

AGENDA

OWENSBORO BOARD OF COMMISSIONERS

July 19, 2005
5:00 p.m.

INVOCATION/PLEDGE - Commissioner Ron Payne

1. Consider approval of minutes of July 5 & 11, 2005
2. Consider appointments

ORDINANCE - 2nd reading

3. CONSIDER ON 2ND 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: Adopt Ordinance No. 31-2005.

ORDINANCES - 1st reading

4. CONSIDER ON 1ST READING ORDINANCE NO. 32-2005, REZONING PROPERTY AT 3830 BROADLEAF COURT

BACKGROUND: James & Betty Hagman are seeking a zoning classification amendment from R-3MF Multi-Family Residential to R-1C Single-Family Residential for a 0.327 acre tract of land located at 3830 Broadleaf Court. The dwelling unit on this property has always been used as a single-family residence. It appears that all the residences located on Broadleaf Court are used as single-family residences as well as the adjoining properties on Raintree Drive. By a vote of 10-0, the Owensboro Metropolitan Planning Commission has recommended that the proposed zoning classification amendment be approved in that the existing R-3MF Multi-Family Residential zoning classification is inappropriate and the proposed R-1C Single-Family Residential zoning classification is appropriate.

RECOMMENDATION: Introduce and publicly read ordinance on first reading.

5. **CONSIDER ON 1ST READING ORDINANCE NO. 33-2005, REZONING PROPERTY AT 1844 WILLIS AVENUE AND 1919 & 1925 JAMES DAVID COURT**

BACKGROUND: David and Joyce Simpson are seeking a zoning classification amendment from R-4DT Inner-City Residential to B-4 General Business for a 0.319 acre tract of land located at 1844 Willis Avenue and 1919 & 1925 James David Court. This amendment is an extension of an existing B-4 zone to the west and south of the properties. Properties in this area are changing from residential to business uses. The applicant is proposing to use the property to construct an office for a sign company. By a vote of 9-0, the Owensboro Metropolitan Planning Commission has recommended that the proposed zoning classification amendment be approved in that the proposal is in compliance with the adopted Comprehensive Plan.

RECOMMENDATION: Introduce and publicly read ordinance on first reading.

6. **CONSIDER ON 1ST READING ORDINANCE NO. 34-2005, REZONING PROPERTY AT 902 WEST 2ND STREET**

BACKGROUND: Bradley Hutchins is seeking a zoning classification amendment from B-4 General Business to R-4DT Inner-City Residential for a 0.122 acre tract of land located at 902 West 2nd Street. The subject property is partially located in a Central Residential Plan Area, where urban mid-density uses are appropriate in general locations and partially located in a Business Plan Area, where urban mid-density uses are appropriate in limited locations. Also, it is located in a block that has had a trend to residential use beginning in 1992. Sanitary sewer is currently available and the proposed residential use will be required to tie into the sanitary sewer system. By a vote of 9-0, the Owensboro Metropolitan Planning Commission has recommended that the proposed zoning classification amendment be approved in that the proposal is in compliance with the adopted Comprehensive Plan.

RECOMMENDATION: Introduce and publicly read ordinance on first reading.

MUNICIPAL ORDER - one reading

7. **CONSIDER MUNICIPAL ORDER NO. 14-2005, APPROVING PARTICIPATION BY THE CITY IN A REGIONAL WEAPONS OF MASS DESTRUCTION/HAZARDOUS MATERIALS RESPONSE TEAM, AUTHORIZING THE MAYOR TO EXECUTE A STRATEGIC PLAN, AN AGREEMENT FOR RESPONSE EQUIPMENT AND AN AGREEMENT FOR A PRIME MOVER, AND APPROVING THE APPOINTMENT OF THE FIRE CHIEF TO THE BOARD OF DIRECTORS**

BACKGROUND: Legislators have finally heard what those in emergency services have said for years...as a whole; our nation's responders are woefully unprepared to respond to incidents involving Weapons of Mass Destruction and Hazardous

Materials. As a remedy, Kentucky has developed fourteen regional WMD/HazMat response teams to provide necessary equipment to supplement local emergency responders. The Area 3 WMD/HazMat Response Team (Task Force 3) was formed as a 501(c) corporation to meet the needs of the GRADD region. As a regional team, the board of directors is comprised of an appointee of each of the seven GRADD county fiscal courts and one appointee from the Green River Area Development District, Green River Firefighter's Association, Green River District Health, and the City of Henderson. (Upon acknowledgement of the Task Force 3 Strategic Plan, the City of Owensboro expects voting representation.) Additionally, non-voting members include Kentucky Emergency Management, Kentucky State Fire/Rescue Training, Kentucky Fire Marshal's Office, and the Kentucky Division of Natural Resources. To date, Task Force 3 has received over \$1 million in grants, resulting in the deployment of seven well-equipped response trailers, two advanced WMD/HazMat and Search and Rescue response trailers, and tow vehicles. Host agencies are expected to maintain and insure these vehicles and, if personnel allows, provide for their deployment in event of official Task Force 3 activation. The operating guidelines of Task Force 3 and other emergency management assistance compacts also provide a cost recovery mechanism that should leave host agencies with little, if any financial burden. The GRADD region and the City of Owensboro will soon benefit from the deployment of Task Force 3 resources. By housing equipment and agreeing to direct participation in Task Force 3, the City of Owensboro will receive the residual benefit of the immediate availability to local responders of over \$200,000 worth of equipment that would be an otherwise fiscal impossibility. It is, therefore, recommended that the City of Owensboro authorize the Mayor to complete any documents relating to cooperation with Task Force 3, including: Acknowledgement of the Task Force 3 Strategic agreement; appointing a member of the Owensboro Fire Department to the Task Force 3 Board of Directors; and agreeing to house, maintain, and insure Task Force 3 equipment, trailers, and tow vehicles.

RECOMMENDATION: Adopt Municipal Order No. 14-2005.

8. City Manager's items:

A. Consider the retirement resignations of Richard Smith, Captain, Fire Department, effective July 31, after 20 years of service; Randy Adams, Assistant Fire Chief, Fire Department, effective July 31, after 31 years of service; Gordon Hagan, Crew Leader, Street Department, effective July 31, after 28 years of service; Michael Taylor, Street Maintenance/Equipment Worker, Street Department, effective July 31, after 26 years of service; Diann Cecil, Secretary, Police Department, effective August 1, after 25 years of service; and James Saddler, Police Officer, Police Department, effective August 1, after 20 years of service.

B. City Manager's comments.

9. OPEN PUBLIC FORUM

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.

10. 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.

11. Adjournment