

AGENDA

OWENSBORO BOARD OF COMMISSIONERS

May 16, 2006
5:00 p.m.

INVOCATION/PLEDGE - Commissioner Ron Payne

PROCLAMATION:

May 20 - "Kids Day America"

SERVICE RECOGNITION:

- Bobby Aud, Refuse Truck Driver, Sanitation Department - 20 years

RECOGNIZE:

Firefighter Combat Challenge Team
(Byron McDonald and Brandon Cunningham)

1. Consider approval of minutes of May 2 & 9, 2006
2. Consider appointments

ORDINANCE - 2nd reading

3. CONSIDER ON 2ND READING ORDINANCE NO. 23-2006, ADOPTING AND APPROVING THE ANNUAL BUDGET OF THE CITY OF OWENSBORO FOR THE FISCAL YEAR BEGINNING JULY 1, 2006, AND ENDING JUNE 30, 2007, AND APPROPRIATING THE REVENUES TO THE VARIOUS DEPARTMENTS OF THE CITY

BACKGROUND: Total appropriations, inclusive of all internal service funds and all transfers, are \$83,242,274. A Public Hearing on the proposed budget was held at 5 p.m. on Tuesday, May 9, 2006.

RECOMMENDATION: Adopt Ordinance No. 23-2006.

ORDINANCES - 1st reading

4. CONSIDER ON 1ST READING ORDINANCE NO. 24-2006, REZONING 1600, 1604 & 1608 LOCK AVENUE TO R-1T TOWNHOUSE

BACKGROUND: Applicant, Homes by Benny Clark, is seeking a zoning classification amendment from R-4DT Inner-City Residential to R-1T Townhouse for a 0.342 acre tract of land located at 1600, 1604 and 1608 Lock Avenue. The subject property has been cleared of existing dilapidated buildings and will be developed as five lots with townhouses overlooking English Park and the Ohio River. 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. 25-2006, REZONING 712, 716 POINDEXTER STREET TO R-4DT INNER-CITY RESIDENTIAL

BACKGROUND: Applicant, Phyllis West, is seeking a zoning classification amendment from I-2 Heavy Industrial to R-4DT Inner-City Residential for a 0.202 acre tract of land located at 712 and 716 Poindexter Street. The subject property is surrounded by residential properties on all sides although the majority of said properties are currently zoned industrial. It appears that all of the homes in the vicinity have been used as residences for a long time and there is no significant industrial activity in the area. Since the subject property has been historically used for residential purposes, an R-4DT zoning classification is more appropriate. 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. 26-2006, REZONING 914 TRIPLETT STREET TO I-1 LIGHT INDUSTRIAL

BACKGROUND: Applicant, Owensboro Medical Health System, is seeking a zoning classification amendment from B-4 General Business to I-1 Light Industrial for a 0.554 acre tract of land located at 914 Triplett Street. The subject property was previously zoned I-1 and a return to that zoning classification is a logical expansion of an existing area that included three abutting properties to the west that are currently zoned I-1. The requested rezoning is necessary to permit the property to be used for a grounds maintenance storage building. 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 ORDERS - one reading

7. **CONSIDER MUNICIPAL ORDER NO. 13-2006, ACCEPTING A \$10,000 ZERO-MATCH GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY AND AN ADDITIONAL \$5,000 ZERO-MATCH GRANT FROM THE GOVERNOR'S HIGHWAY SAFETY PROGRAM, WHICH GRANT FUNDS WILL BE COMBINED AND UTILIZED TO PURCHASE A "THROW PHONE" FOR USE BY THE HOSTAGE NEGOTIATION TEAM THAT SERVES THE OWENSBORO POLICE DEPARTMENT**

BACKGROUND: The Hostage Negotiation Team that serves the Owensboro Police Department and the Daviess County Sheriff's Office is severely limited in crisis negotiations when they have to use landlines, mobile phones or face-to-face negotiations. They are unable to record or document negotiations, privacy between the negotiator and the suspect is eliminated and negotiation time is restricted because of limited battery life. The use of a Direct Link System 800 Throw Phone will allow the negotiators to utilize a secure line to talk with suspects, it has multi-line monitoring, recording and monitoring capabilities, an illuminator to monitor the suspect's movements and is upgradeable for use with cameras. In 2004, the Kentucky Office of Homeland Security selected 60 Kentucky communities and funded a program to assess the security of 1,200 individual sites including schools, government buildings, tourist attractions and many others. Assessment criteria was established and each community that completed the assessment process was certified as a Prepared Kentucky Community and became eligible to receive \$10,000.00 reimbursement for the purchase of security equipment. The City of Owensboro was awarded a \$10,000.00 zero-match grant as a participant in that program. In addition, the Governor's Highway Safety Program conducted the Kentucky Law Enforcement Challenge in 2005. Thirteen (13) local law enforcement agencies around the state achieved first, second and third place in the Challenge, and Owensboro was the winner of the grand prize of \$5,000.00, which also requires no match. Those monies will be utilized to purchase the Direct Link System 800 Throw Phone for use by the Hostage Negotiation Team, which system will potentially prevent our officers from exposure to dangerous situations and avoid liability lawsuits as a result of crisis situations.

RECOMMENDATION: Adopt Municipal Order No. 13-2006.

8. **CONSIDER MUNICIPAL ORDER NO. 14-2006, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1, ADDING THREE ADDITIONAL STREETS WITH NO INCREASE IN FUNDING, TO AN AGREEMENT WITH THE KENTUCKY TRANSPORTATION CABINET UNDER THE TERMS OF WHICH THE STATE AGREED TO REIMBURSE THE CITY IN AN AMOUNT UP TO \$719,558 FOR THE RESURFACING OF SECTIONS OF 32 CITY STREETS**

BACKGROUND: On December 6, 2005, the Board of Commissioners approved Municipal Order 30-2005 which authorized and directed the Mayor to execute an agreement with the Kentucky Department of Transportation, under the terms of

which the State Transportation Cabinet would reimburse the City in an amount not to exceed \$719,558 for the resurfacing of sections of 32 City streets. That agreement was executed on January 9, 2006, and it listed the names of the streets on which the City would perform bituminous resurfacing during 2006. Subsequent to the execution of the contract, the Engineering Department became aware of three (3) additional streets that deteriorated into a state of disrepair during the winter, and the City Engineer contacted the State to request that those streets be added to the list that was scheduled for resurfacing. The State agreed that those streets could be added, with no increase in funding. Supplemental Agreement No. 1 added Roosevelt Road from Griffith Avenue extending to West Parrish Avenue, a distance of 0.330 mile; East 21st Street from Oak Avenue extending to Prince Avenue, a distance of 0.130 mile; and Copper Creek Drive from Old Hartford Road extending to the west end of the street, a distance of 0.310 mile.

RECOMMENDATION: Adopt Municipal Order No. 14-2006.

9. City Manager's items:

- A. Consider the regular full-time non-Civil Service appointments of Donald Beard to Driver/Engineer, Robert Ford to Lieutenant, and Mark Brown to Captain, Fire Department, effective May 29, 2006.**
- B. Consider the retirement resignations of Jeffrey Miller, Fire Inspector, Fire Department, effective May 31, after 25 years of service; William "Bill" Lee, Firefighter, Fire Department, effective May 31, after 20 years of service; and Tony Powell, Sergeant, Police Department, effective May 31, after 16 years of service.**
- C. City Manager's comments.**

10. 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.

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