

AGENDA

OWENSBORO BOARD OF COMMISSIONERS

June 5, 2007
5:00 p.m.

INVOCATION/PLEDGE - Commissioner Cathy Armour

PRESENTATION: Sister Amelia Stinger
(Greening Western KY Expo)

ANNOUNCEMENT: Mayor Tom Watson
(Re: Hillcrest Golf Course)

1. Consider approval of minutes of May 15, 2007

ORDINANCES - 2nd reading

2. CONSIDER ON 2ND READING ORDINANCE NO. 20-2007,
PROVIDING

**FOR THE CREATION AND SALE OF A NON-EXCLUSIVE, FIVE-YEAR
FRANCHISE TO FURNISH NATURAL GAS TO THE CITIZENS OF
OWENSBORO**

BACKGROUND: This ordinance creates a non-exclusive franchise under which the successful bidder shall be entitled to utilize public right-of-way within the City to furnish natural gas to the industries, businesses and residents of Owensboro. The franchise shall be for a term of five (5) years, commencing August 1, 2007.

The successful franchisee shall remit to the City annually 2% of its gross revenues derived from the sale of natural gas transported on, under and across the City's public right-of-way, which shall be paid quarterly. A process is also established by which the franchisee shall be permitted to disturb and excavate public right-of-way for construction, operation, repair or maintenance of its gas distribution system. The City shall also retain the right to inspect the franchisee's gas distribution system installed under the terms of this franchise and also franchisee's books and records to verify the accuracy of the franchise fee being paid to the City. Bids shall be sealed, presented to the City in writing, and upon bid opening, the franchise shall be sold to the highest and best bidder, subject to approval by the Board of Commissioners.

RECOMMENDATION: Adopt Ordinance No. 20-2007.

3. CONSIDER ON 2ND READING ORDINANCE NO. 22-2007, REZONING PROPERTY AT 1601 J.R. MILLER BOULEVARD & 1620 GUENTHER ALLEY TO B-5 BUSINESS/INDUSTRIAL

BACKGROUND: Applicant Frank Carrico is seeking a zoning classification amendment from I-1 Light Industrial to B-5 Business/Industrial for a 1.242 acre tract of land located at 1601 J.R. Miller Boulevard and 1620 Guenther Alley. A vacant building currently occupies the site. Applicant proposes to rezone the property to B-5 Business/Industrial in order to construct a contractor's office for a restoration company (Quality Restoration). 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. THE PLANNING

COMMISSION

CONSIDERED THIS APPLICATION ON APRIL 12, 2007, AND ORDINANCE 18-2007, ADOPTING THE ALTERNATE REGULATION FOR ZONING MAP AMENDMENTS AS DESCRIBED IN KRS 100.2111, WAS NOT APPROVED BY THE CITY COMMISSION UNTIL APRIL 17, 2007.

RECOMMENDATION: Adopt Ordinance No. 22-2007.

ORDINANCE - 1st reading

**4. CONSIDER ON 1ST READING ORDINANCE NO. 23-2007, AMENDING THE
2006-2007 ANNUAL BUDGET FOR THE CITY OF OWENSBORO**

BACKGROUND: This final amendment eliminates budget contingencies in the General Fund, and budgets grants, police cars and numerous repairs and maintenance projects in other funds.

RECOMMENDATION: Introduce and publicly read ordinance on first reading.

MUNICIPAL ORDERS - one reading

5. CONSIDER MUNICIPAL ORDER NO. 17-2007, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GREEN RIVER AREA DEVELOPMENT DISTRICT (GRADD) FOR THE CONTINUING URBANIZED AREA TRANSPORTATION PLANNING PROGRAM

BACKGROUND: The Green River Area Development District (GRADD) is the designated staff agency for the Owensboro-Daviess County Metropolitan Planning Organization (MPO).

GRADD coordinates planning for transportation needs and federal surface transportation spending in the area.

Renewal

of this agreement is necessary in order to perform all transportation planning elements necessary to the maintenance

of the Owensboro-Daviess County Metropolitan Planning Organization (MPO) transportation study. The GRADD will provide such technical advice, assistance and services

as is

available within the GRADD and will arrange for meetings of the Citizens Advisory Committee, the Technical Advisory Committee and the Transportation Policy Committee, as well as promote the interests of the transportation planning process.

This five-year agreement shall commence on July 1, 2007, and extend through June 30, 2012.

RECOMMENDATION: Adopt Municipal Order No. 17-2007.

6. CONSIDER MUNICIPAL ORDER NO. 18-2007, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH GRITS, OPERATED BY AUDUBON AREA COMMUNITY SERVICES, FOR TRANSPORTATION SERVICES FOR THE DISABLED COMMUNITY

BACKGROUND: Total cost of services is \$90,000. City share is \$9,000 (10%) - State share is \$9,000 (10%) - Federal share is \$72,000 (80%).

RECOMMENDATION: Adopt Municipal Order No. 18-2007.

7. CONSIDER MUNICIPAL ORDER NO. 19-2007, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A GRANT APPLICATION FOR A 2007

HOMELAND SECURITY GRANT IN THE AMOUNT OF TWO MILLION DOLLARS, THE PROCEEDS OF WHICH WILL BE USED TO PURCHASE MOBILE DATA TERMINALS FOR LAW ENFORCEMENT AGENCIES IN OVICC

BACKGROUND: The City of Owensboro will be submitting a Department of Homeland Security grant this year. The application centers around the completion of the Mobile Data Communications System started in 2004. The DHS submission is labeled 0% matching funds. The city will not have to pay any additional funds. The application must be in the state's Office of Homeland Security by 2400 hrs. the 15th of June 2007. To better understand the application request aforementioned, the following summary explains how we came to this

junction.

Starting in 2004, representatives from the City of Owensboro and Daviess County were faced with the dilemma of modifying their initial 04 DHS application requirements due to recent state mandated policies. The two agencies decided that it would be best if they combined their funds to create a centralized Mobile Data System. After initial discussions with the City of Henderson and the County's of Ohio, McLean, Union, Hancock and Webster, the Ohio Valley Interoperability Communications Consortium (OVICC) Mobile Data Communications System was conceived.

The OVICC project is comprised of two primary objectives: Wireless Data Communications and Interoperability. Ensuring that first responders have the adequate data at their fingertips at all times mandates a mobile data style solution. They must be able to retrieve critical data from all associated applications: CAD, RMS, LINK/NCIC and AS400. The software vendor employed will give these individuals the aforementioned capabilities. Continued feedback after the initial implementation will help enhance and refine the capabilities of this system. Under the umbrella of interoperability, compliance with the statewide wireless data interoperability standard will ensure that mutual cooperation and data sharing between all agencies involved flows smoothly and efficiently. Sharing the same message switch and software application will enable to migrate these abilities to all agencies involved.

The city requested 749,000 in the 2004 Department of Homeland Security (DHS) grant. Unfortunately, the state adopted new procedures on the acquisition of equipment for a Mobile Data Communications System. The state decided that all future acquisition must be approved by a state ran committee, the KWEIC. In addition to new approval policies, all equipment acquisition in the realm of data transmission must be through a particular vendor; IPMobileNet. Since Owensboro's 04 DHS grant application was based on sharing an existing Mobile Data Communication system with Daviess County, the amount requested fell far below what was required.

Two other agencies had also requested 04 DHS

funds, their funding requests were based on extending their existing system. The new state requirements mandated that in order for them to obtain the 04 funds, they must set aside their existing MDC systems and migrate to the vendor equipment approved by the state. It was this time that all three agencies with approved 04 DHS applications; City of Henderson and Owensboro as well as Daviess County (Daviess wrote a joint DHS application with McLean County and Henderson wrote a joint application with Union County) created what is known today as the OVICC. Additional funds were requested in 05 to purchase Mobile Data Terminals for the vehicles for each agency (at this time the County's of Hancock, Ohio and Webster were included). Unfortunately, the OVICC (Owensboro took the role to write and manage the 05 application and approved funds) was unable to obtain all of the requested funds required to complete the project. The OVICC received 1,046 million dollars in the 05 request, still short of the 2.8 million requested. In 2006 we submitted an application for an additional 1.8 million, but received no funding. Now it's time for the submission of the 07 DHS grant. Again the city of Owensboro acting as the lead agency is requesting federal funds to complete a project we started 3 years ago. The city will be requesting 2.0 million dollars to complete the MDT requirements for all eight agencies.

RECOMMENDATION: Adopt Municipal Order No. 19-2007.

8. CONSIDER MUNICIPAL ORDER NO. 20-2007, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH THE GREEN

RIVER AREA DEVELOPMENT DISTRICT (GRADD) FOR DELIVERY OF ADMINISTRATIVE AND MANAGEMENT SERVICES TO THE TRANSIT SYSTEM

BACKGROUND: Total cost of services is \$18,000. City share is \$9,000 - Federal share is \$9,000.

RECOMMENDATION: Adopt Municipal Order No. 20-2007.

9. City Manager's items:

- A. Consider the probationary full-time Civil Service appointment of Charles "Chuck" Lanham to Road Worker,
Street Department, effective July 23; and the regular
full-time non-Civil Service promotional appointments
of Lorhn Frazier to Sergeant, Police Department, effective June 11, and Donnie Head, Jr., to
Driver/
2007.
Engineer, Fire Department, effective June 11,
- B. Consider the retirement resignations of Michael
Hayden,
26
Richard
Police
after
Captain, Fire Department, effective July 31, after
years of service; and Bruce Burns, Sergeant,
Carter, Police Officer, and Cary "Scott" Norris,
Officer, Police Department, effective May 31,
20 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

12. Adjournment