

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held AUGUST 18, 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 August 18, 2009. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Pastor John Wesley of First Christian Church, 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 Catherine Hamilton, Commissioner Brian "Slim" Nash and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

**AWARDS & RECOGNITIONS**

Operation P.R.I.D.E. Executive Director Ray Lackey announced the awards for improvements made to residential and non-residential property for the month of August. The commercial award was to First Christian Church at 1106 State Street. Pastor Wesley expressed his appreciation and recognized the congregation for their hard work. He also thanked the City for the lease of property to aid with the improvements. The residential award was presented for improvements made at 928 Elm Street to PYDR Properties, owners Norm Johnson and Brian Lowder accepted the award.

Mr. Lackey also mentioned that Historic Preservation Planner Miranda Clements would be filling in for him with presented awards at Board of Commissioners meetings this fall.

**CITY MANAGER**

City Manager Kevin D. DeFebbo had no comments at this time.

**APPROVAL OF MINUTES**

Minutes of Regular Meeting August 4, 2009

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 Hamilton 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, Hamilton, Nash and Walker  
                          Voting Nay: None

Motion to approve the minutes of the regular meeting of August 4, 2009 was approved by unanimous vote.

**PUBLIC COMMENTS**

Jennifer Chiles a member of A Voice For Animals, Inc., a Kentucky non-profit organization, presented a proposal to amend the City's animal ordinance to recognize feral cat colonies as a managed program to trap, neuter and return feral cats to the wild. Ms. Chiles handed out information regarding the proposal, which included endorsements from the Bowling Green/Warren County

Humane Society and two area veterinarians, Dr. Karen Henkels-Klusty and Dr. Erin Tygart. Humane Society Director Lorri Hare also spoke in support of the proposal and suggested that a committee be put together to review the program, which she said has proven to work in other communities, and to consider other changes to the ordinance at the same time. Mayor Walker asked Ms. Hare if she would serve on the committee and provide names of others who might have an interest in serving. Ms. Hare agreed.

**MUNICIPAL ORDER NO. 2009 – 164**

**MUNICIPAL ORDER APPROVING THE APPOINTMENT OF STEVEN TYREE TO THE UNIVERSITY DISTRICT REVIEW COMMITTEE**

Summary of Municipal Order No. 2009 - 164 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: Wilkerson, Denning, Hamilton, Nash and Walker  
                          Voting Nay: None

Municipal Order No. 2009 - 164 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 165**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE PURCHASE OF NEW WORLD SOFTWARE ANNUAL MAINTENANCE FROM NEW WORLD SYSTEMS IN THE AMOUNT OF \$76,800**

Summary of Municipal Order No. 2009 - 165 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo indicated that the City was in the process of implementing an enterprise software system over the past two years and this was the annual cost for maintenance associated with that software. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 165 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 166**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2010-04 FOR CISCO SMARTNET AGREEMENT RENEWAL FROM PROSYS OF NICHOLASVILLE, KENTUCKY IN THE AMOUNT OF \$48,949.79**

Summary of Municipal Order No. 2009 - 166 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 bid process and recommended approval. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Wilkerson, Denning, Hamilton, Nash and Walker

Voting Nay: None

Municipal Order No. 2009 - 166 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 167

MUNICIPAL ORDER APPROVING THE SUBMISSION OF THE FISCAL YEAR 2008/2009 SECTION EIGHT MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION FOR THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2009 - 167 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 reviewed the regulation requirements imposed by Housing and Urban Development (HUD) for certification of the Section 8 Program. He noted that the City's Housing Choice Voucher Program has traditionally ranked as a "High Performer," which is the highest rating possible, and anticipated to receive the same rating again. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 167 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 168

MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE KENTUCKY HOUSING CORPORATION (KHC) RELATED TO THE HOUSING CHOICE VOUCHER (HCV) PROGRAM

Summary of Municipal Order No. 2009 - 168 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. Housing Manager Vallory Schocke reviewed the agreement to address under funding from Housing and Urban Development (HUD) and the ability to use "portability" to assist both the City's HVC Program and KHC utilization numbers between August and December of this year. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 168 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 169

MUNICIPAL ORDER AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND BOWLING GREEN HUMAN RIGHTS COMMISSION, INC. FOR THE PROVISION OF FAIR HOUSING EDUCATION SERVICES

Summary of Municipal Order No. 2009 - 169 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal Order. DeFebbo explained that this item and the next three items (Municipal Order Nos. 2009 – 170,

2009 – 171, and 2009 – 172) all related to the Year 6 Annual Action Plan of the Consolidated Plan for Community Development Block Grant Entitlement Funding which was previously approved in May. He further explained that these items authorized approval of individual agreements with selected agencies to address specific needs outlined in the Consolidated Plan. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 169 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 170**

**MUNICIPAL ORDER AUTHORIZING AN AGREEMENT  
BETWEEN THE CITY OF BOWLING GREEN AND BELLEWOOD  
PRESBYTERIAN HOMES FOR CHILDREN, INC. FOR THE  
BELLEWOOD INDEPENDENT LIVING PROGRAM**

Summary of Municipal Order No. 2009 - 170 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Hamilton for consideration of said Municipal Order. See comments under Municipal Order No. 2009 – 169. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 170 was approved by majority vote. Comm. Nash abstained since he was employed by Bellewood Presbyterian Homes for Children.

**MUNICIPAL ORDER NO. 2009 – 171**

**MUNICIPAL ORDER AUTHORIZING AN AGREEMENT  
BETWEEN THE CITY OF BOWLING GREEN AND HOUSING  
ASSISTANCE AND DEVELOPMENT SERVICES, INC. FOR THE  
HOMEOWNERSHIP PRESERVATION PROGRAM**

Summary of Municipal Order No. 2009 - 171 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hamilton for consideration of said Municipal Order. See comments under Municipal Order No. 2009 – 169. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 171 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 172**

**MUNICIPAL ORDER AUTHORIZING AN AGREEMENT  
BETWEEN THE CITY OF BOWLING GREEN AND HOUSING**

ASSISTANCE AND DEVELOPMENT SERVICES, INC. FOR  
EMERGENCY HOME REPAIR AND ACCESSIBILITY PROGRAM

Summary of Municipal Order No. 2009 - 172 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for consideration of said Municipal Order. See comments under Municipal Order No. 2009 - 169. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 172 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 173

MUNICIPAL ORDER APPROVING THE OLD MORGANTOWN ROAD CORRIDOR REHABILITATION PROJECT AND AUTHORIZING THE CITY LAW DEPARTMENT TO NEGOTIATE THE PURCHASE OF PROPERTIES NECESSARY FOR THIS PROJECT AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE DEEDS, EASEMENTS AND OTHER DOCUMENTS RELATED TO LAND PURCHASES NECESSARY FOR THIS PROJECT

Summary of Municipal Order No. 2009 - 173 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo indicated this was a major road project of the City which was ready to move forward to the next phase of development with approval of the final project design and property acquisition. City Attorney Gene Harmon mentioned that his office had sent out initial contact letters to property owners providing notice of the City's interest to purchase property and/or easements for the project. Commissioner Wilkerson commented that there were a few individuals in the neighborhood that had volunteered to assist the City with its property acquisition efforts. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 173 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 174

MUNICIPAL ORDER ASSUMING OWNERSHIP AND MAINTENANCE RESPONSIBILITY FOR AN UNNAMED ROAD CONNECTING MT. VICTOR LANE AND LOVERS LANE FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET

Summary of Municipal Order No. 2009 - 174 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo reviewed the request by the State for the City to take over ownership and maintenance of the new roadway. Comm. Wilkerson commented about naming the road after Dr. O.L. Avery who donated the land and he agreed to sponsor an ordinance at the next meeting to

officially name it. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 174 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 175

MUNICIPAL ORDER ASSUMING OWNERSHIP AND  
MAINTENANCE RESPONSIBILITY FOR WATERFORD COURT  
FROM THE COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET

Summary of Municipal Order No. 2009 - 175 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. Similar to the previous item, DeFebbo indicated that this roadway came out of improvements made on Nashville Road. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 175 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 176

MUNICIPAL ORDER AUTHORIZING AN EXPANSION TO THE  
POLICE DEPARTMENT HEADQUARTERS PARKING LOT

Summary of Municipal Order No. 2009 - 176 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo recounted that this item was discussed during the work session. He reiterated that the project would not exceed \$40,000 and that some of the work would be performed in-house. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 176 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 177

MUNICIPAL ORDER AUTHORIZING AND APPROVING THE  
SUBMITTAL OF A LOAN APPLICATION TO THE KENTUCKY  
INFRASTRUCTURE AUTHORITY FOR THE PURCHASE OF TWO  
MOBILE EMERGENCY GENERATORS FOR BOWLING GREEN  
MUNICIPAL UTILITIES (BGMU) IN THE AMOUNT OF \$135,000

Summary of Municipal Order No. 2009 - 177 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hamilton for consideration of said Municipal Order. DeFebbo stated that BGMU was given the opportunity to purchase two generators under

federal stimulus funding and that the City was only a conduit for that approval. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 177 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 178**

**MUNICIPAL ORDER APPROVING AND AUTHORIZING THE  
MAYOR TO EXECUTE EASEMENT WITH ATMOS ENERGY  
CORPORATION RELATED TO THE RELEASE OF EXISTING  
EASEMENT AND APPROVAL OF REPLACEMENT EASEMENT IN  
THE LAMPKIN PARK AREA**

Summary of Municipal Order No. 2009 - 178 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the request to swap easement locations for an improvement project that Atmos Energy was undertaking near Lampkin Park. He noted that this swap was not expected to impact park services. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 178 was approved by unanimous vote.

**ADJOURNMENT**

There being no further business to come before the Board of Commissioners, at approximately 8:30 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) an overview of parking lot expansion at the Police Department Headquarters; 2) a wireless mesh update presented by the Information Technology Department and Bowling Green Municipal Utilities (BGMU); 3) the results of the Cave Mill / Smallhouse Intersection Planning Study, including two alternate conceptual plans; and 4) proposed changes to and/or repeal of the City's Entry Way Sign Policy requested by Operation P.R.I.D.E.

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

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

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

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