

## **OWENSBORO BOARD OF COMMISSIONERS**

### **Regular Meeting**

**November 16, 2021 5:00 PM**

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

**1. CALL TO ORDER - Mayor Tom Watson**

**2. ROLL CALL - City Clerk Beth Davis**

**Present:**

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

**3. INVOCATION & PLEDGE – Commissioner Jeff Sanford**

Mayor Watson apologized that he overlooked the Open Public Forum at the last Commission meeting.

**4. PRESENTATIONS**

**4.A.** Aaron Kizer unveiled the 2021 City of Owensboro Christmas card.

**4.B.** Dave Kirk, Visit Owensboro, gave a brief presentation on the “West Kentucky Brewery Hop”. He explained that it is one of the largest collaborations in the State consisting of nine (9) different cities in western Kentucky and thirteen (13) craft beer breweries. Most of the breweries are family-friendly and offer food.

**5. BUSINESS**

**5.A.** Minutes dated November 2, 2021 and November 9, 2021 were approved 5-0 upon motion of Mayor Watson with a second by Mayor Pro Tem Maglinger.

**5.B.** Board Appointments

The following board appointments were approved 5-0 upon motion of Mayor Watson with a second by Commissioner Glenn:

- **Police and Firefighters’ Retirement Fund Board** – Reappoint Chief Art Ealum to a one-year term effective January 1, 2022. Appoint Charles Hayden to a one-year term effective January 1, 2022.

- **GRADD Regional Transportation Committee** – Reappoint Kevin Collignon to a one-year term effective January 1, 2022.
- **Owensboro Parks and Recreation Advisory Board** – Appoint Jonathan Patton to a two-year term expiring November 8, 2023.
- **Owensboro Area Shelter and Information Services (OASIS)** - Reappoint Major Jason Winkler to a three-year term expiring December 31, 2024.

## 6. ORDINANCES - 2nd READING - None

**6.A.** Ordinance 15-2021 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 5369 OLD HARTFORD ROAD, CONTAINING 43.988 ACRES, MORE OR LESS, AT THE REQUEST OF DEER VALLEY SUBDIVISION, LLC, was unanimously approved on second reading by motion of Commissioner Sanford and a second from Mayor Pro Tem Maglinger.

An Ordinance annexing the property located at 5369 Old Hartford Road, containing 43.988 acres. There will be an annexation incentive agreement for the property. City Manager Pagan explained the Ordinance will annex approximately forty-four (44) acres located at 5369 Old Hartford Road. It is a consensual annexation with Deer Valley Subdivision, LLC, which is an affiliate of Jagoe Homes. The company plans one hundred thirty-seven (137) homes in the development, which will be called Pebble Wood. We will consider a typical annexation incentive at the next meeting with second reading of the annexation ordinance.

## 7. ORDINANCES - 1st READING

**7.A.** Ordinance 16-2021 entitled AN ORDINANCE REVISING THE CITY OF OWENSBORO EMPLOYEE HANDBOOK CHAPTER 1000, SUBCHAPTER 1004, PAY CHART ENTITLED “ADMINISTRATIVE SERVICES” THEREBY ESTABLISHING THE POSITION OF “CUSTOMER SERVICE REPRESENTATIVE”; AND FURTHER ESTABLISHING THE COMPENSATION OF CITY EMPLOYEES AND NON-ELECTED CITY OFFICERS IN ACCORDANCE WITH A PERSONNEL AND PAY CLASSIFICATION PLAN, AS REQUIRED BY KRS 83A.070, was introduced and publicly read on first reading.

It is necessary to amend a position in Chapter 1000, Subchapter 1004, in the Pay Charts entitled “Administrative Services” to establish the position of Customer Service Representative. KRS 83A.070(2) directs the legislative body of each city to fix the compensation of city employees and non-elected city officers in accordance with a personnel and pay classification which shall be adopted by ordinance. City Manager

Pagan explained the Ordinance is adding the position of Customer Service Representative (CSR) to the pay charts. The pay charts include all full-time positions approved by the Board of Commissioners. This change makes the CSR a full-time position, the City has had CSRs as a part-time positions since 1999. Historically, we have had three (3) part-time CSRs that collectively covered normal business hours. Because of the difficulty in hiring and retaining part-time positions, we are swapping three (3) part-time positions for one (1) full-time position. There is a slight cost of this change of just over \$10,700.

The CSR role is important as it is typically the front line that first communicates with citizens when they contact the City. A CSR receives complaints and questions through calls, emails, the city app and walk-ins. They assist with everything from complaints on property maintenance, sanitation, and street issues to getting citizens in contact with the correct department or outside agency and also provides support for special projects. CSRs log approximately 14,000 calls/contacts each year.

**7.B.** Ordinance 17-2021 entitled AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022, AND AMENDING ORDINANCE 7-2021 TO RECEIVE THIRD ROUND OF CARES FUNDING; RECEIVE AND APPROPRIATE FUNDS FOR DOWNTOWN CHRISTMAS LIGHTING; FUND TRANSITION OF THREE (3) NON FULL-TIME CUSTOMER SERVICE REPRESENTATIVE POSITIONS TO ONE (1) FULL-TIME CUSTOMER SERVICE REPRESENTATIVE POSITION; RECEIVE FUNDING AND PROVIDING FOR THE CONSTRUCTION OF THREE (3) TENNIS COURTS; AND TO PROVIDE FOR PURCHASE OF A POLE CAMERA FROM THE STATE DRUG FUND, was introduced and publicly read on first reading.

