

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held NOVEMBER 21, 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 November 21, 2006. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Commissioner Brian K. Strow, 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 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.

OPERATION P.R.I.D.E. AWARDS

Operation P.R.I.D.E. Board Chairman Jeff Moore said that awards are presented to those that have made significant improvements to residential and non-residential property. For the month of November, Mr. Moore presented the commercial property award to the owner of the Red Roof Inn, Paul Patel, for improvements made to the property on Scottsville Road. Mr. Moore also presented the residential property award to Dorian and Elaine Walker for their property at 1303 State Street.

RECOGNITIONS AND PRESENTATION

Mayor Walker recognized the Parks and Recreation Department for several recently received awards, including the 2006 Kentucky's Outstanding Parks and Recreation Department, the Alliance Award from the Kelly Autism Program, the 2006 Arts and Humanities Program Award, the Presidential Citation awarded to Athletics Division Manager Paul Correa, and the Service Recognition Award given to Parks and Recreation Assistant Director Karen Singleton.

Parks and Recreation Director Ernie Gouvas introduced Board of Park Commissioners Chairman John Deeb, who presented the Parks and Recreation Annual Report. Mr. Deeb highlighted portions of the report, including the number of participation visits and diversity, volunteerism and donations, achieved savings and efficiencies, expenditures and revenues for the various divisions, and the Department's accomplishments over the past fiscal year. Mr. Gouvas responded to questions regarding the participation decline in the fitness program, which was due to a change in calculations and more competition in the area.

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: 1) discussion on the future acquisition 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; 2) discussion of proposed litigation on behalf

of the City; and 3) discussion which might lead to the appointment, discipline or dismissal of an individual employee without restricting that employee's right to a public hearing if requested. Motion was made by Nash and seconded by Alcott to convene in closed session following the regular meeting pursuant to KRS 61.810 (b), (c) and (f). Walker called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Special Meeting November 8, 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 November 8, 2006 was approved by unanimous vote.

ORDINANCE NO. BG2006 - 41

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES FOR THE PURPOSE OF ESTABLISHING THE CITY OF BOWLING GREEN AUDIT COMMITTEE

Title and summary of Ordinance No. BG2006 - 41 was read by the Assistant City Manager/City Clerk. Motion was made by Alcott and seconded by Nash 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 - 41 was adopted by unanimous vote.

ORDINANCE NO. BG2006 - 42

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.80 ACRE FROM RS-1A (SINGLE FAMILY RESIDENTIAL) TO OP-C (OFFICE PROFESSIONAL-COMMERCIAL) LOCATED AT THE INTERSECTION OF EASTLAND STREET AND LYDA AVENUE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY ALEX AND JENNIFER NOTTMEIER

Title and summary of Ordinance No. BG2006 - 42 was read by the Assistant City Manager/City Clerk. Motion was made by Simpson and seconded by Alcott 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 - 42 was adopted by unanimous vote.

ORDINANCE NO. BG2006 - 43

(Second Reading)

ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULE

ORDINANCE AMENDING THE CLASSIFICATION/PAY SCHEDULE "G" FOR GENERAL CLASSIFIED EMPLOYEES OF THE CITY OF BOWLING GREEN FOR FISCAL YEAR 2007

Title and summary of Ordinance No. BG2006 - 43 was read by the Assistant City Manager/City Clerk. Motion was made by Simpson and seconded by Nash 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 - 43 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 274

MUNICIPAL ORDER APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF GOVERNMENTAL RELATIONS FOR MUNICIPAL ROAD AID DISCRETIONARY BOND FUNDING IN THE AMOUNT OF \$500,000 AND ACCEPTING ALL STREETS REFERRED TO IN THE AGREEMENT AS BEING STREETS THAT ARE A PART OF THE CITY OF BOWLING GREEN

Summary of Municipal Order No. 2006 - 274 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the funds awarded for road resurfacing in the Parker Bennett area. In response to a question from Comm. Alcott, Public Works Director Emmett Wood estimated that the project would begin in the spring. 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2006 - 274 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 275

MUNICIPAL ORDER APPROVING THE TRANSFER OF DEREK K. GRAY TO THE POSITION OF SURVEYOR IN THE PUBLIC

WORKS DEPARTMENT

Summary of Municipal Order No. 2006 - 275 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the recommended transfer and associated qualifications. Motion was made by Strow 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 - 275 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 276

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF ROBERT RAY PARRISH TO THE POSITION OF EQUIPMENT TECHNICIAN IN THE PUBLIC WORKS DEPARTMENT, FLEET DIVISION

Summary of Municipal Order No. 2006 - 276 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the candidate's qualifications for the recommended appointment. 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2006 - 276 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 277

MUNICIPAL ORDER APPROVING AND AUTHORIZING REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO MAYOR ELAINE N. WALKER FOR ATTENDING THE NATIONAL LEAGUE OF CITIES LEADERSHIP SUMMIT IN COLORADO SPRINGS, COLORADO

Summary of Municipal Order No. 2006 - 277 was read by the Assistant City Manager/City Clerk. 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 and Strow
 Voting Nay: None
 Abstaining: Walker

Municipal Order No. 2006 - 277 was approved by majority vote.

MUNICIPAL ORDER NO. 2006 - 278

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF STEVE MARCUM AND BILL WALTRIP TO THE BOWLING GREEN PUBLIC LIBRARY BOARD OF TRUSTEES

Summary of Municipal Order No. 2006 - 278 was read by the Assistant City Manager/City Clerk. Mayor Walker recommended the appointments. 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2006 - 278 was approved by unanimous vote.

ORDINANCE NO. BG2006 - 44
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING
65.0549 ACRES FROM AG (AGRICULTURE) AND RS-1B (SINGLE
FAMILY RESIDENTIAL) TO PUD (PLANNING UNIT
DEVELOPMENT) LOCATED ON LOVERS LANE, WITH BINDING
ELEMENTS, PRESENTLY OWNED BY LOVERS LANE LAND
AND FARM, LLC

Title and summary of Ordinance No. BG2006 - 44 was read by the Assistant City Manager/City Clerk. Planning Commission Director Andy Gillies reviewed the recommended rezoning and associated binding elements. He responded to questions regarding the planned development's street configuration and the potential for future actions or complaints with cut through traffic. He also confirmed that the state was planning to place a stop light at the intersection including access to the Lovers Lane Soccer Complex once the development was completed. Motion was made by Nash and seconded by Alcott 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 - 44 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 279

MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENT OF STEPHEN MATHEW SHULL TO THE
POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2006 - 279 was read by the Assistant City Manager/City Clerk. DeFebbo stated that the Police Department currently had nine vacancies, one of which would be filled by this recommended appointment. Police Chief Doug Hawkins noted that Mr. Shull was a certified Police Officer with the Hopkinsville Police Department. 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 - 279 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 280

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF THOMAS W. BURRIS TO THE POSITION OF OPERATIONS TECHNICIAN I AND NICHOLAS R. LATHROP TO THE POSITION OF OPERATIONS TECHNICIAN I IN THE PUBLIC WORKS DEPARTMENT, OPERATIONS DIVISION

Summary of Municipal Order No. 2006 - 280 was read by the Assistant City Manager/City Clerk. DeFebbo indicated that these recommended promotions were based on the recently approved Operations and Maintenance Technician (O&MT) Job Manual. 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 - 280 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 281

MUNICIPAL ORDER APPROVING THE PROMOTION OF MATTHEW GEORGE ZOELLNER TO THE POSITION OF PROJECT MANAGER II IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2006 - 281 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the recommended promotion and associated qualifications. 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 - 281 was approved by unanimous vote.

CLOSED SESSION

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

RECONVENE IN OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session to consider action. Motion was made by Nash and seconded by Alcott to add Municipal Order No. 2006 - 282 to the agenda for consideration. With no discussion, a roll call vote was taken.

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

Motion to add Municipal Order No. 2006 - 282 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 282

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH JEFF FIELDS RELATED TO THE REALIGNMENT OF WESTEN DRIVE

Summary of Municipal Order No. 2006 - 282 was read by the Assistant City Manager/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 - 282 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 8:55 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) update regarding the Downtown Signalization Project options; and 2) update regarding the Chamber of Commerce Building Project.

ADOPTED: _____

APPROVED: _____
Mayor Pro Tem, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller