

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JANUARY 20, 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 January 20, 2004. Mayor Sandy Jones called the meeting to order. An invocation was given in honor of Martin Luther King, Jr., and all present recited the Pledge of Allegiance. City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Jim Bullington, Commissioner Joe W. Denning, Commissioner Dan Hall, Commissioner Alan Palmer and Mayor Sandy Jones. Absent: none. There was a full quorum of the Board of Commissioners.

PUBLIC COMMENTS

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

PRESENTATION

Public Works Director Emmett Wood began the presentation on Phase II - Storm Water Program Implementation and indicated that the first annual report on the NPDES MS4 Phase II Permit was due at the end of the month to the Kentucky Division of Water. City Engineer Jeff Lashlee reviewed the goals for the storm water program, the partnering opportunities and the status of the program. Hydrologist Tim Slattery provided an overview of the NPDES permit process, the projected and expended budget to date and the various control measures being implemented. Project Manager Derek Gay reviewed the "Backyard" capital improvement projects for Fiscal Year 2004, including the scope of projects, the project selection process and the top three projects: 1) Glendale Storm Sewer, 2) "By Pass" Project and 3) Cumberland Ridge Way.

CITY MANAGER

City Manager Charles W. Coates had no additional comments at this time.

APPROVAL OF MINUTES

Minutes of Regular Meeting January 6, 2004

Minutes of the above-referenced meeting 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

Motion to approve the minutes of the regular meeting of January 6, 2004 was approved by unanimous vote.

ORDINANCE NO. BG2004 - 1
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING EIGHTEEN PARCELS OF PROPERTY FROM RM-2 (TWO FAMILY RESIDENTIAL) TO RS-1C (SINGLE FAMILY RESIDENTIAL) LOCATED ON SUMPTER AVENUE AND FOURTEEN PARCELS OF PROPERTY FROM RM-2 (TWO FAMILY RESIDENTIAL) TO RS-1A (SINGLE FAMILY RESIDENTIAL) LOCATED ON MARYLAN AVENUE

Title and summary of Ordinance No. BG2004 - 1 was read by City Clerk Katie Schaller. Planning Commission Director Andy Gillies reviewed the proposed rezoning to address neighborhood concerns which would maintain the character of single family residential. 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

First reading of Ordinance No. BG2004 - 1 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 19

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF DAVID WISEMAN TO THE BOWLING GREEN AREA CONVENTION AND VISITORS BUREAU

Summary of Municipal Order No. 2004 - 19 was read by the City Clerk. Mayor Jones recommended the reappointment. 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

Municipal Order No. 2004 - 19 was approved by unanimous vote.

ORDINANCE NO. BG2004 – 2

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 65.42 ACRES FROM AG (AGRICULTURE) TO HB (HIGHWAY BUSINESS) LOCATED BETWEEN ALVATON ROAD AND SHIVE LANE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY FARMERS INVESTMENT COMPANY INCORPORATED

Title and summary of Ordinance No. BG2004 - 2 was read by the City Clerk. Gillies reviewed the rezoning and proposed use of the property, including the required binding elements. Gillies responded to questions regarding the planned Alvaton Road (Bale Boulevard) development and widening, and the binding element requirement for building facades.

Attorney Linda Thomas, representing Countryside Village of Bowling Green, addressed the Board to reiterate concerns by the mobile home residents which were stated at the Planning Commission's public hearing. Thomas stated there are concerns of a five-lane road narrowing to a two-lane road, the need for lighting controls to lesson the impact of bright light infiltrating the residential

area, and the potential of the new Shive Lane entrance taking part of the mobile home property. Mayor Jones noted that the Board was given copies of the Planning Commission's public hearing transcript for review. There were questions regarding the use of future traffic signals and the notification to property owners in the area who might be affected by the road development. Coates indicated that at this time the engineering plans for the road development were not complete and it was premature to contact property owners without specific information.

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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

First reading of Ordinance No. BG2004 - 2 was approved by unanimous vote.

Following the vote on first reading of Ordinance No. BG2004 - 2, Don Langley, owner of Greenwood Park, Inc., expressed concern that his business which backs up to the area being rezoned might eventually become land locked, and questioned if Wall Street might be connected to Alvaton Road. Mayor Jones noted that the development does not include this connection. Wood suggested that it could be connected under a private development. Coates recommended to Mr. Langley that he contact the property owners regarding the issue. Gillies indicated that the connection of Wall Street was considered by the Planning Commission, but was determined to be inadequate at this time. Mr. Langley concluded by requesting the Board's consideration of extending the road.

MUNICIPAL ORDER NO. 2004 - 20

MUNICIPAL ORDER EXPRESSING THE DESIRE AND INTENT OF
THE CITY OF BOWLING GREEN, KENTUCKY TO FINANCE
CONSTRUCTION COSTS RELATED TO TURNER COURT AND
BALE BOULEVARD

Summary of Municipal Order No. 2004 - 20 was read by the City Clerk. Coates indicated this was required for financing capital improvement projects and reviewed each of the two projects. 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

Municipal Order No. 2004 - 20 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 - 21

MUNICIPAL ORDER APPROVING THE PROMOTION OF JOEL
SMITH TO THE POSITION OF EQUIPMENT TECHNICIAN -
MASTER IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2004 - 21 was read by the City Clerk. Human Resources Director Michele Tolbert reviewed the promotion, required certifications and qualifications. 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

Municipal Order No. 2004 - 21 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 22

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2004-24 FOR LAMPKIN PARK SOFTBALL FIELDS LIGHTING FROM DIVERSIFIED ELECTRICAL, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$152,915

Summary of Municipal Order No. 2004 - 22 was read by the City Clerk. Parks and Recreation Director Ernie Gouvas explained that the existing lighting would be replaced at the two softball fields, which would include a ten-year warranty. 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

Municipal Order No. 2004 - 22 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 23

MUNICIPAL ORDER APPROVING THE PROMOTION OF GABRIEL T. NEALON TO THE POSITION OF CREW SUPERVISOR II IN THE PARKS AND RECREATION DEPARTMENT, GOLF DIVISION

Summary of Municipal Order No. 2004 - 23 was read by the City Clerk. Tolbert reviewed the promotion and qualifications. 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

Municipal Order No. 2004 - 23 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 24

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF FRED DENT TO THE BOWLING GREEN HUMAN RIGHTS COMMISSION

Summary of Municipal Order No. 2004 - 24 was read by the City Clerk. Mayor Jones recommended the appointment. 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

Municipal Order No. 2004 - 24 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 25

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF JERRY
W. PHELPS TO THE BOWLING GREEN-WARREN COUNTY
MILITARY LIAISON BOARD

Summary of Municipal Order No. 2004 - 25 was read by the City Clerk. Mayor Jones recommended the appointment. 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: Bullington, Denning, Hall, Palmer and Jones
 Voting Nay: None

Municipal Order No. 2004 - 25 was approved by unanimous vote.

ADJOURNMENT

Mayor Jones announced that February 3, 2004 was the next scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 8:10 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