

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held NOVEMBER 16, 2004**

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 November 16, 2004. Mayor Sandy Jones called the meeting to order. An invocation was given by Police Chaplain Mike Holian, and all present recited the Pledge of Allegiance. City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Alan Palmer, Commissioner Jim Bullington, Commissioner Joe W. Denning, Commissioner Dan Hall and Mayor Sandy Jones. Absent: none. There was a full quorum of the Board of Commissioners.

PUBLIC COMMENTS

Marshall Love, Bowling Green citizen, expressed concerns with noise pollution, contracts for street patches and that no signs are posted warning of street cuts, traffic flow and signal light synchronization, drainage flowing uphill and blacktop over sidewalks.

CITY MANAGER

City Manager Charles W. Coates requested a closed session for the purpose of discussion of proposed or pending litigation against or on behalf of the City. Motion was made by Palmer and seconded by Hall to convene in closed session following the regular meeting pursuant to KRS 61.810(c). Jones called for roll call vote.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

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

Mr. Coates presented an overview of the Bowling Green-Warren County Major Thoroughfare Plan. He stated that traffic is the City's number one problem according to Public Opinion Surveys and that the Bowling Green urbanized area is identified as the second fastest growing urban area in the state. If something is not done to plan for the future, then Bowling Green will experience virtual gridlock by the year 2030. Coates indicated that this Plan will be utilized as a development guide which would be revisited often.

APPROVAL OF MINUTES

Minutes of Regular Meeting October 19, 2004 and Special Work Session Meeting November 9, 2004

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

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Motion to approve the minutes of the regular meeting of October 19, 2004 and special work session meeting of November 9, 2004 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 49
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 3.714 ACRES FROM RM-3 (MULTI-FAMILY RESIDENTIAL) TO RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 1114 BROCKLEY WAY, PRESENTLY OWNED BY NEW MILLENNIUM REAL ESTATE, LLC

Title and summary of Ordinance No. BG2004 - 49 was read by City Clerk Katie Schaller. Motion was made by Denning and seconded by Hall for second reading of said Ordinance. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Ordinance No. BG2004 - 49 was adopted by unanimous vote.

ORDINANCE NO. BG2004 - 50
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING SIX TRACTS OF LAND CONTAINING 20.239 ACRES FROM HI (HEAVY INDUSTRY) TO HB (HIGHWAY BUSINESS) LOCATED ON US 31-W (LOUISVILLE ROAD), SCOTTY'S WAY AND BRENNER STREET, WITH BINDING ELEMENTS, PRESENTLY OWNED BY SCOTTY'S DEVELOPMENT COMPANY, LLC

Title and summary of Ordinance No. BG2004 - 50 was read by the City Clerk. Motion was made by Bullington and seconded by Denning for second reading of said Ordinance. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Ordinance No. BG2004 - 50 was adopted by unanimous vote.

ORDINANCE NO. BG2004 - 51
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 4.96 ACRES FROM LI (LIGHT INDUSTRY) TO HI (HEAVY INDUSTRY) LOCATED ON TOBACCO ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY GREG AND JOE ANN GARY

Title and summary of Ordinance No. BG2004 - 51 was read by the City Clerk. Motion was made by Palmer and seconded by Hall for second reading of said Ordinance. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Ordinance No. BG2004 - 51 was adopted by unanimous vote.

ORDINANCE NO. BG2004 - 52

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF
THE CITY OF BOWLING GREEN CODE OF ORDINANCES
RELATING TO THE CITY SEAL

Title and summary of Ordinance No. BG2004 - 52 was read by the City Clerk. Motion was made by Palmer and seconded by Bullington for second reading of said Ordinance. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Ordinance No. BG2004 - 52 was adopted by unanimous vote.

