

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held SEPTEMBER 16, 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 September 16, 2014. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Pastor Carlton Hatcher of Cumberland Presbyterian Church, and all present recited the Pledge of Allegiance. Assistant City Clerk Ashley Jackson called the roll, and the following members were present: Commissioner Melinda M. Hill, Commissioner Bill Waltrip, Commissioner Rick Williams and Mayor Bruce Wilkerson. Absent: Commissioner Joe W. Denning. There was a quorum of the Board of Commissioners.

CHANGE ORDER OF AGENDA

Mayor Wilkerson changed the order of the agenda to allow for awards and recognitions before the public hearing.

AWARDS & RECOGNITIONS

Operation P.R.I.D.E. Executive Director Angie Alexieff presented P.R.I.D.E.'s August commercial award to Gary Force Toyota and Sales Manager Matt Stumbo accepted the award. She also presented the Chairman's Award to Western Kentucky University and the Kentucky Transportation Cabinet District 3 for the roundabout project. Facilities Officer Brian Russell of Western Kentucky University and Chief Engineer Greg Meredith of the Kentucky Transportation Cabinet District 3 accepted the awards. Ms. Alexieff remarked that this was only the third time the Chairman's Award had been presented.

PUBLIC HEARING

City Manager stated that the City is required to hold this annual public hearing, and remarked additional funds (local tax dollars) for paving have been included in the current budget. City Engineer Melissa Cansler conducted a public hearing for the purpose of reviewing the proposed use of Municipal Aid Program (Liquid Fuel Tax) funds and Coal Severance and Processing Tax and Mineral Severance Tax (Coal-Mineral Severance Tax) funds for Fiscal Year 2015. She reported that the Fiscal Year 2015 Liquid Fuel Tax (LFT) unencumbered balance was \$1,083,208 and projected revenues were \$1,335,000 with proposed expenditures totaling \$1,260,000. She reviewed the projects proposed for Street Resurfacing (Overlay) of 7.4 miles in the total amount of \$1,000,000, the sidewalk, curb and gutter repair in the amount of \$110,000, and a special project added due to safety concerns located on McLellan Road in the amount of \$150,000. The total projected ending balance was designated to be \$1,158,208. Ms. Cansler further reported that there were no projected increases in asphalt cost from the previous fiscal year and various street resurfacings were delayed due to scheduled underground utility projects. She provided a brief update on the Fiscal Years 2013/2014 street resurfacing contracts, 2013 has been completed and 2014 was ongoing and anticipated to be completed within the month, weather permitting. Ms. Cansler also reported the Fiscal Year 2015 Coal-Mineral Severance Tax projected revenues were \$30,000. She explained there were no specific

projects to dedicate the Coal-Mineral Severance funds in Fiscal Year 2015; however, she identified that these funds could be applied to transportation safety related concerns or the purchase of additional deicer should the need arise later in the year. The projected ending fund balance was \$118,391 for Coal-Mineral Severance. With no questions or comments, the public hearing was closed.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion of pending litigation against the City and discussion which might lead to the discipline or dismissal of an individual employee without restricting that employee's right to a public hearing if requested. Motion was made by Hill and seconded by Williams to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (c) and (f). Mayor Wilkerson called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Regular Meeting September 2, 2014 and Special Meeting September 9, 2014

Minutes of the above-referenced meetings were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Hill 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: Hill, Waltrip, Williams and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of September 2, 2014 and special meeting of September 9, 2014 was approved by unanimous vote.

PUBLIC COMMENTS

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

ORDINANCE NO. BG2014 - 25

(Second Reading)

ORDINANCE REZONING REAL ESTATE

REZONING A TRACT OF LAND CONTAINING 3.582 ACRES
FROM RM-2 (TWO-FAMILY RESIDENTIAL) TO OP-C (OFFICE
PROFESSIONAL-COMMERCIAL) LOCATED AT 1706
SMALLHOUSE ROAD, PRESENTLY OWNED BY EASTSIDE
CHURCH OF CHRIST

Title and summary of Ordinance No. BG2014 - 25 was read by the Assistant City Clerk. Motion was made by Waltrip and seconded by Hill for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Waltrip, Williams and Wilkerson
Voting Nay: None
Ordinance No. BG2014 - 25 was adopted by unanimous vote.

