

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held AUGUST 2, 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 August 2, 2005. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Rick Bard of Broadway United Methodist Church, and all present recited the Pledge of Allegiance. City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Brian K. Strow, Commissioner Mark D. Alcott, Commissioner Brian "Slim" Nash, Commissioner Delane Simpson and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

ANNOUNCEMENTS/RECOGNITIONS

Mayor Walker announced that August 2, 2005 was National Night Out with several events taking place around the City.

She also recognized special guest Keiko Fujii with the Culture and International Exchange Division for the City of Kawanishi, Japan, Bowling Green's sister city. Mayor Walker presented Ms. Fujii with gifts from the City for Mayor Susumu Shibao and Ms. Fujii said a few words regarding the sister city relationship between the two cities.

Southern Kentucky Performing Arts Corporation (SKyPAC) Chairman Rick McCue presented a \$1 million check to the City of Bowling Green for the property acquisition and relocation of SKyPAC development to the downtown.

PUBLIC COMMENTS

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

CITY MANAGER

Interim City Manager Kenneth R. Thompson stated that representatives from Mandalay Baseball Properties and Play Ball '05 Committee will be making a brief presentation during the work session at the end of the regular agenda.

PRESENTATION

Public Works Director Emmett Wood presented the final resolution to the 14th Avenue Realignment project which was endorsed by all involved parties including Western Kentucky University and previously presented as "Option C" at the July 5, 2005 Board of Commissioners meeting. Mr. Wood responded to questions regarding the condition of the roadway for the remaining portion of 14th Avenue that would not be a part of this project.

APPROVAL OF MINUTES

Minutes of Regular Meeting July 19, 2005

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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Motion to approve the minutes of the regular meeting of July 19, 2005 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 33

(Second Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER THREE TO
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL
OPERATING BUDGET FOR FISCAL YEAR 2005

Title and summary of Ordinance No. BG2005 - 33 was read by City Clerk Katie Schaller. Motion was made by Nash and seconded by Strow for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2005 - 33 was adopted by unanimous vote.

ORDINANCE NO. BG2005 - 34

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTERS 6 (BUILDING
REGULATIONS) AND 10 (ELECTRICITY) OF THE CITY OF
BOWLING GREEN CODE OF ORDINANCES TO WAIVE
BUILDING PERMIT AND ELECTRICAL PERMIT FEES FOR
SPECIFIED CHARITABLE NONPROFIT AND CITY SPONSORED
ACTIVITIES

Title and summary of Ordinance No. BG2005 - 34 was read by the City Clerk. Motion was made by Nash and seconded by Alcott for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2005 - 34 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 201

MUNICIPAL ORDER AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND BOWLING GREEN HUMAN RIGHTS COMMISSION, INC. FOR THE PROVISION OF FAIR HOUSING EDUCATION SERVICES

Summary of Municipal Order No. 2005 - 201 was read by the City Clerk. Housing and Community Development Director Alice Burks indicated that this was a continuation of the relationship to perform fair housing education initiatives. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 201 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 202

MUNICIPAL ORDER APPROVING THE LEE SQUARE HOUSING PROJECT AGREEMENT WITH HOUSING ASSISTANCE AND DEVELOPMENT SERVICES (HANDS), INC. AND LIVE THE DREAM, INC. RELATED TO A SINGLE FAMILY RESIDENTIAL PROJECT AND AUTHORIZING TRANSFER OF RESIDENTIAL LOTS TO APPROVED HOMEBUYERS

Summary of Municipal Order No. 2005 - 202 was read by the City Clerk. Burks reviewed the project and renewal of a partnership with HANDS and Live the Dream. She responded to questions regarding the cost of infrastructure and placement of underground utilities. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 202 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 31

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.989 ACRES FROM AG (AGRICULTURE) TO HB (HIGHWAY BUSINESS) LOCATED ON CUMBERLAND TRACE ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY JIM DIEMER'S BIG STAR SUPERMARKETS, INC.

Title and summary of Ordinance No. BG2005 - 31 was read by the City Clerk. Attorney David Broderick, representing neighbors of Old Scottsville Road who oppose this rezoning, requested a new public hearing by the City. Planning Commission Director Andy Gillies provided an overview

of the rezoning and associated binding elements. Attorney Frank Smith, representing the property owner, responded to comments made by Mr. Broderick and requested approval of the recommended rezoning. City Attorney Gene Harmon summarized the Board's procedures if the rezoning is not approved as recommended by the Planning Commission.

Once all discussion concluded, Comm. Alcott stated he believed that the Planning Commission conducted an adequate public hearing. Motion was made by Alcott 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: Strow, Alcott, Nash and Walker
 Voting Nay: Simpson

First reading of Ordinance No. BG2005 - 31 was approved by majority vote.

ORDINANCE NO. BG2005 - 32
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TWO TRACTS OF LAND CONTAINING
4.71 ACRES FROM LI (LIGHT INDUSTRY) TO P (PUBLIC) AND
RS-1D (SINGLE FAMILY RESIDENTIAL) LOCATED IN THE 200
BLOCK OF STATE AND COLLEGE STREETS, WITH BINDING
ELEMENTS, PRESENTLY OWNED BY THE CITY OF BOWLING
GREEN, HANDS, INC. AND TRINITY HOUSING PARTNERS

Title and summary of Ordinance No. BG2005 - 32 was read by the City Clerk. Gillies reviewed the rezoning and the associated binding elements. Gillies responded to questions regarding sidewalks and parking. Motion was made by Simpson 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

First reading of Ordinance No. BG2005 - 32 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 203

MUNICIPAL ORDER APPROVING AND AUTHORIZING
REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO
NASHVILLE, TENNESSEE FOR COMMISSIONER MARK D.
ALCOTT

Summary of Municipal Order No. 2005 - 203 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: Strow, Nash, Simpson and Walker
 Voting Nay: None
 Voting Abstain: Alcott

Municipal Order No. 2005 - 203 was approved by majority vote.

ORDINANCE NO. BG2005 - 35
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING SIX ACRES FROM AG (AGRICULTURE) TO OP-C (OFFICE PROFESSIONAL-COMMERCIAL) LOCATED ON LOVERS LANE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY LOVERS LANE LAND AND FARM, LLC

Title and summary of Ordinance No. BG2005 - 35 was read by the City Clerk. Gillies reviewed the rezoning with associated binding elements for the LifeSkills new headquarters. Motion was made by Simpson and seconded by Nash 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

First reading of Ordinance No. BG2005 - 35 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 204

MUNICIPAL ORDER APPROVING ADMINISTRATIVE PLAN FOR HOMEOWNER REHABILITATION PROGRAM

Summary of Municipal Order No. 2005 - 204 was read by the City Clerk. Burks reviewed the plan that establishes procedures for administering the rehabilitation program. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 204 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 205

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT TO THE GOVERNOR'S OFFICE FOR LOCAL DEVELOPMENT FOR THE CEMETERY PRESERVATION FUND IN THE AMOUNT OF \$3,000

Summary of Municipal Order No. 2005 - 205 was read by the City Clerk. Historic Preservation Planner Robin Zeigler reviewed the grant requested for fencing an abandoned cemetery at the Kentucky Transpark development. She noted that ITA will be responsible for providing the required matching funds for the grant if awarded. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 205 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 206

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF ALLEN EUGENE CLINE TO THE POSITION OF LABORER II IN THE PUBLIC WORKS DEPARTMENT, OPERATIONS DIVISION

Summary of Municipal Order No. 2005 – 206 was read by the City Clerk. Human Resources Director Michele Tolbert reviewed the position and qualifications of the recommended applicant. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 206 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 207

MUNICIPAL ORDER APPROVING THE PROMOTION OF QUENNA DAWN NORRIS TO THE POSITION OF HUMAN RESOURCES SPECIALIST IN THE HUMAN RESOURCES DEPARTMENT

Summary of Municipal Order No. 2005 - 207 was read by the City Clerk. Tolbert reviewed the position and qualifications for promotion. Motion was made by Strow 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 207 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 – 208

MUNICIPAL ORDER EXPRESSING THE INTENT OF THE CITY OF BOWLING GREEN, KENTUCKY TO FINANCE COSTS RELATED TO VARIOUS CAPITAL PROJECTS INCLUDED IN THE FISCAL YEAR 2006 BUDGET

Summary of Municipal Order No. 2005 - 208 was read by the City Clerk. Acting Chief Financial Officer Jeff Meisel indicated that the City would be eligible for tax-exempt financing throughout the year which allows flexibility with purchasing. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 208 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 209

MUNICIPAL ORDER APPROVING THE PROMOTION OF
MICHAEL J. DELANEY TO THE POSITION OF SERGEANT IN
THE POLICE DEPARTMENT

Summary of Municipal Order No. 2005 - 209 was read by the City Clerk. Tolbert reviewed the annual promotional process for Police and the qualifications for this promotion. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 209 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 210

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF
WILLIAM J. LOVE AND DAN W. RILEY TO THE BOARD OF
PARK COMMISSIONERS

Summary of Municipal Order No. 2005 - 210 was read by the City Clerk. Mayor Walker recommended the appointments. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 210 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 211

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
DOTTI BETH LAWRENCE TO THE BARREN RIVER AREA
AGENCY COUNCIL ON AGING

Summary of Municipal Order No. 2005 - 211 was read by the City Clerk. Comm. Simpson recommended the appointment. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 211 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 212

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF
ANTHONY D. BOWLES, BETHANEY K. ADAMS, AND REGINA
M. GOMEZ, AND THE REAPPOINTMENTS OF LT. COL. JERRY

WELLS AND ROBERTO RODARTE, JR. TO THE HUMAN RIGHTS
COMMISSION

Summary of Municipal Order No. 2005 - 212 was read by the City Clerk. Mayor Walker recommended the appointments and reappointments. 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: Strow, Alcott, Nash, Simpson and Walker
Voting Nay: None

Municipal Order No. 2005 - 212 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 213

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2005-46 FOR DEMOLITION OF STRUCTURES AND SITE
CLEARANCE SERVICES FROM GREG GARY TRUCKING, INC.
OF BOWLING GREEN, KENTUCKY NOT TO EXCEED \$200,000

Summary of Municipal Order No. 2005 - 213 was read by the City Clerk. Burks reviewed the contract recommended to be awarded. 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: Strow, Alcott, Nash, Simpson and Walker
Voting Nay: None

Municipal Order No. 2005 - 213 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 214

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2005-43 FOR KEREIAKES PARK GREENWAY CONSTRUCTION
FROM SCOTTY'S CONTRACTING & STONE, LLC OF BOWLING
GREEN, KENTUCKY IN THE AMOUNT OF \$260,673

Summary of Municipal Order No. 2005 - 214 was read by the City Clerk. Greenways Coordinator Helen Siewers reviewed the project to construct a greenways trail. She responded to questions regarding installation of a stop light at Hampton Drive and Cemetery Road, available parking and construction of a foot bridge. 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: Strow, Alcott, Nash, Simpson and Walker
Voting Nay: None

Municipal Order No. 2005 - 214 was approved by unanimous vote.

Note: Municipal Order No. 2005 - 215 regarding the appointment of Valerie Sharber to the Enterprise Community, Inc. Board of Directors was withdrawn from consideration at this time. Mayor Walker stated it would be brought back at the next meeting of the Board.

MUNICIPAL ORDER NO. 2005 - 216

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
SHANNON M. VITALE TO THE HOBSON HOUSE COMMISSION

Summary of Municipal Order No. 2005 - 216 was read by the City Clerk. Mayor Walker recommended the appointment. 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

Municipal Order No. 2005 - 216 was approved by unanimous vote.

ORDINANCE NO. BG2005 - 36

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 18 (OCCUPATIONAL LICENSE FEES AND TAXES), SUBCHAPTER 18-14 (TRANSIENT ROOM TAX) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES RELATED TO PAYMENT OF ROOM TAX TO ASSIST IN THE PAYMENT OF THE COST OF THE ACQUISITION, CONSTRUCTION, OPERATION, BOND PAYMENT AND MAINTENANCE OF THE CONVENTION CENTER OF BOWLING GREEN/WARREN COUNTY

Title and summary of Ordinance No. BG2005 - 36 was read by the City Clerk. Mayor Walker reviewed the recommended changes to allow the Convention and Visitors Bureau (CVB) to keep its funds and to remove the annual approval process from the Board of Commissioners. CVB Director Vicki Fitch provided a list for the use of the funds. Motion was made by Simpson 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: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None

First reading of Ordinance No. BG2005 - 36 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2005 - 217

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF
SUSIE OLDHAM TO THE HOUSING AUTHORITY OF BOWLING
GREEN

Summary of Municipal Order No. 2005 - 217 was read by the City Clerk. Mayor Walker recommended the appointment. There was discussion regarding how volunteer board positions are advertised to the public. 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.

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ROLL CALL: Voting Yea: Strow, Alcott, Nash, Simpson and Walker
 Voting Nay: None
Municipal Order No. 2005 - 217 was approved by unanimous vote.

WORK SESSION

Since there was not a work session at its regular 4:00 p.m. schedule due to the National Night Out events taking place, the Board of Commissioners conducted a work session at the end of its regular meeting to discuss the following subjects:

1) Play Ball! '05 Committee Chair Rick Kelley introduced Rich Newman, the Vice President of Development for Mandalay Baseball Properties, who expressed the desire and intent of Mandalay to enter into a Memorandum of Understanding with the City for exclusive negotiations regarding a public-private partnership to develop a Baseball Stadium and Mixed-Use Economic Development Project in downtown Bowling Green.

2) Citizen Information and Assistance Director Michael Grubbs presented the "Special Contribution Fund" and requested direction regarding its purpose, timing and distribution of the budgeted \$20,000.

ADJOURNMENT

At the conclusion of the work session, Mayor Walker announced that August 16, 2005 was the next scheduled meeting of the Board. There being no further business to come before the Board of Commissioners, at approximately 9:40 p.m., Mayor Walker declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by City Clerk Katie Schaller