

OWENSBORO BOARD OF COMMISSIONERS

**Special Called Meeting
August 10, 2021 12:00 PM**

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

1. CALL TO ORDER - Mayor Tom Watson

2. ROLL CALL - Acting City Clerk Kim Tignor

Present:

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

3. INVOCATION & PLEDGE - Commissioner Bob Glenn

4. ORDINANCES - 2nd READING

4.A. Ordinance 10-2021 entitled AN ORDINANCE CLOSING ALLEY RIGHTS-OF-WAY LOCATED BEHIND 714 SYCAMORE STREET AND 1013 WEST 8TH STREET AND BETWEEN 1010 AND 1014 WEST 7TH STREETS IN THE CITY OF OWENSBORO, KENTUCKY, AT THE REQUEST OF HABITAT FOR HUMANITY OF OWENSBORO-DAVIESS COUNTY, INC., was unanimously approved on second reading 5-0 on a roll call vote.

Habitat for Humanity of Owensboro-Daviess County, Inc. has petitioned the City for the closing of alley rights-of-way located behind 714 Sycamore Street and 1013 West 8th Street and between 1010 and 1014 West 7th Streets. City Manager Pagan stated the alley closure was requested by Habitat for Humanity, who owns one of the properties contiguous to the alley. Both of the other two contiguous property owners have provided a signed consent for the closure. The alley to be closed is what is called a "paper alley" in that it is not paved, just an alley on paper/plat. The alley is off of West 7th Street, but doesn't connect to any other street, so it serves no purpose from a transportation perspective. Upon approval, the alley property will revert to the contiguous property owners.

5. MUNICIPAL ORDERS

5.A. Municipal Order 31-2021 entitled A MUNICIPAL ORDER REPEALING MUNICIPAL ORDER 3-2021 IN PART AND AUTHORIZING AND DIRECTING THE MAYOR TO

EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF OWENSBORO AND BIG RIVERS ELECTRIC CORPORATION, BY WHICH THE CORPORATION SHALL RELOCATE ITS HEADQUARTERS TO THE CITY OF OWENSBORO IN EXCHANGE FOR CERTAIN FINANCIAL INCENTIVES FROM THE CITY, INCLUDING REBATES OF THE PURCHASE PRICE OF THE FOLLOWING REAL ESTATE, AND A PAYMENT FOR PROVIDING PARKING FOR EMPLOYEES OF TEXAS GAS TRANSMISSION, LLC; AND FURTHER DECLARING 700 AND 710 WEST SECOND STREET AND 711 WEST THIRD STREET AS SURPLUS PROPERTIES; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE DEEDS TRANSFERRING THOSE PROPERTIES TO BIG RIVERS ELECTRIC CORPORATION IN ACCORDANCE WITH KRS 82.083, was unanimously approved on one reading by motion of Mayor Watson and a second from Mayor Pro Tem Larry Maglinger.

The City desires to repeal MO 3-2021 in part and authorize the Mayor to execute a Memorandum of Agreement between the City and Big Rivers Corporation establishing the benefits and obligations of each related to the relocation of Big River's headquarters to Owensboro. The Order also declares 700 and 710 W. Second Street and 711 W. Third Street as surplus properties and authorizes their conveyance. City Manager Pagan explained that late last year, it was announced that Big Rivers Electric would move its headquarters to downtown Owensboro. The project involved over 100 jobs with a sizeable payroll. Big Rivers would locate on Second Street on the block immediately west of Boardwalk Pipeline Partners. It is the site where the Royce Restaurant was located for many years. The City owned a portion of the block, and about two years ago, acquired the other properties that the City didn't already own. The block was assembled with the intent to locate a headquarters-type project on the site.

In February, the Commission approved a Municipal Order with the incentive agreement for the project so the company could begin design of their facility. The incentives in the revised agreement on today's agenda do not change; they are the same as what was approved in February. Some of the Boardwalk employees' park on the Big Rivers site, and the amendment to the agreement is to provide alternate parking for these employees. The Order also declares 700 and 710 W. Second Street and 711 W. Third Street as surplus properties and authorizes their conveyance.

5.B. Municipal Order 32-2021 entitled A MUNICIPAL ORDER REPEALING MUNICIPAL ORDER 7-2019 AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF OWENSBORO AND RIVERFRONT BRIO, LLC PROVIDING A \$4,600,000.00 FINANCIAL INCENTIVE FOR THE CONSTRUCTION AND OPENING OF A NEW DOWNTOWN HOTEL AND PARKING STRUCTURE, AND RESIDENTIAL DEVELOPMENTS CONTAINING AT LEAST 180 UNITS; AND FURTHER PROVIDING THAT THE CITY SHALL BE ENTITLED TO REIMBURSEMENT OF THE FINANCIAL INCENTIVE VIA ALL TAX INCREMENT FINANCING (TIF) REVENUE THAT RIVERFRONT BRIO, LLC WOULD OTHERWISE BE ENTITLED TO RECOUP FOR ITS COSTS, was unanimously approved on one reading by motion of Mayor Watson and a second from Commissioner Glenn.

The City desires to repeal MO 7-2019 and direct Mayor to sign a Memorandum of Agreement with Riverfront Brio, LLC adjusting the benefits and specific obligations of each related to the construction of a new downtown hotel and an associated parking structure, and residential developments. According to City Manager Pagan, in April of 2019, the Commission approved an incentive agreement for the Brio project, which is the third downtown hotel across from the Convention Center. This Municipal Order makes several changes to the project requirements, but the total amount of the incentive does not change. The changes include the following: the original agreement required 120 hotel rooms, but is changed to 110 in the revised agreement based on feedback from the hotel flag or brand; the original agreement required 186 residential units on the same block as the hotel, but the revised agreement requires 180 and allows the units to be dispersed on the original block and two other locations. By reducing the scope of the original project and allowing the residential units to be dispersed to multiple locations, the revised project won't be as massive overall, and as a result, better fits the scale of our downtown.

As mentioned earlier, the total amount of the incentive is unchanged. In the revised agreement, the portions of the incentive are allocated to the hotel and residential units. Both components have firm timelines with penalties if the timelines are not met. These penalties protect the City and were not included in the original incentive agreement.

While the overall changes are relatively minor in scope, they are fair and reasonable. The revised agreement ensures that the third hotel and residential projects will proceed, with the sizeable economic impact for downtown and the Convention Center, while better protecting the interest of the city and taxpayers.

5.C. Municipal Order 33-2021 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 100 EAST VETERANS BOULEVARD, was unanimously approved on one reading by a motion of Mayor Watson and a second from Commissioner Sanford.

The property owners of 100 East Veterans Boulevard desire to sell the real property. The City seeks to acquire said property to continue revitalization in the downtown area. City Manager Pagan stated that along with the purchase of 112 East Veterans Boulevard as contained in Municipal Order 34-2021, the City will own the entire Veterans Boulevard frontage between Daviess and Allen Street. This was an intentional strategy to will create a prime site with views of the riverfront and Smothers Park available for an economic development project.

5.D. Municipal Order 34-2021 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 112 EAST VETERANS BOULEVARD, was unanimously approved on one reading by a Motion of Mayor Watson and a second from Commissioner Glenn.

The property owners of 112 East Veterans Boulevard desire to sell the real property. The City seeks to acquire said property to continue revitalization in the downtown area as further elaborated on with MO 33-2021.

6. CITY MANAGER ITEMS

6.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:

- **Janice L. Leslie** – Probationary, full-time, non-civil service appointment to Bus Driver with the Public Works Transit Department, effective August 16, 2021
- **Kelsey E. Ray** – Probationary, full-time, non-civil service appointment to Communications/Marketing Manager with the Administration Department, effective August 16, 2021
- **Steven E. Schroeder** – Probationary, full-time, non-civil service appointment to Refuse Truck Driver with the Public Works Sanitation Department, effective August 16, 2021

PROMOTIONAL/PROBATIONARY STATUS:

- **Mark A. Pearre** – Probationary, full-time, non-civil service, promotional appointment to Crew Leader with the Public Works Street Department, effective August 15, 2021
- **Timothy W. Young** – Probationary, full-time, non-civil service, promotional appointment to Crew Leader with the Public Works Stormwater Department, effective August 15, 2021

REGULAR STATUS:

- **Bradley S. Leonard** – Regular, full-time, non-civil service appointment to Fire Lieutenant with the Fire Department, effective August 2, 2021
- **Edward M. Smith** – Regular, full-time, non-civil service appointment to Fire Captain with the Fire Department, effective August 2, 2021
- **Clayton R. Tuma** – Regular, full-time, non-civil service appointment to Fire Lieutenant with the Fire Department, effective August 2, 2021
- **David K. Veach** – Regular, full-time, non-civil service appointment to Fire Captain with the Fire Department, effective August 2, 2021

- **Chelsey J. Stogner** – Regular, full-time, non-civil service appointment to Secretary with the Police Department, effective August 2, 2021

7. Swimming Pool Update - Amanda Rogers, Parks Director, gave a presentation (attached) regarding both Combest and Cravens pools. She gave a maintenance history of both pools and stated that it would not be cost effective to keep the City pools open without investing significant funds into renovations, especially Combest Pool. City Attorney Mark Pfeifer also reported that a title search was performed on the Cravens Pool property and discovered that ownership interest was conveyed out to Owensboro Public Schools in the early 1990's. There was discussion related to a possible collaboration with the school systems. Ms. Rogers plans to gather information and consult with other cities and return to the Commission with possible recommendations in the near future.

8. Wayfinding Signs - Lelan Hancock, Assistant City Manager, gave a presentation (attached) regarding the signage project for Owensboro. Mr. Hancock presented several designs that a steering committee has created to get the Commission's approval to move forward. The committee intends to begin work in the next 1-2 months and hopes to have the project complete in approximately six (6) months. The project is expected to cost between \$150,000 and \$175,000.

9. Recruitment Overview - Josh Bachmeier, Human Resource Manager gave a presentation reviewing a new recruiting video and the various ways the City plans to recruit and retain employees.

10. Northwest Revitalization Area Renaming Results – Abby Shelton, Community Development Director gave an update (attached) on the Northwest Revitalization Area programs. Additionally, the renaming contest garnered over thirty (30) suggestions and the staff narrowed the selection down to four (4) finalists. The Commission will make a decision on the winner in the near future.

11. City Project List - City Manager Nate Pagan presented the City Project List (attached) and asked if anyone had any questions or comments. There were no comments or questions.

Mayor Watson commented on an article in the Owensboro Times wherein Famous Bistro received the 2021 TripAdvisor Travelers' Choice for Restaurants Award for its exceptional service.

Mayor Watson also commented about the need for the elderly and disabled to have better access to events happening downtown.

12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned by acclimation at 1:02 p.m.

Thomas H. Watson, Mayor

ATTEST:

Kim Tignor, Acting City Clerk