

OWENSBORO BOARD OF COMMISSIONERS
Regular Called Meeting
September 6, 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 Tom Watson

4. PRESENTATION

4.A. Mayor Watson presented “Firefighter Appreciation Month” proclamation; it was accepted by Firefighter Joe Withrow.

5. BUSINESS

5.A. Minutes dated August 16, 2022 were approved 5-0 upon motion of Mayor Watson with a second by Commissioner Castlen.

6. ORDINANCES - 2nd READING

6.A. Ordinance 20-2022 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 2753 VEACH ROAD, CONTAINING 0.376 ACRES, MORE OR LESS, AT THE REQUEST OF ALLEN RENFROW, was approved 5-0 on second reading by a roll call vote upon motion of Mayor Watson and a second from Mayor Pro Tem Maglinger.

An Ordinance annexing the property located at 2753 Veach Road containing a total of 0.376 acres. There will be an annexation incentive agreement for the property.

6.B. Ordinance 21-2022 entitled AN ORDINANCE REPEALING ORDINANCE 12-2022 IN ITS ENTIRETY, WHICH WAS APPROVED BY THE OWENSBORO BOARD OF COMMISSIONERS ON JUNE 7, 2022, AND 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 OR NEAR GOETZ DRIVE AND COVENTRY LANE, TRACT I (36.925 ACRES), TRACT II (15.655 ACRES) AND TRACT III (0.444 ACRES) CONTAINING A TOTAL OF 53.024 ACRES, MORE OR LESS, AT THE REQUEST OF OWENSBORO DEVELOPERS, LLC, was approved 5-0 on second reading by a roll call vote upon motion of Mayor Watson and a second from Commissioner Castlen.

Ordinance 12-2022 was approved on June 7, 2022 annexing into the City property located at or near Goetz Drive and Coventry Lane. The Ordinance misstated the acreage and described the property incorrectly. Therefore, Ordinance 12-2022 is being repealed and Ordinance 21-2022 is annexing the correctly described property.

6.C. Ordinance 22-2022 entitled AN ORDINANCE REPEALING ORDINANCE 13-2022 IN ITS ENTIRETY, WHICH WAS APPROVED BY THE OWENSBORO BOARD OF COMMISSIONERS ON JUNE 7, 2022, AND ANNEXING TO THE CITY OF OWENSBORO CERTAIN UNINCORPORATED TERRITORY IN THE COUNTY OF DAVIESS ADJOINING THE PRESENT BOUNDARY LINE OF THE CITY, BEING PROPERTY (GOETZ DITCH) LOCATED AT OR NEAR THE WENDELL FORD EXPRESSWAY AND GOETZ DRIVE CONTAINING 11.619 ACRES, MORE OR LESS, AT THE REQUEST OF THE CITY OF OWENSBORO, KENTUCKY, was approved 5-0 on second reading by a roll call vote upon motion of Mayor Watson and a second from Commissioner Sanford.

Ordinance 13-2022 was approved on June 7, 2022 annexing into the City property (Goetz Ditch) located at or near the Wendell Ford Expressway and Goetz Drive. The Ordinance described the property incorrectly. Therefore, Ordinance 13-2022 is being repealed and Ordinance 22-2022 is annexing the correctly described property.

6.D. Ordinance 23-2022 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 3107 LEITCHFIELD ROAD (HWY 54) AND LEITCHFIELD ROAD (HWY 54) RIGHT OF WAY, CONTAINING 0.880 ACRES, MORE OR LESS, AT THE REQUEST OF MALI HWY 54, LLC, was approved 5-0 on second reading by a roll call vote upon motion of Mayor Watson and a second from Commissioner Glenn.

An Ordinance annexing the property located at 3107 Leitchfield Road (Hwy 54) and Leitchfield Road (Hwy 54) right of way, containing a total of 0.880 acres.

