

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held APRIL 5, 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 April 5, 2005. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Deacon Bob Imel of the St. Joseph Catholic Church, 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 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.

PUBLIC COMMENTS

Mike Simpson expressed his desire to see a repeal of the occupational license fee increase from July 2003. Comm. Strow stated he planned to introduce an ordinance prior to June 30, 2005 for a reduction of a portion of the increase.

George Peterson commented about the professional image of Bowling Green and that there was a silent majority pleased with the management of the City and the work of City Manager Chuck Coates. He also expressed concerns regarding the recent actions of members of the Board of Commissioners and urged them to consider that those actions have immediate and strategic effects.

Mayor Walker indicated that the City has gone through some major issues since the previous Commission meeting. She stated that few would argue that Mr. Coates has made a tremendous contribution to this City and its management over his years of service. She also stated that the employees of the City are the finest group of employees that she has ever encountered - hard working, dedicated and honest. She also stated that the actions of one individual do not taint the entire group, and she believes in and supports the employees.

CITY MANAGER

City Manager Charles W. Coates withdrew from consideration at this time Item #12 (Municipal Order No. 2004-74) regarding the submission of an application to Kentucky Housing Corporation for HOME.

Coates 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 for the purpose of discussion of proposed or pending litigation against or on behalf of the City. Motion was made by Alcott and seconded by Strow 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: Alcott, Nash, Simpson, Strow 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 March 15, 2005 and Special Meeting March 22, 2005

Minutes of the above-referenced meetings were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Nash and seconded by Simpson 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 regular meeting of March 15, 2005 and special meeting of March 22, 2005 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 9

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.30 ACRE FROM RM-4 (MULTI-FAMILY RESIDENTIAL) TO OP-R (OFFICE PROFESSIONAL-RESIDENTIAL) LOCATED AT 420 WEBB DRIVE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY MARK AND JENNIFER HAYNIE

Title and summary of Ordinance No. BG2005 - 9 was read by City Clerk Katie Schaller. 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. BG2005 - 9 was adopted by unanimous vote.

ORDINANCE NO. BG2005 - 10

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.69 ACRE FROM RM-3 (MULTI-FAMILY RESIDENTIAL) TO RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED ON OLD BARREN RIVER ROAD AND GRANT WAY, WITH BINDING ELEMENTS, PRESENTLY OWNED BY SUSAN JOST

Title and summary of Ordinance No. BG2005 - 10 was read by the 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. BG2005 - 10 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 67

MUNICIPAL ORDER AUTHORIZING APPROVAL AND SUBMISSION OF FISCAL YEARS 2005 THROUGH 2009 FIVE-YEAR PLAN AND FISCAL YEAR 2005 ANNUAL PLAN FOR THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2005 - 67 was read by the City Clerk. Housing Manager Vallory Schocke reviewed the comments received to date regarding the plans and responded to questions regarding the continued funding of a Fair Housing Coordinator for the Human Rights Commission. 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. 2005 - 67 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 68

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF MARGARET F. STEIN, JONATHAN JEFFREY AND LANNA M. KILGORE TO THE HOBSON HOUSE COMMISSION

Summary of Municipal Order No. 2005 - 68 was read by the City Clerk. Mayor Walker recommended the appointments. 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 - 68 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 69

MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A REQUEST FOR LITTER ABATEMENT FUNDING TO THE KENTUCKY ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Summary of Municipal Order No. 2005 - 69 was read by the City Clerk. Public Works Director Emmett Wood reviewed the funding and "in kind" services used as a grant match. 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2005 - 69 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 70

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF DAVID W. BOCK, JR. TO THE POSITION OF IRRIGATION/SPRAY TECHNICIAN IN THE PARKS AND RECREATION DEPARTMENT, GOLF DIVISION

Summary of Municipal Order No. 2005 - 70 was read by the City Clerk. Human Resources Director Michele Tolbert reviewed the position and the recommended applicant's 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. 2005 - 70 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 71

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

Summary of Municipal Order No. 2005 - 71 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 discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2005 - 71 was approved by majority vote.

MUNICIPAL ORDER NO. 2005 - 60

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A PLAN REVIEW AGREEMENT WITH WARREN COUNTY

Summary of Municipal Order No. 2005 - 60 was read by the City Clerk. Housing and Community Development Director Alice Burks reviewed the agreement to provide plan review services for the County as a service to local builders. Burks responded to questions regarding whether additional staffing would be required and the need to provide this service. 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. 2005 - 60 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 72

MUNICIPAL ORDER APPROVING TAX CREDIT INCENTIVES TO
EWA GOVERNMENT SYSTEMS, INC. UNDER THE KENTUCKY
JOBS DEVELOPMENT ACT

Summary of Municipal Order No. 2005 - 72 was read by the City Clerk. Acting Chief Financial Officer Jeff Meisel stated that eight additional employees were anticipated this year and fifteen next year. He also reviewed the types of services offered by EWA Government Systems. Meisel responded to a question regarding the standard incentive package being provided. 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. 2005 - 72 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 73

MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENT OF HOLLY M. WILLINGHAM TO THE POSITION
OF COMMUNICATIONS DISPATCHER FOR THE POLICE
DEPARTMENT

Summary of Municipal Order No. 2005 - 73 was read by the City Clerk. Tolbert reviewed the position and the applicant's qualifications. 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 - 73 was approved by unanimous vote.

NOTE: Municipal Order No. 2005 - 74 was previously withdrawn.

MUNICIPAL ORDER NO. 2005 - 75

MUNICIPAL ORDER AUTHORIZING SUBMISSION OF A GRANT
APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT
AGENCY'S ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM
IN THE AMOUNT OF \$520,866

Summary of Municipal Order No. 2005 - 75 was read by the City Clerk. Fire Chief Gerry Brown requested an amendment to the amount of the grant request. He stated that due to a calculation error, the correct amount of the grant request should be \$456,040, with a ten percent match of \$45,604. Motion was made by Nash and seconded by Strow to amend Municipal Order No. 2005 - 75. 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

Motion to amend Municipal Order No. 2005 - 75 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 75

As Amended

MUNICIPAL ORDER AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM IN THE AMOUNT OF ~~\$520,866~~ \$456,040

Deputy Fire Chief Walter Jordan reviewed the grant and proposed use of funds. Motion was made by Nash and seconded by Simpson 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: Alcott, Nash, Simpson, Strow and Walker

Voting Nay: None

Municipal Order No. 2005 - 75 as amended was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 76

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF LEISHA CARR AND DEREK GAY TO THE BOWLING GREEN-WARREN COUNTY MOBILE RADIO COMMUNICATIONS COMMITTEE

Summary of Municipal Order No. 2005 - 76 was read by the City Clerk. Mayor Walker recommended the appointments. 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 - 76 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 77

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF LARRY N. BAILEY TO THE DEPOT DEVELOPMENT AUTHORITY

Summary of Municipal Order No. 2005 - 77 was read by the City Clerk. Mayor Walker withdrew this item from consideration and stated it would be brought back for consideration at the next regular meeting.

MUNICIPAL ORDER NO. 2005 - 78

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE KENTUCKY FUND FOR HEALTHY LIVING, INC. IN THE AMOUNT OF \$15,000

Summary of Municipal Order No. 2005 - 78 was read by the City Clerk. Parks and Recreation Director Ernie Gouvas reviewed the use of funds to purchase additional defibrillators (AEDs) for selected parks. 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. 2005 - 78 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 79

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-38 FOR FISCAL YEAR 2005 STREET RESURFACING FOR THE PUBLIC WORKS DEPARTMENT FROM KENWAY PAVING, LLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$920,025

Summary of Municipal Order No. 2005 - 79 was read by the City Clerk. Wood reviewed the annual program and recommended the bid award. Wood responded to questions regarding the City's previous history with this company and satisfaction with corrections to past paving. 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2005 - 79 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 80

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-37 FOR THE TURNER COURT REALIGNMENT PROJECT FOR THE PUBLIC WORKS DEPARTMENT FROM HOLLAND, INC. OF ROCKFIELD, KENTUCKY IN THE AMOUNT OF \$211,200

Summary of Municipal Order No. 2005 - 80 was read by the City Clerk. Assistant City Engineer Melissa Cansler recommended the bid award and reviewed the project. She also responded to questions regarding traffic signalization. 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2005 - 80 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 81

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2005-36 FOR THE 10TH AVENUE DRAINAGE PROJECT FOR THE

PUBLIC WORKS DEPARTMENT FROM SCOTT & RITTER, INC.
OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$55,000

Summary of Municipal Order No. 2005 - 81 was read by the City Clerk. Special Operations Coordinator Derek Gay reviewed the project that was part of the stormwater Backyard CIP (Capital Improvement Projects). 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2005 - 81 was approved by unanimous vote. Following the vote, Public Works Director Emmett Wood reviewed the source of funding for Backyard CIP.

MUNICIPAL ORDER NO. 2005 - 82

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2005-32 FOR POOL MANAGEMENT SERVICES FOR THE PARKS
AND RECREATION DEPARTMENT FROM AQUATIC
MANAGEMENT SERVICES OF ALPHARETTA, GEORGIA IN THE
AMOUNT OF \$168,800

Summary of Municipal Order No. 2005 - 82 was read by the City Clerk. Parks and Recreation Director Ernie Gouvas reviewed the operations of the water park and the increased recreational services to be provided with award of this bid. Gouvas responded to questions regarding the continued operation of the gate and concessions by the City, retaining control of fee charges, the anticipated savings to the City with outsourcing management of the water park and maintaining the same staffing levels. Aquatic Management Services President Matt Slatterly also responded to questions regarding his company's ability to offer these services, safety training, staffing and overall management of the water park. 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2005 - 82 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 83

MUNICIPAL ORDER AUTHORIZING AND APPROVING A
MEMORANDUM OF UNDERSTANDING AMONG JOE NATCHER
AND CHERI NATCHER, ST. JOSEPH CEMETERY FOUNDATION,
INC. AND THE CITY OF BOWLING GREEN, AND AUTHORIZING
THE MAYOR TO EXECUTE A DEED BETWEEN ST. JOSEPH
CEMETERY FOUNDATION, INC. AND THE CITY OF BOWLING
GREEN, KENTUCKY

Summary of Municipal Order No. 2005 - 83 was read by the City Clerk. Greenways Coordinator Helen Siewers reviewed the agreement for a paved shared use path to connect the

greenways system between Riverfront Park and Kereiakes Park. Comm. Strow commended all parties involved with negotiating the use of private property. 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: Alcott, Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2005 - 83 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 56

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND DOWNTOWN REDEVELOPMENT AUTHORITY, INC.

Summary of Municipal Order No. 2005 - 56 was read by the City Clerk. Downtown Redevelopment Authority Special Projects Coordinator CJ Johanson stated that the revised agreement to unify redevelopment of downtown was approved by the DRA board. Mayor Walker, Comm. Nash and Comm. Strow stated their appreciation of all parties for working together. 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: Nash, Simpson, Strow and Walker
 Voting Nay: None

Municipal Order No. 2005 - 56 was approved by unanimous vote by those present and voting. Comm. Alcott was not present when the roll call vote was taken.

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) and (c) as previously approved.

ADJOURNMENT

Once all discussion concluded in closed session and there being no further business to come before the Board of Commissioners, at approximately 9:05 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 budget preparation and review draft departmental goals, objectives and related performance measures. Due to time constraints, the Public Works, Parks and Recreation, and Housing and Community Development departments will be discussed at the next regular work session.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by City Clerk Katie Schaller