Budget amendment to receive third round of CARES funding; receive and appropriate funds for downtown Christmas lighting; fund transition of three (3) non full-time Customer Service Representative positions to one (1) full-time Customer Service Representative position; receive funding and providing for the construction of three (3) tennis courts; and to provide for purchase of a pole camera from the State Drug Fund. City Manager Pagan further explained the amendment includes: a potential partnership for additional tennis courts at Centre Court; Christmas lighting at Smothers Park (includes sponsorships from Big Rivers Electric Co-op and Green River Distillery); and the use of restricted funds to purchase a camera for the Police Fund. Mayor Watson asked the amount of the CARES funding – Mrs. Waninger stated it is \$445,482.

## **8. MUNICIPAL ORDERS**

**8.A.** Municipal Order 40-2021 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH DEER VALLEY SUBDIVISION, LLC PROVIDING FOR THE CONSENSUAL ANNEXATION OF UNINCORPORATED PROPERTY LOCATED IN DAVIESS COUNTY AT 5369 OLD HARTFORD ROAD, CONTAINING 43.988 ACRES, MORE OR LESS; AND

FURTHER PROVIDING THAT THE CITY SHALL REIMBURSE DEER VALLEY SUBDIVISION, LLC ONE HUNDRED PERCENT (100%) OF THE TOTAL AD VALOREM (EXCLUDING SCHOOL TAX), NET PROFITS, AND GENERAL FUND OCCUPATIONAL TAX REVENUES DERIVED FROM THE PROPERTY OVER DESIGNATED FIVE (5) YEAR PERIODS, was unanimously approved on one reading upon motion of Mayor Watson with a second by Mayor Pro Tem Maglinger.

Deer Valley Subdivision, LLC has consented to the annexation of the property located at 5369 Old Hartford Road, containing 43.988 acres. The Order sets forth the terms and conditions of the annexation incentives. City Manager Pagan stated this is a typical incentive, except that it allows for two (2) phases for a five (5) year, one hundred percent (100%) General Fund incremental tax rebate.

## **9. CITY MANAGER ITEMS**

**9.A.** The financial report for the period ending October 31, 2021 was presented by Angela Waninger, Finance and Support Services Director (attached). A motion to file the report for audit was received by Mayor Watson and seconded by Commissioner Glenn; the motion passed unanimously.

**9.B.** The following personnel appointments were approved 5-0 with a motion by Mayor Watson and a second by Commissioner Sanford:

### **PROMOTIONAL/PROBATIONARY STATUS:**

- **Sarah D. Henry** – Probationary, full-time, non-civil service, promotional appointment to Refuse Truck Driver with the Public Works Sanitation Department, effective November 21, 2021

### **REGULAR STATUS:**

- **Samuel W. Bodine** – Regular, full-time, non-civil service appointment to Greens Superintendent with the Parks and Recreation Department, effective November 21, 2021
- **Caleb J. Gray** – Regular, full-time, non-civil service appointment to Sanitation Manager with the Public Works Sanitation Department, effective November 22, 2021
- **Ryan K. Morton** – Regular, full-time, non-civil service appointment to Bus Driver with the Public Works Transit Department, effective November 23, 2021

**9.C. City Manager Comments** – City Manager Pagan announced the City’s Annual Comprehensive Financial Report for last fiscal year has received the Certificate of Achievement for Excellence in Financial Reporting from the Government Financial Officers Associate (GFOA). The City is fortunate to have a wonderful finance staff, and he acknowledged Dane’ Galloway, Tim Goff, Whitney Brown, and Carey Haynes, under the leadership of Angela Waninger. With this award, the City has now won the Triple Crown for being awarded all three (3) GFOA awards.

## **10. COMMUNICATIONS FROM ELECTED OFFICIALS**

Commissioner Castlen recently hosted a group of OHS students at City Hall to show them a glimpse of how government works. Commissioner Castlen thanked the class mentor Dracin Williams and Nate Pagan for his input. He would also like to have a future discussion on the curfew issue. Mr. Pagan agreed to have the discussion at the January Work Session.

## **11. OPEN PUBLIC FORUM**

Tricia Shiver (2021 Owensboro Peoples Christmas Parade Coordinator) briefly described how she became the coordinator for the community parade this year. The parade will be held on December 18 at 4:30pm and will travel along Second Street. She is looking for additional community support and has met with Tim Ross for assistance.

Shifley-York Chairperson Reggie Helm (2931 Christie Place) shared a few items of concern from his alliance. While he was handing out alliance pamphlets, he was informed of some issues he was asked to share: (1) York Drive area flooding; (2) the congested parking and noise from the Pickleball Court at York Park; and (3) an update on the shootings that recently occurred on Scherm Drive and Booth Ave./Lewis Lane. He thanked Kevin Collignon for attending their alliance meeting and discussing the flooding issue.

Robert Morris (727 Maple Avenue) spoke about a very large tree that is located behind his property which has caused damage to his garage. He has reached out previously to the City requesting the tree be cut down since it is on city property (per PVA). City Manager Pagan said he was not familiar with the issue but he will research and follow-up.

Pastor John Fowler (851 Parkway Drive) is reaching out to other churches in the community to form a coalition, regardless of denomination or size, to become a proactive silo to show the love of God. The discussions would include a diverse community group to help address mental health, etc. He invited the Commission to discuss opportunities. Mayor Watson responded that he welcomed the opportunity.

## 12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned upon motion of Mayor Watson and a second by Commissioner Glenn at 5:51 p.m.

---

Thomas H. Watson, Mayor

ATTEST:

---

Beth Davis, City Clerk