

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JANUARY 6, 2009**

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 6, 2009. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Dr. John Wesley Senior Minister of First Christian Church of Bowling Green, 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 Catherine Hamilton, Commissioner Brian "Slim" Nash, Commissioner Bruce Wilkerson and Mayor Elaine N. Walker. Absent: Commissioner Joe W. Denning. There was a quorum of the Board of Commissioners.

**AWARDS & RECOGNITIONS**

Mayor Walker welcomed Commissioner Hamilton who was attending her first meeting as a member of the Board of Commissioners.

**CITY MANAGER**

City Manager Kevin D. DeFebbo welcomed Police Officer Ernie Steff who was in attendance to provide increased security. He also withdrew item number 11 (Municipal Order No. 2009 - 9) regarding the purchase of Fire Station exercise equipment from the agenda.

**APPROVAL OF MINUTES**

Minutes of Regular Meeting December 16, 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: Nash, Wilkerson and Walker  
                  Voting Nay: None  
                  Abstaining: Hamilton

Motion to approve the minutes of the regular meeting of December 16, 2008 was approved by majority vote.

**PUBLIC COMMENTS**

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

**REGULAR AGENDA**

**ORDINANCE NO. BG2008 - 63  
(Second Reading)  
ORDINANCE REZONING REAL ESTATE**

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.681 ACRES FROM HI (HEAVY INDUSTRIAL) TO HB (HIGHWAY BUSINESS) LOCATED AT THE INTERSECTION OF LOUISVILLE ROAD AND BRENNER STREET, WITH BINDING ELEMENTS, PRESENTLY OWNED BY SCOTTY'S DEVELOPMENT, LLC WITH HOUCHENS PROPERTIES, INC. AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2008 - 63 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: Hamilton, Nash, Wilkerson and Walker  
Voting Nay: None

Ordinance No. BG2008 - 63 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 1

MUNICIPAL ORDER ELECTING CATHERINE HAMILTON AS MAYOR PRO TEM

Summary of Municipal Order No. 2009 - 1 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: Hamilton, Nash, Wilkerson and Walker  
Voting Nay: None

Municipal Order No. 2009 - 1 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 2

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF COMMISSIONER CATHERINE HAMILTON TO THE DOWNTOWN REDEVELOPMENT AUTHORITY, INC. BOARD OF DIRECTORS, JOB DEVELOPMENT INCENTIVE PROGRAM COMMITTEE, OPERATION P.R.I.D.E., INC. BOARD OF DIRECTORS AND GREENWAYS COMMISSION OF BOWLING GREEN AND WARREN COUNTY

Summary of Municipal Order No. 2009 - 2 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: Hamilton, Nash, Wilkerson and Walker  
Voting Nay: None

Municipal Order No. 2009 - 2 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 3

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF COMMISSIONER JOE W. DENNING TO THE BOWLING GREEN-

WARREN COUNTY MOBILE RADIO COMMUNICATIONS  
COMMITTEE, BOWLING GREEN ENTERPRISE COMMUNITY,  
INC. BOARD OF DIRECTORS AND UNIVERSITY DISTRICT  
REVIEW COMMITTEE

Summary of Municipal Order No. 2009 - 3 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: Hamilton, Nash, Wilkerson and Walker  
                          Voting Nay: None

Municipal Order No. 2009 - 3 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 4

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
COMMISSIONER BRIAN "SLIM" NASH TO THE BOWLING  
GREEN-WARREN COUNTY WELFARE CENTER, INC. BOARD  
OF DIRECTORS AND BOWLING GREEN-WARREN COUNTY  
DRUG TASK FORCE

Summary of Municipal Order No. 2009 - 4 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: Hamilton, Nash, Wilkerson and Walker  
                          Voting Nay: None

Municipal Order No. 2009 - 4 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 5

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
COMMISSIONER BRUCE WILKERSON TO THE HOUSING  
ASSISTANCE AND DEVELOPMENT SERVICES (HANDS), INC.  
AND THE APPOINTMENT TO THE CONTRACTORS LICENSING  
BOARD AND BOWLING GREEN AUDIT COMMITTEE

Summary of Municipal Order No. 2009 - 5 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: Hamilton, Nash, Wilkerson and Walker  
                          Voting Nay: None

Municipal Order No. 2009 - 5 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 6

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
MAYOR ELAINE N. WALKER TO THE BOWLING GREEN-  
WARREN COUNTY LOCAL EMERGENCY PLANNING

COMMITTEE AND OPERATION P.R.I.D.E. INC. BOARD OF DIRECTORS

Summary of Municipal Order No. 2009 - 6 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:   Hamilton, Nash, Wilkerson and Walker  
                          Voting Nay:   None

Municipal Order No. 2009 - 6 was approved by unanimous vote.

ORDINANCE NO. BG2009 - 1

(First Reading)

ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

ORDINANCE APPROVING THE REAPPOINTMENT OF COMMISSIONER BRIAN "SLIM" NASH TO THE BOWLING GREEN MUNICIPAL UTILITIES BOARD

Title and summary of Ordinance No. BG2009 - 1 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2009 - 1 was approved by unanimous vote.

Mayor Walker commented that at the beginning of each new term of office there were several housekeeping issues that needed to be resolved. She thanked the audience for its patience as the Board proceeded through those items first.

MUNICIPAL ORDER NO. 2009 - 7

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF JARED KYLE SKAGGS AND MICKEY BARREN GOODMAN TO THE POSITION OF EQUIPMENT TECHNICIAN - CERTIFIED IN THE PUBLIC WORKS DEPARTMENT, FLEET DIVISION

Summary of Municipal Order No. 2009 - 7 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 commented about the established promotional ladder for Fleet Division personnel. Public Works Director Emmett Wood reviewed the qualifications and recommended the promotions. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 7 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 8

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF CHARLES EDWARD TOMES, WILLIAM BRYAN FULKERSON AND JAMES ERIC SMITH TO THE POSITION OF COMPANY COMMANDER, AND KENNETH MICHAEL HARVEY, DOUGLAS R. MORRIS, ROBBY LEE GILLIAM, JASON CHARLES MEISEL AND MICHAEL WAYNE ALEXANDER TO THE POSITION OF FIRE APPARATUS OPERATOR IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2009 - 8 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 explained that these promotions were a result of staffing needs for the new Greenwood Fire Station. Fire Chief Greg Johnson reviewed the promotional process and recommended the promotions for the new station which was scheduled to open mid-January. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 8 was approved by unanimous vote.

NOTE: Municipal Order No. 2009 - 9 was previously withdrawn from consideration.

MUNICIPAL ORDER NO. 2009 - 10

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF CONTRACTS WITH PERFORMANCE LAWN AND LANDSCAPE LLC AND RAINTREE SERVICES D/B/A CHEMLAWN FOR TRANSPARK LANDSCAPE AND TURF MANAGEMENT

Summary of Municipal Order No. 2009 - 10 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 on-going commitment by the City to assist with landscape and maintenance at the entrances to the Transpark. He recommended the continuation of the contracts which were at the same price as the past two years. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 10 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 11

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2009-21 FOR FISCAL YEAR 2009 POLICE EQUIPMENT FROM LAW ENFORCEMENT SUPPLY OF CHARLOTTE, NORTH CAROLINA IN THE AMOUNT OF \$42,358

Summary of Municipal Order No. 2009 - 11 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 purchase of equipment to outfit the new police vehicles which the

City would be taking delivery of soon. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 11 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 12

MUNICIPAL ORDER ACCEPTING THE CITY OF BOWLING GREEN, KENTUCKY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE PERIOD ENDING JUNE 30, 2008 AS PREPARED BY THE DEPARTMENT OF FINANCE AND AUDITED BY MOUNTJOY & BRESSLER, LLP

Summary of Municipal Order No. 2009 - 12 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 explained that with the involvement of the Audit Committee, the external audit was reviewed and recommended for approval. Audit Committee Chair Charles Hays commented about the work of Internal Auditor Deborah Jenkins and her progress toward auditing various city functions. He recommended the approval of the City's external audit report and remarked about the Committee's upcoming recommendation to accept the proposal from Mountjoy & Bressler to continue as the City's external auditor. Comm. Wilkerson expressed his appreciation for the time and expertise of the Audit Committee members. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 12 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 13

MUNICIPAL ORDER APPROVING AND AUTHORIZING OUT-OF-TOWN TRAVEL EXPENSES FOR MAYOR ELAINE N. WALKER TO ATTEND THE KENTUCKY LEAGUE OF CITIES EXECUTIVE BOARD MEETING IN LEXINGTON, KENTUCKY

Summary of Municipal Order No. 2009 - 13 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: Hamilton, Nash and Wilkerson  
                          Voting Nay: None  
                          Abstaining: Walker

Municipal Order No. 2009 - 13 was approved by majority vote.

MUNICIPAL ORDER NO. 2009 - 14

MUNICIPAL ORDER APPROVING AND AUTHORIZING OUT-OF-TOWN TRAVEL EXPENSES AND REIMBURSEMENT FOR

MAYOR ELAINE N. WALKER TO ATTEND THE METROPOLITAN STIMULUS PACKAGE PRESS CONFERENCE IN WASHINGTON, D.C.

Summary of Municipal Order No. 2009 - 14 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: Hamilton, Nash and Wilkerson  
                          Voting Nay: None  
                          Abstaining: Walker

Municipal Order No. 2009 - 14 was approved by majority vote.

MUNICIPAL ORDER NO. 2009 - 15

MUNICIPAL ORDER AMENDING THE CITY OF BOWLING GREEN PROCUREMENT CARD POLICY AND PROCEDURES INCORPORATED IN THE CONSOLIDATED FINANCIAL POLICY STATEMENTS

Summary of Municipal Order No. 2009 - 15 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 approval of the policy which was discussed at a previous work session. Mayor Walker commended the City Manager and staff for continuing to be proactive with protecting the fiscal integrity of the City. She asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 15 was approved by unanimous vote.

ORDINANCE NO. BG2009 - 2

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 18.0619 ACRES FROM HB (HIGHWAY BUSINESS) AND RS-1A (SINGLE FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED AT 5013 RUSSELLVILLE ROAD, WITH BINDING ELEMENTS, PRESENTLY OWNED BY CLUBHOUSE GOLF TEE TO GREEN, INC.

Title and summary of Ordinance No. BG2009 - 2 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 Planner Jonathan Britt provided an overview of the recommended rezoning and associated binding elements which was included in the Walnut Valley Focal Point area. Mr. Britt responded to questions about access points and internal streets included in the development. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2009 - 2 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 16

MUNICIPAL ORDER APPROVING AN EXCHANGE OF INFORMATION AGREEMENT WITH THE KENTUCKY DEPARTMENT OF REVENUE AND AUTHORIZING CITY EMPLOYEES TO REQUEST, RECEIVE AND PROVIDE INFORMATION

Summary of Municipal Order No. 2009 - 16 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 reciprocal agreement to share confidential tax information by certain City staff. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 16 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 7:35 p.m., Mayor Walker declared this meeting adjourned.

WORK SESSION

Prior to the regular meeting and with no action taken, the Board of Commissioners, excluding Commissioner Joe Denning, convened at 4:00 p.m. in the Commission Chamber of City Hall for a regular work session to discuss the following subject: Housing Authority of Bowling Green proposed plans and activities for a Neighborhood Stabilization Grant program.

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

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

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

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