

OWENSBORO BOARD OF COMMISSIONERS
Regular Called Meeting
February 20, 2024 - 4:00 PM
Owensboro City Hall
101 E. 4th Street
Owensboro, Kentucky

1. CALL TO ORDER - Mayor Tom Watson
2. ROLL CALL – Beth Davis, City Clerk

Present:

Mayor Tom Watson
Mayor Pro Tem Mark Castlen
Commissioner Sharon NeSmith
Commissioner Bob Glenn
Commissioner Pam Smith-Wright

3. INVOCATION & PLEDGE – Mayor Pro Tem Mark Castlen
4. PRESENTATIONS

4.A. Mayor Watson recognized the following retirements: Neal Ann Keelin, Telecommunicator and Deborah Farmer, Telecommunicator.

4.B. Indoor Sports Facility - Lelan Hancock, Assistant City Manager, presented a 3-D video model of the facility. The facility is set to be finished in late 2025 and will include a concession area, offices, an elevator, seven (7) basketball courts, fourteen (14) volleyball courts, twenty-eight (28) pickleball courts, division curtains for archery and other sports, and seating on both the first floor and mezzanine. An indoor turf field can be laid for futsal, and a rock climbing wall will be installed. Commission members asked about the need for additional seating such as bleachers. Mr. Hancock explained that three tier bleachers can be set up. Amanda Rogers, Parks Director added that more indoor gym space has been requested for many years.

4.C. Abby Shelton, Community Development Director, presented an update on Northwest Investment (attached). The revitalization has resulted in over \$10 Million in both private and public funds and is set to finish in June 2025. Commissioner Glenn asked about the possibility for a pocket park on Gilmour Court. Ms. Shelton responded that could be addressed after the NRSA is finished with different funds.

4.D. Fire Department Annual Report was presented by Chief James Howard (attached). There was extensive discussion on firefighters that are EMTs and Paramedics and the process to become both.

4.E. Stephen Franklin, Public Works Director presented the Replacement Plan for the City (attached). The City implemented the Fleet and Facilities Replacement Plan to

relieve the City from the need to budget unexpectedly high-priced assets. The plan is city-wide and involves multiple departments. Some examples are vehicles, roofing, HVAC, playground equipment, asphalt, irrigation and escalators. Each asset is assigned a life cycle and evaluated. If the item does not warrant replacement, the life cycle is extended. There was brief discussion on electric vehicles.

4.F. The City Project List was made available (attached).

5. BUSINESS

5.A. Minutes dated February 6, 2024, were unanimously approved by motion of Commissioner Smith-Wright and a second by Commissioner Glenn.

5.B. The following board appointments were unanimously approved by motion of Mayor Pro Tem Castlen and a second from Commissioner NeSmith:

- **Senior Community Center of Owensboro-Daviess County Board** – Reappoint Pamela Smith-Wright to a three-year term effective March 2, 2024. Appoint Elaine Grant to fill the remainder of an unexpired term which ends December 31, 2024 (replacing John Burlew). Appoint Cindy Sheriff to fill the remainder of an unexpired term which ends August 18, 2025 (replacing D.J. Johnson).
- **Owensboro-Daviess County Board of Ethics** – Appoint David M. Johnson to a three-year term effective March 2, 2024.

6. ORDINANCES - 2nd READING

6.A. Ordinance 4-2024 entitled AN ORDINANCE CONFIRMING THE SALE AND AWARDING A NON-EXCLUSIVE ELECTRIC FRANCHISE TO KENERGY CORP. FOR THE CONSTRUCTION, OPERATION, MAINTENANCE AND DISTRIBUTION OF ELECTRICITY FOR LIGHT, HEATING AND OTHER PURPOSES WITHIN THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF OWENSBORO FOR A TERM OF TEN (10) YEARS, IMPOSING A FRANCHISE FEE OF THREE PERCENT (3%) OF KENERGY CORP.'S GROSS ANNUAL REVENUES DERIVED FROM THE FRANCHISE AWARDED HEREIN AND AUTHORIZING THE MAYOR TO SIGN A FRANCHISE AGREEMENT WITH KENERGY CORP., was read for approval on second reading and unanimously approved by roll call vote upon motion of Mayor Watson and a second by Mayor Pro Tem Castlen.

The creation and sale of a non-exclusive franchise, for a term of ten (10) years, for the construction, operation, maintenance and distribution of electricity within the public rights-of-way within the corporate boundaries of the City of Owensboro was approved on January 16, 2024. The only bid received was from Kenergy Corp. Therefore, this ordinance awards the franchise to Kenergy and authorizes an Electric Franchise Agreement. City Manager Pagan stated the Board of Commissioners recently approved an ordinance creating a new electric franchise for portions of the City outside the OMU service territory. The franchise was bid as required, and as expected Kenergy was the only company to submit a proposal. Therefore, this ordinance is awarding the franchise

to Kenergy. The terms are the same as with the Atmos franchise recently approved with the exception that this term is for ten (10) years, while Atmos' is twenty (20) years.

6.B. Ordinance 5-2024 entitled AN ORDINANCE AMENDING CODE OF ORDINANCES FOR RATES FOR WATER AND WATER UTILITY SERVICE AS ADOPTED BY THE CITY UTILITY COMMISSION OF THE CITY OF OWENSBORO, KENTUCKY ON JANUARY 18, 2024, was read for approval on second reading and unanimously approved by roll call vote upon motion of Commissioner Glenn and a second by Mayor Pro Tem Castlen.

The City Utility Commission of the City of Owensboro, Kentucky, by Resolution passed on January 18, 2024, approved and adopted by the said Commission pursuant to the Statutes of the Commonwealth of Kentucky and the Ordinances of the City of Owensboro, Kentucky. This Ordinance reflects the Water System Rate revisions. City Manager Pagan stated that Tim Lyons, General Manager of OMU was in attendance for any questions (there were none).

7. ORDINANCES - 1st READING

7.A. Ordinance 6-2024 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 ADJACENT TO 2710 WEST PARRISH AVENUE (TRACT I) CONTAINING 0.089 ACRES, MORE OR LESS, AND PROPERTY LOCATED ADJACENT TO 2808 WEST PARRISH AVENUE (TRACT II) CONTAINING 0.913 ACRES, MORE OR LESS, AT THE REQUEST OF THE COMMONWEALTH OF KENTUCKY, DEPARTMENT OF HIGHWAYS, was introduced and publicly read on first reading.

An ordinance annexing the property located adjacent to 2710 West Parrish Avenue (Tract I) containing 0.089 acres, and property located adjacent to 2808 West Parrish Avenue (Tract II) containing 0.913 acres, at the request of the Commonwealth of Kentucky, Department of Highways. City Manager Pagan explained the ordinance annexes two (2) small areas of State right-of-way near Carter Road which is near the site for the York drainage basin that is under construction. The basin area was annexed last year, and this is a clean-up of the adjacent property that the City realized had not been annexed.

8. MUNICIPAL ORDERS - None

9. CITY MANAGER ITEMS

9.A. The Financial Report for the period ending January 31, 2024, was presented by Finance and Support Services Director Angela Waninger (attached). A motion was made by Mayor Watson and seconded by Mayor Pro Tem Castlen to file the report for audit; motion carried unanimously.

9.B. The following personnel appointments were unanimously approved by motion of Mayor Watson and second by Commissioner NeSmith:

NEW HIRE/PROBATIONARY STATUS:

- **Steven B. Mattingly** – Probationary, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Street/Stormwater Department, effective February 26, 2024, ***contingent upon successful completion of all post-offer, pre-employment requirements***
- **Katrena R. Lee** – Probationary, full-time, non-civil service appointment to Bus Driver with the Public Works Transit Department, effective March 4, 2024, ***contingent upon successful completion of all post-offer, pre-employment requirements***

PROMOTIONAL/PROBATIONARY STATUS:

- **Timothy Chad Johnson** – Probationary, full-time, non-civil service, promotional appointment to Fire Lieutenant with the Fire Department, effective February 25, 2024

9.C. City Manager Comments – City Manager Pagan stated that the City has been receiving complaints related to signs in the right-of-way; yard sale, realtor, campaign, etc. Beginning in the first week of March, city staff will begin enforcing the correct sign placement. City staff will notify sign owners of their incorrectly placed signs and then begin removing them. More information will be posted on social media.

10. COMMUNICATIONS FROM ELECTED OFFICIALS

Members of the Commission discussed the events they recently attended.

11. OPEN PUBLIC FORUM

Donna Haynes, Finance Secretary for the Owensboro Council of Labor AFL-CIO, explained that her group has rented the pavilion at English Park for the past eight to nine years for their Labor Day Picnic. This past year they encountered many issues with the homeless and their messes, including belligerent behavior and extremely dirty areas. She also mentioned the fact that there is a billboard inside a glass case for the posting of rentals. However, their rental notice was not in the case; a notice from three (3) months prior was still in there. Their rental included four (4) trash totes at a total of \$30. The totes did not have liners and were extremely dirty, attracting thousands of flies. She questioned the condition of the park and the totes. Ms. Haynes intends to pay the bill but wanted to share her disappointing experience of the park rental. Mayor Watson responded that the City would cover the tote rental charges.

12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 5:21 p.m. by motion of Commissioner Smith-Wright and a second by Commissioner Glenn.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk