

OWENSBORO BOARD OF COMMISSIONERS

Regular Meeting

September 2, 2025 | 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 Bob Glenn

Commissioner Jeff Sanford

Commissioner Curtis Maglinger

Commissioner Sharon NeSmith

3. INVOCATION & PLEDGE - Commissioner Jeff Sanford

4. PRESENTATIONS

4.A. Battalion Chief Steve Leonard was recognized as he retires from the Owensboro Fire Department effective August 31, 2025, having served 42 years.

4.B. Mayor Watson presented a “National Recovery Month” proclamation to Dr. RonSonlyn Clark and Chris Seaton with Rooted Recovery.

4.C. Mayor Watson presented the “National Senior Center Month” proclamation to David Tucker, Executive Director of Senior Community Center of Owensboro-Daviess County.

5. BUSINESS

5.A. Minutes dated August 19, 2025 were unanimously approved by motion of Mayor Watson and a second from Mayor Pro Tem Glenn.

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

- **Owensboro Riverport Authority Board of Directors** – Reappoint Rod Kuegel to a four-year term effective September 10, 2025
- **Owensboro Health Board of Directors** – Appoint John Marshall Moore to a three-year term effective November 1, 2025

6. ORDINANCES – 2nd READING

6.A. Ordinance 12-2025 entitled AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2025 AND ENDING JUNE 30, 2026, AND AMENDING ORDINANCE 6-2025 TO RECEIVE AND APPROPRIATE FUNDS FROM RIVERCITY PICKLEBALL, AND TO APPROPRIATE FUNDS FOR A LAND PURCHASE was unanimously approved on second reading by a roll call vote. Motion was made by Mayor Watson and seconded by Commissioner Sanford.

Budget amendment to receive and appropriate funds from Rivercity Pickleball, and to appropriate funds for a land purchase. City Manager Pagan explained the budget amendment has two (2) components: one (1) is to appropriate funds for the purchase of the Massie property previously approved. As a purchase from the economic development fund, there will be no impact on the general fund.

The second component of the budget amendment is to incorporate the donation from the Rivercity Pickleball Club. The agreement with the club requires them to contribute \$500,000 to the project. As construction is nearing, the added revenue is needed to offset expenses after construction begins.

6.B. Ordinance 13-2025 entitled AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON CERTAIN CATEGORIES OF GROUP HOUSING AND FACILITIES IN OWENSBORO was unanimously approved on second reading by a roll call vote. Motion was made by Commissioner Sanford and seconded by Mayor Pro Tem Glenn.

The City of Owensboro Board of Commissioners has received public input expressing concern over the location of certain categories of group housing and other facilities within the city limits and desires to obtain data related to these types of group housing and facilities to determine the accuracy of public input. The Board of Commissioners desires the Owensboro Metropolitan Planning Commission to review the zoning ordinance to determine whether changes are needed to address the concerns raised by citizens. The Board of Commissioners believes it is appropriate to pause applications with regard to these categories of group housing and facilities while the Planning Commission conducts its review.

7. ORDINANCES - 1st READING

7.A. Ordinance 14-2025 entitled AN ORDINANCE APPROVING AND ADOPTING TEXT AMENDMENTS TO THE OWENSBORO METROPOLITAN ZONING ORDINANCE FOR THE CITIES OF OWENSBORO AND WHITESVILLE, AND DAVIESS COUNTY, REGARDING REVISIONS TO ARTICLE 8-SCHEDULE OF ZONES, SPECIFICALLY REGARDING SHOPS OF SPECIAL TRADE AND GENERAL CONTRACTORS, was introduced and publicly read on first reading.

The Owensboro Metropolitan Planning Commission met in regular session on August 14, 2025, and approved proposed amendments to the text of the Zoning Ordinance for the

cities of Owensboro and Whitesville, and Daviess County regarding revisions to Article 8. The amendments relate to shops of special trade and general contractors. Brian Howard, Executive Director of the Owensboro Metropolitan Planning Commission (OMPC), explained that currently general contractors and shops of special trade, i.e., plumbing, electrical, etc., are only permitted in the industrial zones. The Home Builders Association brought the proposal to OMPC for consideration. Through a conditional use permit, an application (neighbors will be notified) for the contractor type shop could be permitted in the B-3 and B-4 zones. It allows more zones in the community where the shops could potentially open or relocate their business, while allowing protection of the neighbors.

7.B. Ordinance 15-2025 entitled AN ORDINANCE AMENDING CHAPTER 4, ARTICLE I, SECTION 4-2 OF THE OWENSBORO MUNICIPAL CODE; AND FURTHER CREATING A NEW SECTION IN CHAPTER 4, ARTICLE I FOR THE KEEPING OF CHICKENS WITHIN THE CORPORATE BOUNDARIES OF THE CITY; AND FURTHER PROVIDING FOR REQUIREMENTS AND RESTRICTIONS FOR THE KEEPING OF CHICKENS WITHIN THE CITY; AND FURTHER PROVIDING FOR A PERMIT AND FOR PENALTIES FOR VIOLATION OF CHAPTER 4, ARTICLE I, was introduced and publicly read on first reading.

The number of cities in this Commonwealth permitting the keeping of chickens within city limits for production of fresh eggs for human consumption and health benefits is increasing and some residents of the City of Owensboro have requested that they be permitted to keep chickens for the production of fresh eggs. The City wishes to permit the keeping of chickens but also enact humane requirements and restrictions that protect the rights of neighboring residents from nuisances that may be caused by the keeping of chickens.

City Manager Pagan explained the current ordinance prohibits keeping chickens in the city. This amendment responds to requests from residents who would like to keep a small number of chickens for personal use—primarily for fresh eggs—similar to what many other cities in Kentucky already allow. The proposed ordinance includes clear limits and safeguards to ensure that chickens can be kept responsibly without creating nuisances for neighbors, with the following restrictions in the ordinance:

- Up to six female chickens may be kept; no roosters or other fowl are allowed.
- Chickens must be kept and remain only in the backyard of single-family homes in areas zoned for that use; they cannot be kept at apartments, multi-family residences, or businesses.
- Chickens must be kept in secure, covered, predator-proof coops that are sanitary, ventilated, and provide at least three-square feet per chicken.
- Coops must be at least 10 feet from property lines and 40 feet from a neighbor's house or business.
- Chicken feed must be stored in rodent- and predator-proof containers.
- A \$25 annual permit is required, and permits can be revoked if the standards are not followed.

Enforcement will be handled through the Property Maintenance Department, consistent with how other code violations are addressed. Any deed restrictions or neighborhood covenants prohibiting chickens would remain in effect.

7.C. Ordinance 16-2025 entitled AN ORDINANCE LEVYING AD VALOREM TAXES FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR COMMENCING JULY 1, 2025, AND ENDING JUNE 30, 2026, AT THE RATE OF 25.60 CENTS PER \$100 OF ASSESSED VALUATION OF REAL PROPERTY, 30.91 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 introduced and publicly read on first reading.

The Board of Commissioners has heretofore determined that a tax rate of 25.60 cents per \$100 of assessed valuation of real property and a tax rate of 30.91 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, 2025 and ending June 30, 2026. City Manager Pagan stated this ordinance sets three different property tax rates for the year. The largest by revenue and most well-known is the tax on real property, or real estate. The rates include a decrease in the real estate rate from last year, reducing the rate to 25.60 cents per \$100 of valuation, down from a rate of 26.10. There are no proposed changes to the vehicle rate, remaining at 30.30 cents per \$100, the same rate it's been for many years. The personal property is set at a rate of 30.91 cents per \$100 last year; 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. Angela Waninger, Director of Finance and Support Services, added that the current rates are the lowest they have been in the past fifteen (15) years.

7.D. Ordinance 17-2025 entitled AN ORDINANCE AMENDING THE OWENSBORO MUNICIPAL CODE AS IT RELATES TO PROPERTY MAINTENANCE CODE ENFORCEMENT; AMENDING CHAPTER 2, ARTICLE III, SECTION 2-102 TO CORRECT AN ORDINANCE REFERENCE; AMENDING CHAPTER 5, ARTICLE IV, SECTION 5-137 TO EXPAND AND CLARIFY STANDARDS AND VIOLATIONS; AMENDING SECTION 5-163 TO UPDATE PENALTIES; AND AMENDING VARIOUS OTHER SECTIONS OF THE PROPERTY MAINTENANCE CODE ORDINANCE TO MAKE CORRECTIONS AND REVISIONS TO REFERENCES, was introduced and publicly read on first reading.

The Public Works Department has indicated that there is a need to establish additional property maintenance standards for undeveloped property and for incomplete construction projects. The Board of Commissioners desires to amend the Property Maintenance Code Enforcement Ordinance to ensure that undeveloped property and property containing incomplete construction projects are properly maintained and various other amendments are needed to improve legibility and ensure that references are correct. City Manager Pagan explained there are two (2) primary changes. The first is

the addition of mowing standards for undeveloped property. In the past, property owners were requested to mow such properties at least three (3) times a year, but it was not required by ordinance. The amendment establishes that undeveloped parcels of two (2) acres or more must be mowed at least once before the end of May, once from June to August, and again after September 1, ensuring a minimum of three (3) mowings each season.

The other substantive amendment adds a new section regarding incomplete projects. The ordinance will require construction to be consistent and sustained until a project is completed. If work stops for 120 days on a residential project or 180 days on a commercial project, staff may designate the project as incomplete. Once a project has been deemed incomplete, citations may be issued through the existing Property Maintenance Code Enforcement Board, consistent with how other ordinance violations are enforced. The other amendments to the ordinance are just clean-up in nature.

8. CITY MANAGER ITEMS

8.A. The following personnel appointments were unanimously approved by motion of Mayor Watson and a second by Mayor Pro Tem Glenn:

NEW HIRE:

- **Dustin T. Beck** – Probationary, full-time, non-civil service appointment to Recreation Supervisor with the Parks and Recreation Department, effective September 8, 2025
- **Linda N. Canales** – Probationary, full-time, non-civil service appointment to Telecommunicator with the Police Department, effective September 22, 2025
- **Stephanie A. Stephenson** – Probationary, full-time, non-civil service appointment to Telecommunicator with the Police Department, effective September 22, 2025

REGULAR STATUS:

- **Robert K. Ford** – Regular, full-time, non-civil service appointment to Bus Driver with the Public Works Transit Department, effective September 3, 2025
- **Griffin A. Smith** – Regular, full-time, non-civil service appointment to Road Worker with the Public Works Street Department, effective September 3, 2025
- **Jonathan W. Cook** – Regular, full-time, non-civil service appointment to Crew Leader with the Public Works Grounds Department, effective September 8, 2025
- **Robert J. Owen** – Regular, full-time, non-civil service appointment to Systems Analyst/Programmer with the Information Technology Department, effective September 9, 2025

8.B. City Manager Comments – None

9. COMMUNICATIONS FROM ELECTED OFFICIALS

Members of the Commission discussed the events they recently attended.

Mayor Watson recognized Owensboro High School senior Savannah Bellamy and Owensboro Innovation Academy senior John Bland for both achieving a composite score of 36 on the ACT test. He also added that Senator McConnell has acquired \$6 Million from the rescission account for childcare in Owensboro.

10. OPEN PUBLIC FORUM

Steve Norton, Phil Clark and Linda Clark (business owners, property owners and residents of downtown) discussed the dangers they are seeing in the downtown parking garage. They included drug activity, racing, kids hanging from the rooftop, trash, elevator being out of order, etc. They asked for more police presence and cameras to help deter the activity.

11. There being no further business to discuss, a motion was made by Mayor Watson to adjourn the meeting at 5:54 pm, Commissioner Sanford seconded the motion and it carried unanimously.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk