

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JULY 1, 2008**

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 July 1, 2008. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Associate Pastor Beth Walden-Fisher of The Presbyterian Church, 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 Bruce Wilkerson, Commissioner Joe W. Denning, Commissioner Brian "Slim" Nash, Commissioner Brian K. Strow and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

**CITY MANAGER**

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion on the future acquisition or sale 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 or sold by the City, discussion of proposed or pending litigation against or on behalf of the City, and for discussion between the City and a representative of business entities and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion or upgrading of the businesses. Motion was made by Wilkerson and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (b), (c) and (g). Walker called for roll call vote.

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

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

**U.S. CONFERENCE OF MAYORS REPORT**

Mayor Walker provided an overview of her recent travel to attend the 76<sup>th</sup> Annual Conference of Mayors in Miami, Florida. She highlighted several sessions and meetings that she had attended while at the Conference, including some ideas and new initiatives to pass along to area agencies which might benefit the community. She encouraged the school systems to apply for a Lead-Safe for Kids Sake grant for innovative Lead reduction programs, the Housing Authority to participate in a training program offered by Sherwin-Williams for small business development, and the Health Department and private sector to develop health conscious programs for youth and adults to combat obesity. Mayor Walker announced that three key resolutions that she sponsored had passed regarding support for the integration of bicycling into national transportation, climate, energy and health policy initiatives, the reform of the credit card industry and support for the 2008 Mayor's Dollarwi\$e Campaign.

**APPROVAL OF MINUTES**

Minutes of Regular Meeting June 17, 2008

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 Nash to approve said

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

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

Motion to approve the minutes of the regular meeting of June 17, 2008 was approved by unanimous vote.

#### PUBLIC COMMENTS

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

#### CONSENT AGENDA

Mayor Walker stated that Municipal Order No. 2008 - 140 regarding the reappointment of Mark Boling to the Code Enforcement Board was withdrawn from consideration. With only one item remaining on the Consent Agenda, Assistant City Manager/City Clerk Katie Schaller read the summary of following item:

#### MUNICIPAL ORDER NO. 2008 - 170

#### MUNICIPAL ORDER APPROVING THE APPOINTMENT OF JOHN K. SILLS TO THE BOWLING GREEN-WARREN COUNTY MILITARY LIAISON BOARD

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

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

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

#### REGULAR AGENDA

#### ORDINANCE NO. BG2008 - 36

(Second Reading)

#### ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

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

Title and summary of Ordinance No. BG2008 - 36 was read by the Assistant City Manager/City Clerk. Motion was made by Nash 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: Wilkerson, Denning, Nash, Strow and Walker  
                          Voting Nay: None

Ordinance No. BG2008 - 36 was adopted by unanimous vote.

ORDINANCE NO. BG2008 - 37  
(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 2008

Title and summary of Ordinance No. BG2008 - 37 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 Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2008 - 37 was adopted by unanimous vote.

REMOVE FROM TABLE

Motion was made by Wilkerson and seconded by Strow to remove Municipal Order No. 2008 - 101 from the table for discussion and consideration at this time. With no discussion, a roll call vote was taken.

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

Motion to remove Municipal Order No. 2008 - 101 from the table for consideration at this time was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 101

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF  
RAYNA FALLS TO THE HUMAN RIGHTS COMMISSION

Summary of Municipal Order No. 2008 - 101 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 asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 101 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 171

MUNICIPAL ORDER APPROVING THE PROBATIONARY  
APPOINTMENTS OF BOBBY DWAYNE GREATHOUSE TO THE  
POSITION OF PARKS FACILITIES MAINTAINER AND TIMOTHY  
JAMES KICKERT TO THE POSITION OF ATHLETIC FACILITY  
COORDINATOR IN THE PARKS AND RECREATION  
DEPARTMENT

Summary of Municipal Order No. 2008 - 171 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 and recommended the two appointments. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 171 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 172**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2008-56 FOR CISCO WIRELESS EQUIPMENT FROM SENTINEL TECHNOLOGIES, INC. OF DOWNERS GROVE, ILLINOIS IN THE AMOUNT OF \$673,591**

Summary of Municipal Order No. 2008 - 172 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 explained that this was for an expansion of the existing wireless project for public safety and recommended approval of the bid. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 172 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 173**

**MUNICIPAL ORDER AUTHORIZING SOFTWARE SUBSCRIPTION SERVICES FROM ENROUTE EMERGENCY SYSTEMS (FORMERLY EXTENSITY) IN THE AMOUNT OF \$96,887 FOR FISCAL YEAR 2009**

Summary of Municipal Order No. 2008 - 173 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 bid award which was approximately two percent (2%) more in cost than the previous year. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 173 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 174**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2008-58 FOR NOVELL MLA ANNUAL RENEWAL FROM SOFTWARE HOUSE INTERNATIONAL, INC. OF LOUISVILLE, KENTUCKY IN THE AMOUNT OF \$42,164.61**

Summary of Municipal Order No. 2008 - 174 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 annual maintenance agreement, a small portion of which would be paid for by the Planning Commission. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 174 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 175**

**MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE  
MAYOR TO ENTER INTO GRANT AGREEMENTS FOR SELECT  
NEIGHBORHOOD ACTION PROGRAM (SNAP) GRANTS WITH  
VARIOUS NEIGHBORHOODS**

Summary of Municipal Order No. 2008 - 175 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 commented that a good way to build a community was from the neighborhood up. He recommended approval of the grant awards.

Rickey Montgomery of 3430 Red Oak Drive and President of the Pine Grove Neighborhood Association commented about the SNAP project to install a lighted flag pole at the entrance to his neighborhood and thanked the Board for its support. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 175 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 176**

**MUNICIPAL ORDER APPROVING THE 2008 REVISED  
EMERGENCY OPERATIONS PLAN AND AUTHORIZING THE  
MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS TO  
CARRY OUT THIS APPROVAL**

Summary of Municipal Order No. 2008 - 176 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 noted this was an annual housekeeping item and recommended its approval. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 176 was approved by unanimous vote.

**ORDINANCE NO. BG2008 - 38**

**(First Reading)**

**ORDINANCE AMENDING CODE OF ORDINANCES**

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF  
THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO  
MAKE CHANGES TO THE COMPOSITION OF THE GREENWAYS  
COMMISSION OF BOWLING GREEN AND WARREN COUNTY

Title and summary of Ordinance No. BG2008 - 38 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for first reading of said Ordinance. DeFebbo indicated that the proposed changes were recommended by the Greenways Commission. Greenways Coordinator Josh Moore reviewed the changes and other changes proposed to the Greenways Commission by-laws. Comm. Wilkerson confirmed that the terms of the Greenways Commission members would remain staggered as initially established and that all terms would expire on December 31<sup>st</sup> of the appropriate year. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2008 - 38 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, at approximately 7:35 p.m., the Board of Commissioners met in closed session pursuant to KRS 61.810 (b), (c) and (g) as previously approved.

RECONVENE IN OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session at 8:05 p.m. to consider action. Motion was made by Wilkerson and seconded by Denning to add Municipal Order Nos. 2008 - 177 and 2008 - 178 to the agenda for consideration. With no discussion, a roll call vote was taken.

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

Motion to add Municipal Order Nos. 2008 - 177 and 2008 - 178 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 177

MUNICIPAL ORDER APPROVING SETTLEMENT AGREEMENT  
AND RELEASE OF ALL CLAIMS BETWEEN THE CITY AND R.  
KIM KIRBY, J. KENT KIRBY AND KIRBY & KIRBY, A  
KENTUCKY GENERAL PARTNERSHIP

Summary of Municipal Order No. 2008 - 177 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.

(Minutes-Board of Commissioners-July 1, 2008)

ROLL CALL:           Voting Yea:   Wilkerson, Denning, Nash, Strow and Walker  
                          Voting Nay:   None  
Municipal Order No. 2008 - 177 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 178

MUNICIPAL ORDER AUTHORIZING AND ORDERING  
CONDEMNATION OF PROPERTY BELONGING TO THE HEIRS  
OF CARRIE LIGHTFOOT LOCATED AT 626 CENTER STREET,  
WITH THIS PROPERTY BEING NECESSARY FOR THE  
SOUTHERN KENTUCKY PERFORMING ARTS CENTER PROJECT

Summary of Municipal Order No. 2008 - 178 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. City Attorney Gene Harmon explained the need to proceed with condemnation since Ms. Lightfoot was deceased and the City was unable to determine all the heirs to the property. Comm. Wilkerson reiterated that condemnation provided a more thorough process for being able to find all the heirs. Mayor Walker asked for the media’s assistance with letting the community know the City was searching for all of Ms. Lightfoot’s relatives. Once all discussion ended, a roll call vote was taken.

ROLL CALL:           Voting Yea:   Wilkerson, Denning, Nash, Strow and Walker  
                          Voting Nay:   None  
Municipal Order No. 2008 - 178 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 8:10 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 subjects: 1) a 2008 legislative update presented by Jerry Deaton and J.D. Chaney of the Kentucky League of Cities; 2) a recommendation for new entryway signs into Bowling Green; and 3) a presentation of the Smallhouse Road Widening Project Study.

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

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

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

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