

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held FEBRUARY 20, 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 February 20 2007. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Police Chaplain Mike Holian, 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.

OPERATION P.R.I.D.E. AWARDS

Operation P.R.I.D.E. Executive Director Karen Hume said that awards are presented to those that have made significant improvements to residential and non-residential property. For the month of February, Ms. Hume presented the residential property award to David and Kim Jones for their property at 1252 State Street. Ms. Hume also presented the commercial property award to Burt and Ann Schneider for improvements made to Smoke House Bar-B-Q at 1049 31W Bypass.

CITY MANAGER

City Manager Kevin D. DeFebbo withdrew item #15, Ordinance No. BG2007-4 amending Chapters 11 and 21 of the Code of Ordinances to require minimum warranty on construction of streets and building projects, from the agenda for further staff review.

APPROVAL OF MINUTES

Minutes of Regular Meeting February 6, 2007

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Strow 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 February 6, 2007 was approved by unanimous vote.

PUBLIC COMMENTS

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

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 - 62

MUNICIPAL ORDER APPROVING AND AUTHORIZING REIMBURSEMENT OF OUT-OF-TOWN TRAVEL EXPENSES TO CITY MANAGER KEVIN D. DEFEBBO FOR ATTENDING A MEETING WITH KENTUCKY ENVIRONMENTAL STAFF AND THE 2007 WINTER KCCMA CONFERENCE IN FRANKFORT, KENTUCKY

MUNICIPAL ORDER NO. 2007 - 63

MUNICIPAL ORDER APPROVING AND AUTHORIZING OUT-OF-TOWN TRAVEL EXPENSES FOR MAYOR ELAINE N. WALKER TO ATTEND MEETINGS WITH U.S. CONFERENCE OF MAYORS REPRESENTATIVES IN WASHINGTON, D.C.

MUNICIPAL ORDER NO. 2007 - 64

MUNICIPAL ORDER AUTHORIZING THE TRANSFER OF A 2006 GENERAL ASSEMBLY COMMUNITY DEVELOPMENT LINE-ITEM GRANT IN THE AMOUNT OF \$50,000 TO THE KENTUCKY FIREFIGHTER'S MUSEUM CORPORATION FOR THE KENTUCKY FIREMEN'S MUSEUM PROJECT

MUNICIPAL ORDER NO. 2007 - 65

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO EXTEND THE EXPIRATION DATE TO GRANT AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND GOVERNOR'S OFFICE FOR LOCAL DEVELOPMENT

MUNICIPAL ORDER NO. 2007 - 66

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF PRINCE MACK AND AMY CAPPICIE TO THE CITY OF BOWLING GREEN BOARD OF ETHICS

MUNICIPAL ORDER NO. 2007 - 67

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF TYLER BRONGER TO THE BOWLING GREEN AREA CONVENTION AND VISITORS BUREAU

MUNICIPAL ORDER NO. 2007 - 68

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF WRAY MILLER, ALEX RAY LACKEY AND JERRY W. PHELPS TO THE BOWLING GREEN-WARREN COUNTY MILITARY LIAISON BOARD

Motion was made by Strow and seconded by Denning 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.

CHANGE ORDER OF REGULAR AGENDA

Comm. Strow made a motion, seconded by Denning, to change the order of the agenda to consider items numbered 16, 17 and 18 (Municipal Order Nos. 2007 - 76, 2007 - 77 and 2007 - 78) related to downtown signalization and street direction. Walker called for roll call vote.

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

Motion to change the order of the agenda to consider Municipal Order Nos. 2007 - 76, 2007 - 77 and 2007 - 78 at this time was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 76

MUNICIPAL ORDER AUTHORIZING THE CITY'S PUBLIC WORKS DEPARTMENT TO PROCEED WITH THE DOWNTOWN SIGNALIZATION PROJECT WITH THE EXISTING STREETS REMAINING IN THE CURRENT TRAFFIC FLOW FORMAT AND WITH THE SIGNALS BEING PURCHASED AND INSTALLED ONLY CAPABLE OF SUPPORTING THE EXISTING TRAFFIC FLOW FORMAT

Summary of Municipal Order No. 2007 - 76 was read by the Assistant City Manager/City Clerk. Comm. Denning expressed his support to maintain the one-way streets, State and College Streets and 10th Avenue, in the downtown as they presently exist. Comm. Strow concurred that the streets should remain one-way at this time; however, he expressed concern for future consideration of making the streets two-way and recommended that the convertible signalization option be installed (referring to Municipal Order No. 2007 - 77). Comm. Nash commented about honoring previous commitments made to businesses which located downtown and the need to maintain on-street parking

by keeping the one-way streets. He stated that he did not support a two-way configuration (referring to Municipal Order No. 2007 – 78) based on the loss of parking. Comm. Wilkerson agreed. Mayor Walker stated that she too was committed to maintaining the one-way streets. However, she also expressed a concern for future development and impact on downtown streets with proposed street closings on Center Street at the Bowling Green Community Center and at the proposed site of the Southern Kentucky Performing Arts Center (SKyPAC). Motion was made by Denning and seconded by Nash 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: Wilkerson, Denning, Nash and Walker
 Voting Nay: Strow

Municipal Order No. 2007 - 76 was approved by majority vote. With the approval of this Municipal Order, DeFebbo withdrew items numbered 17 and 18 (Municipal Order Nos. 2007 – 77 and 2007 – 78) from further consideration.

RESUME REGULAR AGENDA

MUNICIPAL ORDER NO. 2007 – 69

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF WILLIAM GRUSZCZYK TO THE POSITION OF ANIMAL CONTROL OFFICER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2007 - 69 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the qualifications of the recommended appointment. Motion was made by Strow and seconded by Wilkerson 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 69 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 – 70

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF ANTHONY OLEN PHELPS, ERIC JAY JOINER AND MICHAEL G. SPRUILL TO THE POSITION OF OPERATIONS TECHNICIAN I IN THE PUBLIC WORKS DEPARTMENT, OPERATIONS DIVISION

Summary of Municipal Order No. 2007 - 70 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the recommended promotions based on the career path program previously adopted. Motion was made by Denning and seconded by Nash 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 70 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 71

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF JENNIFER NICOLE PORTMANN TO THE POSITION OF PURCHASING AGENT IN THE CITY MANAGER'S OFFICE

Summary of Municipal Order No. 2007 - 71 was read by the Assistant City Manager/City Clerk. DeFebbo indicated that the position of Purchasing Agent was established to separate the purchasing functions from the Internal Auditor. He reviewed the qualifications of the recommended appointment. Motion was made by Nash 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 71 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 72

MUNICIPAL ORDER ACCEPTING THE CITY OF BOWLING GREEN, KENTUCKY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE PERIOD ENDING JUNE 30, 2006 AS PREPARED BY THE DEPARTMENT OF FINANCE AND AUDITED BY MOUNTJOY & BRESSLER, LLP

Summary of Municipal Order No. 2007 - 72 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the requirements for conducting an annual audit of the City's finances. Certified Public Accountant Randy Davis, partner at Mountjoy and Bressler, outlined the audit report and management letter and stated that there were no material weaknesses found. He also responded to questions regarding a suggestion for password restrictions and periodic changes, and his satisfaction with the City's response and openness of staff during the auditing process. Comm. Strow commented about the additional subsidy provided to the Golf Enterprise Fund. DeFebbo stated that he was working with staff regarding a strategy to address this subsidy. Comm. Strow suggested that the City should use its reserves in excess of 15% to fund the unfunded liability discussed at the work session regarding the Police and Firefighters (closed) Retirement Fund. Mayor Walker commented about the improvements to the City's image following discovery of the former Chief Financial Officer Davis Cooper's embezzlement. 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 72 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 73

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-02 FOR ENTERPRISE SOFTWARE SOLUTION FROM NEW

WORLD SYSTEMS OF TROY, MICHIGAN IN THE TOTAL
AMOUNT OF \$570,900

Summary of Municipal Order No. 2007 - 73 was read by the Assistant City Manager/City Clerk. DeFebbo stated that this item was discussed at the earlier work session. He indicated that the new software would improve productivity and efficiency as well as advance the City's technological abilities. Systems Analyst Donnita Keen responded to a question regarding the City's phone system and the inability to integrate into this new software and the possible consideration of voice over IP. DeFebbo mentioned that he would like to place the phone system under the Information Technology Department to allow for advanced capabilities in technology. Motion was made by Nash and seconded by Denning 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 73 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 74

MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH
NONCOMPETITIVE NEGOTIATION WITH ALLIANCE
CORPORATION OF GLASGOW, KENTUCKY FOR
CONSTRUCTION MANAGEMENT SERVICES PERTAINING TO
EMERGENCY REPAIRS TO THE SLOAN CONVENTION CENTER

Summary of Municipal Order No. 2007 - 74 was read by the Assistant City Manager/City Clerk. DeFebbo stated that repairs were needed to the roof, gutters and HVAC system. Citizen Information and Assistance Director and Convention Center CEO Michael Grubbs reviewed the specific issues to be addressed. He stated that the Convention Center Corporation Board of Directors previously considered and approved the contract award for a construction manager to assist with the project. City Attorney Gene Harmon clarified for Comm. Wilkerson that there was no conflict of interest with regard to personal property purchased from an Alliance Corporation employee. Motion was made by Denning and seconded by Nash 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 74 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 75

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF
TRANSPORTATION AND COMMUNITY AND SYSTEM
PRESERVATION PROGRAM GRANT APPLICATION FOR THE
GREENWAYS NETWORK EXPANSION IN THE AMOUNT

Summary of Municipal Order No. 2007 - 75 was read by the Assistant City Manager/City Clerk. DeFebbo reviewed the priority to expand the greenways system. He indicated that this funding was previously provided as a direct earmark; however, it was now a competitive process.

DeFebbo suggested providing Greenways with similar funding in next year's budget for the required grant match as was provided in this year's budget as a Fiscal Year 2007 capital improvement project (CIP). Greenways Coordinator Helen Siewers reviewed the proposed project to provide an additional three miles of greenbelt connectivity within the City. Motion was made by Strow and seconded by Nash 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2007 - 75 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 7:55 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) Bowling Green Area Economic Development Authority, including Bowling Green Area Chamber of Commerce and Intermodal Transportation Authority, annual report; 2) the recommended selection of enterprise software solution from New World Systems; 3) the Police and Firefighters Retirement Fund actuarial study as of June 30, 2006 and reported unfunded liability; and 4) the area property owners' survey results for the proposed Community Center-Center Street closure.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller