nine

Dollars (\$157,299) in COVID relief funds from the federal government for transportation of older adults and people with disabilities. Since the City receives such funding on a regular basis, city staff has the experience and expertise to administer the grants. This Municipal Order approves an agreement between the City and Wendell Foster for the City to administer the funds on their behalf.

7.D. Municipal Order 27-2021 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN ADDENDUM TO MEMORANDUM OF AGREEMENT WITH SENIOR GREEN, LLC ESTABLISHING THE DUTIES OF THE PARTIES FOR IMPROVEMENTS TO HAYDEN ROAD AND FAIRVIEW DRIVE, was unanimously approved on one reading by motion of Commissioner Glenn and a second from Commissioner Sanford.

The City is engaged in the development of Gateway Commons located near Highway 54, Fairview Drive, Pleasant Valley Road, Hayden Road, and Highway 603, which will include the construction of the new Daviess County Middle School. As a part of the development, the City seeks to extend Fairview Drive which would then connect to Highway 603, property adjacent to the new Daviess County Middle School and property owned by Senior Green, LLC. The City has entered into a Memorandum of Agreement with Senior Green, LLC establishing certain duties of the Parties for development, construction, and extension of the roads in the area and it is now necessary to amend the schedule for completion of the Fairview Drive extension due to other development in the area. City Manager Pagan stated that in August of 2020, the Board of Commissioners approved an agreement with Senior Green, LLC, regarding the construction of the Fairview Drive extension from its current termination in the Downs subdivision to the intersection of Hayden Road and Hwy 603. That agreement provided the terms of the project, including the funding and schedule. The schedule in the agreement requires base asphalt for a portion of the extension to be placed by June 30. However, excavation on a contiguous property needed to move dirt across the path of the Fairview Drive extension which caused a slight delay in construction of the street. Because of this delay, both Senior Green and the City agree to an amendment providing a six (6) week delay for deadline for this section of base asphalt, from June 30 to August 15. Other than this six (6) week schedule change, all other aspects of the Fairview Drive agreement remain the same.

8. CITY MANAGER ITEMS

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

NEW HIRE/PROBATIONARY STATUS:

- **Evan M. Gogel** – Probationary, full-time, non-civil service appointment to Housing & Grant Coordinator/Administrative Assistant with the Community Development Department, effective June 28, 2021

- **Susan A. Howard** – Probationary, full-time, non-civil service appointment to Office Manager with the Public Works Engineering Department, effective June 21, 2021
- **John N. Lyons** – Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective July 5, 2021
- **Derek M. Sutton** – Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective July 19, 2021

PROMOTIONAL/PROBATIONARY STATUS:

- **Andrew J. Behl** – Probationary, full-time, non-civil service, promotional appointment to Fire Lieutenant with the Fire Department, effective June 20, 2021
- **Jonathan W. Cook** – Probationary, full-time, non-civil service, promotional appointment to Laborer/Maintenance Helper with the Public Works Grounds Department, effective June 20, 2021
- **Corey L. Gant** – Probationary, full-time, non-civil service, promotional appointment to Fire Captain with the Fire Department, effective June 20, 2021
- **Andrew D. Osborne** – Probationary, full-time, non-civil service, promotional appointment to Building Maintenance/Operations Specialist with the Public Works Buildings Department, effective June 20, 2021
- **Ryan J. Trogden** – Probationary, full-time, non-civil service, promotional appointment to Street Manager with the Public Works Street Department, effective June 20, 2021
- **Dena M. Payne** – Probationary, full-time, non-civil service, promotional appointment to Network Systems Technician with the Information Technology Department, effective July 6, 2021

REGULAR STATUS:

- **Amanda B. Lytle** – Regular, full-time, non-civil service appointment to Assistant TAC Telecommunicator with the Police Department, effective June 29, 2021
- **John David Rudy** – Regular, full-time, non-civil service appointment to Maintenance Worker with the Public Works Grounds Department, effective June 21, 2021

8.B. City Manager Comments – None

9. COMMUNICATIONS FROM ELECTED OFFICIALS

The elected officials commented on the success of the Porchfest.

Mayor Watson recognized Hope Ramming (Daviess County High School) and Hunter Wimsatt (Owensboro Catholic High School); they each received a perfect ACT score of 36. He stated that RiverValley Behavioral Health is investing \$8.9 Million into the Cigar Mall facility.

10. OPEN PUBLIC FORUM

Pub on Second Partner Bill Brown (1420 Waverly Place) respectfully requested to revisit the traffic study on Second Street. He stated he understands there is not enough entertainment style businesses downtown right now to justify closing the street all the time. However, with Andy Brasher's new business coming downtown, it will draw a lot of people. The closure is good for Friday After 5.

Pub on Second Partner John Condray (2120 Griffith Place W.) also had a few suggestions regarding traffic issues on Second Street: change the synchronized traffic lights at Frederica and Allen and move the dining tables toward the buildings. He did not have a strong feeling on the 15 MPH suggestion from the Work Session, which called for more traffic enforcement, which we currently do not have. He said they love the street being closed for events as it invites more people downtown without the large crowds. The BBQ Block Festival was a huge success with their setup.

Famous Bistro Owner George Skiadas (2309 Ford Avenue) stated the wonderful predicament of the Second Street traffic issue is a statement of the downtown success. He stated that families have recently moved out of the downtown area due to noise.

11. ADJOURNMENT

There being no further business to discuss, the meeting unanimously adjourned upon motion of Mayor Watson and a second by Commissioner Glenn at 6:00 p.m.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk