

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held FEBRUARY 16, 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 February 16, 2010. Mayor Elaine N. Walker 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 Joe W. Denning, Commissioner Catherine Hamilton, Commissioner Brian "Slim" Nash, Commissioner Bruce Wilkerson and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

**AWARDS & RECOGNITIONS**

Mayor Walker recognized Public Works Operations Division Manager Bobby Phelps and his team for keeping the streets clear during the recent snow events. Commissioner Denning also commended staff and said he has been very pleased with the City's efforts to keep the roads clear. As a former School Board member, Commissioner Denning recounted how difficult it was for school leaders to make the decision to close schools during bad weather for the safety of the children.

Operation P.R.I.D.E. Executive Director Ray Lackey announced the awards for improvements made to residential and non-residential property for the month of March. The residential award was presented to David and Jean Murph for improvements made to their property located at 516 Chestnut Street. The commercial award was presented to Amazing Cakes located at 823 Fairview Avenue and was accepted by owner Marsha Roberts. In addition, Mr. Lackey reported that improvements had been completed at the riverfront and that Operation P.R.I.D.E. would be taking over the maintenance of Scottsville Road and Louisville Road this spring, similar to Cemetery Road.

**PRESENTATION**

Mary Cohron, chairperson of the Warren County Downtown Economic Development Authority (WCDEDA), presented a quarterly report regarding the activities in the WKU Gateway to Downtown Bowling Green Tax Increment Financing (TIF) District. She provided an overview of the capital investment to date, which stood at \$62,000,000 with another \$93,000,000 in the planning stages or in development. Ms. Cohron gave an update regarding the Block 12 development plans, including the proposed completion of the garage construction by October 2010 and a mixed-use wrap for the garage and WKU Alumni Center by July 2011. She also disclosed that there were at least two other potential hotel developers interested in developing in Block 12 in addition to Mr. Musselman. Ms. Cohron commented that an application for the Board's consideration would be presented once a subdeveloper for Block 12 was identified. In addition, Ms. Cohron announced that WCDEDA would receive \$38,000 from TVA and BGMU to assist with costs related to marketing the TIF district.

Mayor Walker inquired if any progress had been made toward achieving increased revenue generation to assist with the debt service incurred to date. She also asked if there was any guarantee that a hotel would come once the parking garage was built since that was what the City was told Mr. Musselman required for him to locate a hotel in Block 12 and he was now reconsidering his

involvement in the development. Ms. Cohron acknowledged that there was no guarantee, but the additional parking provided by the garage would service the Alumni Center and mixed-use development. Ms. Cohron also commented about the success of the ballpark.

Mayor Walker remarked she had received an inquiry from a concerned citizen about the land sales, which had been purchased at a significant profit to the property owner in a short amount of time in Block 12. She stated that the more WCDEDA paid for property acquisition the longer it would take for taxpayers to get their money back. Mayor Walker further commented that it appeared that very little negotiation was taking place to get lower prices and she asked who was controlling those purchase amounts. Ms. Cohron replied that WCDEDA had to balance the ability to get prices to come down, yet still be able to keep the project moving forward.

#### CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion which might lead to the dismissal of individual employees without restricting the employees' right to a public hearing if requested. Motion was made by Wilkerson and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (f). Walker called for roll call vote.

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

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

#### APPROVAL OF MINUTES

##### Minutes of Regular Meeting February 2, 2010

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

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

Motion to approve the minutes of the regular meeting of February 2, 2010 was approved by unanimous vote.

#### PUBLIC COMMENTS

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

#### MUNICIPAL ORDER NO. 2010 - 25

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF SUE  
PARRIGIN TO THE COMMUNITY DEVELOPMENT BLOCK  
GRANT (CDBG) CITIZEN REVIEW COMMITTEE

Summary of Municipal Order No. 2010 - 25 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson for consideration of said Municipal Order. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 25 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 26

MUNICIPAL ORDER APPROVING THE PURCHASE OF TWO SALSCO GREENS ROLLERS BY NONCOMPETITIVE NEGOTIATIONS FROM GREENVILLE TURF AND TRACTOR UNDER THE KENTUCKY STATE PRICING CONTRACT; AND FURTHER AUTHORIZING THE 60 MONTH FINANCING FOR THE PURCHASE WITH BRANCH BANKING & TRUST (BB&T) IN THE TOTAL AMOUNT OF \$27,263.40

Summary of Municipal Order No. 2010 - 26 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo explained this equipment was a critical piece to maintain the greens at the golf courses and he recommended the purchase. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 26 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 27

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE EMERGENCY PURCHASE OF CLEARLANE ENHANCED DEICER FROM CARGILL DEICING TECHNOLOGY IN THE AMOUNT OF \$46,564

Summary of Municipal Order No. 2010 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. DeFebbo noted that the City had received more snow this winter than it had in a long time which dramatically depleted the City's salt (deicer) supply. Since the City was at a critical point to replenish its supplies before the next snow storm, an emergency purchase was considered necessary. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 27 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 28

MUNICIPAL ORDER CONSIDERING AND APPROVING AMENDMENT TO TRAFFIC FEATURE MAP BASED ON A CITIZEN REQUEST TO STRIPE THE CENTERLINE OF

COVINGTON STREET FROM LEHMAN AVENUE TO  
SCOTTSVILLE ROAD

Summary of Municipal Order No. 2010 - 28 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 remarked that this was the first official action for the Board to consider under the newly adopted Neighborhood Traffic Control procedures. GIS Manager Kyle Bearden reviewed the basic functionality of the GIS mapping system on the City's website and its available features, including the ability to layer data. Mr. DeFebbo provided an overview of the information included in the agenda packet related to this item, including comments received from citizens. He noted that the Public Works Department offered a neutral position on the issue.

