

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held DECEMBER 6, 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 December 6, 2005. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Tracy Woods 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.

AWARDS/RECOGNITIONS

With the assistance of Parks Maintenance Division Manager Gerald Belcher, Mayor Walker recognized Eagle Scout candidates Alec Gouvas and Trey Just for their contributions and service to the City of Bowling Green with two separate park improvement projects.

Mayor Walker commended the Parks and Recreation Department for its efforts with the Winter Lights presentation at Fountain Square Park.

PUBLIC COMMENTS

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

CITY MANAGER

Interim City Manager Kenneth R. Thompson suggested that the status update regarding the evaluation of the vehicles bids for Fiscal Year 2006 based on the discussion and action taken on Municipal Order No. 2005 - 295 at the November 15, 2005 Board of Commissioners meeting be discussed at the end of the agenda with Municipal Order No. 2005 - 312. The Board agreed.

APPROVAL OF MINUTES

Minutes of Regular Meeting November 15, 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 Alcott 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 November 15, 2005 was approved by unanimous vote.

CHANGE ORDER OF AGENDA

Comm. Nash made a motion to change the order of the agenda to consider Municipal Order Nos. 2005 – 307, 2005 – 308 and 2005 – 309 regarding personnel appointments and a parks donation before all other items at this time. Motion was seconded by Strow, and a roll call vote was taken.

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

Motion to change the order of the agenda to consider items numbered 12, 14 and 15 at this time was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 307

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF DERICK EDMON FAIR TO THE POSITION OF FITNESS COORDINATOR IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2005 - 307 was read by City Clerk Katie Schaller. Human Resources Director Michele Tolbert reviewed the position and qualifications of the recommended applicant. 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 307 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 308

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF MARY FIELDS WININGER TO THE POSITION OF ANIMAL CONTROL OFFICER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2005 - 308 was read by the City Clerk. Human Resources Director Michele Tolbert reviewed the position and qualifications of the recommended applicant. Motion was made by Strow 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None

Municipal Order No. 2005 - 308 was approved by unanimous vote.

Comm. Nash requested that the number of in-house applicants and number of outside applicants who applied for the position, and the starting salary, be included in the memorandum accompanying personnel appointments. With consensus from other members of the Board, Ms. Tolbert agreed to begin including that additional information in the agenda item packets.

MUNICIPAL ORDER NO. 2005 – 309

MUNICIPAL ORDER ACCEPTING DONATION FROM HILL'S PET NUTRITION, INC. TO ASSIST WITH CONSTRUCTION OF A DOG

**PARK TO BE NAMED "HILL'S PET NUTRITION BARK PARK" AT
H. P. THOMAS PARK**

Summary of Municipal Order No. 2005 - 309 was read by the City Clerk. Parks and Recreation Director Ernie Gouvas reviewed the \$15,000 donation to assist with the construction of the dog park and the recommendation of the Board of Park Commissioners to name the new dog park. Dave Beck of Hill's Pet Nutrition, Inc. commented about the desire to be part of this community. 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 - 309 was approved by unanimous vote.

RESUME REGULAR ORDER OF AGENDA

MUNICIPAL ORDER NO. 2005 - 273

**MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF
ECONOMIC DEVELOPMENT INITIATIVE FUNDS FROM THE
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
FOR THE SOUTH CENTRAL KENTUCKY TRAINING AND
DEVELOPMENT PROJECT IN THE AMOUNT OF \$1,488,000**

Summary of Municipal Order No. 2005 - 273 was read by the City Clerk. Bowling Green Technical College President Dr. Nathan Hodges presented information regarding the Bowling Green Technical College Transpark Center Apprenticeship Programs. 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 - 273 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 49

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

**ORDINANCE AMENDING ORDINANCE NO. BG2005-46 RELATED
TO PREPAYMENT FOR FUEL PURCHASES**

Title and summary of Ordinance No. BG2005 - 49 was read by the City Clerk. Comm. Strow stated he disagreed with not maintaining a level playing field among retailers and did not support this ordinance. Mayor Walker stated her support of the amendment for full-service stations. Motion was made by Nash 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: Nash, Simpson, Alcott and Walker
 Voting Nay: Strow

First reading of Ordinance No. BG2005 - 49 was approved by majority vote.

MUNICIPAL ORDER NO. 2005 - 300

MUNICIPAL ORDER APPROVING AND AUTHORIZING REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO LEXINGTON, KENTUCKY TO THOMPSON CONSULTING GROUP LLC FOR INTERIM CITY MANAGER KENNETH R. THOMPSON

Summary of Municipal Order No. 2005 - 300 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: Nash, Simpson, Strow, Alcott and Walker
Voting Nay: None

Municipal Order No. 2005 - 300 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 50

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 117.80 ACRES FROM AG (AGRICULTURE) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED ON PORTER PIKE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY SOUTHERN KENTUCKY LAND, LLC

Title and summary of Ordinance No. BG2005 - 50 was read by the City Clerk. Planning Commission Director Andy Gillies reviewed the recommended rezoning and associated binding elements. He responded to questions regarding the number of access points, inclusion of sidewalks and limitations to the density of the development. 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 - 50 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 301

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2006-23 FOR BACKHOE/LOADER EQUIPMENT FROM WHAYNE SUPPLY COMPANY OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$48,540

Summary of Municipal Order No. 2005 - 301 was read by the City Clerk. Parks and Recreation Director Ernie Gouvas stated that this purchase would replace existing equipment at Fairview Cemetery. 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 - 301 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 302

MUNICIPAL ORDER APPROVING AND AUTHORIZING REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO LOUISVILLE, KENTUCKY FOR MAYOR ELAINE N. WALKER

Summary of Municipal Order No. 2005 - 302 was read by the City Clerk. 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 and Alcott
 Voting Nay: None
 Voting Abstain: Walker
Municipal Order No. 2005 - 302 was approved by majority vote.

MUNICIPAL ORDER NO. 2005 – 303

MUNICIPAL ORDER ACCEPTING DONATION OF A PERMANENT EASEMENT FOR A GREENWAY AT THE REAR OR NORTH PROPERTY LINE OF THE RIVERWOOD TOWNHOMES AT 1114 BROCKLEY WAY FROM NEW MILLENNIUM REAL ESTATE, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE GRANT OF EASEMENT ON BEHALF OF THE CITY OF BOWLING GREEN

Summary of Municipal Order No. 2005 - 303 was read by the City Clerk. Greenways Coordinator Helen Siewers reviewed the use of the easement to connect a greenways path between Kereiakes Park and Kroger Shopping Center on 31W By-pass. Motion was made by Strow 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: Nash, Simpson, Strow, Alcott and Walker
 Voting Nay: None
Municipal Order No. 2005 - 303 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 304

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FAMILY SELF SUFFICIENCY AND HOMEOWNERSHIP COUNSELORS IN THE AMOUNT OF \$78,338

Summary of Municipal Order No. 2005 - 304 was read by the City Clerk. City Attorney Gene Harmon indicated that this grant award provided for an additional position to assist with the City's homeownership programs. 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 - 304 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 305

**MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH
NONCOMPETITIVE NEGOTIATIONS WITH GULF STATES
DISTRIBUTORS OF MONTGOMERY, ALABAMA FOR THE
PURCHASE OF LESS LETHAL TASER X26 AND
ACCESSORIES/SUPPLIES IN THE AMOUNT OF \$79,032.86**

Summary of Municipal Order No. 2005 - 305 was read by the City Clerk. Assistant Police Chief Quentin Hughes requested approval of the purchase to improve the safety of Police Officers and citizens. 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 - 305 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 306

**MUNICIPAL ORDER AUTHORIZING A PROFESSIONAL
SERVICES CONTRACT THROUGH NONCOMPETITIVE
NEGOTIATIONS WITH SOUTHERN KENTUCKY INSPECTION
AGENCY, INC. OF GLASGOW, KENTUCKY FOR PLAN REVIEW
SERVICES AT AN ESTIMATED COST OF \$55,000**

Summary of Municipal Order No. 2005 - 306 was read by the City Clerk. Interim City Manager Kenneth Thompson stated that this was a continuation of an existing contract for needed services. 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 - 306 was approved by unanimous vote.

NOTE: Municipal Order No. 2005 - 307 was previously considered.

ORDINANCE NO. BG2005 – 51

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

**ORDINANCE AMENDING CHAPTER 21 (STREETS AND
SIDEWALKS) OF THE CITY OF BOWLING GREEN CODE OF**

ORDINANCES RELATED TO THE REGULATION OF STORM
WATER DISCHARGES

Title and summary of Ordinance No. BG2005 - 51 was read by the City Clerk. City Hydrologist Tim Slattery reviewed the recommended changes required by the U.S. Environmental Protection Agency. He responded to questions regarding household waste disposal guidelines and dissemination of information for stormwater compliance. Motion was made by Alcott 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 - 51 was approved by unanimous vote.

