

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JUNE 17, 2014**

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 17, 2014. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Commissioner Bill Waltrip, 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 Bill Waltrip, Commissioner Rick Williams, Commissioner Joe W. Denning and Mayor Bruce Wilkerson. Absent: Commissioner Melinda M. Hill. There was a quorum of the Board of Commissioners.

**CITY MANAGER**

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion of pending litigation against the City. Motion was made by Waltrip and seconded by Williams to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (c). Mayor Wilkerson called for roll call vote.

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

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

**APPROVAL OF MINUTES**

Minutes of Regular Meeting June 3, 2014

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

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

Motion to approve the minutes of the regular meeting of June 3, 2014 was approved by unanimous vote.

**PUBLIC COMMENTS**

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

**REGULAR AGENDA**

**ORDINANCE NO. BG2014 - 14  
(Second Reading)**

**ORDINANCE ADOPTING ANNUAL CITY BUDGET**

**ORDINANCE ADOPTING THE CITY OF BOWLING GREEN,  
KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR**

BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015, BY  
ESTIMATING REVENUES AND APPROPRIATING FUNDS FOR  
THE OPERATION OF CITY GOVERNMENT

Title and summary of Ordinance No. BG2014 - 14 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2014 - 14 was adopted by unanimous vote.

ORDINANCE NO. BG2014 - 15

(Second Reading)

ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULES

ORDINANCE AMENDING THE CLASSIFICATION/PAY SCHEDULES "G" FOR GENERAL CLASSIFIED, "S" FOR PROTECTIVE / SWORN, "D" FOR DEPARTMENT HEAD / MANAGEMENT, AND "U" FOR UNCLASSIFIED PART-TIME EMPLOYEES, AND AUTHORIZING PAY INCREASES FOR FISCAL YEAR 2015

Title and summary of Ordinance No. BG2014 - 15 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Williams for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2014 - 15 was adopted by unanimous vote.

ORDINANCE NO. BG2014 - 16

(Second Reading)

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 0.52 ACRE OF PROPERTY LOCATED AT 2111 MORGANTOWN ROAD WITH PROPERTY PRESENTLY OWNED BY STONEHENGE CORPORATION, AND SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS

Title and summary of Ordinance No. BG2014 - 16 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Waltrip for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2014 - 16 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 116

MUNICIPAL ORDER APPROVING THE PROMOTION OF MAUREENA M. HILLARD AND THE PROBATIONARY APPOINTMENT OF KEVIN M. TURNER TO THE POSITION OF CODE ENFORCEMENT INSPECTOR IN THE NEIGHBORHOOD AND COMMUNITY SERVICES DEPARTMENT

Summary of Municipal Order No. 2014 - 116 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Waltrip for consideration of said Municipal Order. DeFebbo reviewed the two openings and recommended the promotion and appointment to fill the vacancies. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 116 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 117

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF AN AGREEMENT WITH HUMANA HEALTH PLAN, INC. RELATING TO MANAGED HEALTH CARE AND CLAIMS ADMINISTRATION SERVICES FOR FISCAL YEAR 2015

Summary of Municipal Order No. 2014 - 117 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo indicated that since the City was self-insured, a third party administrator helped to manage claims. Because the City, with assistance from Sherrill D. Morgan and Associates, was able to negotiate another year with favorable terms, he recommended the contract continue. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 117 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 118

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF AN AGREEMENT WITH SHERRILL D. MORGAN & ASSOCIATES FOR HEALTH CARE CONSULTANT SERVICES FOR FISCAL YEAR 2015

Summary of Municipal Order No. 2014 - 118 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo reported that Sherrill D. Morgan & Associates has helped the City save money with the insurance program and most recently by negotiating a \$10,000 reduction to the contract with Humana. He also noted that Mark Morgan and his staff were assisting the Employee Healthcare Committee with researching the possibility of opening an in-house clinic for employees. Mayor

Wilkerson expressed his appreciation for the services provided by Mark Morgan and his staff and the savings achieved with their help. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 118 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2014 - 119**

**MUNICIPAL ORDER AUTHORIZING INSURANCE PREMIUM PAYMENTS TO THE KENTUCKY LEAGUE OF CITIES INSURANCE SERVICES (KLCIS) FOR INSURANCE COVERAGES OF GENERAL LIABILITY, PUBLIC OFFICIALS LIABILITY, LAW ENFORCEMENT LIABILITY, AUTOMOBILE LIABILITY AND PHYSICAL DAMAGE, PROPERTY, AND WORKERS COMPENSATION FOR FISCAL YEAR 2015**

Summary of Municipal Order No. 2014 - 119 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Waltrip for consideration of said Municipal Order. DeFebbo reviewed the insurance coverages provided through KLCIS for both the City and also the Sloan Convention Center (referring to Municipal Order No. 2014 - 120). He said the City did a good job managing risk and experiences. DeFebbo also acknowledged the work of Safety/Risk Manager Dave Weisbrodt and the ability to achieve the lowest experience modification factor (.58) of all cities insured by KLCIS. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 119 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2014 - 120**

**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 2015**

Summary of Municipal Order No. 2014 - 120 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Denning for consideration of said Municipal Order. DeFebbo previously mentioned that The Convention Center Corporation Board of Directors had approved this item at its meeting earlier in the day. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 120 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 121

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2014-30 FOR TRANSIT SERVICES AND APPROVING A CONTRACT WITH COMMUNITY ACTION OF SOUTHERN KENTUCKY, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$1,463,861

Summary of Municipal Order No. 2014 - 121 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo explained that only one bid was received from Community Action and they were currently the City's agent for managing transit services. Mayor Wilkerson commented that the Board of Commissioners has not yet decided how the additional \$80,000 of funding from the City should be used to enhance transit services. Mayor Wilkerson also took this opportunity to express his appreciation for the leadership Community Action of Southern Kentucky Executive Director Cheryl Allen has provided through the years and thanked her for her continued service. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2014 - 121 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 122

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING NEGOTIATIONS AFTER SEALED BIDDING FOR BID #2014-34 FOR FISCAL YEAR 2014 STREET OVERLAY FROM SCOTTY'S CONTRACTING & STONE, LLC OF BOWLING GREEN, KENTUCKY IN AN AMOUNT NOT TO EXCEED \$900,000

Summary of Municipal Order No. 2014 - 122 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo reviewed and recommended the bid award following negotiations to bring the amount within budget and to add an auxiliary list of streets. At the Mayor's request, Public Works Director Jeff Lashlee described the process by which streets were selected for overlay. He indicated there was a backlog of streets "in need" of resurfacing and each of those streets was prioritized based on several factors. Mr. Lashlee also pointed out that more money was added to next year's budget for the annual overlay project in an effort to increase the number of locations that could be addressed.

There was additional discussion about how a particular street might meet the threshold to make it on the list. Mr. Lashlee explained that if a street fell below a 67% threshold it would compete with other streets at or below the same threshold to make the final list for that particular year's overlay project. He also reported that approximately 4.5 miles of right-of-way would be resurfaced under this contract. Mayor Wilkerson asked if the list of streets proposed for overlay would be posted on the City's website. Mr. Lashlee replied it could be added.

In response to a question from Commissioner Denning about where Ragland Way appeared on the list, City Engineer Melissa Cansler replied she would have to follow-up the next day with more detailed information. Once the discussed ended, a roll call vote was taken.

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

Municipal Order No. 2014 - 122 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 123

MUNICIPAL ORDER APPROVING CONTRACTS THROUGH COOPERATIVE PURCHASE WITH VARIOUS VENDORS UNDER THE KENTUCKY PRICING CONTRACT FOR TIRES FOR THE PUBLIC WORKS DEPARTMENT, FLEET DIVISION IN THE ESTIMATED AMOUNT OF \$88,500 FOR FISCAL YEAR 2015

Summary of Municipal Order No. 2014 - 123 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo explained the ability to use the state bidding process to apply competition and to use several local businesses to meet the needs of the City. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 123 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 124

MUNICIPAL ORDER APPROVING APPROPRIATIONS FOR VARIOUS CITY CREATED / CONTRACT AGENCIES FOR FISCAL YEAR 2015

Summary of Municipal Order No. 2014 - 124 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo recounted the proposed amounts for each contract agency that performed certain services on the City's behalf were included in the budget recommendation, which was adopted at the beginning of the meeting. He pointed out the total funding amount for contract agencies was slightly less for FY2015 compared to the previous year.

At the City Manager's request and in an effort to address concerns about the payment of bonuses by some of the agencies, City Attorney Gene Harmon reported that public employees were not eligible to receive a bonus under state law. He noted that about two-thirds of the agencies would be subject to that statutory provision and about 45% of the agencies indicated that they gave some sort of bonus to its employees. Mayor Wilkerson mentioned that he had been going over the Bluegrass Area Development District audit as a member of another agency board. In referring to that audit, he detailed that the State Auditor was very clear in his indication that it was not only unconstitutional for Kentucky public employees to receive bonuses, but that when federal money was generally involved bonuses were prohibited from being paid. He went on to report that the State Auditor likened it to not spending all of your programmatic funds in order to save money for your own employees, which was

determined to be a conflict of interest. In light of these findings, Mayor Wilkerson recommended the agency allocations be approved and that the language in the appropriation agreements be revised to include a provision that bonuses not be awarded to their employees. Mr. Harmon replied it would be easy enough to add that language. He also pointed out that the Mayor previously requested other language straight from the CDBG grant documents be added to these agreements prohibiting agencies from using City funds for political patronage and lobbying and the sort. Mayor Wilkerson emphasized that he was not accusing any agencies of doing anything wrong; however, now that this information was known, it was necessary to exercise fiduciary responsibility.

Commissioner Williams requested clarification about whether an agency could use their own money, excluding City funds, to pay bonuses. Mr. Harmon confirmed that the Kentucky Constitution specified public employees were prohibited from receiving bonuses and should only be paid for work actually performed. Since not all of the contract agencies were public entities and subject to that statutory provision, he suggested the Board had the ability to apply a condition on those non-public entities that if they choose to participate in City funding, they could not provide bonuses to their employees. Mayor Wilkerson said he thought all the agencies should be treated the same.

Following clarification of the proper protocol, Mr. Harmon recommended that a formal motion be considered regarding the proposed revisions to the contract language. He noted it would not specifically amend the contents of Municipal Order No. 2014 - 124, but would provide for the amendment of the standard appropriation agreement for the City created / contract agencies and establish a new policy to prohibit the paying of bonuses. Motion was made by Wilkerson and seconded by Denning to direct the City Attorney and City Clerk to amend the contract language to address the bonus provision and other prohibited activities as discussed and as it related to the appropriation agreements approved by Municipal Order No. 2014 - 124.

City-County Planning Commission Director Steve Hunter requested clarification regarding whether an agency could give more than the cost of living adjustment provided by the Department of Local Government (DLG). Mr. Harmon confirmed that actual budgeted compensation would not be considered a bonus. Community Action of Southern Kentucky Executive Director Cheryl Allen explained that they had just implemented a new policy which provided an additional \$100 - \$150 to employees based on their performance evaluations. She expressed concern that the provision regarding bonuses would prevent their ability to follow through with that policy. Acknowledging that City and federal funds would not be used to make the payments, she asked the Board to consider giving the agencies a year to figure out how they needed to proceed. Ms. Allen indicated that she would also seek further clarification from State officials about the ability for Community Action to implement its new policy. Once the discussion ended, a roll call vote was taken on the motion to amend the appropriation agreements.

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

Motion to amend the language in the appropriation agreements for City created / contract agencies funded by Municipal Order No. 2014 - 124 was approved by unanimous vote. With no further discussion, a roll call vote was taken to approve Municipal Order No. 2014 - 124 with the amendment to the appropriation agreements.

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

Municipal Order No. 2014 - 124 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 17  
(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 2014

Title and summary of Ordinance No. BG2014 - 17 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for first reading of said Ordinance. DeFebbo remarked that the key to budgeting was to make sure you did not spend more money than you had coming in. Chief Financial Officer Jeff Meisel summarized the proposed amendments, including the recommendation to move excess revenues received during the year and captured under spending to various capital project funds for future needs. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 17 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 125

MUNICIPAL ORDER AUTHORIZING AND APPROVING  
AGREEMENT BETWEEN THE CONVENTION CENTER  
CORPORATION (CCC) AND THE CITY OF BOWLING GREEN  
RELATING TO THE SHARING OF TAX INCREMENT FINANCING  
FUNDS

Summary of Municipal Order No. 2014 - 125 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo reported this item was discussed during the Board's January retreat and gave credit to Human Resources Director and Convention Center CEO Mike Grubbs for coming up with a creative way to help the City now and support the CCC in the future. Mr. Grubbs reviewed the proposal to share \$300,000 of the Hartland Taxing District revenues collected each year for the next five years with the City to help pay for Parks and Recreation Department improvement projects. And in exchange, he specified that the City would repay the funds back to the CCC at a rate of \$100,000 a year for 15 years after the taxing district ends in 2020. Mr. Grubbs reported that the CCC Board of Directors approved the proposal at its meeting earlier in the day. He also noted that the first \$300,000 would be used for the West End Soccer Field Project included in the FY2015 budget. Commissioner Williams thanked Mr. Grubbs for his creative thinking, and agreed this was a great opportunity to share revenues and benefit the community. Commissioner Waltrip also agreed and remarked about the membership of the CCC. With no more discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 125 was approved by unanimous vote.



MUNICIPAL ORDER NO. 2014 - 126

MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH SOLE SOURCE JUSTIFICATION FOR MAINTENANCE SERVICES FOR RADIO AND COMMUNICATION EQUIPMENT WITH MOTOROLA SOLUTIONS, INC. IN THE AMOUNT OF \$41,469.60 FOR FISCAL YEAR 2015

Summary of Municipal Order No. 2014 - 126 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Williams for consideration of said Municipal Order. DeFebbo recommended approval of the maintenance contract for the current radio system until the new radio system goes on-line. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 126 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 18  
(First Reading)  
ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF TREY COURT TO NELL O'BRYAN COURT

Title and summary of Ordinance No. BG2014 - 18 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for first reading of said Ordinance. DeFebbo reviewed the request to rename a street. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 18 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 127

MUNICIPAL ORDER APPROVING CONSTRUCTION AND ACCEPTING MAINTENANCE OF OVERHOLT SUBDIVISION PHASES 1 AND 2

Summary of Municipal Order No. 2014 - 127 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. Since all standards and requirements had been met by the developer, DeFebbo recommended acceptance of the subdivision's street maintenance. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 127 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 128

MUNICIPAL ORDER APPROVING THE SMALLHOUSE ROAD / RIDGECREST WAY DRAINAGE IMPROVEMENTS PROJECT AND AUTHORIZING THE CITY LAW DEPARTMENT TO NEGOTIATE THE PURCHASE OF PROPERTIES NECESSARY FOR THIS PROJECT AND TO PURCHASE PROPERTIES REQUIRED FOR FUTURE WIDENING OF SMALLHOUSE ROAD, AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE DEEDS, EASEMENTS AND OTHER DOCUMENTS RELATED TO PROPERTY ACQUISITIONS NECESSARY FOR BOTH PROJECTS

Summary of Municipal Order No. 2014 - 128 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the two projects and recommended approval to acquire the necessary property for both projects. City Engineer Melissa Cansler clarified the location for the future project to widen a portion of Smallhouse Road at Ridgecrest Way. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 128 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 19

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.92 ACRE FROM RS-1A (SINGLE FAMILY RESIDENTIAL) TO OP-C (OFFICE AND PROFESSIONAL-COMMERCIAL) LOCATED AT 1623 SCOTTSVILLE ROAD, PRESENTLY OWNED BY TOM AND PORTIA PENNINGTON

Title and summary of Ordinance No. BG2014 - 19 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Waltrip for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 19 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:55 p.m. in closed session pursuant to KRS 61.810 (1) (c) as previously approved. City Attorney Gene Harmon indicated that action may follow the discussion.

RECONVENE IN OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session at approximately 8:05 p.m. to consider action. Motion was made by Waltrip and seconded by Denning to add Municipal Order No. 2014 - 129 to the agenda for consideration. With no discussion, a roll call vote was taken.

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

Motion to add Municipal Order No. 2014 - 129 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 129

MUNICIPAL ORDER APPROVING AN ADDENDUM TO AGREEMENT OF PURCHASE AND SALE WITH OWL'S HEAD ALLOYS, INC. RELATED TO THE SALE OF APPROXIMATELY 67 ACRES OF CITY-OWNED PROPERTY IN BUTLER COUNTY

Summary of Municipal Order No. 2014 - 129 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Waltrip for consideration of said Municipal Order. Mayor Wilkerson indicated an adjustment was being made to the agreement for the sale of property by the City as it related to pending litigation. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 129 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 8:06 p.m., Mayor Wilkerson 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*