6.E. Ordinance 24-2022 entitled AN ORDINANCE LEVYING AD VALOREM TAXES FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023, AT THE RATE OF 26.40 CENTS PER \$100 OF ASSESSED VALUATION OF REAL PROPERTY, 27.61 CENTS PER \$100 OF ASSESSED VALUATION OF PERSONAL PROPERTY, AND 30.30 CENTS PER \$100 OF ASSESSED VALUATION OF VEHICLES, AND PROVIDING FOR THE COLLECTION

AND APPORTIONMENT OF SAME, was approved 5-0 on second reading by a roll call vote upon motion of Mayor Watson and a second from Mayor Pro Tem Maglinger.

Ordinance to levy ad valorem taxes for municipal purposes for the fiscal year commencing July 1, 2022 and ending June 30, 2023, at the rate of 26.40 cents for \$100 of assessed valuation of real property, 27.61 cents per \$100 of assessed valuation of personal property, and 30.30 cents per \$100 of assessed valuation of vehicles. Also to provide for the collection and apportionment of same.

7. ORDINANCES - 1st READING - None

8. MUNICIPAL ORDERS

8.A. Municipal Order 28-2022 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF OWENSBORO AND DAVIESS COUNTY FISCAL COURT CONCERNING RELOCATION OF THE CONFEDERATE MEMORIAL STATUE AND TO EXECUTE A DEED TO DAVIESS COUNTY, KENTUCKY TO EFFECTUATE THE RELOCATION, was approved 5-0 on one reading upon motion of Mayor Watson and a second from Commissioner Glenn.

Daviess County Fiscal Court plans to relocate the Confederate Memorial Statue ("statue") currently located on the courthouse lawn. The City is willing to transfer property located in Potter's Field to Daviess County, Kentucky in order to relocate the statue there. The Parties wish to enter into a Memorandum of Agreement providing that Daviess County Fiscal Court is solely responsible for maintaining the statue and further memorializing their specific obligations. City Manager Pagan explained that for the last year or more, Daviess County Fiscal Court has debated what to do with the confederate statue located on the courthouse lawn. The County appointed a committee to review the issue, and the committee recommended placing the statue in a cemetery. The County does not own a cemetery it deemed appropriate, so Judge/Executive Mattingly asked if the City would deed the County a portion of Potters Field, which is a city owned property used occasionally for indigent burials.

Therefore, the Order transfers ownership of a small portion of Potters Field to the County. The City has and will have absolutely no ownership or responsibilities related to the statute. Our only involvement is to transfer a small piece of property to the County on which the statue will be placed. The County will own, maintain, and be solely responsible for the statue and the property on which it sits.

9. CITY MANAGER ITEMS

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

NEW HIRE/PROBATIONARY STATUS:

- **Jacob L. Rickard** – Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective September 12, 2022

PROMOTIONAL/PROBATIONARY STATUS:

- **Marvin L. Ammons** – Probationary, full-time, non-civil service, promotional appointment to Equipment Operator with the Public Works Grounds Department, effective September 11, 2022
- **Jonathan W. Cook** - Probationary, full-time, non-civil service, promotional appointment to Equipment Operator with the Public Works Grounds Department, effective September 11, 2022
- **Landon D. Roberts** – Probationary, full-time, non-civil service, promotional appointment to Parks & Recreation Facilities Specialist with the Parks and Recreation Department, effective September 11, 2022
- **Landon R. Upton** - Probationary, full-time, non-civil service, promotional appointment to Maintenance Equipment Operator with the Public Works Street Department, effective September 11, 2022

9.B. City Manager Comments - None

10. COMMUNICATIONS FROM ELECTED OFFICIALS

Members of the Commission discussed the events they recently attended.

11. OPEN PUBLIC FORUM - None

12. CLOSED SESSION

12.A. Motion was made by Mayor Watson and seconded by Commissioner Glenn to enter into closed under KRS 61.810(1)(b) to discuss the future acquisition or sale of real property and KRS 61.810(1)(k) in which federal or state law specifically require meetings to be conducted in privacy; motion passed unanimously.

13. OPEN SESSION - Motion was made by Mayor Watson and seconded by Commissioner Sanford to return to open session; motion passed unanimously.

14. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:04 p.m. by motion of Mayor Watson and a second by Commissioner Castlen; motion carried unanimously.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk