

**MINUTES of SPECIAL MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JUNE 29, 2004**

The Board of Commissioners of the City of Bowling Green, Kentucky met in special session in the Commission Chamber of City Hall, Bowling Green, Kentucky at 7:00 p.m. on June 29, 2004. Mayor Sandy Jones called the meeting to order. City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Alan Palmer, Commissioner Jim Bullington, Commissioner Dan Hall and Mayor Sandy Jones. Absent: Commissioner Joe W. Denning. There was a quorum of the Board of Commissioners.

CITY MANAGER

City Manager Charles W. Coates had no comments at this time.

APPROVAL OF MINUTES

Minutes of Regular Meeting June 15, 2004

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

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

Motion to approve the minutes of the regular meeting of June 15, 2004 was approved by unanimous vote.

ORDINANCE NO. BG2004 – 27

(Second Reading)

As Amended

ORDINANCE APPROVING LOCAL HISTORIC DISTRICT DESIGNATION

ORDINANCE ACCEPTING AND APPROVING THE  
RECOMMENDATION BY THE CITY-COUNTY PLANNING  
COMMISSION TO CREATE A LOCAL HISTORIC DISTRICT TO BE  
KNOWN AS THE “COLLEGE HILL LOCAL HISTORIC DISTRICT”

At the June 15, 2004 meeting of the Board of Commissioners, Ordinance No. BG2004 – 27, as amended, was tabled. Motion was made by Hall and seconded by Palmer to remove from the table Ordinance No. BG2004 – 27, as amended, in order to be consideration at this time. With no discussion, a roll call vote was taken.

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

Motion to remove from the table Ordinance No. BG2004 – 27, as amended, for consideration at this time was approved by unanimous vote. Title and summary of Ordinance No. BG2004 – 27, as amended, was read by City Clerk Katie Schaller. City Attorney Gene Harmon reviewed the executed “Eta Rho Home Association of Sigma Nu Fraternity, Inc. Historic District Consent” relating to the property at 1303 and 1311 College Street, which will be filed in the Warren County Clerk’s office and attached to this Ordinance. Mayor Jones appreciated the willingness of the fraternity to agree to this

consent. Motion was made by Hall and seconded by Bullington for second reading of said Ordinance, as amended. Mayor Jones asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2004 – 27, as amended, was adopted by unanimous vote.

ORDINANCE NO. BG2004 – 31

(Second Reading)

ORDINANCE APPROVING GENERAL OBLIGATION LEASE AGREEMENT

ORDINANCE APPROVING A LEASE AGREEMENT WITH U.S. BANK NATIONAL ASSOCIATION FOR THE REFUNDING AND RETIREMENT OF A LEASE AGREEMENT DATED FEBRUARY 21, 2001 RELATING TO THE FINANCING OF THE L&N TRAIN DEPOT PROJECT; PROVIDING FOR THE PAYMENT AND SECURITY OF THE LEASE; AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS RELATED TO SUCH LEASE

Title and summary of Ordinance No. BG2004 - 31 was read by the City Clerk. Motion was made by Palmer 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: Palmer, Bullington, Hall and Jones  
Voting Nay: None

Ordinance No. BG2004 - 31 was adopted by unanimous vote.

ORDINANCE NO. BG2004 – 32

(Second Reading)

ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

ORDINANCE APPROVING THE APPOINTMENT OF ALEX NOTTMEIER TO THE BOWLING GREEN MUNICIPAL UTILITIES BOARD

Title and summary of Ordinance No. BG2004 - 32 was read by the City Clerk. Motion was made by Bullington 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: Palmer, Bullington, Hall and Jones  
Voting Nay: None

Ordinance No. BG2004 - 32 was adopted by unanimous vote.

ORDINANCE NO. BG2004 – 33

(Second Reading)

ORDINANCE ADOPTING ANNUAL CITY BUDGET

ORDINANCE ADOPTING THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005, BY ESTIMATING REVENUES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT

Title and summary of Ordinance No. BG2004 - 33 was read by the City Clerk. Motion was made by Palmer 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Ordinance No. BG2004 - 33 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 160

MUNICIPAL ORDER AUTHORIZING MAINTENANCE SERVICES FOR RADIO AND COMMUNICATION EQUIPMENT WITH MOTOROLA, INC. IN AN AMOUNT NOT TO EXCEED \$34,000 FOR FISCAL YEAR 2005

Summary of Municipal Order No. 2004 - 160 was read by the City Clerk. Mayor Jones noted that this was an annual maintenance item. 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 160 was approved by unanimous vote.

