

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held AUGUST 1, 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 August 1, 2006. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Assistant Pastor and Director of Children's Ministries Vicky Donaldson of First Baptist 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 Brian K. Strow, Commissioner Mark D. Alcott, Commissioner Delane Simpson and Mayor Elaine N. Walker. Commissioner Brian "Slim" Nash was initially absent at time of roll call; however, he arrived approximately fifteen minutes into the meeting during the discussion of Ordinance No. BG2006-27. There was a quorum of the Board of Commissioners.

**ANNOUNCEMENTS**

Mayor Walker recognized the Bowling Green East Little League 2006 11 year old Sanctioned All-Star Team who was in attendance. She also announced that National Night Out events were scheduled around the City this very evening.

**PUBLIC COMMENTS**

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

**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 discussion of proposed or pending litigation against or on behalf of the City. Motion was made by Alcott and seconded by Simpson to convene in closed session following the regular meeting pursuant to KRS 61.810 (b) and (c). Walker called for roll call vote.

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

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

**APPROVAL OF MINUTES**

Minutes of Regular Meeting July 18, 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 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: Strow, Alcott, Simpson and Walker  
                          Voting Nay: None

Motion to approve the minutes of the regular meeting of July 18, 2006 was approved by unanimous vote.

ORDINANCE NO. BG2006 - 26  
(Second Reading)  
ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER FOUR TO  
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL  
OPERATING BUDGET FOR FISCAL YEAR 2006

Title and summary of Ordinance No. BG2006 - 26 was read by Assistant City Manager/City Clerk Katie Schaller. Motion was made by Strow 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:   Strow, Alcott, Simpson and Walker  
                  Voting Nay:   None

Ordinance No. BG2006 - 26 was adopted by unanimous vote.

ORDINANCE NO. BG2006 - 27  
(First Reading)  
ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 6 (BUILDING  
REGULATIONS) OF THE CITY OF BOWLING GREEN CODE OF  
ORDINANCES REGARDING DEMOLITION PERMITS AND  
REVIEW BY THE HISTORIC PRESERVATION BOARD PRIOR TO  
ISSUANCE

Title and summary of Ordinance No. BG2006 - 27 was read by the Assistant City Manager/City Clerk. Historic Preservation Planner Robin Zeigler reviewed the requested changes. Comm. Alcott explained his position to reduce the number of days for study completion from thirty (30) to fifteen (15) as a compromise to the permitting delay, and made the motion to amend the ordinance.

Downtown Redevelopment Authority Special Projects Coordinator CJ Johanson stated that the DRA was in favor of the 30 day time frame in order to provide a reasonable amount of time to complete any needed study, documentation and salvage possibilities. Tonya Taylor of 1216 Park Street inquired as to the reason for reducing the amount of time allowed and expressed concern that the City would potentially be compromising for a special interest group.

Director of PR and Government Affairs for the Builders Association of South Central Kentucky Anita Napier indicated that they had been working with Housing and Community Development to decrease permitting timeframes wherever possible; but that the Builders Association had not specifically made a formal decision regarding this issue.

Historic Preservation Board Chair and registered builder Mark Hood stated that the Board wanted an extension of time in the demolition permitting process and supported the 30 days. Comm.

Simpson suggested approving the ordinance as it was presented and providing the opportunity to observe if a reduction to the time delay would be necessary which could be reevaluated in a year. DRA Executive Director Cheryl Blaine reiterated DRA's support for the ordinance as written, providing the necessary time to promote historic preservation and documenting and/or salvaging historic properties before they are gone.

Comm. Strow expressed concern that as this ordinance applied to the entire City and not just the downtown, the 30 day delay was too long of a burden for builders. He seconded the motion made by Comm. Alcott to amend Ordinance No. BG2006 - 27 to reduce the number of calendar days for Historic Preservation to complete its study of property from thirty (30) to fifteen (15).

Mayor Walker pointed out that the ordinance stipulated the study would not exceed 30 days, and could possibly be completed in less time. She also noted that there was only one staff person to conduct the review and an undue burden would be placed on that person if it was reduced to 15 days.

Once all discussion concluded, a roll call vote was taken regarding the motion to amend.

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

Motion to amend Ordinance No. BG2006 - 27 was defeated by majority vote.

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 and Walker  
                          Voting Nay: Strow and Alcott

First reading of Ordinance No. BG2006 - 27 was approved by majority vote.

**MUNICIPAL ORDER NO. 2006 - 175**

**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. 2006 - 175 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the partnership between the City and its neighborhoods to assist with funding neighborhood improvements. 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: Strow, Alcott, Nash, Simpson and Walker  
                          Voting Nay: None

Municipal Order No. 2006 - 175 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2006 - 176**

**MUNICIPAL ORDER APPROVING THE APPOINTMENT OF  
SANDY RILEY TO THE BOARD OF PARK COMMISSIONERS**

Summary of Municipal Order No. 2006 - 176 was read by the Assistant City Manager/City Clerk. Mayor Walker recommended the appointment. Motion was made by Nash 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: Strow, Alcott, Nash, Simpson and Walker  
                          Voting Nay: None

Municipal Order No. 2006 - 176 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 177

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF  
ALICE ROCKHOLD TO THE CITY OF BOWLING GREEN CODE  
ENFORCEMENT BOARD

Summary of Municipal Order No. 2006 - 177 was read by the Assistant City Manager/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: Strow, Alcott, Nash, Simpson and Walker  
                          Voting Nay: None

Municipal Order No. 2006 - 177 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 178

MUNICIPAL ORDER APPROVING THE PROMOTION OF  
KIMBERLY JO CLAYTON TO THE POSITION OF  
ADMINISTRATIVE SERVICES SUPERVISOR FOR THE POLICE  
DEPARTMENT, RECORDS DIVISION

Summary of Municipal Order No. 2006 - 178 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the position and recommended promotion. 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: Strow, Alcott, Nash, Simpson and Walker  
                          Voting Nay: None

Municipal Order No. 2006 - 178 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 179

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF ALLEN  
EUGENE CLINE, MICHAEL AARON WEST AND TOMMY JOE  
WILLIS TO THE POSITION OF OPERATIONS MAINTENANCE  
TECHNICIAN I IN THE PUBLIC WORKS DEPARTMENT,  
OPERATIONS DIVISION

Summary of Municipal Order No. 2006 - 179 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the career path opportunity and recommended promotions. 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: Strow, Alcott, Nash, Simpson and Walker  
                          Voting Nay: None

Municipal Order No. 2006 - 179 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 180

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF MICHAEL G. SPRUILL, ANTHONY O. PHELPS AND ERIC JAY JOINER TO THE POSITION OF LABORER II IN THE PUBLIC WORKS DEPARTMENT, OPERATIONS DIVISION

Summary of Municipal Order No. 2006 - 180 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the recommended appointments. Motion was made by Simpson 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: Strow, Alcott, Nash, Simpson and Walker  
                          Voting Nay: None

Municipal Order No. 2006 - 180 was approved by unanimous vote.

ORDINANCE NO. BG2006 - 28

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 18 (OCCUPATIONAL LICENSE FEES AND TAXES) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO REVISE THE OCCUPATIONAL LICENSE AND NET PROFIT LICENSE FEES, AND MAKE OTHER ADMINISTRATIVE CHANGES RELATED TO THE COMBINATION OF THE POSITIONS OF CHIEF FINANCIAL OFFICER AND CITY TREASURER

Title and summary of Ordinance No. BG2006 - 28 was read by the Assistant City Manager/City Clerk. DeFebbo outlined the recommended changes based on the Fiscal Year 2007 budgetary discussions and changes related to the reorganization of the Finance Department. 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: Strow, Alcott, Nash, Simpson and Walker  
                          Voting Nay: None

First reading of Ordinance No. BG2006 - 28 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 181

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2006-66 FOR ROLAND BLAND SKATE PARK FROM SCOTT AND

MURPHY, INC. OF BOWLING GREEN, KENTUCKY IN THE  
AMOUNT OF \$779,148

Summary of Municipal Order No. 2006 - 181 was read by the Assistant City Manager/City Clerk. DeFebbo recommended the bid award. Parks and Recreation Director Ernie Gouvas reviewed the alternative bid award which eliminated a couple of planned features in order to reduce construction costs and to stay within budget. He indicated that he was still seeking additional funding through grants, donations and sponsorships and urged the Board to reconsider the eliminated items if additional funding became available. Mr. Gouvas and Public Works Project Manager Matt Zoellner responded to questions regarding the project, including lighting for the skate park. Comm. Nash commented about the reality of trying to build the project and to stay within budget. He suggested that the project time table be extended in order to find some savings to use for at least one of the eliminated features. 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:   Strow, Alcott, Nash, Simpson and Walker  
                          Voting Nay:   None

Municipal Order No. 2006 - 181 was approved by unanimous vote. Following the vote, Nathan Curry, avid skateboard enthusiast and participate on the citizen skate park committee, thanked the Board for its support of the park. He emphasized the importance of adding back at least one of the eliminated bowl features for intermediate skaters if at all possible and/or the consideration of future additions.

CLOSED SESSION

Following a brief recess to clear the Chamber, the Board of Commissioners met in closed session pursuant to KRS 61.810 (b) and (c) as previously approved. DeFebbo noted that action may follow the discussion.

OPEN SESSION

With all discussion concluded in closed session, the Board of Commissioners, excluding Comm. Alcott, reconvened in open session for consideration of action. Motion was made by Nash and seconded by Strow to add Municipal Order No. 2006 - 182 to the agenda for consideration. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Motion to add Municipal Order No. 2006 - 182 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 182

MUNICIPAL ORDER AUTHORIZING AND APPROVING A  
CONTRACT WITH BAYDOUN & KNIGHT, PLLC AS LEGAL  
COUNSEL RELATED TO INVESTIGATION OF CONVENTION  
CENTER EXPENDITURES AND WAIVING PROVISIONS OF  
CHAPTER 2 OF THE CODE OF ORDINANCES REGARDING  
LIMITATION OF LEGAL FEES

Summary of Municipal Order No. 2006 - 182 was read by the Assistant City Manager/City Clerk. Motion was made by Simpson and seconded by Nash for consideration of said Municipal Order. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2006 - 182 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 9:35 p.m., Mayor Walker declared this meeting adjourned.

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

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

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

*Minutes prepared by Assistant City Manager/City Clerk Katie Schaller*