NOTE: Municipal Order Nos. 2005 - 308 and 2005 - 309 were previously considered.

MUNICIPAL ORDER NO. 2005 - 310

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN
APPLICATION FOR THE FISCAL YEAR 2006 HISTORIC
PRESERVATION FUND GRANT THROUGH PRESERVATION
AMERICA IN THE AMOUNT OF \$150,000 FOR THE BOWLING
GREEN-WARREN COUNTY HISTORIC PRESERVATION BOARD

Summary of Municipal Order No. 2005 - 310 was read by the City Clerk. Historic Preservation Planner Robin Zeigler stated that with the City's designation as a Preservation America community, it was eligible to apply for funding. She noted that the required matching funds would be provided through existing projects and in-kind services. 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 - 310 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 311

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2006-19 FOR POLICE UNIFORMS FROM BLUEGRASS
UNIFORMS OF BOWLING GREEN, KENTUCKY AND SIEGEL'S
UNIFORMS, INC. OF EVANSVILLE, INDIANA AT A TOTAL
UNIT COST OF \$11,623.70

Summary of Municipal Order No. 2005 - 311 was read by the City Clerk. Assistant Police Chief Doug Hawkins reviewed the bids and recommendation for awards. 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 - 311 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 312

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2006-13 FOR VEHICLES FROM VARIOUS VENDORS IN THE
TOTAL AMOUNT OF \$740,159.36

Summary of Municipal Order No. 2005 - 312 was read by the City Clerk. Public Works Director Emmett Wood reviewed the methodology of a re-evaluation of the vehicle bids and the subsequent new recommendations for award, which differ from the initially presented recommendations under Municipal Order No. 2005 - 295. Mr. Wood, Fleet Division Manager Jon Lewis, Assistant Police Chief John Stewart, Police Captain David Page and Police Chief Bill Waltrip provided insight into the figures used in the evaluation and the police preference to purchase Crown Victorias. There was also discussion regarding the benefits of various options included on police cruisers, such as radios, heated mirrors and rear wheel drive. Motion was made by Alcott and seconded by Walker to amend Municipal Order No. 2005 - 312 to award Item A (police cruisers) to Countryside Motors for an \$11,000 savings of the purchase price over Greenwood Ford. A roll call vote was taken.

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

Motion to amend Municipal Order No. 2005 - 312 regarding Item A was defeated by majority vote.

Following further discussion regarding the preference of Crown Victorias to Impalas, Comm. Alcott restated his previous motion, which was seconded by Strow, to amend Municipal Order No. 2005 - 312 to award Item A (police cruisers) to Countryside Motors for an \$11,000 savings of the purchase price over Greenwood Ford. A roll call vote was taken.

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

Motion to amend Municipal Order No. 2005 - 312 regarding Item A was approved by majority vote.

Greenwood Ford Fleet Manager Ken Thornton requested consideration in keeping these purchases at the local dealership, whose workers contribute to the City's tax base. He also commented about potential issues with Countryside Motors, and expressed concern that the Board was getting caught up in things that really did not matter. Mayor Walker indicated that the consideration of local bidders was important to the Board.

As Mr. Wood continued with his presentation regarding the other bid items to be awarded, Comm. Strow made a motion, which was seconded by Alcott, to further amend Municipal Order No. 2005 - 312 to award Item B to Countryside Motors for a savings of \$31.00 over Gillie Hyde. A roll call vote was taken.

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

Motion to amend Municipal Order No. 2005 - 312 regarding Item B was approved by unanimous vote.

Comm. Strow made a motion to further amend Municipal Order No. 2005 – 312 to award Item D to Gillie Hyde instead of Greenwood Ford. However, this motion died for lack of a second.

Once discussion concluded, motion was made by Alcott and seconded by Nash for consideration of said Municipal Order, as amended. 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 – 312, as amended, was approved by unanimous vote.

ADJOURNMENT

Mayor Walker announced that a special meeting would be held on December 14, 2005 to discuss the Shawnee Way and Navajo Drive street closings, and that December 20, 2005 was the next regularly scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 10:30 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) status report of the Housing and Community Development, Building Division Insurance Services Office (ISO) rating; and (2) spending options for Kentucky Transportation Cabinet Special Funds and Liquid Fuel Tax.

ADOPTED: _____

APPROVED: _____
 Mayor, Chairman of Board of Commissioners

ATTEST: _____
 City Clerk

Minutes prepared by City Clerk Katie Schaller