

**MINUTES of SPECIAL MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JANUARY 4, 2005**

The Board of Commissioners of the City of Bowling Green, Kentucky met in special session in the Fiscal Court Room at the Warren County Courthouse, Bowling Green, Kentucky at 7:00 p.m. on January 4, 2005. Mayor Elaine N. Walker called the meeting to order. Joe Patterson, the Ministries Coordinator at Broadway United Methodist Church, gave the invocation and all present recited the Pledge of Allegiance. 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.

CITY MANAGER

City Manager Charles W. Coates welcomed the new Mayor and Commissioners.

APPROVAL OF MINUTES

Minutes of Special Meetings December 21, 2005 and December 27, 2005

Minutes of the above-referenced meetings were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Simpson 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 meetings of December 21 and 27, 2005 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 1

**MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENT OF JAMES WALTER FENELON TO THE
POSITION OF PARKS FACILITY MAINTAINER FOR THE PARKS
AND RECREATION DEPARTMENT, MAINTENANCE DIVISION**

Summary of Municipal Order No. 2005 - 1 was read by City Clerk Katie Schaller. Human Resources Director Michele Tolbert reviewed the position vacancy and the qualifications of the recommended applicant. Motion was made by Simpson and seconded by Nash for consideration of said Municipal Order. With no additional discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 1 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 2

MUNICIPAL ORDER ELECTING BRIAN "SLIM" NASH AS
MAYOR PRO TEM

Summary of Municipal Order No. 2005 - 2 was read by the City Clerk. Comm. Alcott indicated that Comm. Nash received the most votes for City Commissioner in the November General Election and should be given the honor of Mayor Pro Tem. 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. 2005 - 2 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 3

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
MAYOR ELAINE N. WALKER TO THE BOWLING GREEN
ENTERPRISE COMMUNITY, INC. BOARD OF DIRECTORS

Summary of Municipal Order No. 2005 - 3 was read by the City Clerk. Motion was made by Strow and seconded by Simpson for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 3 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 1

(First Reading)

ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

ORDINANCE APPROVING THE APPOINTMENT OF
COMMISSIONER MARK D. ALCOTT TO THE BOWLING GREEN
MUNICIPAL UTILITIES BOARD

Title and summary of Ordinance No. BG2005 - 1 was read by the City Clerk. Motion was made by Nash and seconded by Strow for first reading of said Ordinance. With no discussion, Mayor Walker asked for a roll call vote.

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

First reading of Ordinance No. BG2005 - 1 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 4

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
COMMISSIONER DELANE SIMPSON TO THE CONTRACTORS
LICENSING BOARD

Summary of Municipal Order No. 2005 - 4 was read by the City Clerk. Motion was made by Alcott and seconded by Nash for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 4 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 5

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
COMMISSIONER BRIAN K. STROW TO THE DOWNTOWN
REDEVELOPMENT AUTHORITY, INC. BOARD OF DIRECTORS

Summary of Municipal Order No. 2005 - 5 was read by the City Clerk. Motion was made by Simpson and seconded by Alcott for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 5 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 6

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
COMMISSIONER BRIAN "SLIM" NASH TO THE BOWLING
GREEN-WARREN COUNTY DRUG TASK FORCE

Summary of Municipal Order No. 2005 - 6 was read by the City Clerk. Motion was made by Simpson and seconded by Alcott for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 6 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 7

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
COMMISSIONER BRIAN K. STROW TO THE GREENWAYS
COMMISSION OF BOWLING GREEN AND WARREN COUNTY

Summary of Municipal Order No. 2005 - 7 was read by the City Clerk. Mayor Walker made a motion to postpone consideration of this item until the February 1, 2005 Board of Commissioners meeting. The motion to postpone was seconded by Simpson. With no discussion, Mayor Walker asked for a roll call vote.

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

Motion to postpone consideration of Municipal Order No. 2005 - 7 until the February 1, 2005 Board of Commissioners meeting was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 8

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF COMMISSIONER MARK D. ALCOTT TO THE HOUSING ASSISTANCE AND DEVELOPMENT SERVICES (H.A.N.D.S.), INC. BOARD OF DIRECTORS

Summary of Municipal Order No. 2005 - 8 was read by the City Clerk. Motion was made by Simpson and seconded by Nash for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 8 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 9

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF COMMISSIONER DELANE SIMPSON TO THE BOWLING GREEN-WARREN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

Summary of Municipal Order No. 2005 - 9 was read by the City Clerk. Motion was made by Alcott and seconded by Nash for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 9 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 10

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF COMMISSIONER BRIAN "SLIM" NASH TO THE BOWLING GREEN-WARREN COUNTY MOBILE RADIO COMMUNICATIONS COMMITTEE

Summary of Municipal Order No. 2005 - 10 was read by the City Clerk. Motion was made by Strow and seconded by Alcott for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 10 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 11

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
COMMISSIONER BRIAN "SLIM" NASH TO THE OPERATION
P.R.I.D.E., INC. BOARD OF DIRECTORS

Summary of Municipal Order No. 2005 - 11 was read by the City Clerk. Motion was made by Strow and seconded by Alcott for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 11 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 12

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
COMMISSIONER BRIAN K. STROW TO THE UNIVERSITY
DISTRICT REVIEW COMMITTEE

Summary of Municipal Order No. 2005 - 12 was read by the City Clerk. Motion was made by Nash and seconded by Simpson for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 12 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 13

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
COMMISSIONER BRIAN "SLIM" NASH TO THE BOWLING
GREEN-WARREN COUNTY WELFARE CENTER, INC. BOARD
OF DIRECTORS

Summary of Municipal Order No. 2005 - 13 was read by the City Clerk. Motion was made by Simpson and seconded by Alcott for consideration of said Municipal Order. With no discussion, Mayor Walker asked for a roll call vote.

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

Municipal Order No. 2005 - 13 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 2

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF
THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO
CREATE A NEW SECTION REGARDING THE USE OF EMINENT
DOMAIN

Title and summary of Ordinance No. BG2005 - 2 was read by the City Clerk. Comm. Strow expressed his opinion regarding the use of eminent domain, stating that it should only be used for public projects and is not appropriate for private development. Comm. Simpson stated it was premature to make a decision on this issue which is so meaningful to everyone. Comm. Alcott disagreed that it was too early to address this issue. He stated that private development projects could still move forward and urged passage of the ordinance.

Prior to Comm. Nash's comments, he asked if anyone in attendance had anything to say about this issue. Auston McCay of 2615 Mohawk Drive, Charles Kelley of 651 Bramblebush Drive and owner of 538 State Street, the President of the Bluegrass Institute for Public Policy Chris Derry and Charles Meredith of 1438 Mount Ayr Circle and owner of Randolph, Hale & Meredith Electrical Suppliers all expressed support for passage of this ordinance.

Comm. Nash stated he also thought it premature to address this issue prior to a Supreme Court ruling on the matter. He further stated that the Board currently has the ability to defeat any eminent domain considerations on an individual basis. From the comments stated earlier by downtown property owners, he noted that communication between the City and the property owners needed to be improved. Therefore, Nash made a motion to table Ordinance No. BG2005 - 2, which was seconded by Simpson. With no further discussion, Mayor Walker asked for a roll call vote.

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

Motion to table Ordinance No. BG2005 - 2 was approved by majority vote.

ADJOURNMENT

Mayor Walker announced that January 18, 2005 was the next scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 8:40 p.m., Mayor Walker declared this meeting adjourned.

WORK SESSION

Prior to the special meeting and with no action taken, the Board of Commissioners convened at 4:00 p.m. in the Fiscal Court Room of the Warren County Courthouse for a special work session to review and discuss the following subjects: (1) the Board of Commissioners meeting procedures; (2) presentation by Bowling Green-Warren County Welfare Center, Inc.; and (3) the Parks and Recreation Department improvement projects.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by City Clerk Katie Schaller