

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held MARCH 7, 2006**

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 March 7, 2006. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Police Chief Bill Waltrip, and all present recited the Pledge of Allegiance. City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Mark D. Alcott, Commissioner Brian "Slim" Nash, Commissioner Delane Simpson, Commissioner Brian K. Strow and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

**PUBLIC COMMENTS**

Mayor Walker opened the floor for any public comments and there were none.

**AWARDS/RECOGNITIONS**

Mayor Walker and Public Information Coordinator Kim Lancaster announced the "Keep It Clean Bowling Green" art contestant finalists: Delancy Sheldon, Jennifer Muchmore and Kate Lashley. Each finalist was given a certificate of appreciation and a \$20 gift certificate to Mancino's, and the first place finalist would also receive a \$50 gift certificate to Hobby Lobby. Ms. Lancaster further announced that the First Place artwork of Delancy Sheldon would be copied into a coloring sheet, and with the assistance of Chris Thompson of Mancino's, the sheets will be distributed to children who can color them and submit for prizes.

**CITY MANAGER**

City Manager Kevin D. DeFebbo had no comments at this time.

**APPROVAL OF MINUTES**

Minutes of Special Meeting February 20, 2006

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

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

Motion to approve the minutes of the special meeting of February 20, 2006 was approved by unanimous vote.

**ORDINANCE NO. BG2006 - 5  
(Second Reading)  
ORDINANCE AMENDING CODE OF ORDINANCES**

ORDINANCE AMENDING CHAPTER 5 (ANIMALS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO CREATE NEW AND REVISED DEFINITIONS, TO REQUIRE RABIES VACCINATIONS FOR DOGS, CATS AND FERRETS, TO CREATE REVISED KENNEL REQUIREMENTS, TO REGULATE THE KEEPING OF EXOTIC OR WILD ANIMALS, TO CREATE CIVIL PENALTIES FOR SPECIFIED VIOLATIONS AND TO MAKE OTHER RELATED AMENDMENTS

Title and summary of Ordinance No. BG2006 - 5 was read by City Clerk Katie Schaller. Comm. Nash noted that two sections (5-1.13 and 5-1.14) of the ordinance would become effective following publication on March 10, 2006, with the remaining provisions effective May 1, 2006. Motion was made by Nash and seconded by Simpson for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2006 - 5 was adopted by unanimous vote.

ORDINANCE NO. BG2006 - 6  
(Second Reading)

ORDINANCE APPROVING LOCAL HISTORIC DESIGNATION OF A LANDMARK SITE

ORDINANCE APPROVING A LOCAL HISTORIC DESIGNATION OF A LANDMARK SITE FOR PROPERTY LOCATED AT 314 EAST 7<sup>TH</sup> AVENUE

Title and summary of Ordinance No. BG2006 - 6 was read by the City Clerk. Motion was made by Alcott and seconded by Simpson for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2006 - 6 was adopted by unanimous vote.

Mayor Walker announced that the City of Bowling Green was recently named one of the 2006 Dozen Distinctive Destinations of the National Trust for Historic Preservation.

MUNICIPAL ORDER NO. 2006 - 43

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF GARY WELLS TO THE BOWLING GREEN FIRE DEPARTMENT BURN VICTIM FUND BOARD OF ADVISORS

Summary of Municipal Order No. 2006 - 43 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:   Alcott, Nash, Simpson, Strow and Walker  
                  Voting Nay:   None

Municipal Order No. 2006 - 43 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 44

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE  
MAYOR TO EXECUTE A GRANT OF INGRESS-EGRESS  
EASEMENT WITH WARREN COUNTY RELATED TO THE  
ENTRANCE ROAD TO WELDON PEETE PARK

Summary of Municipal Order No. 2006 - 44 was read by the City Clerk. DeFebbo reviewed the need to grant easement to Warren County. City Attorney Gene Harmon responded to questions regarding property location. 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: Alcott, Nash, Simpson, Strow and Walker  
                          Voting Nay: None

Municipal Order No. 2006 - 44 was approved by unanimous vote.

ORDINANCE NO. BG2006 - 7

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 11 (FINANCE, TAX AND  
ECONOMIC DEVELOPMENT) OF THE CITY OF BOWLING  
GREEN CODE OF ORDINANCES TO DESIGNATE THE  
ALLOCATION OF EXCESS CITY FUNDS

Title and summary of Ordinance No. BG2006 - 7 was read by the City Clerk. Comm. Strow reviewed his proposal to require the Board of Commissioners to annually designate the use of surplus revenues to: (1) pay down dept, (2) use for one-time capital improvement projects, and/or (3) rebate to tax payers. He stated that his main purpose was to prevent the stockpiling of money without a specific purpose, and to engage in better financial planning.

Mayor Walker stated that major policy issues should be discussed at a work session prior to consideration at a meeting. Motion was made by Walker and seconded by Simpson to table Ordinance No. BG2006-7 until the opportunity to review at the March 21, 2006 work session. A roll call vote was taken.

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

Motion to table Ordinance No. BG2006 - 7 for a work session discussion on March 21, 2006 was approved by majority vote. Comm. Alcott requested that a staff review also be presented at the work session, including the projected Fiscal Year 2006 revenue surplus, costs to the City to implement a rebate and the number of employers from which the City receives occupational license fees. Chief Financial Officer Jeff Meisel indicated he would be prepared to provide information at the work session.

Comm. Strow requested clarification regarding which issues should come before a work session. Mayor Walker stated that substantive issues that require major policy changes should require more discussion and review by the Board of Commissioners. Comm. Alcott suggested, and a majority of the Board agreed, that the City Manager should give a litmus test to issues to be brought to a work session.

**MUNICIPAL ORDER NO. 2006 - 45**

**MUNICIPAL ORDER APPROVING AND AUTHORIZING REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO FRANKFORT, KENTUCKY FOR CITY MANAGER KEVIN D. DEFEBBO**

Summary of Municipal Order No. 2006 - 45 was read by the City Clerk. Motion was made by Alcott and seconded by Nash 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: Alcott, Nash, Simpson, Strow and Walker  
                          Voting Nay: None

Municipal Order No. 2006 - 45 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2006 - 46**

**MUNICIPAL ORDER APPROVING AND AUTHORIZING REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO WASHINGTON, D.C. FOR MAYOR ELAINE N. WALKER**

Summary of Municipal Order No. 2006 - 46 was read by the City Clerk. 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: Alcott, Nash, Simpson and Strow  
                          Voting Nay: None  
                          Abstain: Walker

Municipal Order No. 2006 - 46 was approved by majority vote.

**ORDINANCE NO. BG2006 - 8**

**(First Reading)**

**ORDINANCE RENAMING STREET**

**ORDINANCE APPROVING THE RENAMING OF PINE TERRACE COURT TO PINE POINTE COURT**

Title and summary of Ordinance No. BG2006 - 8 was read by the City Clerk. City-County Planning Commission Director Andy Gillies responded to questions regarding the impact of street name changes to the 911 emergency system. Motion was made by Alcott and seconded by Simpson 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: Alcott, Nash, Simpson, Strow and Walker

Voting Nay: None

First reading of Ordinance No. BG2006 - 8 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 47

MUNICIPAL ORDER APPROVING AND AUTHORIZING REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO FRANKFORT, KENTUCKY FOR MAYOR ELAINE N. WALKER, CITY MANAGER KEVIN D. DEFEBBO, COMMISSIONER BRIAN "SLIM" NASH, COMMISSIONER MARK D. ALCOTT AND COMMISSIONER BRIAN K. STROW

Summary of Municipal Order No. 2006 - 47 was read by the City Clerk. City Attorney Gene Harmon clarified that since this item was based upon reimbursement of travel expenses, Board members would not gain any benefit or be in conflict with its approval. 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: Alcott, Nash, Simpson, Strow and Walker

Voting Nay: None

Municipal Order No. 2006 - 47 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 48

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET, DEPARTMENT OF INTERGOVERNMENTAL PROGRAMS AND THE CITY OF BOWLING GREEN RELATED TO BITUMINOUS RESURFACING ON VARIOUS CITY STREETS

Summary of Municipal Order No. 2006 - 48 was read by the City Clerk. DeFebbo reviewed the agreement from the state. Public Works Director Emmett Wood and City Engineer Jeff Lashlee responded to questions regarding the inclusion of alley ways into the resurfacing program. Comm. Strow encouraged adding all public alley ways into the system. DeFebbo agreed and suggested that any fund balance could be designated to resurfacing alley ways. Motion was made by Alcott and seconded by Nash 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: Alcott, Nash, Simpson, Strow and Walker

Voting Nay: None

Municipal Order No. 2006 - 48 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 49

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF JEFFREY S. STEIN TO THE GREENWAYS COMMISSION OF BOWLING GREEN AND WARREN COUNTY

Summary of Municipal Order No. 2006 - 49 was read by the City Clerk. Mayor Walker recommended the appointment and Comm. Strow concurred. Motion was made by Simpson and seconded by Nash 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:   Alcott, Nash, Simpson, Strow and Walker  
                          Voting Nay:   None

Municipal Order No. 2006 - 49 was approved by unanimous vote.

#### MUNICIPAL ORDER NO. 2006 - 50

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WESTERN KENTUCKY UNIVERSITY RELATED TO THE 14<sup>TH</sup> AVENUE AND COLLEGE HEIGHTS BOULEVARD STREET PROJECTS AND ALL DEEDS, EASEMENTS AND ALL OTHER NECESSARY DOCUMENTS TO CARRY OUT THIS AGREEMENT

Summary of Municipal Order No. 2006 - 50 was read by the City Clerk. DeFebbo reviewed the agreement to assist Western Kentucky University with its efforts to improve campus and to turn College Heights Boulevard (formerly 15<sup>th</sup> Avenue) over to WKU, with the provision it remain open to the public in perpetuity. Public Works Director Emmett Wood reviewed the two street projects. Associate Vice President of Campus Services John Osborne responded to questions regarding the timeframe to complete WKU's portion of the projects by the start of the fall semester. 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:   Alcott, Nash, Simpson, Strow and Walker  
                          Voting Nay:   None

Municipal Order No. 2006 - 50 was approved by unanimous vote.

#### ADJOURNMENT

Mayor Walker announced that March 21, 2006 was the next regularly scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 8:30 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 subjects: (1) presentation of the Bowling Green Area Convention and Visitors Bureau annual report; and (2) relocation of the Bowling Green Area Chamber of Commerce offices in downtown. A special call meeting was established at 3:00 p.m. on Tuesday, March 14, 2006 for the Board to take action regarding the City's contribution to the Chamber's redevelopment project.

*(Minutes-Board of Commissioners-March 7, 2006)*

ADOPTED: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Mayor, Chairman of Board of Commissioners

ATTEST: \_\_\_\_\_  
City Clerk

*Minutes prepared by City Clerk Katie Schaller*