

# **OWENSBORO BOARD OF COMMISSIONERS**

## **Regular Called Meeting March 15, 2022 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 – Mayor Pro Tem Larry Maglinger**

**4. PRESENTATIONS**

**4.A.** Mayor Watson presented an "Owensboro Rampage Varsity Hockey Team Day" proclamation to the team in honor of their winning the Kentucky High School Hockey League State Championship for the third time.

**4.B.** "Transit Driver Appreciation Day" proclamation was presented by Mayor Watson to Pamela Canary, Transit Manager and Shellene Davis, Transit Bus Driver.

**4.C.** Jamie Scheffer, (Assistant General Manager) Spectra, gave an update on the Convention Center (presentation attached). Dave Anderson, Regional VP for Spectra was also in attendance and talked about how well the facilities perform. The Convention Center is beating their budget by \$234,902 and the Sportscenter is beating their budget by \$41,175. The forecasted end-of-year financials are on track to be \$443,370 between both facilities. The gross revenue on the books for next year is already at +\$650,000. Mr. Scheffer will send the number of dark days to Mayor Watson. Mayor Watson stated he would like to see the official name of the Sportscenter return at some point, Owensboro Memorial Recreation Center, named in honor of those that had fought in the wars.

**5. BUSINESS**

**5.A.** Minutes dated March 1, 2022 and March 8, 2022 were approved 5-0 upon motion of Mayor Watson with a second by Commissioner Glenn.

**5.B.** The following board appointments were unanimously approved by motion of Mayor Watson and a second from Mayor Pro Tem Maglinger.

- **Wesleyan-Shawnee Neighborhood Alliance** - Reappoint Stephanie Clary to a two-year term effective March 16, 2022
- **Owensboro Housing Authority Board** – Reappoint Rick Searcy to a four-year term effective March 21, 2022
- **Owensboro Human Relations Commission** – Appoint Icces Crocker to fill the remainder of an unexpired term which ends December 31, 2023
- **Owensboro-Daviess County Drug and Alcohol Steering Committee** – Appoint Shelley Newcom as a joint city-county appointment to fill the remainder of an unexpired term which ends September 1, 2022. Appoint Erica Wade as a joint city-county appointment to fill the remainder of an unexpired term which ends September 1, 2023.

## **6. ORDINANCES - 2nd READING**

**6.A.** Ordinance 04-2022 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 2731 WEST 2ND STREET, CONTAINING 10.416 ACRES, MORE OR LESS, AT THE REQUEST OF WESTERN KENTUCKY BOTANICAL GARDENS, INC., was unanimously approved on second reading by motion of Mayor Watson and a second from Commissioner Glenn.

An Ordinance annexing the property located at 2731 West 2nd Street, containing 10.416 acres, at the request of Western Kentucky Botanical Gardens, Inc.

**6.B.** Ordinance 05-2022 entitled AN ORDINANCE CLOSING THE ALLEY RIGHT-OF-WAY LOCATED BEHIND 1633 MOSELEY STREET THAT IS A NORTH/SOUTH ALLEY FROM EAST 16TH STREET TO EAST 17TH STREET BETWEEN MOSELEY STREET AND SWEENEY STREET IN THE CITY OF OWENSBORO, KENTUCKY, AT THE REQUEST OF IMI REAL ESTATE, LLC, was unanimously approved on second reading by motion of Mayor Watson and a second from Commissioner Castlen.

IMI Real Estate, LLC has petitioned the City for the closing of an alley right-of-way located behind 1633 Moseley Street that is a north/south alley from East 16th Street to East 17th Street between Moseley Street and Sweeney Street. All adjoining and abutting property owners have consented in writing to the closure. An easement will be retained for Regional Water Resource Agency and OMU.

**6.C.** Ordinance 06-2022 entitled AN ORDINANCE APPROVING AND ADOPTING TEXT AMENDMENTS TO APPENDIX F, ARTICLES 3, 8 AND 14 OF THE OWENSBORO

METROPOLITAN ZONING ORDINANCE FOR THE CITIES OF OWENSBORO AND WHITESVILLE, AND DAVIESS COUNTY, was unanimously approved on second reading by motion of Mayor Watson and a second from Mayor Pro Tem Maglinger.

The Owensboro Metropolitan Planning Commission proposes amendments to the text of the Zoning Ordinance for the Cities of Owensboro and Whitesville, and Daviess County regarding revisions to Appendix F, Article 3 (General Zone & District Regulations) to avoid confusion between the Zoning Ordinance and the Kentucky Building Code; Article 8 (Schedule of Zones) will: (a) allow agriculture and other natural resource uses wider reign to apply traditional production techniques; (b) avoid the introduction of urban activities that would have a detrimental effect on residential activity, but allow some mixture of appropriate nonresidential uses; (c) will reserve the land in the Rural Service Area primarily for agricultural uses, other natural resource activities, and support uses that need to be near such activities; and (d) will encourage the application of increased buffers where heavy industrial and coal mining uses may be located in close proximity to existing rural residences; and Article 14 (Definitions), will: (a) endeavor to create policies for regulating land use activities that are not overly burdensome while still protecting the public health, safety and welfare of the community; and (b) will encourage the grouping of activities so that uses of greater intensity (industrial or commercial) do not harm weaker types (residential and agricultural).

## **7. ORDINANCES - 1st READING - None**

## **8. MUNICIPAL ORDERS**

**8.A.** Municipal Order 11-2022 entitled A MUNICIPAL ORDER DECLARING THE PROPERTY LOCATED AT 506 LOCUST STREET AS SURPLUS PROPERTY AND AUTHORIZING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND DEED CONVEYING THE PROPERTY FOR PURPOSES OF ECONOMIC DEVELOPMENT, was unanimously approved on one reading upon motion of Mayor Watson with a second by Commissioner Glenn.

The City owns certain real property located at 506 Locust Street and now desires to declare this property to be surplus property, so it can be sold to Robert R. Whitaker for economic development purposes in accordance with KRS 82.083(4)(b). City Manager Pagan explained the property located at the corner of Locust Street and Fifth Street is being sold for the appraised value of \$60,000. The buyer plans to build up to six (6) brownstones ranging from 2,100 to 2,300 square feet with garages. The property is located within the Downtown Master Plan for lower density residential units (map attached). If the development does not begin within thirty (30) months of the closing, the City has the option to repurchase the property at the same price.

## **9. CITY MANAGER ITEMS**

**9.A.** Mrs. Angela Waninger, Director of Finance, presented the Financial Report for the period ending February 28, 2022 (presentation attached). Motion was made by Mayor

Watson to file the report for audit; motion was seconded by Commissioner Sanford and passed unanimously.

**9.B.** The following personnel appointments were approved 5-0 with a motion by Mayor Watson and a second by Mayor Pro Tem Maglinger:

**NEW HIRE/PROBATIONARY STATUS:**

- **Anthony D. Small, Jr.** – Probationary, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Street/Stormwater Department, effective March 21, 2022
- **Elijah I. Probus** – Probationary, full-time, non-civil service appointment to Police Officer with the Police Department, effective March 28, 2022

**PROMOTIONAL/PROBATIONARY STATUS:**

- **Christopher A. Burns** – Probationary, full-time, non-civil service, promotional appointment to Police Lieutenant with the Police Department, effective April 10, 2022
- **Jason V. Lee** – Probationary, full-time, non-civil service, promotional appointment to Police Lieutenant with the Police Department, effective April 10, 2022

**REGULAR STATUS:**

- **J. Brent Kelley** – Regular, full-time, non-civil service appointment to Loss Prevention Manager with the Personnel Department, effective March 15, 2022
- **Aaron Hamilton** – Regular, full-time, non-civil service appointment to Police Sergeant with the Police Department, effective March 28, 2022
- **Nicholas E. Wellman** – Regular, full-time, non-civil service appointment to Police Sergeant with the Police Department, effective March 28 2022
- **Dennis J. Pearl** – Regular, full-time, non-civil service appointment to Refuse Truck Driver with the Public Works Sanitation Department, effective March 29, 2022

City Manager recognized Brent Kelley, who was in attendance.

**9.C.** City Manager Comments – None

**10. COMMUNICATIONS FROM ELECTED OFFICIALS**

Mayor Watson recognized the passing of Joe Bowen.

## 11. OPEN PUBLIC FORUM

Jay O'Neal spoke.

DeMarcus Curry (3140 Adams Court) thanked the City for supporting the job fair at the Daviess County Public Library. Mr. Curry also presented a proposal to get the Owensboro Youth Council restarted. Mayor Watson will meet with Mr. Curry.

Bob Zimmerman requested the number of warning citations written for stop bar violations and the number of citations written for tailgating.

Lisa Aull (7325 Hwy 54) Lil Bit Sassy downtown business owner, shared her concerns regarding the foot traffic coming from Brasher's Lil' Nashville. She stated that bar patrons are on her surveillance video performing lude acts on and near her property. Mrs. Aull suggested the bar is over serving and she asked who she can contact for assistance. She has already spoken with City and State ABC Departments and the Police Department. Mrs. Aull is planning to contract with Owensboro Police Department for an off-duty officer to monitor her building during bar business hours. City Manager Pagan said he will do some research since the issues will involve several different offices, and get back with her.

## 12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned by acclamation at 6:12 p.m.

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Thomas H. Watson, Mayor

ATTEST:

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Beth Davis, City Clerk