ORDINANCE NO. BG2004 - 53

(Second Reading)

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 28.31 ACRES OF PROPERTY LOCATED
ON GLASGOW ROAD (US 68/KY 80), WITH PROPERTY
PRESENTLY OWNED BY GENEVA CRABTREE AND INTER-
MODAL TRANSPORTATION AUTHORITY, INC., AND SAID
TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS

Title and summary of Ordinance No. BG2004 - 53 was read by the City Clerk. Motion was made by Denning and seconded by Hall for second reading of said Ordinance. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Ordinance No. BG2004 - 53 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 259

MUNICIPAL ORDER CHANGING THE SCHEDULE OF PAYMENT
STANDARDS FOR THE HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2004 - 259 was read by the City Clerk. Housing Manager Vallory Schocke stated this was an annual adjustment to rental rates and indicated it was an average of a six percent increase. Motion was made by Palmer and seconded by Denning for consideration of

said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 259 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 260

MUNICIPAL ORDER ACCEPTING CHANGES AND APPROVING REVISIONS TO THE ADMINISTRATIVE PLAN FOR THE CITY'S SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2004 - 260 was read by the City Clerk. Schocke stated this was part of an annual review of the Plan and highlighted the two most significant changes. Motion was made by Hall and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 260 was approved by unanimous vote.

ORDINANCE NO. BG2004 – 54

(First Reading)

ORDINANCE CLOSING A PUBLIC WAY

ORDINANCE APPROVING THE CLOSING OF A RIGHT-OF-WAY OF A 0.39 ACRE TRACT OF THE UNCONSTRUCTED RUGBY DRIVE LOCATED 382 FEET SOUTHEAST FROM THE INTERSECTION OF US 231 AND CHERRY FARM LANE

Title and summary of Ordinance No. BG2004 - 54 was read by the City Clerk. Planning Commission Director Andy Gillies stated that the developer reconfigured the development causing the shifting of the road way. Motion was made by Hall and seconded by Bullington for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

First reading of Ordinance No. BG2004 - 54 was approved by unanimous vote.

ORDINANCE NO. BG2004 – 55

(First Reading)

ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF LILAC COURT AND LILAC STREET TO PARKWOOD COURT AND PARKWOOD STREET

Title and summary of Ordinance No. BG2004 - 55 was read by the City Clerk. Gillies reviewed the street name changes. Motion was made by Bullington and seconded by Palmer for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

First reading of Ordinance No. BG2004 - 55 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 56
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.24
ACRE FROM RM-3 (MULTI-FAMILY RESIDENTIAL) TO OP-R
(OFFICE PROFESSIONAL-RESIDENTIAL) LOCATED AT 441
CHURCH AVENUE, WITH BINDING ELEMENTS, PRESENTLY
OWNED BY THE HOUSING AUTHORITY OF BOWLING GREEN;
FAMILY ENRICHMENT CENTER, CONTRACT VENDEE

Title and summary of Ordinance No. BG2004 - 56 was read by the City Clerk. Gillies indicated this was an adaptive reuse for offices and a help resource center and he reviewed the binding elements. Motion was made by Palmer and seconded by Denning for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

First reading of Ordinance No. BG2004 - 56 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 57
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 10
ACRES FROM AG (AGRICULTURE) TO HB (HIGHWAY
BUSINESS) LOCATED ON THREE SPRINGS ROAD, WITH
BINDING ELEMENTS, PRESENTLY OWNED BY FLEA LAND,
INC., A KENTUCKY CORPORATION

Title and summary of Ordinance No. BG2004 - 57 was read by the City Clerk. Gillies stated a self-storage facility would be constructed with agreed upon binding elements. Motion was made by Hall and seconded by Bullington for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

First reading of Ordinance No. BG2004 - 57 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 261

MUNICIPAL ORDER EXPRESSING THE DESIRE AND INTENT OF
THE CITY OF BOWLING GREEN, KENTUCKY TO FINANCE
COSTS RELATED TO VARIOUS PROJECTS INCLUDED IN THE
FISCAL YEAR 2005 BUDGET

Summary of Municipal Order No. 2004 - 261 was read by the City Clerk. Chief Financial Officer Davis Cooper stated that the IRS requires a declaration of intent to finance various projects. Cooper responded to questions regarding the Police take home fleet. Eric Reed requested that the 14th Avenue alignment project be considered separately and expressed his concerns with the project. Coates responded that the first phase has no property acquisition and is within the existing right-of-way. Motion was made by Denning and seconded by Hall for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones

Voting Nay: None

Municipal Order No. 2004 - 261 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 262

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A
GRANT FROM THE GOVERNOR'S HIGHWAY SAFETY
PROGRAM IN THE AMOUNT OF \$13,100

Summary of Municipal Order No. 2004 - 262 was read by the City Clerk. Police Office Associate Heather Plowman reviewed the grant and use of funds to pay overtime costs in traffic enforcement and to purchase speed-monitoring equipment. Motion was made by Hall and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones

Voting Nay: None

Municipal Order No. 2004 - 262 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 263

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF
TINA COATES AND THOMAS F. HART TO THE GREENWAYS
COMMISSION OF BOWLING GREEN AND WARREN COUNTY

Summary of Municipal Order No. 2004 - 263 was read by the City Clerk. Mayor Jones recommended the reappointments. Motion was made by Denning and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones

Voting Nay: None

Municipal Order No. 2004 - 263 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 58
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TWO TRACTS OF LAND CONTAINING 2.5497 ACRES FROM RS-1A (SINGLE FAMILY RESIDENTIAL) TO OP-R (OFFICE PROFESSIONAL-RESIDENTIAL) AND LI (LIGHT INDUSTRY) LOCATED AT 1151 OLD PORTER PIKE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY PARKER MILLER AND FAYE MILLER; DIVISION I CAPITAL, LLC, CONTRACT VENDEE

Title and summary of Ordinance No. BG2004 - 58 was read by the City Clerk. Gillies reviewed the rezoning for contractors' offices and equipment storage and the associated binding elements. Motion was made by Bullington and seconded by Hall for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
Voting Nay: None

First reading of Ordinance No. BG2004 - 58 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 59
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.69 ACRE FROM AG (AGRICULTURE) TO HB (HIGHWAY BUSINESS) LOCATED AT 291 GREENWOOD LANE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY JOE BETTERSWORTH

Title and summary of Ordinance No. BG2004 - 59 was read by the City Clerk. Gillies reviewed the rezoning for use as a used car lot and included binding elements. Motion was made by Hall and seconded by Bullington for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
Voting Nay: None

First reading of Ordinance No. BG2004 - 59 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 264

MUNICIPAL ORDER ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE CITY OF BOWLING GREEN WITH THE COMMONWEALTH OF KENTUCKY JUSTICE CABINET FOR FEDERAL VICTIMS OF CRIME ACT (VOCA) FUNDS FOR THE PARTIAL FUNDING OF A VICTIM ADVOCATE POSITION FOR THE POLICE DEPARTMENT INVESTIGATIONS UNIT IN THE AMOUNT OF \$28,173

Summary of Municipal Order No. 2004 - 264 was read by the City Clerk. Victim Advocate April Fulcher stated this was the twelfth year of grant funding. Motion was made by Hall and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 264 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 265

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN AREA DEVELOPMENT FUND (ADF) GRANT APPLICATION IN THE AMOUNT OF \$4,750 FOR RENOVATION OF THE CITY HALL ANNEX FROM THE GOVERNOR’S OFFICE FOR LOCAL DEVELOPMENT THROUGH THE BARREN RIVER AREA DEVELOPMENT DISTRICT

Summary of Municipal Order No. 2004 - 265 was read by the City Clerk. Grants Manager Lisa Ryan stated that the City is eligible to apply for funds every other year and she reviewed the proposed use if funds are received. Motion was made by Palmer and seconded by Hall for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 265 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 266

MUNICIPAL ORDER APPROVING AND AUTHORIZING REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO LOUISVILLE, KENTUCKY FOR CITY COMMISSIONER JIM BULLINGTON

Summary of Municipal Order No. 2004 - 266 was read by the City Clerk. Motion was made by Denning and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Denning, Hall and Jones
 Voting Nay: None
 Voting Abstain: Bullington

Municipal Order No. 2004 - 266 was approved by majority vote.

MUNICIPAL ORDER NO. 2004 – 267

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF PHILLIP DYE, DAVID SOWDERS AND STEVE SPEAKMAN TO THE CONTRACTORS LICENSING BOARD

Summary of Municipal Order No. 2004 - 267 was read by the City Clerk. Mayor Jones recommended the reappointments. Motion was made by Hall and seconded by Denning for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 267 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 268

MUNICIPAL ORDER APPROVING THE PROMOTION OF JOHN RICHARD WILLEY TO THE POSITION OF SERGEANT IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2004 - 268 was read by the City Clerk. Human Resources Director Michele Tolbert reviewed the promotional process and eligibility list, and the qualifications for promotion. Motion was made by Denning and seconded by Hall for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 268 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 269

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF CAMERON TRIGG TAYLOR TO THE POSITION OF POLICE OFFICER FOR THE POLICE DEPARTMENT

Summary of Municipal Order No. 2004 - 269 was read by the City Clerk. Tolbert reviewed the applicant's qualifications and recent graduation from the Police Corps Program. Motion was made by Palmer and seconded by Denning for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 269 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 270

MUNICIPAL ORDER APPROVING THE PROMOTION OF DEREK KYLE GAY TO THE POSITION OF SPECIAL OPERATIONS COORDINATOR IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2004 - 270 was read by the City Clerk. Tolbert reviewed the position and qualifications for promotion. Motion was made by Hall and seconded by Palmer for

consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 270 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 271

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
MICHAEL ANTHONY GRAY TO THE POSITION OF OPERATIONS
TECHNICIAN I FOR THE PUBLIC WORKS DEPARTMENT,
OPERATIONS DIVISION

Summary of Municipal Order No. 2004 - 271 was read by the City Clerk. Tolbert stated that this was a former employee of the City who wished to return. Motion was made by Denning and seconded by Bullington for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 271 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 60

(First Reading)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE AMENDING ARTICLES 4, 5, 8 AND APPENDIX A
(SIGNS) OF THE ZONING ORDINANCE FOR THE CITY OF
BOWLING GREEN, KENTUCKY AS RECOMMENDED BY THE
CITY-COUNTY PLANNING COMMISSION

Title and summary of Ordinance No. BG2004 - 60 was read by the City Clerk. Gillies reviewed the significant changes to the zoning ordinance related to high-rise signs and the involvement of a committee to assist with the process. Gillies also responded to questions regarding the need to make changes, the effect on billboard signs off the interstate, public participation in the review process and the members of the committee. Leo Pitt, owner of Western Advertising (WAKY Signs, Inc.) and member of the sign committee, expressed concern that his company was being discriminated against by these restrictions and wanted to be treated fairly. Gillies addressed Mr. Pitt's concerns and responded to additional questions regarding current signage, new signs and limiting the number of signs in an area. Motion was made by Hall and seconded by Palmer for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Hall and Jones
 Voting Nay: Bullington and Denning

First reading of Ordinance No. BG2004 - 60 was approved by majority vote.

MUNICIPAL ORDER NO. 2004 - 272

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
DAVID LOCKERT LYNE TO THE POSITION OF OCCUPATIONAL
LICENSE MANAGER FOR THE FINANCE DEPARTMENT

Summary of Municipal Order No. 2004 - 272 was read by the City Clerk. Tolbert stated that this was a rehire following retirement into the same position. Motion was made by Palmer and seconded by Bullington for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 272 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 273

MUNICIPAL ORDER APPROVING THE PROMOTION OF ALICE
ANNETTE BURKS TO THE POSITION OF DIRECTOR FOR THE
HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT

Summary of Municipal Order No. 2004 - 273 was read by the City Clerk. Coates recommended Ms. Burks for promotion and reviewed her qualifications. Comm. Bullington stated that he thought this position was too important and should be advertised. He made a motion to table the Municipal Order until the position could be advertised; however there was no second to the motion. With no further discussion, motion was made by Palmer and seconded by Denning for consideration of said Municipal Order. A roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Denning, Hall and Jones
 Voting Nay: Bullington

Municipal Order No. 2004 - 273 was approved by majority vote.

MUNICIPAL ORDER NO. 2004 - 274

MUNICIPAL ORDER AUTHORIZING A SECOND CHANGE
ORDER TO THE CONTRACTS WITH VARIOUS CONTRACTORS
FOR THE CONSTRUCTION OF THE POLICE HEADQUARTERS
EXPANSION PROJECT IN THE AMOUNT OF \$72,708.69

Summary of Municipal Order No. 2004 - 274 was read by the City Clerk. Special Operations Coordinator Derek Gay reviewed the project and need for change orders. Public Works Director Emmett Wood stated that the change orders amounted to less than two percent of the total project cost. Motion was made by Hall and seconded by Bullington for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 274 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 275

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF MARTHA L. ALVOREZ, TIFFANY ANN MERTEN AND LINDA SUE MONTELL TO THE POSITION OF COMMUNICATIONS DISPATCHER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2004 - 275 was read by the City Clerk. Tolbert reviewed the position vacancies and qualifications of the recommended applicants. Motion was made by Bullington and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
Voting Nay: None

Municipal Order No. 2004 - 275 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 276

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-10 FOR ARCHITECT AND ENGINEERING SERVICES AND CONSTRUCTION MANAGEMENT SERVICES FOR THE PARKS AND RECREATION COMMUNITY CENTER EXPANSION

Summary of Municipal Order No. 2004 - 276 was read by the City Clerk. Parks and Recreation Director Ernie Gouvas reviewed the proposed plans for expansion and the bid evaluation process. He responded to questions regarding the previous involvement of Architectural Services of Kentucky with regard to renovating the current facility. Coates stated that the Third Street Day Care would be relocated into the Community Room of the Community Center. Motion was made by Hall and seconded by Jones for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Hall and Jones
Voting Nay: Bullington and Denning

Municipal Order No. 2004 - 276 was approved by majority vote.

MUNICIPAL ORDER NO. 2004 - 277

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-12 FOR THE PUBLIC WORKS OPERATIONS DIVISION FACILITY RENOVATION/ADDITION AT 2311 LAPSLEY LANE

Summary of Municipal Order No. 2004 - 277 was read by the City Clerk. Following a brief recess, Public Works Director Emmett Wood explained the need for relocation of the Operations Division. He reviewed the cost overrun and responded to questions regarding scope of construction, other sites, access onto Lovers Lane and the ability of the Fleet Management Division to generate future revenues. Cooper stated that bonds would be issued to finance project costs. Motion was made by Hall and seconded by Bullington for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

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ROLL CALL: Voting Yea: Palmer, Bullington, Hall and Jones
 Voting Nay: None
 Voting Abstain: Denning
Municipal Order No. 2004 - 277 was approved by majority vote.

MUNICIPAL ORDER NO. 2004 - 278

MUNICIPAL ORDER ACCEPTING AND DEDICATING APPROXIMATELY 0.274 MILE OF EXCESS RIGHT-OF-WAY (MT. VICTOR LANE) FROM THE COMMONWEALTH OF KENTUCKY RELATED TO THE CEMETERY ROAD PROJECT AS CITY RIGHT-OF-WAY AND AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEED

Summary of Municipal Order No. 2004 - 278 was read by the City Clerk. Coates stated this resulted from relocating Cemetery Road. Motion was made by Palmer and seconded by Hall for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None
Municipal Order No. 2004 - 278 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 61
(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 11 (FINANCE, TAXATION AND ECONOMIC DEVELOPMENT) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO INCREASE THE RETURNED CHECK CHARGE, TO DENOTE NATIONAL CORVETTE MUSEUM FOUNDATION, INC. AS THE CITY'S AGENCY RELATED TO THE REFUNDING OF THE CORVETTE MUSEUM BONDS AND TO MAKE ADMINISTRATIVE CHANGES RELATED TO AMENDMENTS TO THE KENTUCKY REVISED STATUTES

Title and summary of Ordinance No. BG2004 - 61 was read by the City Clerk. Cooper and City Attorney Gene Harmon reviewed the recommended changes. Motion was made by Hall and seconded by Bullington for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None
First reading of Ordinance No. BG2004 - 61 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 279

MUNICIPAL ORDER APPROVING A PROFESSIONAL SERVICES CONTRACT WITH BELL, ORR, AYERS, & MOORE, P.S.C. FOR LEGAL SERVICES TO THE CITY OF BOWLING GREEN, KENTUCKY FOR FISCAL YEAR 2005

Summary of Municipal Order No. 2004 - 279 was read by the City Clerk. City Attorney Gene Harmon reviewed the need for legal services to assist with condemnation cases as a result of the Community Center Expansion project. Motion was made by Bullington and seconded by Denning for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones

Voting Nay: None

Municipal Order No. 2004 - 279 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 280

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT TO THE OFFICE FOR VICTIMS OF CRIME, DEPARTMENT OF JUSTICE, IN THE AMOUNT OF \$5,000

Summary of Municipal Order No. 2004 - 280 was read by the City Clerk. Plowman stated the funds would be used to assist with a campaign to prevent child abuse. Motion was made by Denning and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones

Voting Nay: None

Municipal Order No. 2004 - 280 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 281

MUNICIPAL ORDER ACCEPTING THE BOWLING GREEN/WARREN COUNTY MAJOR THOROUGHFARE PLAN AND DIRECTING THE CITY-COUNTY PLANNING COMMISSION TO INCORPORATE THE STUDY INTO ITS DEVELOPMENT GUIDELINES

Summary of Municipal Order No. 2004 - 281 was read by the City Clerk. Major Jones stated this was previously discussed. Motion was made by Hall and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones

Voting Nay: None

Municipal Order No. 2004 - 281 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 282

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-21 FOR PERFORMANCE MANAGEMENT SOFTWARE FOR THE HUMAN RESOURCES DEPARTMENT IN THE AMOUNT OF \$29,845

Summary of Municipal Order No. 2004 - 282 was read by the City Clerk. Tolbert reviewed the automated performance evaluation software to be used by all departments. Motion was made by Hall and seconded by Denning for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
Voting Nay: None

Municipal Order No. 2004 - 282 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 283

MUNICIPAL ORDER APPROVING A PROFESSIONAL SERVICES CONTRACT WITH SATTERFIELD LAW FIRM FOR LEGAL SERVICES TO THE CITY OF BOWLING GREEN, KENTUCKY FOR FISCAL YEAR 2005

Summary of Municipal Order No. 2004 - 283 was read by the City Clerk. This item was previously discussed with Municipal Order No. 2004 - 279. Motion was made by Denning and seconded by Hall for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
Voting Nay: None

Municipal Order No. 2004 - 283 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 284

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-18 FOR A DOWNTOWN SIGNALIZATION STUDY FOR THE BOWLING GREEN DOWNTOWN AREA IN THE AMOUNT OF \$74,465

Summary of Municipal Order No. 2004 - 284 was read by the City Clerk. Assistant City Engineer Melissa Cansler reviewed the five objectives of the project to identify improvements for traffic signals in the downtown area. There was further discussion regarding traffic signal timing and coordination with the State Highway Department. Motion was made by Palmer and seconded by Hall for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
Voting Nay: None

Municipal Order No. 2004 - 284 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 62
(First Reading)
ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER ONE TO THE
CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING
BUDGET FOR FISCAL YEAR 2005

Title and summary of Ordinance No. BG2004 - 62 was read by the City Clerk. Cooper stated this was a routine item and responded to questions about the amendments. Motion was made by Hall and seconded by Bullington for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

First reading of Ordinance No. BG2004 - 62 was approved by unanimous vote.

REQUEST SPECIAL MEETING

Planning Commission Director Andy Gillies requested a special meeting of the Board of Commissioners to consider the second reading of Ordinance No. BG2004 - 60 prior to the end of the sign moratorium which expires on November 19, 2004. The Board agreed to meet at 3:20 p.m. on Thursday, November 18, 2004.

CLOSED SESSION

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

OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session. Motion to add Municipal Order No. 2004 - 285 to the agenda for consideration was made by Denning and seconded by Palmer. With no discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Motion to add Municipal Order No. 2004 - 285 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 285

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE
MAYOR TO EXECUTE A SETTLEMENT AGREEMENT RELATED
TO PENDING ACTION AGAINST STEPHEN AND DEBORAH
CATRON

(Minutes-Board of Commissioners-November 16, 2004)

Summary of Municipal Order No. 2004 - 285 was read by the City Clerk. Motion was made by Bullington and seconded by Hall for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Palmer, Bullington, Denning, Hall and Jones
 Voting Nay: None

Municipal Order No. 2004 - 285 was approved by unanimous vote. Mayor Jones stated “we are pleased to announce that all parties have reached a settlement on the issues relating to the CCC and the City of Bowling Green without the admission of fault by any party. All parties have released each other and this case is over.”

ADJOURNMENT

Mayor Jones announced that December 7, 2004 was the next regular scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 10:45 p.m., Mayor Jones declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
 Mayor, Chairman of Board of Commissioners

ATTEST: _____
 City Clerk

Minutes prepared by City Clerk Katie Schaller