ORDINANCE NO. BG2014 - 26
(Second Reading)

ORDINANCE RELATING TO PROPERTY TAX RATES

ORDINANCE SETTING 2014 PROPERTY TAX RATES,
FRANCHISE TAX RATES AND IMPROVEMENT ASSESSMENT
RATES, AND SETTING FORTH GUIDELINES FOR PAYMENT,
PENALTY AND INTEREST

Title and summary of Ordinance No. BG2014 - 26 was read by the Assistant City Clerk. Motion was made by Hill 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: Hill, Waltrip, Williams and Wilkerson
Voting Nay: None
Ordinance No. BG2014 - 26 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 184

MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENT OF TYSON J. BAKER TO THE POSITION OF
SENIOR PARKS FACILITY MAINTAINER IN THE PARKS AND
RECREATION DEPARTMENT

Summary of Municipal Order No. 2014 - 184 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo indicated that a previous transfer of an employee to another department created an opening for which he recommended the appointment of the best candidate for the position. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Waltrip, Williams and Wilkerson
Voting Nay: None
Municipal Order No. 2014 - 184 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 185

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE
UPGRADE OF INTERNET SERVICE AND PURCHASE OF
EQUIPMENT FOR THE SLOAN CONVENTION CENTER FROM
WINDSTREAM HOSPITALITY IN AN AMOUNT NOT TO EXCEED
\$62,500

Summary of Municipal Order No. 2014 - 185 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. DeFebbo explained the need for an internet service upgrade at the Convention Center. Also, there would be an

annual cost savings of approximately \$6,500 as it was recommended to sole source the project to concur with the company the Holiday Inn utilizes. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 185 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 186

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-10 FOR CISCO, APC, LEVITON AND HP INFORMATION TECHNOLOGY EQUIPMENT FROM JBK NETWORK CONSULTING, LTD OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$65,675.57

Summary of Municipal Order No. 2014 - 186 was read by the Assistant City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo remarked about the rehabilitation of the City Hall Annex, including the additional space needed for Information Technology, and recommended the lowest bid. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 186 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 187

MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH KNIGHT ELECTRIC OF RUSSELLVILLE, KENTUCKY FOR ELECTRICAL REPLACEMENT AND RELOCATION OF OPERATION CONTROLS FOR CIRCUS SQUARE PARK FOUNTAIN IN THE AMOUNT OF \$50,000

Summary of Municipal Order No. 2014 - 187 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo mentioned that the City was notified about the fountain malfunction and it included an acid spill. He recommended above ground relocation of the electrical work and to construct a building that would house the electrical components. Parks and Recreation Director Brent Belcher shall come before the Board at a later date on the design of the building. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 187 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 188

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-03 FOR PROFESSIONAL CONSULTANT SERVICES FOR THE PARKS AND RECREATION MASTER PLAN FROM BRANDSTETTER CARROLL, INC. OF LEXINGTON, KENTUCKY IN THE AMOUNT OF \$94,010

Summary of Municipal Order No. 2014 - 188 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo explained this project was budgeted for Fiscal Year 2015 and it was decided there was a need to prepare a revised master plan to meet additional needs of citizens. Parks and Recreation Director Brent Belcher stated that the Board of Commissioners suggested the idea of a request for proposal for the Parks Master Plan, and he recommends the acceptance for professional services from the consultant of Branstetter Carroll. Branstetter Carroll's proposal included demographic research, analysis of twenty-seven (27) parks and additional facilities and amenities, and community involvement. Belcher said community involvement would include surveys, public forums and workshops, all through the services of the consultant. In conclusion, Belcher acknowledged that the project was on an aggressive schedule, he hoped within six months or by the end of March to have a prioritized list available for the Commissioners. Commissioner Williams commended the project. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 188 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 189

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-09 FOR KEREIAKES PARK TENNIS COURT RESURFACING FROM TENNIS COURTS UNLIMITED OF WATERVLIET, MICHIGAN IN THE AMOUNT OF \$31,998

Summary of Municipal Order No. 2014 - 189 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. DeFebbo recommended the acceptance for resurfacing the Kereiakes Park tennis courts to the low bidder. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 189 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 190

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-05 FOR CITY HALL SPRINKLER PROJECT FROM TRI-STATE FIRE PROTECTION, INC. OF NEWBURGH, INDIANA IN THE AMOUNT OF \$146,950

Summary of Municipal Order No. 2014 - 190 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo explained the need for fire protection and recommended the installation of a sprinkler system in the City Hall building. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Waltrip, Williams and Wilkerson
 Voting Nay: None
Municipal Order No. 2014 - 190 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 191

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-13 FOR THE PURCHASE OF FOUR (4) DUMP TRUCKS FOR THE PUBLIC WORKS DEPARTMENT FROM GILLIE HYDE AUTO GROUP OF GLASGOW, KENTUCKY IN THE AMOUNT OF \$320,504

Summary of Municipal Order No. 2014 - 191 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo recommended the purchase of four (4) dump trucks. Public Works Director Jeff Lashlee was questioned whether these were replacements or additional purchases, and it was specified that they were replacements, but there had been discussion that some of the better quality older trucks may be kept for reserve. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Waltrip, Williams and Wilkerson
 Voting Nay: None
Municipal Order No. 2014 - 191 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 192

MUNICIPAL ORDER APPROVING THE CONTINUATION OF AN AGREEMENT WITH WESTERN KENTUCKY UNIVERSITY FOR PROVIDING A LEAF COMPOSTING SYSTEM FOR THE CITY OF BOWLING GREEN, KENTUCKY

Summary of Municipal Order No. 2014 - 192 was read by the Assistant City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo identified that last year the City picked up 1,265 tons of leaves and the citizens have shown appreciation for the service as the citizen survey indicated leaf pick up to be one of the higher ranked services. Furthermore, it was noted staff had researched and gathered statistics which confirmed the cost effectiveness for the City. He also reported that WKU agreed to the same fee of \$45,900 and the City would receive 25% of the composting revenues. In addition, there had been prior discussions about how to better inform citizens about leaf pick-up and the guidelines, and staff is working to ensure those needs are met. Commissioner Hill requested Public Works Director Jeff Lashlee provide the citizens with a preview of the process and guidelines. Lashlee explained that leaf season begins the first week of November, there are ten work zones, and it takes approximately two days to complete each zone. He additionally reviewed the appropriate guidelines to where the leaves should

be located and if leaves are not picked up at a residence, there will be a door hanger placed on the residence door as to the reasoning. Commissioner Williams asked for clarification on the placement of the leaves for those that have sidewalks, and Lashlee stated the leaves should be at the edge of the pavement or back of the sidewalk. It was mentioned that there will be leaf information on the website, including a search tool for zone locations, as well as the Government Access channel and newspaper. Commissioner Hill asked what the funds are used for that WKU receives from the City. Lashlee said the amount the City pays to WKU is for the cost of labor and equipment, and the profit made from the compost goes toward scholarships (75%) and the City receives the other 25%, with last year's total approximately \$3,000. Commissioner Hill voiced concern that the scholarship should be named after the City of Bowling Green and Lashlee confirmed that staff would re-approach WKU. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 192 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 27

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.16 ACRES FROM GB (GENERAL BUSINESS) TO HB (HIGHWAY BUSINESS) LOCATED AT 1288 CAMPBELL LANE, PRESENTLY OWNED BY WILLIAM AND SANDRA BOUSSARD, WITH NTI INVESTMENTS, LLC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2014 - 27 was read by the Assistant City Clerk. Motion was made by Waltrip and seconded by Williams for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 27 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 193

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF TWO APPLICATIONS TO THE KENTUCKY TRANSPORTATION CABINET FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS ON BEHALF OF THE GREENWAYS COMMISSION OF BOWLING GREEN AND WARREN COUNTY

Summary of Municipal Order No. 2014 - 193 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo commented about the significance of the Greenways, and he recommended the partnership with Western Kentucky University (WKU) to expand the Greenways trail. It was further mentioned that the application was submitted last year and no funds were received. The project would include path construction along Industrial Drive from Dishman Lane to WKU near Campbell Lane and from Moss Middle to Creekwood Avenue. The total project amount is \$308,990 and the request for matching

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funds from the City is for \$15,140 in cash and \$21,000 in-kind. Once the discussion ended, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Waltrip, Williams and Wilkerson

 Voting Nay: None

Municipal Order No. 2014 - 193 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:50 p.m. in closed session pursuant to KRS 61.810 (1) (c) and (f) as previously approved. Mayor Wilkerson confirmed no action would follow the discussion.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 8:45 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Clerk Ashley Jackson