

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held FEBRUARY 1, 2011**

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 1, 2011. Mayor Pro Tem Joe W. Denning called the meeting to order. An invocation was given by Police Chaplain Don Dorris, 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 Brian "Slim" Nash, Commissioner Bill Waltrip and Mayor Pro Tem Joe W. Denning. Absent: none. There was a full quorum of the Board of Commissioners.

ACKNOWLEDGE RESIGNATION OF MAYOR WALKER

Mayor Pro Tem Denning announced Mayor Elaine N. Walker resigned as of January 29, 2011 when she took the oath of office for Secretary of State, and Ms. Schaller read Ms. Walker's letter of resignation into the record, which letter is attached to and made a part of the minutes as if copied in full herein. Mayor Pro Tem Denning commented about former Mayor Walker's service to the community and extended his appreciation.

AWARDS & RECOGNITIONS

Comm. Waltrip recognized Brother Don Dorris who after fifteen years of volunteering as a Police Chaplain was retiring. Comm. Waltrip also recognized retiring Police Captain Brett Hightower and thanked him for his years of service and dedication to this community as a police officer and to the country as a veteran who was injured while serving in Afghanistan. Captain Hightower introduced his family and extended his appreciation for the special recognition. He also announced that he was recently appointed by the Undersecretary of Defense to serve on the Wounded Warrior Task Force and he would be able to share his personal experiences to help other wounded veterans.

CHANGE IN AGENDA

As sponsor of the item, Comm. Nash withdrew Ordinance No. BG2011-6 (item number 8) from consideration. He indicated that more work was going to be done on the ordinance regarding code enforcement repeat offenders.

CITY MANAGER

City Manager Kevin D. DeFebbo 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 discussions which might lead to the appointment of an individual member of the Board of Commissioners. Motion was made by Wilkerson and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b) and (f). Denning called for roll call vote.

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

Motion to convene in closed session pursuant to KRS 61.810 (1) (b) and (f) was approved by unanimous vote.

QUARTERLY DOWNTOWN TIF REPORT

Attorney Kevin Brooks, representing 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. He thanked the Board for appointing John Kelly as the newest member of the Authority. Mr. Brooks reported that the Authority engaged the services of Marketek to conduct a market analysis and The Pepper Group, Ltd., to develop a long-term branding initiative and marketing communications plan. He also stated he was confident that the TIF development would reach the \$150,000 threshold by 2014 to meet Signature TIF status.

APPROVAL OF MINUTES

Minutes of Regular Meeting January 18, 2011 and Special Meeting January 24, 2011

Minutes of the above-referenced meetings 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 Pro Tem Denning asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of January 18, 2011 and special meeting of January 24, 2011 was approved by unanimous vote.

PUBLIC COMMENTS

Bobby Morrow of 319 Gayle Way said he read an article in the *Daily News* in December about the proposed elimination of crossing guard services from the Police Department budget. He stated he supported keeping the service and expressed his appreciation for the assistance provided to his children in the past. If money was truly the issue, he suggested a volunteer program be established for crossing guards and that the City could provide training now before the school year ends. Mayor Pro Tem Denning responded that this issue was recently discussed at the Board's Strategic Planning Session on January 25th and was being reviewed by staff.

ORDINANCE NO. BG2011 - 4

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 26 (PUBLIC TREES) OF THE
CODE OF ORDINANCES TO MAKE CHANGES RECOMMENDED
BY THE LANDSCAPE DIVISION OF THE PARKS AND
RECREATION DEPARTMENT

Title and summary of Ordinance No. BG2011 - 4 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for second reading of said Ordinance. Mayor Pro Tem Denning asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2011 - 4 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 23

MUNICIPAL ORDER RESCINDING MUNICIPAL ORDER NO. 2011-15 APPROVING THE APPOINTMENT OF ALICE ROCKHOLD TO THE HOBSON HOUSE COMMISSION TO FILL THE UNEXPIRED TERM OF COL. ROBERT E. SPILLER

Summary of Municipal Order No. 2011 - 23 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 Pro Tem Denning asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 23 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 24

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF JOE DAVID SMITH TO THE POSITION OF CUSTODIAN IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2011 - 24 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 vacant position and qualification of the recommended applicant. Mayor Pro Tem Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 24 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 25

MUNICIPAL ORDER APPROVING THE PROMOTION OF MELISSA A. CANSLER TO THE POSITION OF CITY ENGINEER IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2011 - 25 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 indicated that with the promotion of Jeff Lashlee to Public Works Director, the City Engineer position became open. Public Works Director Jeff Lashlee reviewed the qualifications and recommended Ms. Cansler for promotion. Ms. Cansler expressed her appreciation for the opportunity. Mayor Pro Tem Denning remarked that Ms. Cansler was a good choice for this position. He asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Nash, Waltrip and Denning
Voting Nay: None
Municipal Order No. 2011 - 25 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 26

MUNICIPAL ORDER AUTHORIZING ADOPTION OF THE
REVISED CITY OF BOWLING GREEN PUBLIC SAFETY
PROMOTIONAL PROCEDURES

Summary of Municipal Order No. 2011 - 26 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Nash for consideration of said Municipal Order. DeFebbo indicated that the City was always trying to fine tune procedures and the Fire and Police employee committees recommended the proposed changes. Human Resources and Risk Management Director Michael Grubbs outlined the recommended change which would allow promotional test scores to be held over for up to one year. Comm. Waltrip commented this was a good move. Mayor Pro Tem Denning asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Nash, Waltrip and Denning
Voting Nay: None
Municipal Order No. 2011 - 26 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 27

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING OF BID
#2011-15 FOR UNIFORMS FOR THE FIRE DEPARTMENT FROM
VARIOUS VENDORS FOR A TOTAL UNIT COST OF \$8,581.40

Summary of Municipal Order No. 2011 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for consideration of said Municipal Order. DeFebbo indicated this was an annual purchase and he recommended award to the lowest bidders in each category. Mayor Pro Tem Denning asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Nash, Waltrip and Denning
Voting Nay: None
Municipal Order No. 2011 - 27 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 28

MUNICIPAL ORDER APPROVING THE PURCHASE OF GOLF
COURSE EQUIPMENT BY NONCOMPETITIVE NEGOTIATIONS
FROM KENNEY OUTDOOR SOLUTIONS UNDER THE
NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE
CONTRACT; AND FURTHER AUTHORIZING THE 60 MONTH
FINANCING FOR THE PURCHASE WITH PNC EQUIPMENT
FINANCING IN THE TOTAL AMOUNT OF \$62,833.92 PER YEAR

Summary of Municipal Order No. 2011 - 28 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for consideration of said Municipal Order. DeFebbo reviewed the ability to lease new equipment for golf maintenance and recommended the purchase and subsequent financing arrangement. Mayor Pro Tem Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 28 was approved by unanimous vote.

ORDINANCE NO. BG2011 - 6
(First Reading)
ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 27 (PROPERTY CODE) OF
THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO
ESTABLISH REPEAT OFFENDER POLICIES

Ordinance No. BG2011 - 6 was previously withdrawn from the agenda.

MUNICIPAL ORDER NO. 2011 - 29

MUNICIPAL ORDER APPROVING A REVISED NEIGHBORHOOD
TRAFFIC CONTROL POLICY

Summary of Municipal Order No. 2011 - 29 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 indicated this item was previously discussed at the January 18th work session and he recommended its approval with a slight revision related to the term “majority.” The previously proposed draft identified a majority as 51% or more of the affected properties; however, he explained a majority consensus would now exist if there were no appeals or variances filed. Comm. Waltrip commended staff for their efforts to put all of the details together and to make the process easier and more efficient for the public. Mayor Pro Tem Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 29 was approved by unanimous vote.

ORDINANCE NO. BG2011 - 7
(First Reading)
ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF A PORTION OF
OLD MORGANTOWN ROAD TO BOOKSTORE WAY

Title and summary of Ordinance No. BG2011 - 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. DeFebbo reviewed the change in process for street renaming requests to be filed directly with the Public Works Department and no longer require a public hearing by the City-County Planning

Commission. City Engineer Melissa Cansler reviewed the new application process and the specific location of this change. Mayor Pro Tem Denning asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2011 - 7 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 30

**MUNICIPAL ORDER APPROVING TAX INCREMENT FINANCING
(TIF) DISTRICT SUMMARY OF 2009 INCREMENTAL REVENUE
AND AUTHORIZING DISTRIBUTION OF \$49,389 TO WARREN
COUNTY DOWNTOWN ECONOMIC DEVELOPMENT
AUTHORITY, INC.**

Summary of Municipal Order No. 2011 - 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. DeFebbo recounted the approved agreements which provided that 80% of the incremental growth in the WKU Gateway to Downtown Bowling Green TIF District went to the Authority. Chief Financial Officer Jeff Meisel reported the details regarding the total growth (\$61,737) within both the original TIF District (\$7,045) and the expanded TIF District (\$54,692) as well as the locations experiencing the most significant growth during 2009. Mayor Pro Tem Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 30 was approved by unanimous vote.

NEXT MEETING

Mayor Pro Tem Denning announced that the next regular meeting of the Board of Commissioners would be on Tuesday, February 15, 2011.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:40 p.m. in closed session pursuant to KRS 61.810 (1) (b) and (f) as previously approved. There was no action expected to follow the discussion.

ADJOURNMENT

Once all discussion concluded in closed session and there being no further business to come before the Board of Commissioners, at approximately 8:40 p.m., Mayor Pro Tem Denning 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