

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held APRIL 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 April 1, 2008. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Fire Chaplain Damon Carlock, 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 Brian K. Strow, Commissioner Bruce Wilkerson, Commissioner Joe W. Denning and Mayor Elaine N. Walker. Absent: Commissioner Brian "Slim" Nash. There was a quorum of the Board of Commissioners.

CITY MANAGER

City Manager Kevin D. DeFebbo introduced and welcomed Jason Molino, City Manager of Batavia, New York, who was visiting Bowling Green and in attendance at the meeting. He 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, proposed and pending litigation against and on behalf of the City, and for discussion concerning specific proposals, as open discussions would jeopardize the siting, retention, expansion or upgrading of the businesses. Motion was made by Denning and seconded by Wilkerson 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: Strow, Wilkerson, Denning 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.

APPROVAL OF MINUTES

Minutes of Regular Meeting March 18, 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 Strow to approve said minutes as written. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of March 18, 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 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. 2008 - 74

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE 2008 KENTUCKY URBAN AND COMMUNITY FORESTRY GRANT PROGRAM IN THE AMOUNT OF \$5,000

MUNICIPAL ORDER NO. 2008 - 75

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO GRANT AGREEMENT BETWEEN THE CITY OF BOWLING GREEN, BOWLING GREEN ENTERPRISE COMMUNITY, INC. AND THE UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT

MUNICIPAL ORDER NO. 2008 - 76

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, 2008 BULLETPROOF VEST PARTNERSHIP PROGRAM IN THE AMOUNT OF \$6,100

MUNICIPAL ORDER NO. 2008 - 77

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE 2008-2009 GOVERNOR'S HIGHWAY SAFETY PROGRAM IN THE AMOUNT OF \$7,500

MUNICIPAL ORDER NO. 2008 - 78

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE KENTUCKY JUSTICE CABINET IN THE AMOUNT OF \$19,750 FOR OVERTIME TRAFFIC ALCOHOL PATROL (TAP) THROUGH THE 2008-2009 LAW ENFORCEMENT SERVICE FEE PROGRAM

MUNICIPAL ORDER NO. 2008 - 79

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF
LEON H. VOLKERT TO THE BOWLING GREEN AREA
CONVENTION AND VISITORS BUREAU

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: Strow, Wilkerson, Denning and Walker
 Voting Nay: None

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

REGULAR AGENDA

MUNICIPAL ORDER NO. 2008 - 80

MUNICIPAL ORDER APPROVING THE PROMOTION OF LEE R.
ALVEY, JR. TO THE POSITION OF HEAVY EQUIPMENT
OPERATOR IN THE PARKS AND RECREATION DEPARTMENT,
CEMETERY DIVISION

Summary of Municipal Order No. 2008 - 80 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 reviewed the position opening from a recent retirement. Parks and Recreation Director Ernie Gouvas reviewed the qualifications and recommended the promotion. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 80 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 81

MUNICIPAL ORDER APPROVING THE PROMOTION OF
CHARLES ALLEN TUCKER TO THE POSITION OF FIRE
APPARATUS OPERATOR/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2008 - 81 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo explained the position opening due to a recent retirement. Fire Chief Greg Johnson reviewed the qualifications for the recommended promotion. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 81 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 82

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2008-17 FOR THE PURCHASE OF TWO FIRE TRUCKS FROM SUTPHEN CORPORATION OF CINCINNATI, OHIO IN THE TOTAL AMOUNT OF \$762,194

Summary of Municipal Order No. 2008 - 82 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 to purchase two new fire trucks, one to be stationed at Greenwood Fire Station and the other to replace an existing pumper truck which would be moved to the reserve fleet. Fire Chief Greg Johnson reviewed the bid and evaluation process. Mayor Walker commended staff for bringing the purchase in under budget. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2008 - 82 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 83

MUNICIPAL ORDER APPROVING RECOMMENDATION FROM THE BOWLING GREEN AREA CONVENTION AND VISITORS BUREAU TO DISTRIBUTE \$16,260 OF TRANSIENT ROOM TAXES TO THE BOWLING GREEN DISC GOLF CLUB

Summary of Municipal Order No. 2008 - 83 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 reviewed the recommendation by the Convention and Visitors Bureau to provide funds for improvements to the area disc golf courses. Comm. Strow commented about all the people he has seen at the City's disc golf courses. Local Disc Golf Pro H. B. Clark, Jr. confirmed the use and number of area courses and reiterated the use of funds. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 83 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 84

MUNICIPAL ORDER AUTHORIZING AND APPROVING REVISIONS TO THE SECTION 8 HOUSING CHOICE VOUCHER (HCV) ADMINISTRATIVE PLAN FOR THE CITY'S SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2008 - 84 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 reviewed the recommended changes to the Plan related to the Scholar House facility. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Strow, Wilkerson, Denning and Walker
 Voting Nay: None
Municipal Order No. 2008 - 84 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 85

MUNICIPAL ORDER AUTHORIZING THE APPROVAL AND
SUBMISSION OF FISCAL YEAR 2008/2009 ANNUAL PLAN FOR
THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2008 - 85 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. Housing Manager Vallory Schocke provided an overview of the Program and Annual Plan procedures. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Strow, Wilkerson, Denning and Walker
 Voting Nay: None
Municipal Order No. 2008 - 85 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 86

MUNICIPAL ORDER ASSUMING OWNERSHIP AND
MAINTENANCE RESPONSIBILITY FOR A SECTION OF CENTER
STREET BETWEEN 6TH AVENUE AND 7TH AVENUE NO LONGER
NEEDED BY THE COMMONWEALTH OF KENTUCKY DUE TO
THE REALIGNMENT OF THOSE STREETS

Summary of Municipal Order No. 2008 - 86 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 indicated that the State was no longer in need of this right-of-way and had offered it to the City. Public Works Director Emmett Wood provided information regarding the State's denial to provide an access road to better serve Napa Auto Parts. Comm. Wilkerson requested that the City continue to pursue the issue as development occurs. DeFebbo suggested a work session to further discuss the Board's concerns and Mr. Wood agreed to invite representatives from the Kentucky Transportation Cabinet to attend. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Strow, Wilkerson, Denning and Walker
 Voting Nay: None
Municipal Order No. 2008 - 86 was approved by unanimous vote.

ORDINANCE NO. BG2008 - 17

(First Reading)

ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF AN ALLEY OFF OF
CENTER STREET IN THE BLOCK BETWEEN 10TH AND 11TH
AVENUES

Title and summary of Ordinance No. BG2008 - 17 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 stated this was a housekeeping item to allow the City better use of its parking lot. City Attorney Gene Harmon confirmed that all adjacent property owners agreed to the closing. Public Works Director Emmett Wood responded to questions about the ability to preserve existing parking spaces and about the future use of the small building located on the lot. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2008 - 17 was approved by unanimous vote.

ORDINANCE NO. BG2008 - 18
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 2.31 ACRES FROM LI (LIGHT INDUSTRY) AND (AG) AGRICULTURE TO HB (HIGHWAY BUSINESS) LOCATED OFF OF BOATLANDING ROAD AND KENTUCKY HIGHWAY 185, WITH BINDING ELEMENTS, PRESENTLY OWNED BY JIM DIEMER'S BIG STAR SUPERMARKET, INC.

Title and summary of Ordinance No. BG2008 - 18 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for first reading of said Ordinance. City-County Planning Commission Director Steve Hunter provided an overview of the recommended rezoning and its associated binding elements. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2008 - 18 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met in closed session pursuant to KRS 61.810 (b), (c) and (g), at approximately 7:30 p.m., as previously approved.

OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session to consider action. Motion was made by Denning and seconded by Wilkerson to add Municipal Order No. 2008 - 87 to the agenda for consideration. With no discussion, a roll call vote was taken.

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

Motion to add Municipal Order No. 2008 - 87 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 87

MUNICIPAL ORDER APPROVING A JOB DEVELOPMENT
INCENTIVE FUND EMPLOYEE WITHHOLDINGS CREDIT
AGREEMENT WITH HEATHCO, LLC

Summary of Municipal Order No. 2008 - 87 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Strow, Wilkerson, Denning and Walker

Voting Nay: None

Municipal Order No. 2008 - 87 was approved by unanimous vote.

ADJOURNMENT

Once all discussion ended and there being no further business to come before the Board of Commissioners, at approximately 7:50 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 Nash, 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 report from a volunteer group interested in rehabilitating and utilizing the Standard Oil building in Circus Square Park; 2) a progress report from the Parks and Recreation Department, Golf Division regarding the Internal Audit of its operations; and 3) a request from a Commissioner for a study to look into the consolidation of City/County Government. Regarding the Standard Oil building, there was consensus by the Board to proceed with an investigation and removal of any fuel tanks remaining on the site. Also, a majority of the Board agreed that DRA should proceed with the Section 106 review required to determine if the building could be demolished, while the volunteer group continued to work on a plan for possible rehabilitation. With regard to the request to hire a consultant to study the consolidation of governments, the Board agreed to allow the City Manager to contact the Center for Local Government to obtain an estimate for such work. Mr. DeFebbo requested that each member submit to him any questions they wanted to be answered through the study.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk