

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JULY 20, 2004**

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 July 20, 2004. Mayor Sandy Jones called the meeting to order. An invocation was given by Police Chaplain Don Dorris, and all present recited the Pledge of Allegiance. City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Dan Hall, Commissioner Alan Palmer, Commissioner Jim Bullington, Commissioner Joe W. Denning and Mayor Sandy Jones. Absent: none. There was a full quorum of the Board of Commissioners.

**INTRODUCTION OF AREA CHAMBER OF COMMERCE PRESIDENT**

Mayor Jones introduced the recently hired President of the Bowling Green Area Chamber of Commerce Jim Hizer, who commented about his initial few weeks on the job. He expressed his intentions to forge a closer partnership and working relationship with the Inter-Modal Transportation Authority (ITA), ideas for a more aggressive marketing campaign for South Central Kentucky and including surrounding counties in a more regional focus for economic development. He also expressed his appreciation for continued financial support from the City to the Economic Development Authority.

**PUBLIC COMMENTS**

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

**CITY MANAGER**

City Manager Charles W. Coates stated that Municipal Order No. 2004 – 193 regarding the appointment of Human Resources Administrative Assistant was withdrawn from the agenda and would not be considered at this time.

**PRESENTATION AND DISCUSSION**

Since the establishment of the animal control responsibilities with the Police Department as of July 1, 2004, Animal Control Officer Dale Blair stated he has responded to over 200 calls, most of which related to vicious dogs, animals at-large, kennels in residential neighborhoods and inhumane treatment of animals. Blair presented several proposed changes to Chapter 5 (Animals) in the Code of Ordinances for discussion. In addition to incorporating recent changes in Kentucky Revised Statutes (KRS) regarding animals, several changes were also needed to update the City's animal ordinance to enhance penalties and encourage compliance. Blair, with the assistance of the Bowling Green-Warren County Humane Society Director Lori Hare, highlighted the most significant proposed changes, including increased licensing fees for dogs and cats, minimum facility and operating standards for kennels, permits for and inspections of wild and exotic animals, and the inclusion of civil penalties with appeals to the Code Enforcement Board.

Discussion included concerns that there are too many animals being kept at single-family households in residential areas and the need for more restrictions. Suggestions included limitations by

lot size and/or the use of declared public nuisances to assist with restrictions. The Board agreed that more work was needed to address this issue.

APPROVAL OF MINUTES

Minutes of Regular Meeting July 6, 2004 and Special Meeting July 13, 2004

Minutes of the above-referenced meetings were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Hall and seconded by Bullington to approve said minutes as written. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Bullington, Denning and Jones  
                          Voting Nay: None  
                          Voting Abstain: Palmer

Motion to approve the minutes of the regular meeting of July 6, 2004 and special meeting of July 13, 2004 was approved by majority vote. Since Comm. Palmer was not present at either of these two meetings, he abstained from the vote.

ORDINANCE NO. BG2004 – 34  
(Second Reading)  
ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF A PORTION OF  
RIVER WYE DRIVE TO AUDLEY AVENUE

Title and summary of Ordinance No. BG2004 - 34 was read by City Clerk Katie Schaller. Motion was made by Bullington and seconded by Palmer for second reading of said Ordinance. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Ordinance No. BG2004 - 34 was adopted by unanimous vote.

ORDINANCE NO. BG2004 – 35  
(Second Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 7.89  
ACRES FROM RM-3 (TOWNHOUSE / MULTI-FAMILY  
RESIDENTIAL) TO RM-4 (MULTI-FAMILY RESIDENTIAL)  
LOCATED ON CAVE MILL ROAD, WITH BINDING ELEMENTS,  
PRESENTLY OWNED BY DEVELOPMENT AT LOST RIVER CO.

Title and summary of Ordinance No. BG2004 - 35 was read by the City Clerk. Motion was made by Denning and seconded by Hall for second reading of said Ordinance. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Ordinance No. BG2004 - 35 was adopted by unanimous vote.

ORDINANCE NO. BG2004 – 36  
(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 2004

Title and summary of Ordinance No. BG2004 - 36 was read by the City Clerk. Motion was made by Hall and seconded by Bullington for second reading of said Ordinance. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Ordinance No. BG2004 - 36 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 185

MUNICIPAL ORDER AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE COMMONWEALTH OF KENTUCKY CRIMINAL JUSTICE CABINET FOR TRAFFIC ALCOHOL PATROL (TAP) IN THE AMOUNT OF \$22,343

Summary of Municipal Order No. 2004 - 185 was read by the City Clerk. Police Office Associate Heather Plowman reviewed the awarded grant, which was a reduction from the initial request. Motion was made by Palmer and seconded by Denning for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 185 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 186

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2004-51 FOR CISCO COMPUTER EQUIPMENT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY FROM JBK NETWORK CONSULTING, LTD. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$42,170.30

Summary of Municipal Order No. 2004 - 186 was read by the City Clerk. Chief Information Officer Penny Bradley stated that this would provide equipment for the increased access with the expansion of the police headquarters. Motion was made by Palmer and seconded by Bullington for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 186 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 187

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
RICK D. COTHERN TO THE UNIVERSITY DISTRICT REVIEW  
COMMITTEE

Summary of Municipal Order No. 2004 - 187 was read by the City Clerk. Mayor Jones recommended this reappointment. Motion was made by Hall and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 187 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 188

MUNICIPAL ORDER AUTHORIZING SUBMISSION OF AN  
APPLICATION FOR 2004 LOCAL LAW ENFORCEMENT BLOCK  
GRANT (LLEBG) FUNDS IN THE AMOUNT OF \$19,050 FOR  
EQUIPMENT FOR FIELD OPERATIONS

Summary of Municipal Order No. 2004 - 188 was read by the City Clerk. Plowman stated that a ten percent match was required and that three digital in-car cameras would be purchased with these funds. Motion was made by Hall and seconded by Bullington for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 188 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 189

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF JAMES  
MULLEN TO THE POSITION OF COMPANY COMMANDER/EMT  
AND MATTHEW JONES TO THE POSITION OF FIRE APPARATUS  
OPERATOR/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2004 - 189 was read by the City Clerk. Human Resources Specialist Kari Aikins reviewed the promotions from the eligibility list and the qualifications of each individual. Motion was made by Denning and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 189 was approved by unanimous vote.

ORDINANCE NO. BG2004 – 37

(First Reading)

ORDINANCE PROVIDING FOR ISSUANCE OF WATER AND SEWER REVENUE BONDS

ORDINANCE OF THE CITY OF BOWLING GREEN, KENTUCKY,  
AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF CITY  
OF BOWLING GREEN WATER AND SEWER REVENUE BONDS,

SERIES 2004, DATED AUGUST 1, 2004, FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF ADDITIONS AND IMPROVEMENTS TO THE WATER TREATMENT AND DISTRIBUTION SYSTEM OF THE CITY

Title and summary of Ordinance No. BG2004 - 37 was read by the City Clerk. Bowling Green Municipal Utilities (BGMU) Chief Financial Officer Diana McQuady reviewed the expansion project and the request for bond issue in the amount of \$9.7 million. Chief Financial Officer Davis Cooper clarified that since these are revenue bonds, BGMU would be solely responsible for repayment of debt. Motion was made by Hall and seconded by Bullington for first reading of said Ordinance. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
Voting Nay: None

First reading of Ordinance No. BG2004 - 37 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 190

MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH GUIDO THE CAT ENTERPRISES, LLC, D/B/A THE SICILIAN TO LEASE A PORTION OF THE SIDEWALK IN FRONT OF 410 E. MAIN AVENUE

Summary of Municipal Order No. 2004 - 190 was read by the City Clerk. Mayor Jones stated this was a standard agreement. Motion was made by Palmer and seconded by Denning for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
Voting Nay: None

Municipal Order No. 2004 - 190 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 191

MUNICIPAL ORDER APPROVING THE PROMOTION OF JENNY PAINTER TO THE POSITION OF PAYROLL MANAGER IN THE FINANCE DEPARTMENT

Summary of Municipal Order No. 2004 - 191 was read by the City Clerk. Aikins reviewed the qualifications and experience for promotion. Motion was made by Denning and seconded by Palmer for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
Voting Nay: None

Municipal Order No. 2004 - 191 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 192

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF DANIEL P. VICKOUS AND DAVID L. PAGE TO THE POSITION OF CAPTAIN IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2004 - 192 was read by the City Clerk. Aikins described the promotional testing process which determines the eligibility list and the qualifications of each individual. Motion was made by Denning and seconded by Hall for consideration of said Municipal Order. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 192 was approved by unanimous vote.

NOTE: Municipal Order No. 2004 – 193 was previously withdrawn from the agenda by the City Manager.

MUNICIPAL ORDER NO. 2004 – 194

MUNICIPAL ORDER AUTHORIZING THE MAYOR TO  
TERMINATE LEASE AGREEMENT WITH MONARCH  
ENVIRONMENTAL, INC. RELATED TO LEASE OF THE TRANSFER  
STATION

Summary of Municipal Order No. 2004 - 194 was read by the City Clerk. Shirley Flener, General Manager for Monarch Environmental, requested the opportunity to consider a price increase instead of terminating the current lease and bidding out the use of the Transfer Station. Coates explained that the revenue from the lease of the Transfer Station was needed to fund on-going landfill monitoring requirements, and with other parties interested in using the Transfer Station, he recommended bidding out its use to receive additional revenues. With the future expansion of the Waste Water Treatment Plant by BGMU, Coates pointed out there was only about three more years left to generate needed revenues. There was discussion regarding the expiration date of the current lease which is in six months, improvements made by Monarch to the Transfer Station facility and its ability to recuperate those costs, and the ability of market interest to determine the value of the Transfer Station. Motion to **table** Municipal Order No. 2004 - 194 was made by Denning and seconded by Palmer. With no discussion, a roll call vote was taken.

ROLL CALL:           Voting Yea: Hall, Palmer, Bullington, Denning and Jones  
                          Voting Nay: None

Motion to **table** Municipal Order No. 2004 - 194 was approved by unanimous vote.

ADJOURNMENT

Mayor Jones announced that August 3, 2004 was the next scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 8:25 p.m., Mayor Jones declared this meeting adjourned.

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

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

*(Minutes-Board of Commissioners-July 20, 2004)*

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

*Minutes prepared by City Clerk Katie Schaller*