

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held FEBRUARY 7, 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 February 7, 2006. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Rev. R. B. Adamson of Victory Baptist Church, and all present recited the Pledge of Allegiance. City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Delane Simpson, Commissioner Brian K. Strow, Commissioner Mark D. Alcott, Commissioner Brian "Slim" Nash and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

PUBLIC COMMENTS

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

CITY MANAGER

City Manager Kevin D. DeFebbo stated that item number 21 (Municipal Order No. 2006 - 27 regarding property located at 201 State Street currently leased by the George Washington Carver Center, Inc.) was withdrawn from the agenda. He requested a closed session for the purpose of discussion of proposed litigation on behalf of the City regarding Cooper restitution. Motion was made by Nash and seconded by Simpson to convene in closed session following the regular meeting pursuant to KRS 61.810 (c). Walker called for roll call vote.

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

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

Mr. DeFebbo announced that Assistant to the City Manager Shawna Dowell had taken a new position as City Manager for the City of Castroville, Texas and that her last day with Bowling Green would be February 15, 2006. Mr. DeFebbo and the Board of Commissioners thanked Ms. Dowell for her service to the City, and particularly her performance over the past year.

Mayor Walker stated that item number 8 (Municipal Order No. 2006 - 18 regarding a reappointment to the Regional Airport Board) was also withdrawn from the agenda.

CHANGE ORDER OF AGENDA

Comm. Alcott made a motion to change the order of the agenda to consider item number 19 (Municipal Order No. 2006 - 26) before all other items. At the request of Comm. Nash, Alcott amended his motion, which was seconded by Simpson, to include moving items numbered 5, 7, 13 and 18 (Municipal Order Nos. 2006 - 15, 2006 - 17, 2006 - 20 and 2006 - 25) immediately following item 19. Walker called for roll call vote.

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

Voting Nay: None

Motion to change the order of the agenda to consider Municipal Order Nos. 2006 – 26, 2006 – 25, 2006 - 15, 2006 – 17 and 2006 – 20 at this time was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 – 26

MUNICIPAL ORDER APPROVING THE PROMOTION OF JEFFREY BRYANT MEISEL TO THE POSITION OF CHIEF FINANCIAL OFFICER WITHIN THE FINANCE DEPARTMENT

Summary of Municipal Order No. 2006 - 26 was read by City Clerk Katie Schaller. DeFebbo outlined changes to the Finance Department to combine the City Treasurer and Chief Financial Officer positions into one CFO and reorganizing two other positions to provide for an Internal Auditor and an Accounting Specialist. He further reviewed Mr. Meisel’s qualifications and recommended his promotion. 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: Simpson, Strow, Alcott, Nash and Walker
Voting Nay: None

Municipal Order No. 2006 - 26 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 – 25

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF SANDRA KAY HAGANS TO THE POSITION OF FAMILY COUNSELOR IN THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT

Summary of Municipal Order No. 2006 - 25 was read by the City Clerk. DeFebbo reviewed Ms. Hagan’s qualifications and recommendation for hire. 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: Simpson, Strow, Alcott, Nash and Walker
Voting Nay: None

Municipal Order No. 2006 - 25 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 – 15

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF JIM ED HOLLAND TO THE CONTRACTORS LICENSING BOARD

Summary of Municipal Order No. 2006 – 15 was read by the City Clerk. Mayor Walker recommended the appointment. 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: Simpson, Strow, Alcott, Nash and Walker
Voting Nay: None

Municipal Order No. 2006 - 15 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 17

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
WATHETTA A. BUFORD TO THE HUMAN RIGHTS
COMMISSION

Summary of Municipal Order No. 2006 - 17 was read by the City Clerk. Mayor Walker recommended this appointment. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 17 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 20

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF
DON POSTON, PAT DAWKINS, ROGER MILLER AND DON
MUDD TO THE BOWLING GREEN-WARREN COUNTY
MILITARY LIAISON BOARD

Summary of Municipal Order No. 2006 - 20 was read by the City Clerk. Mayor Walker recommended these reappointments. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 20 was approved by unanimous vote.

RESUME REGULAR ORDER OF AGENDA

APPROVAL OF MINUTES

Minutes of Regular Meeting January 17, 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 Strow to approve said minutes as written. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of January 17, 2006 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 12

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2006-30 FOR CONCRETE FROM KENWAY CONCRETE OF

KENTUCKY, LLC OF BOWLING GREEN, KENTUCKY IN THE
AMOUNT OF \$37,575

Summary of Municipal Order No. 2006 - 12 was read by the City Clerk. DeFebbo reviewed the bid recommendation. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 12 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 13

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2006-31 FOR FISCAL YEAR 2006 POLICE EMERGENCY
VEHICLE EQUIPMENT FROM LAW ENFORCEMENT SUPPLY OF
MARIETTA, GEORGIA IN THE AMOUNT OF \$63,051.80

Summary of Municipal Order No. 2006 - 13 was read by the City Clerk. DeFebbo recommended the bid to outfit the new police vehicles. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 13 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 14

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

Summary of Municipal Order No. 2006 - 14 was read by the City Clerk. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 14 was approved by unanimous vote.

