

**OWENSBORO BOARD OF COMMISSIONERS**  
**Regular Called Meeting**  
**November 1, 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 – Commissioner Jeff Sanford

4. PRESENTATION

4.A. Mayor Watson presented Brenda Knollenberg, CEO of Hospice and Palliative Care of Western Kentucky with the *National Hospice and Palliative Care Month Proclamation*. Mrs. Knollenberg also announced the new logo for the organization.

5. BUSINESS

5.A. The following board appointments were unanimously approved by motion of Mayor Watson and a second by Mayor Pro Tem Maglinger.

- **Owensboro Riverport Authority Board of Directors** – Appoint Lelan Hancock to fill the remainder of an unexpired term which ends September 10, 2026 (replacing Joanna Shake).
- **Owensboro-Daviess County Regional Airport Board** – Appoint Dr. Francis DuFrayne to fill the remainder of an unexpired term which ends October 2, 2026 (replacing Philip Smith).
- **Owensboro Parks and Recreation Advisory Board** – Appoint Kaitlyn Wilkerson and Eric Hagan to a two-year term effective November 2, 2022.

## **6. ORDINANCES - 2nd READING**

**6.A.** Ordinance 26-2022 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 2101 AND 2115 EAST PARRISH AVENUE, CONTAINING 1.515 ACRES, MORE OR LESS, AT THE REQUEST OF E & S DEVELOPERS, LLC, was read for approval on second reading and carried unanimously by a roll call vote upon motion of Mayor Watson and a second by Commissioner Glenn.

An Ordinance annexing the property located at 2101 and 2115 East Parrish Avenue containing a total of 1.515 acres. There will be an annexation incentive agreement for the property.

## **7. ORDINANCES - 1st READING - None**

## **8. MUNICIPAL ORDERS**

**8.A.** Municipal Order 40-2022 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH E & S DEVELOPERS, LLC PROVIDING FOR THE CONSENSUAL ANNEXATION OF UNINCORPORATED PROPERTY LOCATED IN DAVIESS COUNTY AT 2101 EAST PARRISH AVENUE, CONTAINING 0.599 ACRES, MORE OR LESS, AND 2115 EAST PARRISH AVENUE, CONTAINING 0.916 ACRES, MORE OR LESS (THE ADJACENT TRACTS CONTAINING A TOTAL OF 1.515 ACRES); AND FURTHER PROVIDING THAT THE CITY SHALL REIMBURSE E & S DEVELOPERS, LLC ONE HUNDRED PERCENT (100%) OF THE TOTAL AD VALOREM (EXCLUDING SCHOOL TAX), NET PROFITS, AND OCCUPATIONAL TAX REVENUES DERIVED FROM THE PROPERTY OVER A DESIGNATED FIVE (5) YEAR PERIOD, was introduced and read for approval on one reading upon motion of Mayor Watson and a second by Commissioner Sanford.

E & S Developers, LLC have consented to the annexation of the property located at 2101 and 2115 East Parrish Avenue, containing a total of 1.515 acres. The Order sets forth the terms and conditions of the annexation incentive.

**8.B.** Consider Municipal Order 41-2022 entitled A MUNICIPAL ORDER AUTHORIZING THE APPLICATION FOR FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN THE TOTAL AMOUNT OF \$10,766,250.00; AND AUTHORIZING AND DIRECTING THE FUNDS TO BE DISBURSED TO OWENSBORO GRAIN COMPANY, LLC TO FACILITATE CONSTRUCTION OF A WALL ON THE BANK OF THE OHIO RIVER TO ENSURE THE CONTINUED STABILITY OF OWENSBORO GRAIN'S FACILITIES; AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH OWENSBORO GRAIN COMPANY, LLC CONCERNING THE FUNDS, was introduced and read for approval on one reading upon motion of Mayor Watson and a second by Commissioner Castlen.

Owensboro Grain Company, LLC desires to apply for funds in the amount of Ten Million Seven Hundred Sixty-Six Thousand Two Hundred Fifty Dollars (\$10,766,250.00) from FEMA so that it can construct a 1400' sheet pile wall on the south bank of the Ohio River to ensure the continued stability of its facilities. The City of Owensboro will have no obligations concerning the application for funds or for the project and its costs. City Manager Pagan explained that Owensboro Grain's facility located on the riverbank is experiencing instability (slope creek). The grant funds would be used for sheet pilings to stabilize the bank. The City has no financial obligation or cost for the project. Green River Area Development District is writing the application and will administer if awarded. Blake Edge, GRADD, stated that FEMA wanted some additional studies completed prior to application. FEMA reviewers suggested submitting a phased application: Phase 1 would include the additional study, engineering and design to determine viability for the project. Once the project is determined to be viable, the construction funds will be released.

