

**OWENSBORO BOARD OF COMMISSIONERS**  
**Regular Called Meeting**  
**April 18, 2023 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 Mark Castlen  
Commissioner Bob Glenn  
Commissioner Pam Smith-Wright

Unavailable:

Commissioner Larry Maglinger

3. INVOCATION & PLEDGE – Commissioner Pam Smith-Wright

4. PRESENTATIONS

4.A. Mayor Watson recognized the retirement of Kristie M. Miller, Lead Telecommunicator with Central Dispatch. Ms. Miller attended the meeting.

5. BUSINESS

5.A. Minutes dated April 4, 2023 and April 11, 2023 were unanimously approved by motion of Mayor Watson and a second from Mayor Pro Tem Castlen.

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

- **Shifley-York Neighborhood Alliance** – Reappoint Reggie Helm to a two-year term effective April 26, 2023
- **County Board of Assessment Appeals** – Appoint Matt Aull to a three-year term effective May 1, 2023

6. ORDINANCES - 2nd READING

6.A. Ordinance 10-2023 entitled AN ORDINANCE CLOSING AN ALLEY RIGHT-OF-WAY LOCATED BEHIND 1805 AND 1811 WEST 9TH STREET THE CITY OF OWENSBORO, KENTUCKY, was read for approval on second reading and passed

unanimously by roll call vote upon motion of Mayor Watson and second from Commissioner Glenn.

Lavoro, LLC (Petitioner), has petitioned the City of Owensboro pursuant to KRS 82.405(2) to close an alley right-of-way located behind 1805 and 1811 West 9<sup>th</sup> Street. Adjoining and abutting property owner has given a written consent to the closing. An easement will be retained for Regional Water Resource Agency within the alley.

**6.B.** Ordinance 11-2023 entitled AN ORDINANCE AMENDING CHAPTER 19, ARTICLE I, SECTION 19-5 OF THE OWENSBORO MUNICIPAL CODE, ENTITLED "PARK HOURS" WHICH CHANGES THE HOURS OF OPERATION FOR SMOTHERS PARK TO 5:00 A.M. TO 12:30 A.M; AND AMENDING CHAPTER 19, ARTICLE I, SECTION 19-6, OF THE OWENSBORO MUNICIPAL CODE, ENTITLED "RESTRICTED ACTIVITIES" TO UPDATE LANGUAGE CONCERNING REQUIRED TRAINING FOR INDIVIDUALS WHO HAVE BEEN GRANTED A VARIANCE TO SELL ALCOHOLIC BEVERAGES ON CITY PROPERTY, was read for approval on second reading and passed unanimously by roll call vote upon motion of Mayor Watson and second from Mayor Pro Tem Castlen.

There has been an increase in illegal activity occurring at night in Smothers Park which has caused damage to park facilities and resulted in the need for greater police presence in the park. In order to promote public safety and reduce the strain on public resources, it is necessary to reduce the hours of operation for Smothers Park to 5:00 a.m. to 12:30 a.m. The amended ordinance also updates the required alcohol beverage server training description. City Manager Pagan stated two (2) changes are being made to the Parks Department ordinance; the first changes the hours since very few events occur overnight and the second relates to the requirement for any person serving alcoholic beverages to have TIPS training. The State no longer offers TIPS training, therefore, the language in the ordinance will become a more general reference following the Kentucky Department of Alcohol Beverage Control.

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

## **8. MUNICIPAL ORDERS**

**8.A.** Municipal Order 19-2023 entitled A MUNICIPAL ORDER AMENDING MUNICIPAL ORDER 12-2023 TO CHANGE THE APPLICATION FOR FUNDS FROM THE PROJECT SAFE NEIGHBORHOODS FUNDING GRANT THROUGH THE U.S. DEPARTMENT OF JUSTICE FROM \$24,095.40 TO THE TOTAL AMOUNT OF \$62,229.80, THE PROCEEDS OF WHICH WILL BE UTILIZED BY THE OWENSBORO POLICE DEPARTMENT TO PURCHASE FIVE (5) OUTDOOR CANON POLE CAMERAS WITH APPLICABLE LICENSING AND DATA CHARGES, A NIKON D7500 CAMERA, AND MOBIFUME SYSTEM, FOR WHICH NO MATCH IS REQUIRED, was read for approval on one reading and unanimously approved by motion of Mayor Watson and a second by Mayor Pro Tem Castlen.

The Board of Commissioners previously approved a Municipal Order an application for a Project Safe Neighborhoods Funding Grant through the U.S. Department of Justice. Additional funding has become available and the Owensboro Police Department desires to purchase five (5) new pole cameras with applicable licensing and data charges, a Nikon D7500 Camera, and a MOBIume system, all of which will further the Department's goal of providing a safer community for all citizens by enhancing the gathering of evidence for effective prosecutions. City Manager Pagan explained that additional funds became available and the City was encouraged to amend the application and request additional funding for additional equipment.

**8.B.** Municipal Order 20-2023 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN APPLICATION FOR A KENTUCKY FIRE COMMISSION GRANT IN THE APPROXIMATE AMOUNT OF \$86,806.00, THE PROCEEDS OF WHICH WILL BE UTILIZED BY THE CITY OF OWENSBORO TO PAY THE COST OF FIRE TRAINING PROPS FOR USE BY THE OWENSBORO FIRE DEPARTMENT; NO MATCH IS REQUIRED BY THE CITY, was read for approval on one reading and unanimously approved by motion of Mayor Watson and a second by Mayor Pro Tem Castlen.

The Owensboro Fire Department (OFD) has a new Training Center under construction and if training props are added, the new Training Center will be able to host Kentucky Fire Commission IFSAC (International Fire Service Accreditation Congress) Testing. The Owensboro Fire Department seeks to file an application for a Kentucky Fire Commission grant in an approximate amount of \$86,806.00 to purchase the necessary training props; no match is required. City Manager Pagan stated the significance of the funding is for localized training, testing and certifications .

## **9. CITY MANAGER ITEMS**

**9.A.** The financial report for the period ending March 31, 2023 was presented by Finance and Support Services Director Angela Waninger. After brief discussion, motion was made by Mayor Watson to file the financial report for audit, second was made by Commissioner Glenn and carried unanimously. Presentation attached.

**9.B.** The following board appointments were unanimously approved by motion of Commissioner Maglinger and a second by Commissioner Glenn:

### **NEW HIRE/PROBATIONARY STATUS:**

- **Connor L. Rutherford** – Probationary, full-time, non-civil service appointment to Laborer/Maintenance Helper with the Public Works Grounds Department, effective May 1, 2023

## **REGULAR STATUS:**

- **Christopher A. Burns** – Regular, full-time, non-civil service appointment to Police Lieutenant with the Police Department, effective April 10, 2023

**9.C.** City Manager Comments – None

**10.** COMMUNICATIONS FROM ELECTED OFFICIALS - None

**11.** OPEN PUBLIC FORUM

Jerry Chapman Chairman for Daviess County Citizens for Decency (2601 Elwood Court)– spoke against the drag shows being held at the GhostLight Lounge; the fiscal responsibility of the Board of Commissioners; and the GhostLight Lounge showing a loss for multiple months. He requested the Board of Commissioners audit the RiverPark Center’s (RPC) books and deduct the GhostLight Lounge’s financial loss from the RPC funding [in the upcoming budget].

Charles Hayden (1751 Pawnee Place) spoke and referenced the widows of the Police & Firefighters’ Pension Fund.

**12.** ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 5:26 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