Comm. Denning stated that there was already a double line on Covington Street from Hampton Drive to Lemman Avenue and inquired when that might have been done. Public Works Director Emmett Wood was not certain when that portion of the roadway was striped. Comm. Denning indicated he was interested in hearing what others had to say about the request.

Neighborhood Action Coordinator Karen Foley informed the Board that several notices were sent to the residents in the neighborhood and a few were in attendance at this meeting. Jeff Stein of 936 Covington Street expressed his opposition to the striping. He indicated he was concerned that the striping would have the opposite affect and would not actually prevent traffic from passing or speeding. He suggested that if the goal was to calm the traffic, the Board might consider narrowing the street with the installation of bike lanes or sidewalks built inward on the street. Julie Small of 823 Covington Street also spoke in opposition to the centerline striping. She was concerned that the street was too wide and that she did not see passing to be the real issue, but rather traffic and speeding.

Once all discussion ended, a roll call vote was taken.

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

Municipal Order No. 2010 - 28 was defeated by unanimous vote. Mayor Walker indicated she would be interested in exploring other ideas to address the traffic concerns such as the installation of sidewalks, bike lanes and/or parking lanes as suggested in the comments from citizens.

ORDINANCE NO. BG2010 - 7

(First Reading)

ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF AN  
UNDEVELOPED PORTION OF KAWANISHI WAY IN THE SOUTH  
CENTRAL KENTUCKY INDUSTRIAL PARK

Title and summary of Ordinance No. BG2010 - 7 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 Attorney Gene Harmon provided an overview of the recommendation by the City-County Planning Commission to close this undeveloped right-of-way which would benefit economic development. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea:   Denning, Hamilton, Nash, Wilkerson and Walker

Voting Nay: None

First reading of Ordinance No. BG2010 - 7 was approved by unanimous vote.

ORDINANCE NO. BG2010 - 8

(First Reading)

ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF A PORTION OF  
AIRWAY COURT

Title and summary of Ordinance No. BG2010 - 8 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for first reading of said Ordinance. City Attorney Gene Harmon explained this recommendation was to clean up a boundary issue for the Regional Airport property. Attorney Linda Thomas, representing the Bowling Green/Warren County Regional Airport, reviewed the Airport's request for the street closure. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Hamilton, Nash, Wilkerson and Walker

Voting Nay: None

First reading of Ordinance No. BG2010 - 8 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 29

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF A  
CONTRACT WITH US BANK TO PROVIDE BANKING SERVICES  
FOR AN ADDITIONAL YEAR

Summary of Municipal Order No. 2010 - 29 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo reviewed the previous bid to award a five year contract for banking services which required annual approval by the Board of Commissioners. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Hamilton, Nash, Wilkerson and Walker

Voting Nay: None

Municipal Order No. 2010 - 29 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 30

MUNICIPAL ORDER APPROVING AND AUTHORIZING OUT-OF-  
TOWN TRAVEL EXPENSES FOR MAYOR ELAINE N. WALKER  
TO ATTEND U.S. CONFERENCE OF MAYORS WINTER  
MEETING IN WASHINGTON, D.C. AND ACCEPTING  
REIMBURSEMENT FROM MAYOR WALKER FOR COST OF  
UNUSED AIRFARE

Summary of Municipal Order No. 2010 - 30 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. Mayor Walker announced that she brought back from her trip a \$5,000 award for the Cans for Cash Program. She asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 30 was approved by majority vote.

**CLOSED SESSION**

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 8:10 p.m. in closed session pursuant to KRS 61.810 (f) as previously approved. Mr. DeFebbo confirmed that a recommendation for action was prepared to follow the closed session discussion.

**RECONVENE IN OPEN SESSION**

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session at approximately 8:30 p.m. to consider action. Motion was made by Wilkerson and seconded by Hamilton to add Municipal Order No. 2010 – 31 to the agenda for consideration. With no discussion, a roll call vote was taken.

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

Motion to add Municipal Order No. 2010 – 31 to the agenda was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2010 – 31**

**MUNICIPAL ORDER ELIMINATING FOUR POSITIONS IN THE PUBLIC WORKS DEPARTMENT AND ONE POSITION IN THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT AND LAYING OFF THE EMPLOYEES IN THOSE POSITIONS EFFECTIVE FEBRUARY 28, 2010**

Summary of Municipal Order No. 2010 - 31 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo acknowledged the unfortunate circumstances of a slowed economy which necessitated the recommended lay-offs. He indicated that with a significantly reduced capital projects budget, there just was not a sufficient workload to sustain these positions. He noted he had met with the affected employees earlier in the afternoon to explain the situation. Mayor Walker stated these were difficult times for everyone and that these lay-offs were in no way reflective of the individuals' performance. She further stated that these individuals were hardworking, dedicated employees. With no additional discussion, a roll call vote was taken.

ROLL CALL:           Voting Yea:   Denning (with regret), Hamilton, Nash, Wilkerson and Walker  
                  Voting Nay:   None

Municipal Order No. 2010 - 31 was approved by unanimous vote.

**ADJOURNMENT**

*(Minutes-Board of Commissioners-February 16, 2010)*

Once all discussion concluded in closed session and there being no further business to come before the Board of Commissioners, at approximately 8:35 p.m., Mayor Walker declared this meeting adjourned.

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

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

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

*Minutes prepared by Assistant City Manager/City Clerk Katie Schaller*