

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JULY 19, 2005**

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 July 19, 2005. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Senior Pastor Steve Hussung of Richpond Baptist Church, and all present recited the Pledge of Allegiance. City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Brian "Slim" Nash, Commissioner Delane Simpson, Commissioner Brian K. Strow, Commissioner Mark D. Alcott and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

PUBLIC COMMENTS

Bowling Green Human Rights Commission representative Ameerah Cetawayo invited the Board and the public to attend a reception to be held at 2:00 p.m. on July 24, 2005 at Boxwood on State Street for newly appointed Kentucky Human Rights Commissioner Linda Strite Murnane.

CITY MANAGER

Interim City Manager Kenneth R. Thompson requested a closed session for the purpose of proposed or pending litigation against or on behalf of the City. Motion was made by Nash and seconded by Alcott to convene in closed session following the regular meeting pursuant to KRS 61.810 (c). Walker called for roll call vote.

ROLL CALL: Voting Yea: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

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

Mr. Thompson also stated that two items, Ordinance Nos. BG2005 – 31 and BG2005 – 32, were being postponed and withdrawn from the agenda for consideration at the August 2, 2005 Board meeting.

APPROVAL OF MINUTES

Minutes of Regular Meeting July 5, 2005

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Simpson 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Motion to approve the minutes of the regular meeting of July 5, 2005 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 2
(Second Reading As Amended)
ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF
THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO
CREATE A NEW SECTION REGARDING THE USE OF EMINENT
DOMAIN

Title and summary of Ordinance No. BG2005 - 2 was read by City Clerk Katie Schaller. Comm. Nash indicated that for him an individual's rights outweighed the good of the community and he encouraged support of the ordinance. He also indicated that this Board could readdress this issue if it was deemed unsuccessful over time. Mayor Walker disagreed and stated that public leaders should act in the best interests of the community. Motion was made by Nash and seconded by Alcott for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Strow and Alcott
 Voting Nay: Simpson and Walker

Ordinance No. BG2005 - 2, as amended, was adopted by majority vote.

MUNICIPAL ORDER NO. 2005 - 188

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
JACKIE T. STRODE TO THE BOWLING GREEN-WARREN
COUNTY MILITARY LIAISON BOARD

Summary of Municipal Order No. 2005 - 188 was read by the City Clerk. Mayor Walker recommended this appointment. Motion was made by Nash and seconded by Simpson 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 188 was approved by unanimous vote.

Note: Ordinance No. BG2005 - 31 rezoning 1.989 acres from AG (Agriculture) to HB (Highway Business) located on Cumberland Trace Road, and presently owned by Jim Diemer's Big Star Supermarkets, Inc. was previously withdrawn from the agenda.

Note: Ordinance No. BG2005 - 32 rezoning 4.71 acres from LI (Light Industry) to P (Public) and RS-1D (Single Family Residential) located in the 200 block of State and College Streets and presently owned by the City of Bowling Green, Hands, Inc. and Trinity Housing Partners was previously withdrawn from the agenda.

MUNICIPAL ORDER NO. 2005 - 189

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2005-44 FOR PRESTON MILLER PARKING LOT

CONSTRUCTION FROM SCOTTY'S CONTRACTING & STONE,
LLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF
\$37,015

Summary of Municipal Order No. 2005 - 189 was read by the City Clerk. Motion was made by Nash and seconded by Alcott 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: Nash, Simpson, Strow, Alcott and Walker
Voting Nay: None

Municipal Order No. 2005 - 189 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 190

MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE
MAYOR TO ENTER INTO GRANT AGREEMENTS FOR SELECT
NEIGHBORHOOD ACTION PROGRAM (SNAP) GRANTS WITH
VARIOUS NEIGHBORHOODS

Summary of Municipal Order No. 2005 - 190 was read by the City Clerk. Neighborhood Action Coordinator Karen Foley stated that 20 applications were received and 16 are being recommended for funding at requested amounts. Comm. Nash encouraged those groups that were not recommended for funding to apply again next year. Motion was made by Nash and seconded by Simpson 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: Nash, Simpson, Strow, Alcott and Walker
Voting Nay: None

Municipal Order No. 2005 - 190 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 191

MUNICIPAL ORDER AUTHORIZING MAINTENANCE SERVICES
FOR RADIO AND COMMUNICATION EQUIPMENT WITH
MOTOROLA, INC. IN AN AMOUNT NOT TO EXCEED \$37,000
FOR FISCAL YEAR 2006

Summary of Municipal Order No. 2005 - 191 was read by the City Clerk. Communications Center Manager Malissa Carter stated that this was a renewal of the existing service agreement. Motion was made by Simpson and seconded by Alcott 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: Nash, Simpson, Strow, Alcott and Walker
Voting Nay: None

Municipal Order No. 2005 - 191 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 192

MUNICIPAL ORDER AUTHORIZING ACCEPTANCE OF GRANT
FUNDS FROM THE COMMONWEALTH OF KENTUCKY JUSTICE

AND PUBLIC SAFETY CABINET FOR LAW ENFORCEMENT
SERVICE FEE GRANT PROGRAM IN THE AMOUNT OF \$17,500

Summary of Municipal Order No. 2005 - 192 was read by the City Clerk. Police Office Associate Heather Plowman reviewed the grant funding awarded for police officer overtime and the purchase of two in-car cameras. Motion was made by Nash and seconded by Alcott 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 192 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 193

MUNICIPAL ORDER AUTHORIZING EXTENSION OF
DEMOLITION / SITE CLEARANCE SERVICES CONTRACT (BID
#2005-27) WITH FOUR-C EXCAVATION OF MORGANTOWN,
KENTUCKY FOR AN ESTIMATED COST OF \$40,000

Summary of Municipal Order No. 2005 - 193 was read by the City Clerk. Housing and Community Development Director Alice Burks stated that with changes in the bidding process and the contract going from calendar year to fiscal year, a contract extension to August 31, 2005 was recommended. Ms. Burks responded to questions regarding the initial contract expiration date, current services being provided and other projects to be addressed. Motion was made by Alcott 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 193 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 194

MUNICIPAL ORDER AUTHORIZING ADDITIONAL CUSTODIAL
SERVICES FOR POLICE HEADQUARTERS AND PUBLIC WORKS
OPERATIONS DIVISION AT LAPSLEY LANE FROM J & F
JANITORIAL SERVICES, INC.

Summary of Municipal Order No. 2005 - 194 was read by the City Clerk. In response to a question from Comm. Nash, Public Works Operations Division Manager Bobby Phelps stated he would have to follow up on why this topic was not discussed during the budget hearings. Motion was made by Nash and seconded by Simpson 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 194 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 195

MUNICIPAL ORDER APPROVING PROPERTY ACQUISITION
RELATED TO THE BROADWAY CURVE RECONSTRUCTION
PROJECT, AND AUTHORIZING THE MAYOR TO EXECUTE
DEEDS AND RELATED CLOSING DOCUMENTS

Summary of Municipal Order No. 2005 - 195 was read by the City Clerk. Housing and Community Development Director Alice Burks described the property to be acquired. Motion was made by Strow and seconded by Alcott 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 195 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 196

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
MARK BOLING TO THE CITY OF BOWLING GREEN CODE
ENFORCEMENT BOARD

Summary of Municipal Order No. 2005 - 196 was read by the City Clerk. Mayor Walker recommended the appointment. Motion was made by Alcott 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 196 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 197

MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENT OF SUSAN ALEXANDRA WALTERS EBLING TO
THE POSITION OF TREASURY ASSOCIATE IN THE FINANCE
DEPARTMENT

Summary of Municipal Order No. 2005 - 197 was read by the City Clerk. Human Resources Specialist Kari Aikins reviewed the position and the recommended applicant's qualifications. Motion was made by Nash and seconded by Simpson 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 197 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 198

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF TODD BISHOP CREEK AND MICHAEL AARON WEST TO THE POSITION OF LABORER II IN THE PUBLIC WORKS DEPARTMENT, OPERATIONS DIVISION

Summary of Municipal Order No. 2005 - 198 was read by the City Clerk. Aikins reviewed the positions and the qualifications of each recommended applicant. Motion was made by Alcott and seconded by Simpson 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 198 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 199

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-42 FOR CONCRETE INTERSECTION REHABILITATION FROM SCOTT & MURPHY, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$164,400

Summary of Municipal Order No. 2005 - 199 was read by the City Clerk. Public Works Project Manager Matthew Zoellner reviewed the street rehabilitation projects to be completed with this bid award. Motion was made by Nash and seconded by Alcott 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 199 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 200

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-47 FOR ASBESTOS INSPECTION/TESTING SERVICES FROM MICRO-ANALYTICS, INC. OF LOUISVILLE, KENTUCKY IN THE ESTIMATED AMOUNT OF \$40,000

Summary of Municipal Order No. 2005 - 200 was read by the City Clerk. Housing and Community Development Director Alice Burks recommended this bid award and responded to questions regarding prior year practices, environmental requirements and source of funding. Motion was made by Alcott 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 200 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 33
(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 2005

Title and summary of Ordinance No. BG2005 - 33 was read by the City Clerk. Acting Chief Financial Officer Jeff Meisel stated that this was the final budget amendment for Fiscal Year 2005. He also noted that the FY2005 books would be officially closed out in mid August 2005. Motion was made by Nash and seconded by Strow for first reading of said Ordinance. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

First reading of Ordinance No. BG2005 - 33 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 34
(First Reading)
ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTERS 6 (BUILDING REGULATIONS) AND 10 (ELECTRICITY) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO WAIVE BUILDING PERMIT AND ELECTRICAL PERMIT FEES FOR SPECIFIED CHARITABLE NONPROFIT AND CITY SPONSORED ACTIVITIES

Title and summary of Ordinance No. BG2005 - 34 was read by the City Clerk. Housing and Community Development Director Alice Burks reviewed the recommended changes to waive fees for nonprofit/charitable purposes. Motion was made by Simpson and seconded by Nash for first reading of said Ordinance. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

First reading of Ordinance No. BG2005 - 34 was approved by unanimous vote.

ADJOURNMENT

Mayor Walker announced that August 2, 2005 was the next scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 9:30 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 subject: presentation of the Downtown Signal Study.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by City Clerk Katie Schaller