

AGENDA

OWENSBORO BOARD OF COMMISSIONERS

August 16, 2005
5:00 p.m.

INVOCATION/PLEDGE - Mayor Tom Watson

RECOGNIZE:

- Owensboro Catholic Lady Aces State Champions
(Mayor's Award of Distinction)
- Earl and Rose Hayden
(Parents of Tommy, Nicky & Roger Hayden)

PRESENTATION:

The Leib Group
(Arena & Baseball Stadium Feasibility Studies)

AWARDS:

- Certificate of Achievement for Excellence in
Financial Reporting (J.T. Fulkerson, Finance Director)
- Hometown Video Festival 2005 Winner
(Harvey Sopher, Information Services Director)

SERVICE RECOGNITIONS:

- Cynthia Bruner, Lead Telecommunicator, Police
Department - 10 years
- Harvey Sopher, Director, Information Services Department
- 25 years

1. Consider approval of minutes of August 2 & 8, 2005
2. Consider appointments

ORDINANCES - 1st reading

3. **CONSIDER ON 1ST READING ORDINANCE NO. 35-2005, ANNEXING PROPERTY KNOWN AS WOODLANDS PLAZA DEVELOPMENT/RALPH AVENUE, AND A PORTION OF KY HIGHWAY 54 RIGHT-OF-WAY**

BACKGROUND: The proposed annexation for Woodlands Plaza Development/Ralph Avenue consists of 6.675 acres and the portion of KY Hwy. 54 right-of-way consists of 1.178 acres, for a total of 7.853 acres. Security bond for public improvements related to this development will be posted as a requirement of the final plat approval. An annexation incentive agreement will be considered at the next Commission Meeting.

RECOMMENDATION: Introduce and publicly read ordinance on first reading.

4. **CONSIDER ON 1ST READING ORDINANCE NO. 36-2005, REZONING PROPERTY LOCATED AT 3542 & 3554 KY 54, AND 3630, 3636, 3700, 3710, 3714 & 3726 RALPH AVENUE TO B-4 GENERAL BUSINESS**

BACKGROUND: Woodlands Investment, LLC, is seeking a zoning classification amendment from R-1A Single-Family Residential to B-4 General Business for a 4.109 acre tract of land located at 3542 & 3554 KY 54, and 3630, 3636, 3700, 3710, 3714 & 3726 Ralph Avenue. The property consists of eight residential lots fronting on KY 54 and Ralph Avenue. The applicant proposes to expand the Woodlands Plaza Commercial Development currently under construction. 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.

5. **CONSIDER ON 1ST READING ORDINANCE NO. 37-2005, REZONING PROPERTY AT 2820 BROOKS PARKWAY TO R-1C SINGLE-FAMILY RESIDENTIAL**

BACKGROUND: Owensboro Master Builder, Inc., is seeking a zoning classification amendment from I-2 Heavy Industrial to R-1C Single-Family Residential for a 0.699 acre tract of land located at 2820 Brooks Parkway. The subject property is in an area that contains mixed uses of industrial, commercial and residential. This is the remaining portion of I-2 zoned property within the Brooks Subdivision. The original subdivision plan for this area shows this to be common area. Due to the small size, it did not allow for future industrial development. The Developer has submitted for OMPC approval a revised preliminary plan for this area proposing two additional single-family lots and the remaining portion would still be used as common area for the subdivision. By a vote of 7-0, 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. 38-2005, REZONING A PORTION OF PROPERTY AT 1213 NICHOLAS DRIVE TO R-3MF MULTI-FAMILY RESIDENTIAL

BACKGROUND: Applicant, James L. Hawkins, is seeking a zoning classification amendment from B-4 General Business to R-3MF Multi-Family Residential for a 4.473 acre tract of land located at 1213 Nicholas Drive. The proposed property development will consist of building lot patterns conforming to Urban Residential Development and residential (multi-family) in character. The site is situated on the eastern side (fringe) of the current Bertha Goetz development site. By a vote of 7-0, 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.

7. CONSIDER ON 1ST READING ORDINANCE NO. 39-2005, REZONING PROPERTY AT 2003, 2007, 2011, 2019 & 2027 WEST 5TH STREET TO P-1 PROFESSIONAL/SERVICE

BACKGROUND: Crabtree Avenue Baptist Church is seeking a zoning classification amendment from R-4DT Inner-City Residential and B-4 General Business to P-1 Professional/Service for a 0.688 acre tract of land on West 5th Street. The subject properties are currently used by the church for parking and storage uses. The applicant proposes to consolidate the subject properties with the existing church facility and to use the property for a shelter and storage that's accessory to the church. By a vote of 7-0, 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.

8. CONSIDER ON 1ST READING ORDINANCE NO. 40-2005, REZONING 3738 RALPH AVENUE TO B-4 GENERAL BUSINESS

BACKGROUND: Woodlands Investment, LLC, is seeking a zoning classification amendment from A-U Urban Agriculture and R-1A Single-Family Residential to B-4 General Business for a 1.445 acre tract of land located at 3738 Ralph Avenue. Applicant proposes to expand the Woodlands Plaza Commercial Development currently under construction. Applicant also agrees to reconstruct Ralph Avenue from KY 54 to Villa Point with 34' improvement including curb and gutters and sidewalks. By a vote of 7-0, 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.

9. CONSIDER ON 1ST READING ORDINANCE NO. 41-2005, AMENDING THE 2005-2006 ANNUAL BUDGET FOR THE CITY OF OWENSBORO

BACKGROUND: This amendment budgets changes from the new OMU agreement on payment of dividend and in-lieu of taxes, corrects beginning balances to actual, and rolls over capital budgets and outstanding encumbrances.

RECOMMENDATION: Introduce and publicly read ordinance on first reading.

10. CONSIDER ON 1ST READING ORDINANCE NO. 42-2005, AMENDING THE 2005-2006 ANNUAL BUDGET FOR THE CITY OF OWENSBORO

BACKGROUND: This amendment budgets \$500,000 for Southtown Boulevard right-of-way acquisition.

RECOMMENDATION: Introduce and publicly read ordinance on first reading.

MUNICIPAL ORDER - one reading

11. CONSIDER MUNICIPAL ORDER NO. 17-2005, APPROVING THE ADOPTION OF A UNIT OF THE UNITED STATES ARMED SERVICES THROUGH THE AMERICA SUPPORTING AMERICANS (ASA) ADOPT-A-UNIT PROGRAM

BACKGROUND: The ASA is a non-profit, 501(c)(3) organization whose mission is to link together military units that are based on U.S. soil or deployed worldwide with communities that wish to express their support of these young men and women serving in our armed forces. It's goal is two-fold: (1) to provide those willing to put themselves in harms way to defend our country with the respect, care, and support they need; and (2) to strengthen the civilian-military bond by both increasing civilian understanding of the military experience and by providing servicemen and women with the opportunity to become directly involved with residents of a community committed to their support. ASA has facilitated the adoption of many units by towns and cities across the country. Through these adoptions, both soldiers and civilians are discovering the unique and crucial link that exists between the men and women of our armed services and the American citizens they are charged to protect. Over the years, ASA has learned that the greatest benefit is gained when the adoption remains active whether the unit is at home or deployed abroad. When units are home, they can visit the community and participate in a variety of events and activities. Units deployed abroad count on letters and care packages from adoptive cities to boost morale and help them feel connected. Terry Stinson, Chair of the Owensboro-Daviess County Veterans Affairs Committee, has agreed to be

the liaison between the City of Owensboro's adopted unit, Alpha Troop 1-32 Calvary (RSTA) of Fort Campbell, Kentucky, and the America Supporting Americans Program. As required by ASA, the City of Owensboro must have a city employee as either first or second contact, and Mayor Tom Watson has agreed to be the second contact person. Second Lt. Matthew Flora with Alpha Troop 1-32 Calvary (RSTA) of Fort Campbell will be attending the August 16 City Commission Meeting.

RECOMMENDATION: Adopt Municipal Order No. 17-2005.

12. City Manager's items:

A. Consider the regular full-time non-Civil Service promotional appointment of Ronald Heep to Fire Chief, Fire Department, effective September 1; and the probationary full-time non-Civil Service promotional appointments of Brock Peterson to Lieutenant, Police Department, effective August 21, and Ronald Abell to Captain, Roger Howard to Lieutenant, and Chad Embry to Driver/Engineer, Fire Department, effective 21, 2005.

B. City Manager's comments.

13. 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.

14. 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.

15. Adjournment