

OWENSBORO BOARD OF COMMISSIONERS

Regular Called Meeting

June 21, 2022 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 – Mayor Pro Tem Maglinger

4. PRESENTATIONS

4.A. Dr. Scott Williams, President of Owensboro Community & Technical College, presented an update on the college (attached).

5. BUSINESS

5.A. Minutes dated June 7, 2022 and June 14, 2022 were approved 5-0 upon motion of Mayor Watson with a second by Commissioner Sanford.

6. ORDINANCES - 2nd READING - None

7. ORDINANCES - 1st READING

7.A. Ordinance 14-2022 entitled AN ORDINANCE AMENDING ORDINANCE 9-2022 TO ESTABLISH REVISED COMPENSATION FOR 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.

The compensation of city employees and non-elected city officers was established by Ordinance 9-2022 on May 17, 2022. Subsequent to the passage of Ordinance 9-2022, the Kentucky Law Enforcement Foundation Program Fund (KLEFPF) increased its annual supplement for law enforcement officers and firefighters from \$4,000 to \$4,300, thereby necessitating revised pay charts for city employees and non-elected city officers for fiscal

year 2022-2023. City Manager Pagan explained the City's pay charts were approved in May and in those pay charts is the Kentucky Law Enforcement Foundation Program funding, generally referred to as state incentive pay. The state has provided \$4,000 for each sworn police officer and firefighter for many years. However, the incentive was increased to \$4,300 for the state biennium budget beginning July 1.

Because the KLEFPF incentive funding is a part of the compensation to certain employees and is recorded on our pay charts, the pay charts must be amended to reflect the new amount of \$4,300. The only change from what was previously approved is the revised incentive funding.

7.B. Ordinance 15-2022 entitled AN ORDINANCE AMENDING THE OWENSBORO ZONING ORDINANCE ADOPTED MARCH 14, 1980, SO AS TO INCLUDE WITHIN THE B-2 CENTRAL BUSINESS ZONE PROPERTY LOCATED AT 407 EAST THIRD STREET., was introduced and publicly read on first reading.

The Owensboro Metropolitan Planning Commission (OMPC) met in regular session on April 14, 2022, and did consider and approve a proposal to change the zoning classification of the property located at 407 East Third Street from its present classification of I-1 Light Industrial to B-2 Central Business. OMPC staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan; the subject property is located in a Central Business Plan Area, where central business uses are appropriate in general locations; is located within the downtown overlay districts as adopted by the City of Owensboro and the request is consistent with the concepts of the Downtown Master Plan; the B-2 Central Business zoning classification is an expansion of existing B-2 zoning to the south and east of the subject property; and the B-2 Central Business zoning will promote the redevelopment of the downtown consistent with the Downtown Master Plan.

City Manager Pagan explained that for the typical property rezoned in the City, the rezoning becomes effective by operation of law 90 days following approval of the Planning Commission. However, during the first 21 days of the 90-day period before the rezoning becomes effective, persons who believe they are aggrieved by the rezoning may file an appeal for the Board of Commissioners to reconsider the action of the Planning Commission. The City received an appeal for the rezoning of 407 East Third Street. This is only the second appeal the City has ever received. Carol King Alvey, the complainant was not in attendance at the meeting. The property owner, Ms. Keaveney, was in attendance but declined to comment. Brian Howard, Director of OMPC, stated there was discussion at the April 14 OMPC meeting and by a vote of 6-1 the rezoning of the property was approved. The proposed use of the property is a bar that serves food. Mr. Pfeifer added that the rezoning was from Light Industrial to Central Business, a less restrictive zoning.

8. MUNICIPAL ORDERS

8.A. Municipal Order 24-2022 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MUTUAL AID ASSISTANCE AGREEMENT BETWEEN THE CITY OF OWENSBORO AND HANCOCK COUNTY, KENTUCKY, was unanimously approved on one reading upon motion of Mayor Watson with a second by Commissioner Glenn.

The City of Owensboro and Hancock County, Kentucky desire to provide aid and assistance to the other in the event of disaster or emergency. The parties wish to enter into a mutual aid agreement outlining the responsibilities of each party. City Manager stated that Hancock County contacted the City in a proactive manner and requested a mutual aid agreement. Chief Howard will prepare a list of agencies with whom the City has mutual aid agreements and send to the Commission.

9. CITY MANAGER ITEMS

9.A. The financial report for the period ending May 31, 2022 was presented by Angela Waninger, Director of Finance and Support Services (presentation attached). Motion was made by Mayor Watson to file the report for audit, received a second from Commissioner Castlen and passed unanimously.

9.B. The following personnel appointments were approved 5-0 with a motion by Mayor Watson and a second by Mayor Pro Tem Maglinger:

NEW HIRE/PROBATIONARY STATUS:

- **Damon N. Brandle** – Probationary, full-time, non-civil service appointment to Firefighter with the Fire Department, effective July 5, 2022, contingent upon successful completion of all post-offer, pre-employment requirements
- **Henry J. Briner** – Probationary, full-time, non-civil service appointment to Firefighter with the Fire Department, effective August 15, 2022, contingent upon successful completion of all post-offer, pre-employment requirements
- **Joseph P. Brown** – Probationary, full-time, non-civil service appointment to Firefighter with the Fire Department, effective August 15, 2022, contingent upon successful completion of all post-offer, pre-employment requirements
- **William H. Riney** – Probationary, full-time, non-civil service appointment to Firefighter with the Fire Department, effective August 15, 2022, contingent upon successful completion of all post-offer, pre-employment requirements
- **Justin D. Wheeler** – Probationary, full-time, non-civil service appointment to Firefighter with the Fire Department, effective August 15, 2022, contingent upon successful completion of all post-offer, pre-employment requirements

REGULAR STATUS:

- **Andrew J. Behl** – Regular, full-time, non-civil service appointment to Fire Lieutenant with the Fire Department, effective June 20, 2022
- **Corey L. Gant** – Regular, full-time, non-civil service appointment to Fire Captain with the Fire Department, effective June 20, 2022
- **Jonathan W. Cook** – Regular, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Grounds Department, effective June 20, 2022
- **Andrew D. Osborne** – Regular, full-time, non-civil service appointment to Building Maintenance/Operations Specialist with the Public Works Buildings Department, effective June 20, 2022
- **Ryan J. Trogden** – Regular, full-time, non-civil service appointment to Street Manager with the Public Works Street Department, effective June 20, 2022
- **Susan A. Howard** – Regular, full-time, non-civil service appointment to Office Manager with the Public Works Engineering Department, effective June 21, 2022
- **Evan M. Gogel** – Regular, full-time, non-civil service appointment to Housing & Grant Coordinator with the Community Development Department, effective June 28, 2022

Josh Bachmeier, HR Manager, explained the “contingent upon successful completion of all post-offer, pre-employment requirements” job offers. He stated the personnel appointments are sometimes considered for approval if there is an item that has not been received yet, i.e., background information, references, or a physical exam; and H.R. is confident the requirements will be met.

9.C. City Manager Comments – None

10. COMMUNICATIONS FROM ELECTED OFFICIALS

The Commission thanked the staff for the recent trolley tour of city projects and added that they were impressed with the projects. They also mentioned several upcoming events and events that they attended.

Commissioner Castlen thanked Rafe Buckner for organizing a tour to the SEEK Museum in Russellville.

Mayor Watson read a letter he received from Mayor Austin in Henderson, KY (attached). He also thanked J.D. Meyer for bringing the Kentucky Bar Association conference to Owensboro.

11. OPEN PUBLIC FORUM

Jerry Chapman (2601 Elwood Court) discussed taxation without representation and his disappointment with the City using taxpayer dollars to fund the RiverPark Center (RPC) and the RPC using those funds to host a Pride event. He stated he had a petition of 600 names, however, it was removed by Facebook.

Kathryn Crowe (3301 Spring Ridge Parkway) stated her disappointment with the Pride events being held within the City.

Sharon Hatfield (Mother of deceased Police Officer Shartez McHenry) asked the City for financial assistance to help pay bills.

12. CLOSED SESSION

12.A. Mayor Pro Tem Maglinger read the motion to enter into a Closed Session under KRS 61.810(1)(b) to discuss property acquisition. Motion was made by Commissioner Glenn and seconded by Commissioner Sanford; motion carried unanimously.

12.B. Motion was made by Mayor Pro Tem Maglinger to return to open session; seconded by Commissioner Sanford and carried unanimously.

13. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 6:26 p.m. by motion of Mayor Watson and a second by Commissioner Sanford; motion carried unanimously.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk