

**OWENSBORO BOARD OF COMMISSIONERS**  
**Regular Called Meeting**  
**November 21, 2023 4:00 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 Bob Glenn

Commissioner Pam Smith-Wright

Unavailable:

Commissioner Sharon NeSmith

**3. INVOCATION & PLEDGE – Mayor Pro Tem Mark Castlen**

**4. PRESENTATIONS**

**4.A.** Mayor Watson recognized Battalion Chief Richard Peach (20 years) and Driver/Engineer Steve M. Zoglmann (22 years) on their retirement from the Owensboro Fire Department.

**4.B.** The 35<sup>th</sup> official city Christmas card, designed by Aaron Kizer, was unveiled (picture attached).

**4.C.** Dr. Elaine Wright and Michael Vanover presented an update on the Owensboro Sister Cities and Regions (OSCAR) - presentation attached. Dr. Wright announced that OSCAR recently received the *Innovation in Youth & Education Award* and the *Innovation in Humanitarian Assistance Award* (both for city population 100,000-300,000) at the Sister Cities International Annual Awards Program.

**4.D.** Lt. Courtney Yerington presented information on the newly approved training facility (presentation attached). The facility offers a classroom, fitness center, break room, firearms cleaning area, portable training facility and a firearms training area. The Community Room at OPD can also be utilized as an additional classroom. The academy training staff will consist of two (2) full-time instructors (Lt. Yerington and Officer Michael Nichols), as well as sixteen (16) part-time instructors. City Manager Pagan added that the instructors are existing staff members, so there are no new costs. Only Owensboro Police Department recruits will be trained at the facility. Chief Ealum stated that Lt. Yerington

made the same presentation to the Kentucky Law Enforcement Council who then voted to approve the academy. Recruits are required to have twenty (20) weeks of training at a state approved facility. Currently, our candidates travel and stay at the Richmond, KY academy. The local training facility will be a good recruiting tool since officers will no longer be required to travel and be away from family. Other academies include: Kentucky State Police, Department of Criminal Justice, Louisville-Metro, Lexington and Bowling Green.

**4.E.** Jim Mattingly, Garage Manager, presented an overview of Garage operations (attached). The Garage is funded as an Internal Service Fund and they maintain over 1,000 assets, between the City and RWRA.

**4.F.** City Manager Pagan presented the City Projects List (attached).

## **5. BUSINESS**

**5.A.** Minutes dated November 7, 2023 were unanimously approved by motion of Mayor Watson and a second from Mayor Pro Tem Castlen.

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

- **Owensboro Parks and Recreation Advisory Board** – Appoint Paula Hayden to a two-year term effective November 23, 2023

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

**6.A.** Ordinance 25-2023 entitled AN ORDINANCE AMENDING CHAPTER 3, ARTICLE I, SECTION 3-8 OF THE OWENSBORO MUNICIPAL CODE TO EXPAND THE SALE OF ALCOHOLIC BEVERAGES ON CHRISTMAS EVE AND NEW YEAR'S EVE WHEN THOSE HOLIDAYS FALL ON A SUNDAY, FROM 6:00 A.M. UNTIL 2:00 A.M. THE FOLLOWING DAY, was unanimously approved upon motion by Mayor Watson and a second by Mayor Pro Tem Castlen.

Kentucky law prohibits the sale of alcoholic beverages on Sundays unless a local government passes an ordinance expanding the sale of alcoholic beverages in its jurisdiction. Citizens and businesses have requested that the City of Owensboro expand the sale of alcoholic beverages on Christmas Eve and New Year's Eve when those holidays fall on a Sunday, from 6:00 a.m. until 2:00 a.m. the following day. City Manager Pagan explained that the current alcohol ordinance creates hours alcohol can be sold within the City. The ordinance specifies different hours for sales on Sunday and all other days of the week. Monday through Saturday have the same hours for each day, with different hours on Sunday.

A local business asked if the City would expand Sunday hours when Christmas Eve falls on Sunday, as it does this year. We have previously made the same accommodation

when New Year's Eve is on Sunday. Such instances occur infrequently, approximately every six (6) years.

**6.B.** Ordinance 26-2023 entitled AN ORDINANCE CLOSING A PORTION OF GRACIAN STREET, FOUST AVENUE AND A SECTION OF AN ALLEY RIGHT-OF-WAY ADJACENT TO 719 FOUST AVENUE IN THE CITY OF OWENSBORO, KENTUCKY, was unanimously approved upon motion by Mayor Watson and a second by Commissioner Smith-Wright.

Local Property Holdings, LLC has petitioned the City of Owensboro to close a portion of Gracian Street, Foust Avenue and a section of an alley right-of-way adjacent to 719 Foust Avenue. City Manager Pagan stated that the request will close three rights-of-way. We have previously closed other rights-of-way as the owner has acquired other properties in the area.

**6.C.** Ordinance 27-2023 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 2808 WEST PARRISH AVENUE CONTAINING 17.253 ACRES, MORE OR LESS, AT THE REQUEST OF THE T.C. OSBORNE ESTATE, was unanimously approved upon motion by Mayor Watson and a second by Commissioner Glenn.

An ordinance annexing the property located at 2808 West Parrish Avenue, containing 17.253 acres, at the request of the T.C. Osborne Estate. City Manager Pagan added that this is a consensual annexation, meaning the property owner has provided written approval for the annexation. The address is on West Parrish, but most of the street frontage is on Carter Road, behind and beside Lee's Famous Recipe Chicken. The York ditch basin is the southern portion of the property, on about 3.5 acres, but this annexation is for the entire property.

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

**7.A.** Ordinance 28-2023 entitled AN ORDINANCE AFFIRMING AND ADOPTING THE REVISED "GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN FOR OWENSBORO, WHITESVILLE, AND DAVIESS COUNTY", was introduced and publicly read on first reading.

Per statute, the Owensboro Metropolitan Planning Commission (OMPC) is required to prepare a comprehensive plan, including a statement of goals and objectives, which shall serve as a guide for the physical development and economic and social well-being of the City of Owensboro, City of Whitesville, and Daviess County. Statute further requires OMPC to review and either amend or readopt the elements of the comprehensive plan at least once every five (5) years. OMPC met on September 14, 2023, conducted a public hearing and voted unanimously to propose the attached amendments. City Manager Pagan explained that OMPC drafts and administers the community's comprehensive plan

for land use. Melissa Evans, OMPC Associate Director of Planning, provided an overview for the minor ordinance changes. The overall theme was to provide more positive wording in the document. Both the City of Whitesville and Daviess County Fiscal Court have previously approved the changes.

**7.B.** Ordinance 29-2023 entitled AN ORDINANCE REVISING THE CITY OF OWENSBORO EMPLOYEE HANDBOOK CHAPTER 1000, SUBCHAPTER 1004, PAY CHART ENTITLED "FULL-TIME PAY GRADES" THEREBY ADDING THE POSITION OF "INFORMATION TECHNOLOGY PROJECT AND SUPPORT MANAGER", was introduced and publicly read on first reading.

The ordinance amends Chapter 1000, Subchapter 1004 in the Pay Chart entitled "Full-Time Pay Grades" and the associated organization chart to add the position of "Information Technology Project and Support Manager". City Manager Pagan explained the ordinance creates the new position, however, it does not increase the number of current employees. An existing employee will transition into the new position because it better describes the tasks or role the employee is currently performing. Because this is an existing employee moving to a new title, there is no cost increase of financial implication for this change.

## **8. MUNICIPAL ORDERS**

**8.A.** Municipal Order 44-2023 entitled A MUNICIPAL ORDER REPEALING IN ITS ENTIRETY MUNICIPAL ORDER 41-2023 AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN UPDATED MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF OWENSBORO, DAVIESS COUNTY FISCAL COURT AND DANIEL PITINO SHELTER PROVIDING FOR THE COST OF ADDITIONAL STAFFING, LIABILITY INSURANCE, AND BUS TICKETS TO THE SHELTER DURING WHITE FLAG EVENTS OCCURING DURING THE WINTER OF 2023-2024, was unanimously approved by motion of Mayor Watson and a second by Commissioner Smith-Wright.

On November 7, 2023, the City entered into a Memorandum of Agreement (MOA) for the winters of 2023-2024, 2024-2025 and 2025-2026 to provide funding to Daniel Pitino Shelter (Pitino Shelter) for White Flag Events in Owensboro which occur when the National Weather Service forecasts any temperature or wind chill at or below 15 degrees Fahrenheit during the overnight period from 4:00 p.m. to 6:00 a.m.. Since that date, the City and County have agreed to amend the MOA for White Flag Events which occur when the National Weather Service forecasts any temperature or wind chill at or below 32 degrees Fahrenheit during the overnight period from 4:00 p.m. to 6:00 a.m. This order reflects the updated MOA. City Manager Pagan stated at the last meeting, there was healthy discussion about White Flag events, specifically the temperature at which the shelter should open. Although an agreement was approved to provide White Flag events in the interim, it was clear the Board of Commissioners desired to evaluate the temperature at which the shelter is activated. After the last meeting, the Homeless Coalition of the Ohio Valley met and considered the issue, and they recommended changing to 32 degrees as the temperate or wind chill at which White Flag events should

be triggered. After the Homeless Coalition recommendation, both the City and County are agreeable to their recommendation. The agreement is for this season, or through March 31, 2024, to review data from this season. Other than the temperature, all aspects of the updated agreement are the same as previously approved, therefore, no change to the cost-sharing and responsibilities between the City and County.

## **9. CITY MANAGER ITEMS**

**9.A.** The Financial Report for the period ending October 31, 2023 was presented by Angela Waninger, Finance and Support Services Director (attached). Motion was made by Mayor Watson to file the report for audit; second was made by Mayor Pro Tem Castlen and carried unanimously.

**9.B.** The following personnel appointments were unanimously approved by motion of Commissioner Smith-Wright and second by Mayor Pro Tem Castlen:

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

- **Jackson T. Goetz** – Probationary, full-time, non-civil service appointment to Assistant City Engineer with the Public Works Engineering Department, effective December 4, 2023
- **James L. Knotts** – Probationary, full-time, non-civil service appointment to Bus Driver with the Public Works Transit Department, effective December 4, 2023

**9.C.** City Manager Comments – None

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

Members of the Commission discussed the events they recently attended.

Mayor Pro Tem Castlen congratulated the Owensboro-Daviess County Convention and Visitor's Bureau on their recent awards.

## **11. OPEN PUBLIC FORUM**

Andy Gamblin (2920 Yale Place) spoke against the expansion of alcohol sales.

David Norris (2658 Strawbridge Place and Vice-Chair of the Seven Hills Neighborhood Alliance) spoke about the traffic issues occurring on his street. He mentioned the numerous accidents that occur and the numerous times his vehicles have been hit while parked on Strawbridge Place. Mr. Norris attributes the majority of the accidents to the large "dip" in the street and requested someone examine the area to determine why it is there and if it can be removed. He further mentioned a sink hole that has developed between he and his neighbor and street flooding.

## 12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 5:10 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