**8.C.** Consider Municipal Order 42-2022 entitled A MUNICIPAL ORDER DECLARING THE PROPERTY LOCATED AT 1539 WEST 1ST STREET AS SURPLUS PROPERTY AND AUTHORIZING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND DEED CONVEYING THE PROPERTY FOR PURPOSES OF ECONOMIC DEVELOPMENT, was introduced and read for approval on one reading upon motion of Mayor Watson and a second by Mayor Pro Tem Maglinger.

The City owns certain real property located at 1539 West 1st Street containing 0.061 acres, more or less; and now desires to declare this property to be surplus property, so it can be sold to PP&C Residential Properties, LLC for economic development purposes in accordance with KRS 82.083(4)(b). City Manager Pagan explained that this Order and MO 43 are related and he will brief both together. Both declare surplus properties and authorize transfer of two (2) small parcels that are remaining from a previous project to widen Hanning Lane between Second Street and English Park (map attached). The properties are too small to build or develop on, so they are only a maintenance issue for the City. The Orders convey the properties to the contiguous or adjoining properties. 1539 West 1<sup>st</sup> Street will transfer to the owner of the vacant lot to the east, and the owner of the property plans to build a new residential development with three (3) units. The next Municipal Order authorizes the transfer of property at 1536 Herr Avenue to the owner of the house to the east.

**8.D.** Consider Municipal Order 43-2022 entitled A MUNICIPAL ORDER DECLARING THE PROPERTY LOCATED AT 1536 HERR AVENUE AS SURPLUS PROPERTY AND AUTHORIZING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND DEED CONVEYING THE PROPERTY TO THE ADJACENT PROPERTY OWNER, was introduced and read for approval on one reading upon motion of Mayor Watson and a second by Commissioner Castlen.

The City of Owensboro owns certain real property located at 1536 Herr Avenue, containing 0.030 acres, more or less; and now desires to declare this property to be surplus property, so it can be transferred to the adjacent property owner.

## 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:**

- **Sidney M. Coleman** – Probationary, full-time, non-civil service appointment to Purchasing Specialist with the Finance Department, effective November 14, 2022, contingent upon successful completion of all post-offer, pre-employment requirements
- **Dylan R. Clark** – Probationary, full-time, non-civil service appointment to Telecommunicator with the Police Department, effective November 21, 2022

### **REGULAR STATUS:**

- **Ciera L. Simon** – Regular, full-time, non-civil service appointment to Engineering Technician with the Public Works Engineering Department, effective November 1, 2022
- **Jason G. Blair** – Regular, full-time, non-civil service appointment to Police Officer with the Police Department, effective November 8, 2022

**9.B.** City Manager Comments - The Transit Department will be offering free bus rides on November 8 (Election Day). All transit routes go to the Transit office which is located across from Third Baptist Church, which is a polling center.

## 10. COMMUNICATIONS FROM ELECTED OFFICIALS

Members of the Commission discussed the events they recently attended.

Mayor Watson invited all Vietnam Veterans to ride the City trolley in the Veteran's Day Parade on November 5; line up at Second and Clay Streets at 1pm.

## 11. OPEN PUBLIC FORUM

Gary Raley (307 Martin Way) expressed concern over a few different issues related to riding his bicycle: 1) the LED street lights and car lights are too bright; 2) too many people driving and using cellphones; and 3) the extended side mirrors on trucks are dangerous, he has been hit by them.

Alex Ross (38 Boulder Lane) – spoke on behalf of the River City Pickleball Club. He invited everyone to the River City Open beginning November 4 – November 6 at the Merchant Centre Court. The proceeds from the fundraising tournament will go to the Wendell Foster Center. Also in attendance were board members Guy Durham and Paula Hayden.

## 12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 5:35 p.m. by motion of Mayor Watson and a second by Commissioner Castlen; motion carried unanimously.

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Thomas H. Watson, Mayor

ATTEST:

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Beth Davis, City Clerk