

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JANUARY 19, 2010**

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 January 19, 2010. Mayor Pro Tem Catherine Hamilton called the meeting to order. An invocation was given by Commissioner Bruce Wilkerson, and all present recited the Pledge of Allegiance. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Brian "Slim" Nash, Commissioner Bruce Wilkerson, Commissioner Joe W. Denning and Commissioner (Mayor Pro Tem) Catherine Hamilton. Absent: Mayor Elaine N. Walker. There was a quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Mayor Pro Tem Hamilton congratulated Commissioner Wilkerson who was named the Bowling Green Area Chamber of Commerce Ambassador of the Year for the second year in a row. Ms. Hamilton also welcomed Assistant City Clerk Ashley Jackson who was in attendance and who would be filling in as clerk at the next Board of Commissioners meeting.

CITY MANAGER

City Manager Kevin D. DeFebbo announced that Grants Manager Lisa Ryan was retiring at the end of the month after 23 years of service to the City of Bowling Green. He requested a closed session for the purpose of discussion on the future acquisition 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, and for discussion of proposed litigation on behalf of the City. Motion was made by Wilkerson and seconded by Denning to convene in closed session following the regular meeting pursuant to KRS 61.810 (b) and (c). Mayor Pro Tem Hamilton called for roll call vote.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
 Voting Nay: None

Motion to convene in closed session pursuant to KRS 61.810 (b) and (c) was approved by unanimous vote. Mr. DeFebbo confirmed that action by the Board of Commissioners was anticipated to follow the closed session discussion.

BOARD OF COMMISSIONERS

Comm. Nash commented about the statements made by Janet Bowman at the previous Board of Commissioners meeting regarding interactions with Police Officers. He indicated that after the Police Department looked into Ms. Bowman's allegations, it was his belief that Ms. Bowman's complaint was unfounded.

APPROVAL OF MINUTES

Minutes of Regular Meeting January 5, 2010

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Denning and seconded by Nash to approve said

minutes as written. Mayor Pro Tem Hamilton asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
 Voting Nay: None

Motion to approve the minutes of the regular meeting of January 5, 2010 was approved by unanimous vote.

PUBLIC COMMENTS

Mayor Pro Tem Hamilton opened the floor for any public comments and there were none.

ORDINANCE NO. BG2010 - 1

(Second Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

**ORDINANCE APPROVING AMENDMENT NUMBER TWO TO
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL
OPERATING BUDGET FOR FISCAL YEAR 2010**

Title and summary of Ordinance No. BG2010 - 1 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for second reading of said Ordinance. Mayor Pro Tem Hamilton asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
 Voting Nay: None

Ordinance No. BG2010 - 1 was adopted by unanimous vote.

ORDINANCE NO. BG2010 - 2

(Second Reading)

ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

**ORDINANCE APPROVING THE CLOSING OF A PORTION OF AN
ALLEY NEAR 11TH AVENUE AND STATE STREET**

Title and summary of Ordinance No. BG2010 - 2 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for second reading of said Ordinance. Mayor Pro Tem Hamilton asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Denning and Hamilton
 Voting Nay: None
 Abstaining: Wilkerson

Ordinance No. BG2010 - 2 was adopted by majority vote.

ORDINANCE NO. BG2010 - 3

(Second Reading)

ORDINANCE REZONING REAL ESTATE

**ORDINANCE REZONING A TRACT OF LAND CONTAINING
45.23 ACRES FROM AG (AGRICULTURE) TO RS-1D (SINGLE
FAMILY RESIDENTIAL) LOCATED AT 280 JOHN D. JONES**

ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY
JERSEY DEVELOPMENT, LLC

Title and summary of Ordinance No. BG2010 - 3 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for second reading of said Ordinance. Mayor Pro Tem Hamilton asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
 Voting Nay: None

Ordinance No. BG2010 - 3 was adopted by unanimous vote.

ORDINANCE NO. BG2010 - 4

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 5.94 +/- ACRES FROM RM-4 (MULTI-FAMILY RESIDENTIAL), P (PUBLIC), GB (GENERAL BUSINESS) AND NB (NEIGHBORHOOD BUSINESS) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED IN BLOCK 12 OF THE WKU GATEWAY TO DOWNTOWN BOWLING GREEN TAX INCREMENT FINANCING (TIF) DISTRICT, WITH BINDING ELEMENTS, PRESENTLY OWNED BY WESTERN KENTUCKY UNIVERSITY AND BOWLING GREEN SPE, INC.

Title and summary of Ordinance No. BG2010 - 4 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Wilkerson for second reading of said Ordinance. Mayor Pro Tem Hamilton asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
 Voting Nay: None

Ordinance No. BG2010 - 4 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 11

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF CHARLES "TODD" SHOMO TO THE HISTORIC PRESERVATION BOARD

Summary of Municipal Order No. 2010 - 11 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. Mayor Pro Tem Hamilton asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
 Voting Nay: None

Municipal Order No. 2010 - 11 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 12

MUNICIPAL ORDER APPROVING AMENDMENT TO LEE SQUARE HOUSING PROJECT AGREEMENT AMONG THE CITY

OF BOWLING GREEN, HOUSING ASSISTANCE AND DEVELOPMENT SERVICES, INC. (HANDS) AND LIVE THE DREAM, INC. RELATING TO THE REDESIGNATION OF BUILDING LOTS

Summary of Municipal Order No. 2010 - 12 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo reviewed the housing project agreement which designated certain lots in the Lee Square development for HANDS and certain lots for Live the Dream (Housing Authority) on which to build houses. He explained that the Housing Authority was able to build some additional houses with the use of Neighborhood Stabilization Program funds and that the Housing Authority worked with HANDS to exchange one lot and redistribute two other lots. Mayor Pro Tem Hamilton asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
Voting Nay: None

Municipal Order No. 2010 - 12 was approved by unanimous vote.

ORDINANCE NO. BG2010 - 6
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.82 ACRES FROM LI (LIGHT INDUSTRIAL) TO HI (HEAVY INDUSTRIAL) LOCATED AT 330 POWER STREET, WITH BINDING ELEMENTS, PRESENTLY OWNED BY RICHARD FELDMAN

Title and summary of Ordinance No. BG2010 - 6 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. City-County Planning Commission Director Steve Hunter provided an overview of the recommended rezoning and its binding elements. Mayor Pro Tem Hamilton asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
Voting Nay: None

First reading of Ordinance No. BG2010 - 6 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:15 p.m. in closed session pursuant to KRS 61.810 (b) and (c) as previously approved.

RECONVENE IN OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session at approximately 7:23 p.m. to consider action. Motion was made by Wilkerson and seconded by Nash to add Municipal Order No. 2010 - 13 to the agenda for consideration. With no discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
 Voting Nay: None
Motion to add Municipal Order No. 2010 - 13 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 13

MUNICIPAL ORDER AUTHORIZING AND ORDERING
CONDEMNATION OF A PORTION OF PROPERTY BELONGING TO
DAVID AND TRUDY KAPLEY LOCATED AT 611 OLD
MORGANTOWN ROAD FOR THE OLD MORGANTOWN ROAD
CORRIDOR IMPROVEMENT PROJECT

Summary of Municipal Order No. 2010 - 13 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for consideration of said Municipal Order. Mayor Pro Tem Hamilton asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Hamilton
 Voting Nay: None
Municipal Order No. 2010 - 13 was approved by unanimous vote.

WORK SESSION

Following the regular meeting agenda and with no action taken at approximately 7:25 p.m., the Board of Commissioners conducted a work session to discuss parking enforcement and to address some misinformation about the collection process for parking tickets. Police Chief Doug Hawkins proposed two alternatives (an in-house approach and a third party contracting of services) for the Board to consider related to a long-term revenue collection solution.

ADJOURNMENT

Once all discussion concluded in closed session and there being no further business to come before the Board of Commissioners, at approximately 8:10 p.m., Mayor Pro Tem Hamilton declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
Assistant City Clerk

(Minutes-Board of Commissioners-January 19, 2010)

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller