

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JUNE 5, 2007**

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 June 5, 2007. Mayor Elaine N. Walker called the meeting to order. An invocation was given by National Day of Prayer Coordinator Joann Gary, 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 Brian K. Strow, Commissioner Bruce Wilkerson, Commissioner Joe W. Denning and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Mayor Walker announced that Police Officer Robert Kitchen was awarded the Bronze Star for actions during an incident that occurred while he was serving in the United States Army and deployed to Iraq in 1991. In addition, she congratulated Police Chief Doug Hawkins for his recent appointment to serve as a Kentucky representative on the Regional Organized Crime Information Center (ROCIC) Board of Directors.

CITY MANAGER

City Manager Kevin D. DeFebbo stated that there were five individuals who deserved special recognition for their contributions to public service and who were selected from their peers to receive the Excellence in Service Award. Employee Committee Chairman (GIS Analyst) Greg Hackman introduced Firefighter Rob Gilliam, Police Detective Barry Raley, Equipment Operator Leroy Tann, Safety Training Manager David Weisbrodt and Project Manager Matt Zoellner. The Board of Commissioners presented each of them with a \$1,000 check.

Mr. DeFebbo requested a closed session for the purpose of discussion which might lead to the appointment, discipline or dismissal of an individual employee without restricting that employee's right to a public hearing if requested, and for discussion between the City and a representative of business entities and for discussion concerning a specific proposal, as open discussion would jeopardize the siting, retention, expansion or upgrading of the business. Motion was made by Strow and seconded by Denning to convene in closed session following the regular meeting pursuant to KRS 61.810 (f) and (g). Walker called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Special Meeting May 10, 2007 and Regular Meeting May 15, 2007

Minutes of the above-referenced meetings were distributed to the Board of Commissioners with

the Agenda for their review. Motion was made by Nash 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: Nash, Strow, Wilkerson, Denning and Walker

Voting Nay: None

Motion to approve the minutes of the special meeting of May 10, 2007 and regular meeting of May 15, 2007 was approved by unanimous vote.

PUBLIC COMMENTS

Former City Commissioner Alan Palmer of 1315 Broadview Way spoke in support of a smoking ban requesting passage of a “take-it-outside” rule. Kim Lindgren of 2707 Smallhouse Road also spoke in support of a smoke-free ordinance to protect the health and welfare of the City residents.

Smiths Grove City Commissioner Jessie Varner stated he had attended a Kentucky Heritage Council Celebration at which he accepted two certificates on Bowling Green’s behalf, as there were no representatives present from the City. He presented the certificates naming Modern Automotive District of Bowling Green on the National Register of Historic Places and a designated Kentucky Landmark.

Mayor Walker commented about the Board’s action at the previous meeting regarding the establishment of a lockbox for collection of occupational license fees. She stated that the action taken had no reflection on the employees of the City’s Finance Department.

CONSENT AGENDA

Mayor Walker requested if there were any items to be removed from the Consent Agenda prior to its consideration. With none, Assistant City Manager/City Clerk Katie Schaller read the summaries of each of the following items:

MUNICIPAL ORDER NO. 2007 – 175

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN EIGHTH AMENDMENT TO GRANT AGREEMENT BETWEEN THE CITY OF BOWLING GREEN, BOWLING GREEN ENTERPRISE COMMUNITY, INC. AND THE UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT

MUNICIPAL ORDER NO. 2007 – 176

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$20,000

MUNICIPAL ORDER NO. 2007 - 177

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FEDERAL VICTIMS OF CRIME ACT (VOCA) GRANT FUNDS THROUGH THE COMMONWEALTH OF KENTUCKY JUSTICE CABINET FOR THE PARTIAL FUNDING OF A VICTIM ADVOCATE POSITION FOR THE POLICE DEPARTMENT INVESTIGATIONS UNIT IN A TOTAL AMOUNT OF \$33,485

MUNICIPAL ORDER NO. 2007 - 178

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF GRANT CLINE TO THE BOARD OF PARK COMMISSIONERS

MUNICIPAL ORDER NO. 2007 - 179

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF ALICE ROCKHOLD AND JERRY WILDER TO THE CITY OF BOWLING GREEN CODE ENFORCEMENT BOARD

MUNICIPAL ORDER NO. 2007 - 194

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE 2007 HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$680,000

Motion was made by Wilkerson and seconded by Nash for acceptance of the Consent Agenda as presented. With no discussion, a roll call vote was taken.

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

Motion to accept the Consent Agenda as presented was approved by unanimous vote.

REGULAR AGENDA

ORDINANCE NO. BG2007 - 21
(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 28 (FLOOD DAMAGE PREVENTION) OF THE CITY OF BOWLING GREEN CODE OF

ORDINANCES TO CLARIFY THE BASIS FOR THE
ESTABLISHMENT OF THE SPECIAL FLOOD HAZARD AREAS

Title and summary of Ordinance No. BG2007 - 21 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2007 - 21 was adopted by unanimous vote.

ORDINANCE NO. BG2007 - 22
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 43,296 SQUARE FEET FROM RS-1A (SINGLE FAMILY RESIDENTIAL) AND NB (NEIGHBORHOOD BUSINESS) TO GB (GENERAL BUSINESS) LOCATED AT 1107 AND 1115 FAIRVIEW AVENUE AND A PORTION OF 605 MEADOWLAWN AVENUE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY NEAL AND JUDY TURNER, JOHN AND LYNNE ATKERSON, BEST PROPERTIES AND MARTY WILKINS

Title and summary of Ordinance No. BG2007 - 22 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2007 - 22 was adopted by majority vote. Comm. Wilkerson abstained since his parents live close to the area.

ORDINANCE NO. BG2007 - 23
(First Reading)
ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

ORDINANCE APPROVING THE APPOINTMENT OF HOWARD BAILEY TO THE BOWLING GREEN MUNICIPAL UTILITIES BOARD

Title and summary of Ordinance No. BG2007 - 23 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for first reading of said Ordinance. Mayor Walker recommended the board appointment. She asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2007 - 23 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 180

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, LAW ENFORCEMENT LIABILITY, AUTOMOBILE, BUILDINGS AND PROPERTY, AND WORKERS COMPENSATION FOR FISCAL YEAR 2008

Summary of Municipal Order No. 2007 - 180 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 reviewed the insurance rates and noted that the City's workers compensation modifier was well below others in the State. Safety Training Manager David Weisbrodt explained the rise in premiums which was based on increased exposures and a slight increase in workers compensation claims. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 180 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 181

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF DUSTIN SCOTT ROCKROHR TO THE POSITION OF COMPANY COMMANDER AND CALVIN WATTS TO THE POSITION OF FIRE APPARATUS OPERATOR / EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2007 - 181 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo recommended the promotions. Fire Chief Greg Johnson reviewed the qualifications of the individuals recommended for promotion. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 181 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 182

MUNICIPAL ORDER APPROVING REVISIONS TO THE EMPLOYEE MEDICAL BENEFIT PLAN FOR EMPLOYEES OF THE CITY OF BOWLING GREEN

Summary of Municipal Order No. 2007 - 182 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Strow for consideration of said Municipal Order. DeFebbo explained that with the recent change in the City's medical provider and Third Party

Administrator changes to the benefit plan were needed. Human Resources Director Michele Tolbert stated that there were a total of twelve changes representing enhancements to the plan. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 182 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 183

MUNICIPAL ORDER APPROVING THE 2007 REVISED EMERGENCY OPERATIONS PLAN AND AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS TO CARRY OUT THIS APPROVAL

Summary of Municipal Order No. 2007 - 183 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo indicated that this was a housekeeping matter to approve updates to the Plan. Emergency Management Services Director Ronnie Pearson stated that the changes were mostly administrative in nature. He also reminded everyone of an upcoming Emergency Operation Center exercise to take place on June 20, 2007 at the Carroll Knicely Conference Center. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 183 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 24

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 49.06 ACRES FROM HB (HIGHWAY BUSINESS) AND RS-1A (SINGLE FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED ON THE SOUTHWEST CORNER OF RUSSELLVILLE ROAD AND MEMPHIS JUNCTION ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY EDDIE BOGLE, POA FOR JOSEPH V. BOGLE AND EDDIE PAULINE BOGLE REVOCABLE TRUST

Title and summary of Ordinance No. BG2007 - 24 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for first reading of said Ordinance. City-County Planning Commission Director Steve Hunter reviewed the recommended rezoning which included binding elements. He noted that this property was recently annexed into the City limits and that a detailed development plan would be required for each phase of development. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2007 - 24 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 25
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 11.2329 ACRES FROM RS-1A (SINGLE FAMILY RESIDENTIAL) AND F (FLOODPLAIN) TO RS-1D (SINGLE FAMILY RESIDENTIAL) AND F WITH A GENERAL DEVELOPMENT PLAN LOCATED ON CAVE MILL ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY LEE AND JOANN COLEMAN

Title and summary of Ordinance No. BG2007 - 25 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. DeFebbo stated that he received from an opposing party a request for a public hearing by the Board of Commissioners regarding this rezoning. City Attorney Gene Harmon outlined the options the Board could consider as follows: 1) the Board could grant the recommended rezoning; or 2) the Board could conduct a hearing. He explained that the Board could not override the Planning Commission's recommendation without a hearing based on findings of fact, and determinations supported by law. Motion was made by Nash and seconded by Strow to table Ordinance No. BG2007 - 25 for a hearing to be held by the Board of Commissioners no earlier than four weeks and no later than eight weeks from this date. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Motion to table Ordinance No. BG2007 - 25 was approved by unanimous vote.

There was further discussion regarding the type of hearing the Board could conduct. Mr. Harmon advised that there were two types of hearings: 1) a full evidentiary hearing, which he recommended against because evidence had already been heard by the Planning Commission; and 2) an argument hearing based on the record of the Planning Commission's public hearing, with no new evidence permitted to be introduced. Comm. Wilkerson supported an argument hearing since the Planning Commission already went through an evidentiary hearing and the other members of the Board agreed. Mr. Harmon pointed out that if the Board conducted an argument hearing, members could ask questions for clarification of the record. Mr. Harmon further advised Board members that they should not discuss the case with any of the involved parties on either side of the matter as the Board was now considered a quasi-judicial body.

Further discussion regarding when to hold the hearing and the amount of time that would be permitted for each side to make arguments took place. It was determined that each side would be allowed 30 minutes. In addition, Mr. Hunter agreed to provide a complete copy of the Planning Commission's record, including all of the exhibits, to the City Clerk for Board members to review at their convenience. Each Board member was already provided a DVD of the Planning Commission's hearing on the matter.

ORDINANCE NO. BG2007 - 26

(First Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER FOUR TO
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL
OPERATING BUDGET FOR FISCAL YEAR 2007

Title and summary of Ordinance No. BG2007 - 26 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. DeFebbo recommended the budget amendments. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2007 - 26 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 184

MUNICIPAL ORDER APPROVING CONSTRUCTION AND
ACCEPTING MAINTENANCE OF RIVERBEND COMMERCIAL
SUBDIVISION

Summary of Municipal Order No. 2007 - 184 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo recommended acceptance of the street maintenance. Public Works Director Emmett Wood responded to a question about street warranty requirements. There was also discussion regarding the practice of accepting requests for annexation into the City limits. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 184 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 185

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2007-47 FOR PARKER BENNETT STREET RECONSTRUCTION
FROM HOLLAND, INC. OF ROCKFIELD, KENTUCKY IN THE
AMOUNT OF \$519,200

Summary of Municipal Order No. 2007 - 185 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo recommended the bid award and noted that the bulk of the funding for the project was provided from the State. Public Works Director Emmett Wood responded to questions regarding the existing concrete streets and the unfortunate inconvenience to the residents in the area while the project was completed. Mayor Walker thanked the State officials who assisted with securing the funds for this project. She asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Strow, Wilkerson, Denning and Walker
 Voting Nay: None
Municipal Order No. 2007 - 185 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 186

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-68 FOR COLLEGE STREET SIDEWALK, CURB AND GUTTER RECONSTRUCTION FROM CHARLES DEWEESE CONSTRUCTION, INC. OF FRANKLIN, KENTUCKY IN THE AMOUNT OF \$73,620

Summary of Municipal Order No. 2007 - 186 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo reviewed the recommended bid award. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Strow, Wilkerson, Denning and Walker
 Voting Nay: None
Municipal Order No. 2007 - 186 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 187

MUNICIPAL ORDER AMENDING MUNICIPAL ORDER NO. 2007-152 APPROVING BID FOR THE INSTALLATION OF LAMPKIN PARK LIGHTING (PROJECT 1) FOR THE PARKS AND RECREATION DEPARTMENT FROM KNIGHT ELECTRIC OF RUSSELLVILLE, KENTUCKY IN THE AMOUNT OF \$64,750 TO REVISE THE AMOUNT TO \$36,750, AND APPROVING THE DIRECT PURCHASE OF MATERIALS FROM MUSCO SPORTS LIGHTING OF MUSCATINE, IOWA IN THE AMOUNT OF \$28,000

Summary of Municipal Order No. 2007 - 187 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo indicated that this was a housekeeping matter to allow for direct purchase of materials for a cost savings. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Strow, Wilkerson, Denning and Walker
 Voting Nay: None
Municipal Order No. 2007 - 187 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 188

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-76 FOR THE PURCHASE OF A GENERATOR FOR THE BOWLING GREEN FIRE DEPARTMENT HEADQUARTERS BUILDING FROM GENEVA CORPORATION D/B/A NIXON

POWER SERVICES OF LOUISVILLE, KENTUCKY IN THE
AMOUNT OF \$41,085.60

Summary of Municipal Order No. 2007 - 188 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo reviewed the need for a new generator and recommended the bid award. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 188 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 189

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 2008

Summary of Municipal Order No. 2007 - 189 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo reviewed the recommended insurance premiums and indicated that this item was previously approved by The Convention Center Corporation. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 189 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 190

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE
MAYOR TO EXECUTE AN AMENDMENT TO MOTORCYCLE
LEASE AGREEMENT WITH MOTOR SPORTS OF BOWLING
GREEN, INC. FOR LEASE OF FOUR STANDARD POLICE
PACKAGE HARLEY-DAVIDSON MOTORCYCLES FOR THE SUM
OF ONE DOLLAR (\$1.00)

Summary of Municipal Order No. 2007 - 190 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 reviewed the extended lease agreement to allow for receipt of newer models in the fall. Comm. Denning thanked the Martin family for its contributions to the community. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 190 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 191

MUNICIPAL ORDER APPROVING LEASE AGREEMENT WITH
UTLEY'S BAR, LLC FOR LEASE OF A PORTION OF THE PUBLIC
SIDEWALK LOCATED AT 427 PARK ROW

Summary of Municipal Order No. 2007 - 191 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Nash for consideration of said Municipal Order. DeFebbo recommended the lease agreement. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 191 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 192

MUNICIPAL ORDER APPROVING PROPERTY TAX COLLECTION
AGREEMENT WITH THE BOWLING GREEN INDEPENDENT
SCHOOL BOARD OF EDUCATION

Summary of Municipal Order No. 2007 - 192 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo recommended the agreement which benefited both the City and the City schools. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 192 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 193

MUNICIPAL ORDER APPROVING EASEMENTS WITH BOWLING
GREEN MUNICIPAL UTILITIES RELATED TO CITY-OWNED
RIGHT-OF-WAY ON CAVE MILL ROAD NEAR H.P. THOMAS
PARK

Summary of Municipal Order No. 2007 - 193 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 recommended the easements to allow BGMU to expand water/sewer lines. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 193 was approved by unanimous vote.

NOTE: Municipal Order No. 2007 - 194 was previously considered as part of the Consent Agenda.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met in closed session pursuant to KRS 61.810 (f) and (g) as previously approved.

RECONVENE IN OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session to consider action. Motion was made by Wilkerson and seconded by Denning to add Municipal Order Nos. 2007 - 195 and 2007 - 196 to the agenda for consideration. With no discussion, a roll call vote was taken.

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

Motion to add Municipal Order Nos. 2007 - 195 and 2007 - 196 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 195

MUNICIPAL ORDER APPROVING A JOB DEVELOPMENT
INCENTIVE FUND EMPLOYEE WITHHOLDINGS CREDIT
AGREEMENT WITH HOWA USA, INC.

Summary of Municipal Order No. 2007 - 195 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. Comm. Strow expressed concern that because HOWA was not paying property taxes for ten years, the City should not provide as large of a discount for an incentive. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Wilkerson, Denning and Walker
 Voting Nay: Strow

Municipal Order No. 2007 - 195 was approved by majority vote.

MUNICIPAL ORDER NO. 2007 - 196

MUNICIPAL ORDER APPROVING A JOB DEVELOPMENT
INCENTIVE FUND EMPLOYEE WITHHOLDINGS CREDIT
AGREEMENT WITH THE ELECTROMAC GROUP INC.

Summary of Municipal Order No. 2007 - 196 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson 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: Nash, Strow, Wilkerson, Denning and Walker
 Voting Nay: None

Municipal Order No. 2007 - 196 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 9:10 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 subject: presentation of the Fiscal Year 2008 capital improvement projects which were incorporated in the City Manager's budget recommendation.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller