

OWENSBORO BOARD OF COMMISSIONERS
Regular Meeting
September 16, 2025 | 4:00 PM
Owensboro City Hall & Via Video Teleconference
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 (via video teleconference)

3. INVOCATION & PLEDGE - Commissioner Curtis Maglinger

4. PRESENTATIONS

4.A. Police Officer Ben Campbell was recognized as he retires from the Owensboro Police Department effective September 30, 2025, having served 20 years.

4.B. Mayor Watson presented a “TEN-4 Day” proclamation to Rosemary Conder, Board of Trustees for Kentucky Youth Advocates and Alondra Johnson, Executive Director of CASA of Ohio Valley.

4.C. Mayor Watson presented the “National Suicide Prevention Month” proclamation to Dr. Wanda Figueroa-Peralta, President and CEO of RiverValley Behavioral Health. Other leadership members in attendance were Dr. Lionel Phelps, Cate Gaddis, and Dale Taylor.

4.D. Angela Waninger, Director of Finance and Support Services, presented the 2025-2026 OBKY Budget Report in summary (presentation attached).

4.E. Paul Nave, Central Dispatch Director, gave a presentation and explanation of the Computer-Aided Dispatch System – 911 (presentation attached).

4.F. The City Project List was distributed.

5. BUSINESS

5.A. Minutes dated September 2, 2025 were unanimously approved by motion of Mayor Watson and a second from Commissioner Sanford.

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

- **Dugan Best Neighborhood Alliance** – Reappoint Charles Hatchett, Bobby McCormick, and Cecil Phillips to a two-year term effective September 26, 2025

6. ORDINANCES – 2nd READING

6.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 unanimously approved on second reading by a roll call vote. Motion was made by Mayor Watson and seconded by Mayor Pro Tem Glenn.

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.

6.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 approved 3-2 on second reading by a roll call vote (Watson, Sanford and Glenn voted “Yes”; Maglinger and NeSmith voted “No”). Motion was made by Mayor Watson and seconded by Mayor Pro Tem Glenn.

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.

Any deed restrictions or neighborhood covenants prohibiting chickens would remain in effect.

The following spoke in favor of the ordinance:

David Eades – 4590 Pleasant Valley Road, Philpot
 Lindsey Thomas – Philpot
 Shelby Eades – 3507 Hawthorne
 Diana Friend – 316 Hale Ave
 Andy Gamblin – 2920 Yale Place

Michael Hamlet – 6160 Sutter Loop W asked why there is a \$25 permit.

John Kazlauskas – 2421 St. Ann spoke against the ordinance.

6.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 unanimously approved on second reading by a roll call vote. Motion was made by Mayor Watson and seconded by Commissioner Sanford.

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.

6.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 unanimously approved on second reading by a roll call vote. Motion was made by Mayor Watson and seconded by Mayor Pro Tem Glenn.

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.

7. MUNICIPAL ORDERS

7.A. Municipal Order 20-2025 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE ACQUISITION OF PROPERTY LOCATED AT 3001 HIGHWAY 54; DECLARING THE PROPERTY AS SURPLUS; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE A DEED TRANSFERRING THE PROPERTY IN ACCORDANCE WITH KRS 82.083 TO 54 GRAND LLC, was unanimously approved on one reading with motion by Mayor Watson and a second by Commissioner Sanford.

The Commonwealth of Kentucky has agreed to sell property located at 3001 Highway 54 in Owensboro, Daviess County, Kentucky to the City of Owensboro. The structures located on the property are dilapidated and the property is in need of redevelopment. The City of Owensboro seeks to acquire said property so that it can ensure that the structures located on the property will be timely demolished and the property will be redeveloped. The City desires to declare the property as surplus property so that it can be transferred in accordance with KRS 82.083. City Manager Pagan explained that this Order approves the purchase and subsequent sale of the property at 3001 Highway 54, the former state juvenile justice location beside Walmart. The site has been vacant for several years, has become overgrown, and now presents a negative image for this corridor. Because it has remained vacant, the property has attracted issues such as vandalism, property crimes, and vagrancy, requiring frequent responses from city public safety resources.

Representative DJ Johnson was concerned about the site and urged the State to address it. As a result, the State began the process of selling the property. Under that process, other public agencies had the first opportunity to purchase the site. After careful consideration, the City is acquiring it to ensure public safety concerns and community appearance are addressed, and to facilitate redevelopment.

The property will be sold to 54 Grand LLC, a local company. This group was approached because its principals previously submitted the best bid when the State tried to sell the property several years ago. The buyers have agreed to demolish the dilapidated structures within six (6) months of acquiring the site. In addition, the principals of 54 Grand LLC, led development of Heartland Crossings — the large commercial project where Menards, Meijer, and many other tenants are located. Their proven success and experience with Heartland Crossings make them a strong partner to redevelop the site.

This redevelopment will eliminate a long-standing blight, reduce the burden on public safety resources, and return a prominent property to productive community use.

7.B. Municipal Order 21-2025 entitled A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH 54 GRAND LLC PROVIDING THAT THE CITY SHALL REIMBURSE 54 GRAND LLC SEVENTY-FIVE PERCENT (75%) OF THE TOTAL AD VALOREM (EXCLUDING SCHOOL TAX), GENERAL FUND NET PROFITS, AND GENERAL FUND OCCUPATIONAL TAX REVENUES DERIVED FROM PROPERTY LOCATED AT 3001 HIGHWAY 54 CONTAINING 14.183 ACRES, MORE OR LESS, OVER A DESIGNATED PERIOD OF AT LEAST FIVE (5) YEARS, was unanimously approved on one reading with motion by Mayor Watson and a second by Commissioner Sanford.

54 Grand LLC will acquire real property consisting of 14.183 acres, more or less, located at 3001 Highway 54 ("Property") and they intend to develop the Property for commercial purposes, which will have substantial benefit to the citizens of Owensboro. The City desires to provide an incentive for 54 Grand LLC to commercially develop the Property. City Manager Pagan added that this Order approves the incentive agreement with 54 Grand LLC at the former state juvenile justice site. It is a standard incentive package, with

a 75% general fund occupational and property tax rebate for five (5) years. If investment at the site exceeds \$50 million, the incentive extends for three (3) additional years.

8. CITY MANAGER ITEMS

8.A. The following personnel appointments were unanimously approved by motion of Mayor Watson and a second by Commissioner Sanford:

PROBATIONARY STATUS, FULL-TIME, NON-CIVIL SERVICE APPOINTMENT:

- **Teresa M. Jarrett** – Bus Driver/Dispatcher with the Public Works Transit Department, effective September 21, 2025

REGULAR STATUS, FULL-TIME, NON-CIVIL SERVICE APPOINTMENTS:

- **Ryan C. Black** – Firefighter with the Fire Department, effective September 18, 2025
- **Whitney M. McFarland** – Purchasing Specialist with the Finance Department, effective September 22, 2025

8.B. City Manager Comments – Tim Ross, Public Events Director, gave a brief presentation on the upcoming “Illuminate” event (attached).

9. COMMUNICATIONS FROM ELECTED OFFICIALS

Members of the Commission discussed the events they recently attended.

Commissioner Sanford explained the reasoning for purchasing the blighted property from the State.

10. OPEN PUBLIC FORUM

Andy Gamblin (2920 Yale Place) stated he is in opposition to the expansion of The District’s hours and certain books in the children’s section of the public library. Mayor Watson responded that the library is in the prevue of Daviess County Fiscal Court.

Michael Hamlet (6160 Sutter Loop W) stated that most tax dollars are going to the library and school systems. He would prefer they fund his interests. He also mentioned creating a phone app where litter around the city can be flagged and volunteers pick it up (with small incentives).

11. There being no further business to discuss, the meeting adjourned by acclamation at 5:42 pm.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk