

## OWENSBORO BOARD OF COMMISSIONERS

### Regular Called Meeting

September 3, 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 Pro Tem Mark Castlen

4. PRESENTATIONS

4.A. Mayor Watson proclaimed September as “National Recovery Month” and Dr. RonSonlyn Clark, Boulware Mission, accepted the proclamation. Dr. Clark introduced David Gaynor, Boulware’s new CEO.

5. BUSINESS

5.A. Minutes dated August 20, 2024 were unanimously approved by motion of Mayor Watson and seconded by Mayor Pro Tem Castlen.

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

- **Alliance for a Drug-Free Owensboro and Daviess County** – Reappoint Dr. RonSonlyn Clark to a three-year term expiring August 31, 2027. Reappoint Dr. Wanda Figueroa to a three-year term expiring September 1, 2027.
- **Owensboro Human Relations Commission** – Appoint Andrew Behl to fill the remainder of an unexpired term which ends December 31, 2024 (replacing Dr. Anna Kuthy). Appoint LeRae “Anita” Jackson to fill the remainder of an unexpired term which ends December 31, 2026 (replacing Charles Mountjoy).
- **Owensboro Riverport Authority Board of Directors** – Reappoint William G. Barron and JT Fulkerson to a four-year term effective September 9, 2024. Appoint Ashley Knight to a four-year term effective September 10, 2024.

- **Senior Community Center of Owensboro-Daviess County Board** – Appoint Armando Ortiz to a three-year term effective September 3, 2024.

## **6. ORDINANCES – 2nd READING**

**6.A.** Ordinance 13-2024 entitled AN ORDINANCE LEVYING AD VALOREM TAXES FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025, AT THE RATE OF 26.10 CENTS PER \$100 OF ASSESSED VALUATION OF REAL PROPERTY, 28.25 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 unanimously approved by a roll call vote; motion by Mayor Watson and a second from Commissioner Smith-Wright.

The Board of Commissioners has heretofore determined that a tax rate of 26.10 cents per \$100 of assessed valuation of real property and a tax rate of 28.25 cents per \$100 of assessed valuation of personal property, and a tax rate of 30.30 cents per \$100 of assessed valuation of vehicles will be necessary to help meet the anticipated expenditures of the City for the fiscal year beginning July 1, 2024 and ending June 30, 2025. City Manager Pagan stated the ordinance sets three (3) different property tax rates for the year. The largest by revenue is the real property tax (real estate). The ordinance decreases the real estate rate from last year, reducing it to 26.1 cents per \$100 of valuation, down from a rate of 26.4 cents last year. There is no proposed change to the vehicle rate, remaining at 30.3 cents per \$100, the same rate it's been for many years. On personal property, the ordinance includes a rate of 28.25 cents per \$100; the personal property rate is calculated from a formula based on the real property rate. The real property rate is the most prominent rate and is what is referred to when discussing the property tax rate as it is the source of the far majority of the property tax revenue.

**6.B.** Ordinance 14-2024 entitled AN ORDINANCE APPROVING AND ADOPTING TEXT AMENDMENTS TO APPENDIX F, ARTICLES 8, 13 AND 14 OF THE OWENSBORO METROPOLITAN ZONING ORDINANCE FOR THE CITIES OF OWENSBORO AND WHITESVILLE, AND DAVIESS COUNTY, was unanimously approved by a roll call vote; motion by Mayor Watson and a second from Commissioner NeSmith.

The Owensboro Metropolitan Planning Commission met in regular session on August 8, 2024 and proposed amendments to the text of the Zoning Ordinance for the Cities of Owensboro and Whitesville, and Daviess County regarding revisions to Articles 8, 13 and 14; as it relates to helping maintain Daviess County as a viable economic unit; promote diversity of desirable industrial activities for a broad and stable economic base; create policies for regulating land use activities that are not overburdensome while still protecting the public health, safety and welfare of the community; accommodate all intensities of land use activity; promote the location of commercial areas in proper respect to surrounding areas and transportation systems; and ensure compatibility with adjoining land uses, transportation and utilities. The amendments are now being recommended to

the City for approval. City Manager Pagan stated the ordinance establishes various regulations related to medicinal marijuana.

## **7. ORDINANCES – 1<sup>st</sup> READING**

**7.A.** Ordinance 15-2024 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 AT 3001 WEST 2ND STREET, 35 CARTER ROAD AND 45 CARTER ROAD CONTAINING A TOTAL OF 7.996 ACRES, MORE OR LESS, AT THE REQUEST OF THE CITY OF OWENSBORO, KENTUCKY, was introduced and publicly read on first reading.

An ordinance annexing the property located at 3001 West 2nd Street, 35 Carter Road and 45 Carter Road containing a total of 7.996 acres, at the City of Owensboro's request. City Manager Pagan added that this ordinance annexes approximately eight (8) acres at the corner of Second Street and Carter Road, the site of the new senior center. The property selected and acquired for the senior center had never been annexed. As owners, the City has consented to this action, so this is a consensual annexation.

## **8. MUNICIPAL ORDERS**

**8.A.** Municipal Order 26-2024 entitled A MUNICIPAL ORDER APPROVING AND AUTHORIZING AN ASSISTANCE AGREEMENT BETWEEN THE CITY OF OWENSBORO, KENTUCKY BY AND THROUGH ITS CITY UTILITY COMMISSION D/B/A OWENSBORO MUNICIPAL UTILITIES AND THE KENTUCKY INFRASTRUCTURE AUTHORITY TO PROVIDE UP TO \$1,000,000 OF LOAN FUNDS FOR PROJECT NUMBER F24-055L, was unanimously approved on one reading by motion of Mayor Watson and a second from Commissioner Glenn.

The Owensboro Board of Commissioners by and through its City Utility Commission d/b/a Owensboro Municipal Utilities, (OMU) has previously determined that it is in the public interest to acquire and construct certain facilities and improvements (Project) to the OMU's water system. OMU has made application to the Kentucky Infrastructure Authority (KIA) for the purpose of providing monies to construct the Project and OMU is required to enter into an Assistance Agreement with KIA. City Manager Pagan explained the order approves an agreement between Owensboro Municipal Utilities and the Kentucky Infrastructure Authority, allowing OMU to receive a forgivable loan. The City approves all OMU debt, and because this is structured as a forgivable loan, the City must take action to approve it. If OMU complies with terms of the funding, they will essentially receive a grant and not have to repay the loan. The City has no obligation or responsibility related to this issue.

## **9. CITY MANAGER ITEMS**

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

### **PROMOTIONAL/PROBATIONARY STATUS:**

- **Jonathan W. Cook** – Probationary, full-time, non-civil service, promotional appointment to Crew Leader with the Public Works Grounds Department, effective September 8, 2024
- **Elijah W. Anderson** – Probationary, full-time, non-civil service, promotional appointment to Refuse Truck Driver with the Public Works Sanitation Department, effective September 8, 2024

### **REGULAR STATUS:**

- **Ted S. Johnston** – Regular, full-time, non-civil service appointment to Fire Lieutenant (Training) with the Fire Department, effective September 10, 2024
- **Luke A. Cecil** – Regular, full-time, non-civil service appointment to Fire Captain with the Fire Department, effective September 10, 2024
- **Kevin R. Klobe** – Regular, full-time, non-civil service appointment to Fire Driver/Engineer with the Fire Department, effective September 24, 2024
- **Katherine M. Phelps** – Regular, full-time, non-civil service appointment to Assistant TAC Telecommunicator with the Central Dispatch Department, effective September 10, 2024
- **Norman K. Lang** – Regular, full-time, non-civil service appointment to Lead Telecommunicator with the Central Dispatch Department, effective September 24, 2024

**9.B. City Manager Comments** – City Manager Pagan announced the OBKY Budget Report has been completed and is available online. He recognized Angela Waninger, Whitney McFarland and Beth Davis for their work on the report. The City is hosting the 2024 Special Olympic Kentucky State Softball Tournament at Jack Fisher Park this upcoming weekend for the first time since 2007. Nearly 700 athletes from across the state will be participating. Tim Ross gave a brief update on the upcoming Air Show.

### **10. COMMUNICATIONS FROM ELECTED OFFICIALS**

Members of the Commission discussed the events they recently attended and expressed their excitement for the recent announcements of the Swedish Match expansion and The BIRCH Program grand opening.

Commissioner Smith-Wright announced the annual 9/11 Freedom Walk would take place beginning at OFD Station #1 and end at the First Responders monument on the Courthouse lawn.

Mayor Pro Tem Castlen announced that considering some recent life changing medical issues and the desire to spend more time with family, he will be withdrawing from the upcoming Board of Commissioners' race.

#### **11. OPEN PUBLIC FORUM**

Donna Haynes (7845 Monarch Road) said the annual Labor Union Picnic was recently held at English Park. She thanked the City for the property being clean and in great shape.

#### **12. ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 5:37 p.m. by motion of Mayor Watson and a second by Commissioner Smith-Wright.

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Thomas H. Watson, Mayor

ATTEST:

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Beth Davis, City Clerk