

OWENSBORO BOARD OF COMMISSIONERS

Regular Called Meeting

May 7, 2024 - 5:00 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 Tom Watson

4. PRESENTATIONS

4.A. Mayor Watson presented the “Professional Municipal Clerks Week” proclamation to City Clerk Beth Davis.

4.B. The “National Police Week” proclamation was presented by Mayor Watson and received by Officer Bratcher and Deputy Chief J.D. Winkler.

4.C. Mayor Watson recognized the retirement of Chuck Lanham, Road Worker in Street Department (not in attendance).

5. BUSINESS

5.A. Minutes dated April 16, 2024, were unanimously approved by motion of Mayor Watson and a second by Commissioner Glenn.

5.B. The following board appointments were unanimously approved by motion of Mayor Watson and a second by Commissioner Smith-Wright:

- **Owensboro-Daviess County Building Code Appeals Board** – Reappoint Byron Westerfield to a four-year term effective May 7, 2024
- **Owensboro Historic Preservation Board** – Reappoint Gary Adams to a three-year term effective May 17, 2024

- **Owensboro Metropolitan Planning Commission** – Appoint Michelle Drake to fill the remainder of an unexpired term which ends December 31, 2026 (replacing Sharla Wells)
- **Senior Community Center of Owensboro-Daviess County Board** – Appoint Rick Latanzio and Mike Robinson to a three-year term effective May 7, 2024
- **Alliance for a Drug-Free Owensboro and Daviess County** – Appoint Rebecca Horn to fill the remainder of an unexpired term which ends August 31, 2025 (replacing Shelley Newcom)

6. MUNICIPAL ORDERS

6.A. Municipal Order 9-2024 entitled Municipal Order 9-2024 entitled A MUNICIPAL ORDER APPROVING THE 2024-2025 ANNUAL ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP FUNDS, PREPARED BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE SAME, was unanimously approved on one reading by motion of Mayor Pro Tem Castlen and a second by Commissioner NeSmith.

The Citizens Advisory Committee has recommended that the Owensboro Board of Commissioners accept the 2024-2025 Annual Action Plan for Community Development Block Grant and HOME Funds in order to continue to address the need for housing and community development in the community. City Manager Pagan explained the Annual Action Plan is a document mandated by the U.S. Department of Housing and Urban Development (HUD) that outlines local affordable housing and community development needs and identifies strategies for addressing them. The plan identifies activities that the City expects to undertake through direct action or through the provision of funding to other entities. In addition to outlining housing and community development strategies, the Annual Action Plan includes the City's application for the federal grants received from HUD. These grants, the Community Development Block Grant (CDBG) and the HOME Investment Partnership (HOME), fund the majority of the affordable housing and neighborhood improvement programs provided by the City. Upon approval, the plan will be submitted to HUD.

6.B. Municipal Order 10-2024 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN APPLICATION FOR THE PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP (BVP) INITIATIVE GRANT ADMINISTERED BY THE BUREAU OF JUSTICE ASSISTANCE DESIGNED TO PROVIDE CRITICAL RESOURCES TO LAW ENFORCEMENT JURISDICTIONS FOR THE PURPOSE OF REIMBURSING THE OWENSBORO POLICE DEPARTMENT FOR FIFTY PERCENT (50%) OF THE TOTAL COST OF \$32,546.68, EXPENDED TO PURCHASE THIRTY-SEVEN (37) NEW BULLETPROOF VESTS AND PLATES, THAT AMOUNT BEING \$16,273.34, was unanimously approved on one reading by motion of Commissioner Smith-Wright and a second by Commissioner Glenn.

The Owensboro Police Department has thirty-seven (37) bulletproof vests which will expire and require replacement during the next fiscal year. The City seeks to execute an application for a Patrick Leahy Bulletproof Vest Partnership Initiative Grant administered by the Bureau of Justice Assistance to purchase thirty-seven (37) vests with a 50% grant reimbursement of \$16,273.34.

6.C. Municipal Order 11-2024 entitled A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A THIRD ADDENDUM TO MANAGEMENT AND LEASE (WITH OPTION TO PURCHASE) AGREEMENT, AS AMENDED AND RESTATED, BETWEEN THE CITY OF OWENSBORO AND RIVERPARK CENTER, INC, was unanimously approved on one reading by motion of Mayor Pro Tem Castlen and a second by Commissioner NeSmith.

The City of Owensboro (City) and RiverPark Center, Inc. (RPC) entered into a Management and Lease (With Option to Purchase) Agreement, effective September 1, 2011, establishing the terms and conditions relative to the funding, management, leasing and other matters relating to the RPC facilities. Two additional addendums were executed; the first in 2013, relating to funding the cost of capital maintenance, replacement and/or renovation of RPC facilities, and the second in 2019, allowing the City to sublease the RPC facilities under certain conditions. The third addendum will allow the City to operate and/or sell a portion of the RPC facilities [Turley Building]. City Manager Pagan stated the City owns the RPC property and has a long-term lease with their Board of Directors to operate and manage the facility. The lease includes not only the main areas of RPC such as Cannon Hall, but also includes the Turley Building, which formerly housed the Bluegrass Museum. Ideally, after the museum moved to their current site, RiverPark could have leased the space to provide a new source of revenue. However, other than the Kentucky Guitar Works and Faris Guitars, the Turley Building remains vacant. A few months ago, the RPC Board of Directors asked if the City would amend the lease to remove the Turley Building from their responsibility. The RPC Board determined that they would focus on their core mission as a performing arts center and would prefer not to be in the commercial real estate business. In accordance with their request, this Municipal Order amends the lease between the City and RiverPark Center and removes the Turley Building from the lease. As a result, management of the Turley Building would revert to the City as the property owner. The City has no tenant or specific project in mind at this time, instead, this is being done at the request of the RPC.

6.D. Municipal Order 12-2024 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH MURPHY'S INVESTMENTS, LLC PROVIDING THAT THE CITY SHALL REIMBURSE MURPHY'S INVESTMENTS, LLC FIFTY PERCENT (50%) OF THE TOTAL AD VALOREM (EXCLUDING SCHOOL TAX), GENERAL FUND NET PROFITS, AND GENERAL FUND OCCUPATIONAL TAX REVENUES DERIVED FROM PROPERTY LOCATED AT 2808 WEST PARRISH AVENUE CONTAINING 13.747 ACRES, MORE OR LESS, OVER A DESIGNATED FIVE (5) YEAR PERIOD, was unanimously approved on one reading by motion of Commissioner NeSmith and a second by Mayor Pro Tem Castlen.

Murphy's Investments, LLC is the owner of real property consisting of 13.747 acres, more or less, located at 2808 West Parrish Avenue that was annexed on November 21, 2023. Murphy's Investments, LLC intends to develop the Property for commercial purposes, which will have substantial benefit to the citizens of Owensboro, and the City desires to provide an incentive for Murphy's Investments, LLC to commercially develop the Property. City Manager further explained the property has been previously annexed, however, the City did not consider an annexation incentive at that time. This incentive is for the typical five (5) year rebate period.

7. CITY MANAGER ITEMS

7.A. The following personnel appointments were unanimously approved by motion of Commissioner Smith-Wright and second by Commissioner Glenn:

NEW HIRE/PROBATIONARY STATUS:

- **Andrew J. Wilson** – Probationary, full-time, non-civil service appointment to Firefighter with the Fire Department, effective May 27, 2024

REGULAR STATUS:

- **Johnnie R. Conner** – Regular, full-time, non-civil service appointment to Police Officer with the Police Department, effective May 7, 2024
- **William J. November** – Regular, full-time, non-civil service appointment to Police Officer with the Police Department, effective May 7, 2024
- **Hunter B. Ragan** – Regular, full-time, non-civil service appointment to Sanitation Manager with the Public works Sanitation Department, effective May 7, 2024
- **Terry D. Seaton** – Regular, full-time, non-civil service appointment to Crew Leader with the Public Works Street Department, effective May 7, 2024
- **Landon R. Upton** – Regular, full-time, non-civil service appointment to Crew Leader with the Public Works Street Department, effective May 7, 2024
- **Connor L. Rutherford** – Regular, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Grounds Department, effective May 15, 2024

7.B. City Manager Comments – Mentioned all the upcoming festivals and explained that the Friday After 5 event would be moving back to the RiverPark Center.

8. COMMUNICATIONS FROM ELECTED OFFICIALS

Members of the Commission discussed the events they recently attended and expressed their enthusiasm with the Senior Center location decision.

Mayor Watson and Commissioner Glenn both stated that they were in favor of keeping the current temperature for the White Flag Policy in place for the next season. City Manager Pagan responded that a meeting is scheduled to discuss how the season went, however, it has not occurred yet.

9. OPEN PUBLIC FORUM - None

10. 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 Mayor Pro Tem Castlen.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk