

## **OWENSBORO BOARD OF COMMISSIONERS**

### **Regular Meeting**

**November 2, 2021 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 Bob Glenn**

**4. PRESENTATIONS**

**4.A.** Mayor Watson proclaimed November as National Hospice and Palliative Care Month and presented the proclamation to Brenda Knollenberg, CEO of Hospice and Palliative Care of Western Kentucky, along with staff and board members.

**5. BUSINESS**

**5.A.** A motion was made by Mayor Watson, seconded by Mayor Pro Tem Maglinger and unanimously passed to determine the eligibility under KRS 96.530(2)(c) and ratification of the appointment of Tamara R. Wilson to the City Utility Commission as follows:

1. Is a resident of Daviess County, Kentucky;
2. Possesses qualifications and expertise that would benefit and be in the best interest of the City Utility Commission; and
3. That she:
  - a. Is not employed by;
  - b. Is not serving in any fiduciary or agency capacity with; and
  - c. Does not possess an ownership interest in; a direct supplier or direct competitor of the City Utility Commission; and that Tamara R. Wilson is eligible for appointment to the City Utility Commission.

City Manager Pagan explained that an ordinance was previously approved which made changes to the City Utility Commission to align with changes to state law approved in the

legislative session earlier this year. The change to the City ordinance and state law allows up to two (2) non-city residents to serve on the City Utility Commission. The process for a non-city resident to serve on the City Utility Commission is prescribed in law and is somewhat different than a typical board appointment.

**5.B.** Minutes dated October 19, 2021 were approved 5-0 upon motion of Mayor Pro Tem Maglinger with a second by Commissioner Sanford.

#### **5.C. Board Appointments**

The following board appointments were approved 5-0 upon motion of Mayor Watson with a second by Commissioner Castlen:

- **Apollo Area Neighborhood Alliance** – Appoint Robert E. Schell to a two-year term effective November 2, 2021.
- **Owensboro Parks and Recreation Advisory Board** – Reappoint Altaf Merchant to a two-year term effective November 2, 2021. Reappoint Chip Pride to a two-year term effective November 8, 2021. Reappoint Rafe Buckner to a two-year term effective November 22, 2021.

#### **6. ORDINANCES - 2nd READING - None**

#### **7. ORDINANCES - 1st READING**

**7.A.** Ordinance 15-2021 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 5369 OLD HARTFORD ROAD, CONTAINING 43.988 ACRES, MORE OR LESS, AT THE REQUEST OF DEER VALLEY SUBDIVISION, LLC, was introduced and publicly read on first reading.

An Ordinance annexing the property located at 5369 Old Hartford Road, containing 43.988 acres. There will be an annexation incentive agreement for the property. City Manager Pagan explained the Ordinance will annex approximately forty-four (44) acres located at 5369 Old Hartford Road. It is a consensual annexation with Deer Valley Subdivision, LLC, which is an affiliate of Jagoe Homes. The company plans one hundred thirty-seven (137) homes in the development, which will be called Pebble Wood. We will consider a typical annexation incentive at the next meeting with second reading of the annexation ordinance.

## **8. MUNICIPAL ORDERS**

**8.A.** Municipal Order 39-2021 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE CITY ATTORNEY'S OFFICE TO PROCEED WITH ACTION TO COLLECT OUTSTANDING DEBTS OWED TO THE CITY OF OWENSBORO, INCLUDING JUDICIAL ACTION IF DEEMED APPROPRIATE, was unanimously approved on one reading upon motion of Mayor Watson with a second by Commissioner Sanford.

The City of Owensboro has reviewed the outstanding delinquent tax roll which indicates that there are numerous property taxes that are outstanding and delinquent. The City has incurred much expense in the maintenance and cleanup of abandoned and dilapidated properties, for which it has acquired liens for the costs of such work. The City of Owensboro proposes to pursue collection of the outstanding debts and expenses, including judicial action if deemed appropriate. City Attorney Mark Pfeifer explained the mass foreclosure process and purpose. Along with getting property owners to pay their taxes, the mass foreclosure also seeks repayment for nuisance abatement liens filed against properties that have not been properly maintained by their owners. There are fifty-six (56) properties with sufficient unpaid taxes or nuisance abatement liens to include in the foreclosure. Property owners were mailed letters a month ago and several desire to pay the amounts owed. The City will file a petition to foreclose on the first group before the end of the year and the second group in 2022. The last mass foreclosure was filed in 2018.

## **9. CITY MANAGER ITEMS**

**9.A.** City Manager Comments - None

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

Commissioner Glenn acknowledged the Northwest Neighborhood Alliance for their very successful Trunk or Treat. He recognized the passing of Dianne McFarling and congratulated the local high schools in their fall sports.

Commissioner Sanford congratulated the Owensboro Catholic Marching Aces Band for finishing first place in the State.

Commissioner Castlen recognized Travis Owsley with Cedarhurst Assisted Living for his invite to the facility and recognized the importance of visiting with the elderly. He encouraged others to visit those in the homes. Mayor Watson added that Randy Lanham plays in the nursing homes and does a fabulous job.

Mayor Pro Tem Maglinger thanked Harry Pedigo, St. Benedict's Homeless Shelter, for assisting with the tent campers at the riverbank.

Mayor Watson thanked City Manager Pagan for the clean-up of the riverbank and for donating to St. Benedict's Homeless Shelter.

**11. OPEN PUBLIC FORUM – None**

**12. CLOSED SESSION**

**12.A.** Motion was made by Mayor Watson and seconded by Mayor Pro Tem Maglinger to enter into Closed Session under KRS 61.810(1)(b) for discussions on the future acquisition or sale of real property by a public agency; motion carried unanimously.

**13. ADJOURNMENT**

The closed session adjourned unanimously upon motion of Mayor Watson with a second from Commissioner Sanford.

There being no further business to discuss, the meeting adjourned upon motion of Mayor Watson and a second by Commissioner Glenn at 6:07 p.m.

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Thomas H. Watson, Mayor

ATTEST:

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Beth Davis, City Clerk