NOTE: Municipal Order No. 2006 - 15 was previously considered.

MUNICIPAL ORDER NO. 2006 - 16

MUNICIPAL ORDER AUTHORIZING THE APPOINTMENT AND
DESIGNATION OF CITY MANAGER KEVIN D. DEFEBBO AS

AGENT FOR THE CITY OF BOWLING GREEN UNDER PUBLIC
LAW 93-288 IN THE EVENT OF DISASTER

Summary of Municipal Order No. 2006 - 16 was read by the City Clerk. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 16 was approved by unanimous vote.

NOTE: Municipal Order No. 17 was previously considered and Municipal Order No. 18 was withdrawn.

MUNICIPAL ORDER NO. 2006 - 19

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2006-05 FOR SLOAN CONVENTION CENTER CARPET AND WALL FINISHES FROM HUSTON'S ABBEY CARPET OF BOWLING GREEN, KENTUCKY IN AN AMOUNT NOT TO EXCEED \$170,000

Summary of Municipal Order No. 2006 - 19 was read by the City Clerk. DeFebbo reviewed the bid recommendation to replace carpet and wall finishes. He noted that John Q. Hammons Hotels Management LLC will be responsible for paying \$5,000 of the project cost according to the management agreement. Citizen Information and Assistance Director/Convention Center CEO Michael Grubbs responded to questions regarding the amount paid by Hammons. 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: Strow, Alcott, Nash and Walker
 Voting Nay: Simpson

Municipal Order No. 2006 - 19 was approved by majority vote.

ORDINANCE NO. BG2006 - 1

(First Reading)

ORDINANCE EXPRESSING INTENT TO DE-ANNEX PROPERTY

ORDINANCE EXPRESSING THE INTENT OF THE CITY OF BOWLING GREEN TO DE-ANNEX APPROXIMATELY 44.838 ACRES LOCATED ON THE NORTHERN SIDE OF DOUBLE SPRINGS ROAD, BETWEEN BEECH BEND ROAD AND KENTUCKY HIGHWAY 185, AS REQUESTED BY THE HOUSING AUTHORITY OF BOWLING GREEN

Title and summary of Ordinance No. BG2006 - 1 was read by the City Clerk. DeFebbo indicated that the de-annexation was necessary to allow the Housing Authority to be eligible for Community Development Block Grant (CDBG) funds through Warren County. Housing Authority Executive Director Abraham Williams responded to questions about the loss of City police and fire

protection and anticipation for request of re-annexation in the future. Motion was made by Alcott 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

First reading of Ordinance No. BG2006 - 1 was approved by unanimous vote. Following the vote, City Attorney Gene Harmon reviewed the requirements for a de-annexation to be finalized.

ORDINANCE NO. BG2006 - 2
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING
0.1521 ACRE FROM RM-4 (MULTI-FAMILY RESIDENTIAL) TO
NB (NEIGHBORHOOD BUSINESS) LOCATED AT 321 EAST 13TH
AVENUE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY
WERNER AND SONIA ZOGLAUER

Title and summary of Ordinance No. BG2006 - 2 was read by the City Clerk. City-County Planning Commission Director Andy Gillies reviewed the recommended rezoning and associated binding elements for an adaptive reuse. Motion was made by Simpson 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

First reading of Ordinance No. BG2006 - 2 was approved by unanimous vote.

ORDINANCE NO. BG2006 - 3
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.35
ACRES FROM RS-1A (SINGLE-FAMILY RESIDENTIAL) TO GB
(GENERAL BUSINESS) LOCATED AT 1832 U.S. 31-W BYPASS,
WITH BINDING ELEMENTS, PRESENTLY OWNED BY HAROLD
G. BRANTLEY AND DIANE T. BRANTLEY

Title and summary of Ordinance No. BG2006 - 3 was read by the City Clerk. Gillies reviewed the recommended rezoning and associated binding elements for a proposed bank development.

Attorney Charles English, representing property owners in the surrounding neighborhood, expressed concerns with the rezoning, citing the need for an updated traffic study. He requested that the Board of Commissioners hold its own public hearing on the matter before making any decision.

Attorney Shannon Morgan, representing the Brantley's, indicated that a traffic study had been completed in 2003 and requested that the Board adopt the unanimous recommendation of the Planning Commission.