ORDINANCE NO. BG2004 – 25

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 7.55 ACRES FROM RM-3 (MULTI-FAMILY RESIDENTIAL) AND GB (GENERAL BUSINESS) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED AT 103 OLD MORGANTOWN ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY PSM ENTERPRISES, LTD., WESIX OF BOWLING GREEN, INC., DERAY AND CHARLOTTE SOUDERS, ROSE AGNES CONATSER, JERRY AND LYDIA KEOWN, AND HANSEL PAYNE AND BROSSIER COMPANY, CONTRACT VENDOR

Title and summary of Ordinance No. BG2004 - 25 was read by the City Clerk. Attorney Keith Carwell, who represents the owners for this rezoning, explained the delay in the execution of binding elements and clarified that all issues are resolved. Motion was made by Bullington and seconded by Palmer 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

First reading of Ordinance No. BG2004 - 25 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 161

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
LEWIS H. BURKE, JR. TO THE BOARD OF PARK  
COMMISSIONERS

Summary of Municipal Order No. 2004 - 161 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 161 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 162

MUNICIPAL ORDER AUTHORIZING INSURANCE PREMIUM  
PAYMENTS TO THE KENTUCKY LEAGUE OF CITIES  
INSURANCE SERVICES FOR INSURANCE COVERAGES OF  
GENERAL LIABILITY, PUBLIC OFFICIALS ERRORS AND  
OMISSIONS, BUILDINGS AND PROPERTY, AND BUSINESS  
AUTOMOBILE FOR THE CONVENTION CENTER CORPORATION  
FOR FISCAL YEAR 2005

Summary of Municipal Order No. 2004 - 162 was read by the City Clerk. Citizen Information and Assistance Director and Convention Center CEO Michael Grubbs reviewed the insurance coverages. Grubbs noted that eventually the Convention Center Corporation insurance needs would be merged into the Cities policies, but for now they remain separate. 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 162 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 163

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
JERALD W. MANNING TO THE HOUSING AUTHORITY OF  
BOWLING GREEN

Summary of Municipal Order No. 2004 - 163 was read by the City Clerk. Mayor Jones recommended this reappointment. Motion was made by Palmer 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 163 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 164

MUNICIPAL ORDER APPROVING REDEVELOPMENT PLAN AND PROPERTY ACQUISITION AGREEMENT WITH LIFESKILLS, INC. AND AUTHORIZING THE MAYOR TO EXECUTE THIS AGREEMENT ON BEHALF OF THE CITY, AND FURTHER AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO NEGOTIATE AND PURCHASE PROPERTY NECESSARY TO CARRY OUT THIS AGREEMENT

Summary of Municipal Order No. 2004 - 164 was read by the City Clerk. Assistant to the HCD Director-Special Projects Alice Burks reviewed the development plan and use of the property by Lifeskills. Burks stated that property owners will be notified of the City's intent to purchase and be provided relocation benefits. Mayor Jones clarified that the City is not required to provide relocation benefits, but it was the intent of this body to provide such benefits as if it were required under the Federal Uniform Relocation Act. There was further discussion regarding the total investment by Lifeskills in this development, wages to be generated and future of other properties currently being used by Lifeskills. Coates stated that the property being leased by Lifeskills and owned by the City located on Reservoir Hill will be sold and the proceeds reinvested in this new development. Motion was made by Bullington 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 164 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 165

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF CRYSTAL R. FAIR TO THE POSITION OF COMMUNICATIONS DISPATCHER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2004 - 165 was read by the City Clerk. Human Resources Specialist Kari Aikins reviewed the qualifications of the recommended applicant. Motion was made by Palmer 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 165 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 166

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF A CONTRACT WITH J & F JANITORIAL SERVICE TO PROVIDE CUSTODIAL SERVICES FOR FISCAL YEAR 2005

Summary of Municipal Order No. 2004 - 166 was read by the City Clerk. Mayor Jones indicated this was an annual approval. Motion was made by Palmer 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: Palmer, Bullington, Hall and Jones

Voting Nay: None  
Municipal Order No. 2004 - 166 was approved by unanimous vote.

RESOLUTION NO. BG – WCCA - 54

A RESOLUTION OF THE CITY OF BOWLING GREEN SECTION OF THE BOWLING GREEN-WARREN COUNTY CABLE FRANCHISE AUTHORITY AUTHORIZING AND ACCEPTING A PROPOSAL FOR PROFESSIONAL SERVICES FROM KEMPER CPA GROUP LLP OF PADUCAH, KENTUCKY FOR THE PURPOSE OF CONDUCTING A FRANCHISE FEE AUDIT FOR THREE YEARS ENDING JUNE 30, 2004, AND FROM THE KENTUCKY POLL FOR THE PURPOSE OF CONDUCTING A PUBLIC OPINION SURVEY ON CABLE TELEVISION IN BOWLING GREEN AND WARREN COUNTY

Summary of Resolution No. BG – WCCA - 54 was read by the City Clerk. Coates stated that this completed the services required for consultant assistance with the renewal process for the Cable Franchise Agreement. He noted that the costs would be shared 60/40 with Warren County and would be reimbursable under the franchise renewal. Coates indicated that a public hearing by the Cable Authority could take place as early as September 2004. Motion was made by Hall and seconded by Palmer for consideration of said Resolution. Mayor Jones asked for additional discussion, and with none, a roll call vote was taken.

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

Resolution No. BG – WCCA - 54 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 167

MUNICIPAL ORDER AUTHORIZING AND ORDERING CONDEMNATION OF PROPERTY BELONGING TO WILLIAM M. COOK, ROGER REED AND HIS WIFE, DOROTHY REED, AND ROGER REED, JR. LOCATED AT 300 CENTER STREET, WITH THIS PROPERTY BEING NECESSARY FOR THE DEPARTMENT OF PARKS AND RECREATION COMMUNITY CENTER RENOVATION AND EXPANSION PROJECT

Summary of Municipal Order No. 2004 - 167 was read by the City Clerk. Coates stated that the four items on this agenda regarding condemnation were discussed in closed session at the previous meeting of the Board. Housing and Community Development Director Richard Rector noted that two of these items for condemnation had title issues, which could be resolved through the condemnation process. 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: Palmer, Bullington, Hall and Jones  
Voting Nay: None

Municipal Order No. 2004 - 167 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 168

MUNICIPAL ORDER AUTHORIZING AND ORDERING CONDEMNATION OF PROPERTY BELONGING TO BEACON PROPERTIES, A KENTUCKY GENERAL PARTNERSHIP, LOCATED AT 347 COLLEGE STREET, WITH THIS PROPERTY BEING NECESSARY FOR THE DEPARTMENT OF PARKS AND RECREATION COMMUNITY CENTER RENOVATION AND EXPANSION PROJECT

Summary of Municipal Order No. 2004 - 168 was read by the City Clerk. Motion was made by Palmer 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: Palmer, Bullington, Hall and Jones  
Voting Nay: None

Municipal Order No. 2004 - 168 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 169

MUNICIPAL ORDER AUTHORIZING AND ORDERING CONDEMNATION OF PROPERTIES BELONGING TO MORRIS LIGHTFOOT LOCATED AT 301 AND 307 COLLEGE STREET, WITH THESE PROPERTIES BEING NECESSARY FOR THE DEPARTMENT OF PARKS AND RECREATION COMMUNITY CENTER RENOVATION AND EXPANSION PROJECT

Summary of Municipal Order No. 2004 - 169 was read by the City Clerk. 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: Palmer, Bullington, Hall and Jones  
Voting Nay: None

Municipal Order No. 2004 - 169 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 170

MUNICIPAL ORDER APPROVING A PROFESSIONAL SERVICES CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH DBS & ASSOCIATES ENGINEERING OF CLARKSVILLE, TENNESSEE FOR GIS PROFESSIONAL DATA COLLECTION SERVICES IN AN AMOUNT NOT TO EXCEED \$63,000

Summary of Municipal Order No. 2004 - 170 was read by the City Clerk. Public Works Project Manager Dan Chaney reviewed the requirement for completion of stormwater infrastructure mapping and the qualifications of this firm. Motion was made by Palmer 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: Palmer, Bullington, Hall and Jones  
Voting Nay: None

Municipal Order No. 2004 - 170 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 171

MUNICIPAL ORDER AUTHORIZING AND ORDERING  
CONDEMNATION OF PROPERTY BELONGING TO ROLLIE AND  
JOANN ZACKERY LOCATED AT 1218 BOATLANDING ROAD,  
WITH THIS PROPERTY BEING NECESSARY FOR THE  
DEVELOPMENT OF BOATLANDING PARK AND FOR THE  
CONTINUATION OF THE BOWLING GREEN GREENBELT  
SYSTEM PROJECT

Summary of Municipal Order No. 2004 - 171 was read by the City Clerk. Rector previously stated that this property had title issues which could be cleared up through the condemnation process. Motion was made by Bullington 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 171 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 172

MUNICIPAL ORDER AUTHORIZING INTER-GOVERNMENTAL  
LOANS FOR FISCAL YEAR ENDING JUNE 30, 2004

Summary of Municipal Order No. 2004 - 172 was read by the City Clerk. Chief Financial Officer Davis Cooper indicated this was a housekeeping matter to carryover a loan into the new fiscal year in anticipation for grant reimbursement. 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 172 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 173

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2004-  
48 FOR INSTALLATION OF COVER FOR GLENDALE STORM  
SEWER FROM SCOTT & MURPHY, INC. OF BOWLING GREEN,  
KENTUCKY IN THE AMOUNT OF \$229,950

Summary of Municipal Order No. 2004 - 173 was read by the City Clerk. Chaney reviewed the project and final appearance of the storm sewer cover. Motion was made by Palmer 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 173 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2004 – 174

MUNICIPAL ORDER PROVIDING FOR AMENDMENT OF THE  
“ADMINISTRATIVE PERSONNEL POLICY AND PROCEDURES  
MANUAL” FOR CLASSIFIED EMPLOYEES

Summary of Municipal Order No. 2004 - 174 was read by the City Clerk. Aikins outlined the most significant changes to the manual as required by adoption of the pay/classification study in July 2003, the Health Insurance Portability and Accountability Act (HIPAA) and incorporation of the City’s Computer Ethics and Internet and Intranet Use Guidelines policies. 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: Palmer, Bullington, Hall and Jones  
                          Voting Nay: None

Municipal Order No. 2004 - 174 was approved by unanimous vote.

ADJOURNMENT

Mayor Jones announced that July 6, 2004 was the next scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 7:50 p.m., Mayor Jones declared this meeting adjourned.

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

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

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

*Minutes prepared by City Clerk Katie Schaller*