

AGENDA

OWENSBORO BOARD OF COMMISSIONERS

July 5, 2005

5:00 p.m.

INVOCATION/PLEDGE - Commissioner Jim Glenn

PROCLAMATION:

July 11-15 - "BellSouth Operator Services Employee
Appreciation Week"

PRESENTATION:

Chris Hart, National Flood Insurance Program Coordinator,
KY Division of Water - Floodplain Management Section
(Community Rating System [CRS] of "8")

SERVICE RECOGNITIONS:

- Terry Gabbert, Lieutenant, Police Department - 20 years
- Francis Hayden, Jr., Captain, Police Department - 20 years
- Dane Holder, Police Officer, Police Department - 20 years
- Kenneth McKenzie, Police Officer, Police Department - 20 years
- Edward Miller, Sergeant, Police Department - 20 years
- James Saddler, Police Officer, Police Department - 20 years
- Mark Saffran, Sergeant, Police Department - 20 years

1. Consider approval of minutes of June 21, 2005

2. REPORT:

Richard Payne, Daviess County Emergency Management Director
(National Incident Management System [NIMS])

ORDINANCES - 2nd reading

3. CONSIDER ON 2ND READING ORDINANCE NO. 27-2005, CLOSING A
PORTION OF A 15-FOOT WIDE ALLEY LOCATED BETWEEN 825 AND
1001 WEST 11TH STREET

BACKGROUND: Dahl and Groezinger is seeking to close a
portion of a 15-foot wide alley lying between West 11th
Street and West 10th Street, being that portion running
immediately north of West 11th Street for a distance of
138 feet to the south margin of a 10-foot wide public alley.
Dahl and Groezinger owns all the property immediately

adjacent to the portion to be closed and no objections were noted to the closing. However, RWRA, Atmos, and Adelpia have existing facilities in said right-of-way. If closed, a 12-foot public utilities easement shall be retained with 10-foot wide gates at both ends of the proposed closure.

RECOMMENDATION: Adopt Ordinance No. 27-2005.

4. CONSIDER ON 2ND READING ORDINANCE NO. 28-2005, ANNEXING 3050 FAIRVIEW DRIVE - 6.553 ACRES

BACKGROUND: This property is zoned P-1 Professional Service. Security bond for public improvements will be posted as a requirement of Development Plan approval. The annexation incentive agreement related to this development is Item No. 8 on the agenda.

RECOMMENDATION: Adopt Ordinance No. 28-2005.

5. CONSIDER ON 2ND READING ORDINANCE NO. 29-2005, ANNEXING 1650 STARLITE DRIVE - 2.660 ACRES

BACKGROUND: This proposed annexation is one commercial lot with no public improvements. This lot is zoned B-4 General Business. There is no annexation incentive agreement related to this development.

RECOMMENDATION: Adopt Ordinance No. 29-2005.

6. CONSIDER ON 2ND READING ORDINANCE NO. 30-2005, CLOSING A SECTION OF A 10-FOOT WIDE ALLEY BETWEEN 1405/1409 BENTON AVENUE AND 1404/1406 WASHINGTON AVENUE, FOR A DISTANCE OF 187.71 FEET

BACKGROUND: B. Ray Westerfield has petitioned the City to close a section of an alley related to his property. All property owners immediately adjacent to the portion sought to be closed have previously given written, notarized consent to the closing. No objections were noted to the closing.

RECOMMENDATION: Adopt Ordinance No. 30-2005.

ORDINANCE - 1ST reading

7. CONSIDER ON 1ST READING ORDINANCE NO. 31-2005, CLOSING A PORTION OF AN 18-FOOT ALLEY RUNNING EAST/WEST ALONG THE REAR OF 1428 WEST 2ND STREET

BACKGROUND: Mr. Harry Pavlas has petitioned the City to close a portion of an alley related to his property. All property owners immediately adjacent to the portion sought to be closed have previously given written, notarized consent to the closing. No objections were noted to the closing and no easements were required.

RECOMMENDATION: Introduce and publicly read ordinance on first reading.

MUNICIPAL ORDER - one reading

8. **CONSIDER MUNICIPAL ORDER NO. 13-2005, AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH GULFSTREAM DEVELOPMENT, LLC, PROVIDING FOR THE CONSENSUAL ANNEXATION OF 6.553 ACRES TO BE KNOWN AS WOODLANDS PROFESSIONAL CENTER, IN EXCHANGE FOR REIMBURSEMENT OF THE COST OF CERTAIN PUBLIC FACILITIES DEDICATED TO PUBLIC USE OVER A FIVE-YEAR PERIOD**

BACKGROUND: Gulfstream Development, LLC, is the owner of a 6.553 acre tract of property which will be developed and known as Woodlands Professional Center and located at 3050 Fairview Drive in Daviess County, Kentucky. Gulfstream has submitted an application to OMPC to have the subject property rezoned from I-2 Heavy Industrial to P-1 Professional Service and has submitted to OMPC a conceptual drawing showing the placement and design of the office buildings on the tract of land. A final development plan will be prepared and submitted subsequent to the rezoning of the property. As an inducement to Gulfstream Development to consensually annex the subject 6.553 acres, this agreement requires the City to reimburse it for the actual cost of construction of various defined public facilities dedicated to public use within the annexed development, in an amount not to exceed the total ad valorem (excluding school tax) tax revenues derived from annexed property over a 5-year period, commencing on January 1, 2008, or upon receipt of a written request for same by Gulfstream Development to the City of Owensboro, whichever occurs first.

RECOMMENDATION: Adopt Municipal Order No. 13-2005.

9. **City Manager's items:**

- A. **Consider the regular full-time Civil Service appointments of Corey Clark and Melody Lanham to Recreation Supervisor, Parks & Recreation Department, effective July 12.**
- B. **Consider the retirement resignation of Mark Smith, Lieutenant, Police Department, effective June 30, after 20 years of service.**
- C. **City Manager's comments.**

10. **OPEN PUBLIC FORUM**

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| <p>Members of the audience are invited to address the City Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Clerk's record, and limit their remarks to under five (5) minutes. As an unagendized item, no response is required from City staff or the Commission, and no action can be taken; however, the Commission may instruct the City Manager to agendize the item for a future meeting.</p> |
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11. COMMUNICATIONS FROM ELECTED OFFICIALS

The elected officials will answer questions previously received from the general public and they will announce special events or activities of public interest occurring within the City.

12. Adjournment