There were questions from Board members and discussion regarding a traffic study, the differences between Neighborhood Business, General Business and Office Professional zoning designations, a proposed entrance to the property on Loving Way, an appropriate number of parking spaces for the development, sidewalk development and future State Highway Department road project plans for Nashville Road. Once all discussion concluded, motion was made by Simpson 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: Simpson, Strow, Nash and Walker
 Voting Nay: Alcott

First reading of Ordinance No. BG2006 - 3 was approved by majority vote.

NOTE: Municipal Order No. 2006 - 20 was previously considered.

MUNICIPAL ORDER NO. 2006 - 21

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2006-34 FOR THE KEREIAKES PARK PAVILION/SHELTER FROM SUNBELT CONSTRUCTION, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$239,328

Summary of Municipal Order No. 2006 - 21 was read by the City Clerk. DeFebbo reviewed the recommendation. Parks and Recreation Director Ernie Gouvas reviewed the project and anticipated completion in mid-summer. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 21 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 22

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2006-27 FOR SHIVE LANE EXTENSION PROFESSIONAL SERVICES FROM GRESHAM, SMITH AND PARTNERS OF LOUISVILLE, KENTUCKY IN THE AMOUNT OF \$97,500

Summary of Municipal Order No. 2006 - 22 was read by the City Clerk. DeFebbo reviewed the bid recommendation. Assistant City Engineer Melissa Cansler reviewed the project and bid evaluation process. Public Works Director Emmett Wood responded to questions regarding firm qualifications and evaluation criteria. 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: Simpson, Strow, Nash and Walker

Voting Nay: Alcott
Municipal Order No. 2006 - 22 was approved by majority vote.

MUNICIPAL ORDER NO. 2006 - 23

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2006-25 FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR CIRCUS SQUARE PARK FROM RUNDELL ERNSTBERGER ASSOCIATES, LLC OF MUNCIE, INDIANA IN THE AMOUNT OF \$191,000

Summary of Municipal Order No. 2006 - 23 was read by the City Clerk. Downtown Redevelopment Authority Special Projects Coordinator CJ Johanson reviewed the recommended bid and evaluation process. Comm. Alcott pointed out that a portion of the project costs were associated to work that has already been started or completed on the park project which should reduce the total cost for services by this firm. DRA Selection Committee Chair John Ackerson commented about the firm recommended for approval. 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: Simpson, Strow, Alcott, Nash and Walker
Voting Nay: None

Municipal Order No. 2006 - 23 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 24

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR AND THE ACCEPTANCE OF HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS FROM KENTUCKY HOUSING CORPORATION IN THE AMOUNT OF \$375,000

Summary of Municipal Order No. 2006 - 24 was read by the City Clerk. DeFebbo reviewed the partnership with the Housing Authority and HANDS, Inc. for the Lee Square Housing Project and the ability to receive state funding to provide more affordable housing. 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: Simpson, Strow, Alcott, Nash and Walker
Voting Nay: None

Municipal Order No. 2006 - 24 was approved by unanimous vote.

ORDINANCE NO. BG2006 - 4

(First Reading)

ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULE

ORDINANCE AMENDING THE CLASSIFICATION/PAY SCHEDULE FOR CLASSIFIED AND NON-CLASSIFIED

EMPLOYEES OF THE CITY OF BOWLING GREEN, KENTUCKY
FOR FISCAL YEAR 2006

Title and summary of Ordinance No. BG2006 - 4 was read by the City Clerk. DeFebbo stated that the recommended changes correspond to reorganization in the Finance Department previously indicated with the promotion of the Chief Financial Officer. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

First reading of Ordinance No. BG2006 - 4 was approved by unanimous vote.

NOTE: Municipal Order No. 2006 - 27 was previously withdrawn.

MUNICIPAL ORDER NO. 2006 - 28

MUNICIPAL ORDER AUTHORIZING ADOPTION OF THE
REVISED CITY OF BOWLING GREEN PUBLIC SAFETY
PROMOTIONAL PROCEDURES

Summary of Municipal Order No. 2006 - 28 was read by the City Clerk. DeFebbo outlined the recommended changes that were agreed to by both the Police and Fire Chiefs. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 28 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2006 - 29

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF M.
CHRISTINE NAGY TO THE OPERATION P.R.I.D.E. BOARD OF
DIRECTORS

Summary of Municipal Order No. 2006 - 29 was read by the City Clerk. Comm. Simpson recommended the appointment. 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: Simpson, Strow, Alcott, Nash and Walker
 Voting Nay: None

Municipal Order No. 2006 - 29 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Chamber, the Board met in closed session pursuant to KRS 61.810 (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 9:45 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) an update to the Greenways Master Plan project; and, (2) proposed changes to the SNAP Grant process.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by City Clerk Katie Schaller