

OWENSBORO BOARD OF COMMISSIONERS

**Regular Called Meeting
February 7, 2023 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 Mark Castlen
Commissioner Larry Maglinger
Commissioner Bob Glenn
Commissioner Pam Smith-Wright

3. INVOCATION & PLEDGE – Commissioner Pam Smith-Wright

4. PRESENTATION

4.A. Mayor Watson presented the "Black History Month" Proclamation to Rev. Larry Lewis, Zion Baptist Church. Rev. Lewis invited everyone to the RiverPark Center February 24 and 25 for the Moneta Sleet Jr. "Through Sleet's Eyes" festival to celebrate Sleet's life and legacy. He also invited everyone to several events throughout the month.

Commissioner Smith-Wright shared her Grandfather's (Grant Gillard Talbott) high school diploma that was recently located. Mr. Talbott graduated from Western Colored High School in 1919.

5. BUSINESS

5.A. Minutes dated January 17, 2023 were unanimously approved by motion of Mayor Watson and a second from Commissioner Maglinger.

6. ORDINANCES - 2nd READING

6.A. Ordinance 05-2023 entitled AN ORDINANCE AMENDING CHAPTER 25, ARTICLE IV, DIVISION 1, SECTION 25-118 OF THE OWENSBORO MUNICIPAL CODE TO INCLUDE PARKING WITHIN FIVE (5) FEET OF A DRIVEWAY, was read for approval on second reading and passed unanimously by roll call vote upon motion of Mayor Watson and second from Mayor Pro Tem Castlen.

Ordinance amends Chapter 25, Article IV, Division 1, Section 25-118 of the Owensboro Municipal Code to include no parking within five (5) feet of a driveway. City Manager

explained that the City has an existing parking ordinance that prohibits parking on a crosswalk, within an intersection, within ten (10) feet of a mailbox, within ten (10) feet of a fire hydrant, and blocking a fire station. State law restricts a parked vehicle from blocking a public or private driveway, among other restrictions. However, blocking a driveway entirely and ensuring unfettered access to a driveway are two (2) different considerations. The City has received several complaints about vehicles parking at the edge or corner of a driveway. In this scenario, the driveway isn't blocked as prohibited in state law. However, a motorist may have difficulty or not be able to enter or leave a driveway because parked vehicles restrict their turning radius. The City has received questions about the ordinance and its enforcement. Deputy Chief Winkler explained that the ordinance serves to close the gap in the existing ordinance. OPD receives four-fives (4-5) calls per week about blocked driveways and the hazards created by such. OPD will address issues as calls are received. Mayor Watson asked if the change applies to homes with zero lot lines. Deputy Chief Winkler stated the law applies to all homes. He stated that neighborhoods with community mailboxes have a real problem with the issue. OPD checked with other cities for comparison: Bowling Green (10'); Louisville (4'); and Franklin (12'). Commissioner Glenn asked that OPD return in six (6) months to give an update on how the ordinance has worked.

7. ORDINANCES - 1st READING

7.A. Ordinance 06-2023 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 155 SALEM DRIVE CONTAINING A TOTAL OF 2.502 ACRES, MORE OR LESS, AT THE REQUEST OF CRANDALL'S BYPASS, LLC, was introduced and publicly read on first reading.

An Ordinance annexing the property located at 155 Salem Drive containing a total of 2.502 acres. There will be an annexation incentive agreement for the property. City Manager Pagan explained the consensual annexation is being developed with five – six (5-6) commercial units that will be available for lease. The property is across the street from Crandall's Home Furnishing. An annexation incentive will be considered at the next meeting. Map attached.

8. MUNICIPAL ORDERS

8.A. Municipal Order 07-2023 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN APPLICATION FOR A FY2022 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM THROUGH FEMA IN AN APPROXIMATE AMOUNT OF \$222,265.45, THE PROCEEDS OF WHICH WILL BE UTILIZED BY THE CITY OF OWENSBORO THROUGH ITS OWENSBORO FIRE DEPARTMENT TO PAY OVERTIME FOR SIX (6) EMPLOYEES TO ATTEND THE JOINT PARAMEDIC PROGRAM OFFERED BY THE OWENSBORO COMMUNITY AND TECHNICAL COLLEGE; THE FUNDS WILL ALSO PAY FOR PROGRAM TUITION AND

VARIOUS COURSE FEES; A TEN PERCENT (10%) MATCH OF \$22,226.55 IS REQUIRED BY THE CITY, was introduced and publicly read for approval on one reading by motion of Mayor Watson and second from Commissioner Glenn; motion carried unanimously.

The City approved Municipal Order 36-2021, authorizing a Memorandum of Agreement through its Owensboro Fire Department (OFD) with Owensboro Community and Technical College (OCTC), Mercy Ambulance of Evansville, Inc. d/b/a American Medical Response (AMR) and Daviess County Fiscal Court through its Daviess County Fire Department (DCFD). The collaboration engaged OCTC to provide coursework to the employees of AMR, OFD and DCFD for an accelerated Emergency Medical Services (EMS) Paramedic Certificate. The Owensboro Fire Department seeks to file an application for a FY2022 Assistance to Firefighters Grant Program through FEMA in which the proceeds of which the City through the OFD will pay overtime for six (6) employees to attend the joint paramedic program and will also pay for program tuition and various course fees. A ten percent (10%) match of \$22,226.55 is required for this grant. City Manager Pagan stated that last year the City, County and AMR partnered for a joint paramedic course for employees of all three (3) agencies. The course went well, and produced two (2) new paramedics for the Owensboro Fire Department. Because the initial course was successful, the partners are planning to offer a paramedic training course a second time. The Municipal Order approves a grant application for \$222,265.55 to pay for much of the cost for overtime, tuition, and fees for up to six (6) OFD staff to participate. Although the grant requires a ten percent (10%) match, the City will budget for a number of firefighters to pursue paramedic certification in the next budget, so funds will be available to satisfy the match if the grant application is successful.

8.B. Municipal Order 08-2023 entitled A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS FOR THE 2020 CDBG-CV (COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS) FIRST AND THIRD ROUND FUNDING IN THE TOTAL AMOUNT OF \$531,849.00, TO PREVENT, PREPARE FOR, AND RESPOND TO CORONAVIRUS, was introduced and publicly read for approval on one reading by motion of Mayor Watson and second from Commissioner Smith-Wright; motion carried unanimously.

The First Round of CDBG-CV funding totaled \$294,117.00 was received and distributed for rental assistance and small business payments. The Second Round of CDBG-CV funding was not allocated to the City of Owensboro. The Third Round of CDBG-CV funding totaling \$237,732.00 will be forthcoming and distributed for rental assistance and small business payments. City Manager Pagan explained that the funds previously received by the City were used to provide rental assistance and support for micro-enterprise businesses of five (5) or fewer employees, and both were subject to income qualifying guidelines. Although the City did not receive funding in the second round, we have received \$237,732.00 in the third round of federal funding. This Municipal Order amends our consolidated plan, annual action plan, and approves receipt of the federal funds for the same purpose as the first round of funds. Mayor Watson asked how the

applications can be received. City Manager Pagan explained the applications are online and the rental assistance payments will be paid directly to the landlords to be sure they are used for their intended purpose.

8.C. Municipal Order 09-2023 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT AUTHORIZING PARTICIPATION IN THE "KENTUCKY LEAGUE OF CITIES INVESTMENT POOL PLUS", was introduced and publicly read for approval on one reading by motion of Mayor Watson and second from Mayor Pro Tem Castlen; motion carried unanimously.

The City has determined that participation in the "Kentucky League of Cities Investment Pool Plus" program could enhance the investment earnings accruing to the City while preserving the principal of its investment, and also allow for additional diversification of investments. In order to participate in the program, the City must execute an Interlocal Cooperation Agreement which sets forth the terms and conditions by which the City's funds will be managed and invested. City Manager Pagan said the Kentucky League of Cities (KLC) has various investment options it makes available to cities across the State. While we do not have plans to invest city assets in the KLC pool at this time, approval of this order allows us to do so in the future if and when the investment available in the pool provides the return or diversification in the City's best interest. In 2018, the Owensboro Board of Commissioners approved a new investment policy, and any investment we make, whether with KLC or another financial institution, are subject to that policy.

9. CITY MANAGER ITEMS

9.A. The following personnel appointments were unanimously approved by motion of Mayor Watson and second by Commissioner Glenn.

NEW HIRE/PROBATIONARY STATUS:

- **Noah C. Bennett** – Probationary, full-time, non-civil service appointment to Recreation Specialist with the Parks and Recreation Department, effective February 13, 2023
- **William I. McLaughlin** – Probationary, full-time, non-civil service appointment to Road Worker with the Public Works Street Department, effective February 20, 2023

REGULAR STATUS:

- **Zachary L. Brown** – Regular, full-time, non-civil service appointment to Road Worker with the Public Works Street Department, effective February 7, 2023

- **Austin M. Reisz** – Regular, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Grounds Department, effective February 7, 2023
- **Courtney M. Yerington-Burton** – Regular, full-time, non-civil service appointment to Police Lieutenant with the Police Department, effective February 13, 2023

9.B. City Manager Comments - None

10. COMMUNICATIONS FROM ELECTED OFFICIALS

Members of the Commission discussed the events they recently attended.

Commissioner Maglinger and Mayor Pro Tem Castlen congratulated the Owensboro Museum of Fine Art on the donation of \$1 Million they received from Dr. Medley.

11. OPEN PUBLIC FORUM

Charlie Hayden, former Firefighter and member of the Police & Firefighters' Pension Board made several comments and posed several questions: 1) Why does it take two (2) years after an evaluation report has been published to get to the pension board; 2) He mentioned the 1994 KRS that permitted cities of second class to increase widows' pension to \$400 and asked why their pension was only \$652 as of 2020; 3) He mentioned the Chief of Police's \$300/week raise compared to the widows \$22/annual raise; 4) He mentioned the minutes dated November 17, 2021 and stated they were incorrect because of the variance between the cost of living rate approved at the meeting and the rate the annuitants received; he followed up by asking why the minutes were approved with an incorrect rate; and 4) He asked why the Chief of Police was appointed to the Board and how many police widows were contacted and asked to volunteer.

He stated he would like to return in two (2) weeks for a response and would like to be publicly corrected if needed. He distributed the November 17, 2021 minutes to the following: Commissioners Castlen, Maglinger, Glenn and Smith-Wright; therefore, no copy is attached for the record.

12. CLOSED SESSION

12.A. Motion was made by Mayor Watson and seconded by Commissioner Glenn to enter into Closed Session under KRS 61.810 (1)(b) to discuss future acquisition or sale of real property; motion carried unanimously.

13. Motion was made by Mayor Watson and seconded by Mayor Pro Tem Castlen to return to open session; motion carried unanimously.

14. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 6:16 p.m. by motion of Mayor Watson and a second by Mayor Pro Tem Castlen.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk