

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held APRIL 17, 2007**

The Board of Commissioners of the City of Bowling Green, Kentucky met in regular session in the Commission Chamber of City Hall, Bowling Green, Kentucky at 7:00 p.m. on April 17, 2007. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Greenwood Youth Campus Minister Ben Kickard of Broadway United Methodist Church, and all present recited the Pledge of Allegiance. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Bruce Wilkerson, Commissioner Joe W. Denning, Commissioner Brian "Slim" Nash, Commissioner Brian K. Strow and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

OPERATION P.R.I.D.E. AWARDS

Operation P.R.I.D.E. Executive Director Karen Hume said that awards are presented to those that have made significant improvements to residential and non-residential property. For the month of April, Ms. Hume presented the commercial property award to Hospice of Southern Kentucky for its property located at 5872 Scottsville Road. The award was accepted by Executive Director Betty Biggerstaff.

AWARDS & RECOGNITIONS

National Flood Insurance Program Coordinator Chris Hart recognized the City of Bowling Green for its participation and efforts to update flood maps and adopt a flood prevention ordinance. Mr. Hart announced that the community's insurance rating went from an 8 to a 7, providing for a 15% reduction in flood insurance premiums. Mayor Walker accepted the award on behalf of the Board of Commissioners.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion on the future acquisition or sale of real property by the City as publicity would likely affect the value of the specific piece of property to be acquired for public use or sold by the City, and for discussion between the City and a representative of business entities and discussion concerning a specific proposal, if open discussion would jeopardize the siting, retention, and expansion or upgrading of the businesses. Motion was made by Denning and seconded by Strow to convene in closed session following the regular meeting pursuant to KRS 61.810 (b) and (g). Walker called for roll call vote.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Motion to convene in closed session pursuant to KRS 61.810 (b) and (g) was approved by unanimous vote.

APPROVAL OF MINUTES

Minutes of Regular Meeting April 3, 2007

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Nash and seconded by Strow to approve said minutes as written. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Motion to approve the minutes of the regular meeting of April 3, 2007 was approved by unanimous vote.

PUBLIC COMMENTS

Dr. John Bonaguro, Dean of the College of Health and Human Services at Western Kentucky University invited everyone to attend a Smoke-Free Communities Conference to be held from 4:00 to 8:00 p.m. on April 24, 2007 in the Downing University Center. He also commented about the affects of second hand smoke.

Katie Goodwin of 901 Cabell Drive expressed her support for a smoke-free community and spoke about the youth stand against smoking. She further presented a petition in support of a smoking ban.

CHANGE IN PROCEDURES

Mayor Walker requested that the Assistant City Manager/City Clerk review the recently adopted changes to the meeting procedures. Ms. Schaller reminded the Board that in order for an item to be discussed, it must first receive a motion and a second.

CONSENT AGENDA

Mayor Walker requested if there were any items to be removed from the Consent Agenda prior to its consideration. With none, Assistant City Manager/City Clerk Katie Schaller read the summaries of each of the following items:

MUNICIPAL ORDER NO. 2007 - 126

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF
JAMES B. CUMMINGS TO THE BOWLING GREEN FIRE
DEPARTMENT BURN VICTIM FUND BOARD OF ADVISORS

MUNICIPAL ORDER NO. 2007 - 127

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF J.B.
BRIDGEMAN, MIKE DAVENPORT, TODD DAVIS, MARK HOOD,
CHAD MCCOY, MIKE NUTTER AND LAURA SOUTHARD TO
THE REGULATORY REFORM TASK FORCE

MUNICIPAL ORDER NO. 2007 – 128

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT FOR THE FISCAL YEAR 2006 COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM (CEDAP) THROUGH THE U.S. DEPARTMENT OF HOMELAND SECURITY

MUNICIPAL ORDER NO. 2007 – 129

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM IN THE AMOUNT OF \$7,500

MUNICIPAL ORDER NO. 2007 – 130

MUNICIPAL ORDER AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, BULLETPROOF VEST PARTNERSHIP PROGRAM IN THE AMOUNT OF \$5,950

Motion was made by Nash and seconded by Strow for acceptance of the Consent Agenda as presented. With no discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Motion to accept the Consent Agenda as presented was approved by unanimous vote.

REGULAR AGENDA

ORDINANCE NO. BG2007 – 13

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO ADD A NEW CHAPTER (28) RELATING TO FLOOD DAMAGE PREVENTION

Title and summary of Ordinance No. BG2007 – 13 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Wilkerson for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Ordinance No. BG2007 - 13 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 131

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF NICOLE M. MEGUIAR TO THE POSITION OF OFFICE ASSOCIATE FOR THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2007 - 131 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo reviewed the qualifications of the recommended applicant. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
Voting Nay: None

Municipal Order No. 2007 - 131 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 132

MUNICIPAL ORDER APPROVING THE PROMOTION OF TERRILL EVAN SHARBER TO THE POSITION OF POLICE SERGEANT FOR THE POLICE DEPARTMENT

Summary of Municipal Order No. 2007 - 132 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo reviewed the creation of the new position by reorganizing a recently vacated Assistant Chief position. Police Chief Doug Hawkins recommended the promotion to Sergeant. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
Voting Nay: None

Municipal Order No. 2007 - 132 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 14

(First Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER THREE TO THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2007

Title and summary of Ordinance No. BG2007 - 14 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Wilkerson for first reading of said Ordinance. DeFebbo indicated that as one of the priorities of the Board, funding for the second phase of the Heritage Trail was recommended to come from a portion of the Cooper restitution monies received to date. He noted that this would not affect the share of restitution funds to be placed in the Fire Improvement Fund. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
Voting Nay: None
First reading of Ordinance No. BG2007 - 14 was approved by unanimous vote.

REMOVE FROM TABLE

Motion was made by Nash and seconded by Denning to remove Municipal Order No. 2007 – 124 from the table for discussion and consideration at this time. With no discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
Voting Nay: None

Motion to remove Municipal Order No. 2007 – 124 from the table for consideration at this time was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 – 124

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2007-52 FOR LOST RIVER WETLAND DESIGN FROM
ENGINEERING CONSULTING SERVICES, INC. OF LEXINGTON,
KENTUCKY IN THE AMOUNT OF \$28,640

Summary of Municipal Order No. 2007 - 124 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed the recommended bid award for the stormwater project as evaluated by the Public Works staff.

Motion was made by Wilkerson and seconded by Denning to amend Municipal Order No. 2007 – 124 to change the recommended bid award to DDS Engineering, PLLC of Bowling Green, Kentucky in the amount of \$25,000. Comm. Wilkerson explained that he understood the recommendation from Public Works staff; although, after he reviewed the information received following the previous meeting, he supported the bid of the lowest and local bidder. Comm. Nash agreed.

City Attorney Gene Harmon confirmed that the Board could amend the Municipal Order based upon its own evaluation; however, he cautioned the Board with regard to how that determination was made. He stated that each of the Board members would need to evaluate the bids based on the same criteria included in the bid specifications before the Public Works recommendation could be rejected. City Engineer Jeff Lashlee outlined the evaluation criteria used for this bid. Mr. DeFebbo stated he respected the opinion and authority of the Board; however, he supported the recommendation of staff based on their professional credentials. Once all discussion regarding the amendment ended, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash and Strow
Voting Nay: Walker

Motion to amend Municipal Order No. 2007 - 124 was approved by majority vote.

MUNICIPAL ORDER NO. 2007 – 124
(As Amended)

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-52 FOR LOST RIVER WETLAND DESIGN FROM DDS ENGINEERING, PLLC CONSULTING SERVICES, INC. OF BOWLING GREEN LEXINGTON, KENTUCKY IN THE AMOUNT OF \$25,000 ~~\$28,640~~

Mayor Walker asked for additional discussion, and with none, a roll call vote was taken regarding consideration of the amended Municipal Order.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash and Strow
 Voting Nay: Walker

Municipal Order No. 2007 - 124 as amended was approved by majority vote.

MUNICIPAL ORDER NO. 2007 - 133

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-48 FOR PROFESSIONAL SERVICES FOR BROADWAY CURVE REALIGNMENT FROM DDS ENGINEERING, PLLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$107,500

Summary of Municipal Order No. 2007 - 133 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo reviewed the recommended bid award and project description. Assistant City Engineer Melissa Cansler reviewed the evaluation criteria and responded to questions regarding possible traffic calming measures. Mayor Walker confirmed the use of the Ridley Pavilion as part of the final design. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 133 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 134

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-50 FOR HERITAGE TRAIL, PHASE II, FROM SCOTT AND MURPHY, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$202,421.13

Summary of Municipal Order No. 2007 - 134 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed the project to complete the next phase of the Heritage Trail and recommended the bid award. City-County Planning Commission Staff Engineer Mac Yowell and Public Works Director Emmett Wood responded to questions regarding requirements for attendance at a pre-bid conference and to be pre-qualified through the State. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Nash, Strow and Walker
 Voting Nay: None
 Abstaining: Denning

Municipal Order No. 2007 - 134 was approved by majority vote. Comm. Denning abstained since he was employed by Scott and Murphy, Inc.

MUNICIPAL ORDER NO. 2007 - 135

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-54 FOR COLLEGE STREET PEDESTRIAN BRIDGE REHABILITATION FROM INTECH CONTRACTING, LLC OF LEXINGTON, KENTUCKY IN THE AMOUNT OF \$647,310

Summary of Municipal Order No. 2007 - 135 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Strow for consideration of said Municipal Order. DeFebbo explained that the bridge was a critical link for greenways and recommended the bid award. City-County Planning Commission Staff Engineer Mac Yowell reviewed the project elements to rejuvenate the bridge for pedestrian use. Comm. Strow stated that he supported the project to provide a safer environment for greenways use. He also responded to questions regarding linkage of the bridge to other trails and the consideration of using these funds on other greenways projects instead. Parks and Recreation Director Ernie Gouvas commented about the future plans to use the inert landfill for greenways once it was officially declared a closed landfill by the State. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 135 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 136

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-58 FOR 601 STATE STREET REHABILITATION FROM SUNBELT CONSTRUCTION OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$145,975

Summary of Municipal Order No. 2007 - 136 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Strow for consideration of said Municipal Order. DeFebbo indicated that the rehabilitation of this building was a critical piece of the Circus Square development project. Heather Age of the Downtown Redevelopment Authority (DRA) thanked the City for its partnership in bringing back a landmark and important part of Circus Square. She indicated that this project would simply stabilize and secure the building.

There was additional discussion regarding the possible rental and renovation of the facility under a downtown redevelopment plan brought to the City at its April 3, 2007 work session and to be further discussed at a special meeting of the Board to be held on Thursday, April 26, 2007. Mr. DeFebbo stated that Renaissance grant funds had been received specifically for this project. Ms. Age verified that those grant funds must be spent by June 2007 or be refunded back to the State. Mayor Walker also indicated that the proposed downtown redevelopment plan presented to the Board had assumed that this work on the building would already be complete. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow and Walker
 Voting Nay: None
 Abstaining: Wilkerson

Municipal Order No. 2007 - 136 was approved by majority vote. Comm. Wilkerson abstained because his employer was currently in a contractual arrangement with Sunbelt Construction.

MUNICIPAL ORDER NO. 2007 – 137

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-59 FOR LOST RIVER CAVE SHARED-USE PATH CONSTRUCTION FROM SCOTTY’S CONTRACTING AND STONE, LLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$317,910.24

Summary of Municipal Order No. 2007 - 137 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Nash for consideration of said Municipal Order. DeFebbo referred to the discussion of the Lost River Cave and Valley Interpretive Master Plan that took place at the April 3, 2007 work session and meeting, and he recommended the bid award. City-County Planning Commission Staff Engineer Mac Yowell confirmed that the funds for this project would come from the Greenways federal appropriation and a small portion would come from the City through the Parks and Recreation Department. Comm. Strow pointed out that this path would be maintained by Lost River. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 137 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 – 138

MUNICIPAL ORDER APPROVING AN AMENDED LEASE AGREEMENT WITH CRAWDADDY ENTERPRISES, INC., D/B/A 440 MAIN, FOR LEASE OF A PORTION OF THE MUNICIPAL SIDEWALK LOCATED IN FRONT OF 440 MAIN AND IN FRONT OF 442-444 EAST MAIN AVENUE

Summary of Municipal Order No. 2007 - 138 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the request by 440 Main to expand its sidewalk business with the consent of the neighboring property owner. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 138 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 139

MUNICIPAL ORDER APPROVING A SITE IMPROVEMENT AGREEMENT AMONG KTJ LIMITED PARTNERSHIP ONE HUNDRED SEVENTY, GREENWOOD CROSSINGS, INC., THE CITY OF BOWLING GREEN AND FIRST AMERICAN TITLE INSURANCE COMPANY RELATED TO A GREENWOOD LANE IMPROVEMENT PROJECT

Summary of Municipal Order No. 2007 - 139 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed the agreement associated with the Gander Mountain development and needed road improvements. He pointed out that the first phase of the improvements would be paid for by the developer and that the City would participate in discussions for future improvements. Mayor Walker commented about the Kentucky Department of Transportation's redesign plans for the I-65 interchange (exit 22) at Scottsville Road (Hwy 231) and its connection with this road project. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 139 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 15

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 4.00 ACRES FROM RS-1A (SINGLE FAMILY RESIDENTIAL) TO OP-C (OFFICE PROFESSIONAL-COMMERCIAL) LOCATED AT 4655 RUSSELLVILLE ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY TRUSTEES FOR BOWLING GREEN CONGREGATION OF JEHOVAH'S WITNESSES

Title and summary of Ordinance No. BG2007 - 15 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Wilkerson for first reading of said Ordinance. City-County Planning Commission Planner Steve Hunter provided an overview of the recommended rezoning and its binding elements. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

First reading of Ordinance No. BG2007 - 15 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 16

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.68 ACRES FROM HI (HEAVY INDUSTRY) TO RM-4 (MULTI-

FAMILY RESIDENTIAL) LOCATED AT 500 10TH AVENUE WEST, WITH BINDING ELEMENTS, PRESENTLY OWNED BY MINIT MART FOODS AND LA HERMOSA ASAMBLEA DE DIOS, AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2007 - 16 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Denning for first reading of said Ordinance. City-County Planning Commission Planner Steve Hunter provided an overview of the recommended rezoning and its binding elements. Mr. Hunter clarified that the actual property included in the rezoning did incorporate the City's Westside Neighborhood Park (also referred to as Higgins Westside Park). City Attorney Gene Harmon also responded to questions regarding ownership of the park property and lease by the City.

Real Estate Broker Tommy Kelly stated that the Church was interested in discussing the use of the park and its continued maintenance by the City. Comm. Strow inquired as to the responsibility for the costs to put up a fence around the property and expressed concern with tax payer dollars being spent for private property if the park was to be used primarily by the Church. Comm. Denning commented about the original development of the park and ability to previously lease the property. Mayor Walker commented about the importance of the park to the neighborhood. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

First reading of Ordinance No. BG2007 - 16 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 17
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.465 (+/-) ACRES FROM HB (HIGHWAY BUSINESS) TO LI (LIGHT INDUSTRY) LOCATED ON OLD LOUISVILLE ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY JOSEPH ALLEN AND CALVARY CHAPEL

Title and summary of Ordinance No. BG2007 - 17 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for first reading of said Ordinance. City-County Planning Commission Planner Steve Hunter reviewed the recommended rezoning and associated binding elements. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

First reading of Ordinance No. BG2007 - 17 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 18
(First Reading)
ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 11.23 ACRES OF PROPERTY LOCATED NEAR THE INTERSECTION OF CAVE MILL ROAD AND SMALLHOUSE ROAD, WITH PROPERTY PRESENTLY OWNED BY LEE COLEMAN AND JOANN COLEMAN, AND SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS

Title and summary of Ordinance No. BG2007 - 18 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for first reading of said Ordinance. DeFebbo indicated that this was an annexation by consent and request of the property owners. City Attorney Gene Harmon pointed out that this annexation reduced the size of one of the County areas surrounded by City limits (also referred to as an "island"). City-County Planning Commission Planner Steve Hunter stated that the Planning Commission initiated the discussions encouraging the property owners to request annexation of the property prior to any rezoning of it. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

First reading of Ordinance No. BG2007 - 18 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 19
(First Reading)

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 44.09 ACRES OF PROPERTY LOCATED AT 4917 RUSSELLVILLE ROAD AND 185 MEMPHIS JUNCTION ROAD, WITH PROPERTY PRESENTLY OWNED BY EDDIE BOGLE, AND SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS

Title and summary of Ordinance No. BG2007 - 19 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for first reading of said Ordinance. As with the previous ordinance, City Attorney Gene Harmon indicated that this annexation would reduce the size of an existing "island" within the City. City-County Planning Commission Planner Steve Hunter explained the Planning Commission's involvement in the annexation recommendation to assist with cleaning up overlapping jurisdictions for a future development of the area. Comm. Nash requested that the staff verify ownership of the surrounding properties identified on the map as "Bogle Farm Subdivision" to determine if all of the property owned by Mr. Bogle was included in the annexation request and to obtain that information prior to the second reading of the ordinance. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

First reading of Ordinance No. BG2007 - 19 was approved by unanimous vote.

RESOLUTION NO. 2007 - 2

RESOLUTION ENCOURAGING THE CITY MANAGER TO
EXPLORE OTHER USES FOR THE PROPERTY LOCATED AT 1117
CABELL DRIVE

Summary of Resolution No. 2007 - 2 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Wilkerson for consideration of said Resolution. Comm. Nash stated that he would like the old Cabell Drive Fire Station to be used as something other than a storage facility. He indicated that a more beneficial use could be found, possibly for use by neighborhood groups and/or provide a home for the Bowling Green Coalition of Active Neighborhoods (BGCAN), and that the City should explore what it would cost to make any necessary changes to accommodate those other uses. City Manager Kevin DeFebbo supported the idea, and he suggested that the Board introduce similar resolutions to provide direction for issues not previously discussed. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Resolution No. 2007 - 2 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met in closed session pursuant to KRS 61.810 (b) and (g) as previously approved.

RECONVENE IN OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session to consider action. Motion was made by Denning and seconded by Strow to add Municipal Order Nos. 2007 - 140 and 2007 - 141 to the agenda for consideration. With no discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Motion to add Municipal Order Nos. 2007 - 140 and 2007 - 141 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 140

MUNICIPAL ORDER APPROVING A JOB DEVELOPMENT
INCENTIVE FUND EMPLOYEE WITHHOLDINGS CREDIT
AGREEMENT WITH BENDIX SPICER FOUNDATION BRAKE,
LLC

Summary of Municipal Order No. 2007 - 140 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Strow for consideration of said Municipal Order. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None
Municipal Order No. 2007 - 140 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 141

MUNICIPAL ORDER APPROVING A JOB DEVELOPMENT
INCENTIVE FUND EMPLOYEE WITHHOLDINGS CREDIT
AGREEMENT WITH AEP INDUSTRIES, INC.

Summary of Municipal Order No. 2007 - 141 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None
Municipal Order No. 2007 - 141 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 9:50 p.m., Mayor Walker declared this meeting adjourned.

WORK SESSION

Prior to the regular meeting and with no action taken, the Board of Commissioners convened at 4:00 p.m. in the Commission Chamber of City Hall for a regular work session to discuss the following subjects: 1) intersections at 6th and 7th Avenues, including the naming or renaming of a portion of 7th Avenue once the Kentucky Department of Transportation completes its work in that area; and 2) the proposed Sidewalk Program.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller