

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JUNE 17, 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 June 17, 2008. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Commissioner Strow, 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 "Slim" Nash, Commissioner Brian K. Strow, Commissioner Bruce Wilkerson, Commissioner Joe W. Denning and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

**OPERATION P.R.I.D.E. AWARD**

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 June, Ms. Hume presented the commercial award to EnSafe, Inc. for property located at 1148 College Street. The award was accepted by Derek Shadoan. Also, Ms. Hume presented a special Community Pride Award to the Downtown Redevelopment Authority, accepted by Cheryl Blaine, for improvements to The District with the construction of Circus Square Park.

**CITY MANAGER**

City Manager Kevin D. DeFebbo welcomed Police Officer Geoffrey Gleitz who was in attendance to provide increased security during the meeting. He also requested a closed session for the purpose of discussion on the future acquisition and sale of real property by the City as publicity would likely affect the value of the specific pieces of property to be acquired for public use and sold by the City, and for discussions between the City and a representative of business entities and for discussions concerning specific proposals, as open discussions would jeopardize the siting, retention, expansion or upgrading of the businesses. Motion was made by Wilkerson and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (b) and (g). Walker called for roll call vote.

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

Motion to convene in closed session pursuant to KRS 61.810 (b) and (g) was approved by unanimous vote.

**ANNOUNCEMENTS**

Mayor Walker recognized the Police and Fire departments for their recent preliminary notices of achieving national accreditation. Police Chief Doug Hawkins described the process his department had undergone for its fourth consecutive accreditation. Mr. DeFebbo affirmed the preliminary notice that the Fire Department had also achieved accreditation for the first time. He stated that he was only aware of forty other cities in the United States to have both its public safety departments accredited.

APPROVAL OF MINUTES

Minutes of Regular Meeting June 3, 2008 and Special Meeting June 10, 2008

Minutes of the above-referenced meetings 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: Nash, Strow, Wilkerson, Denning and Walker  
                          Voting Nay: None

Motion to approve the minutes of the regular meeting of June 3, 2008 and special meeting of June 10, 2008 was approved by unanimous vote.

PUBLIC COMMENTS

Scott Huff of 1507 Nutwood Street voiced concern regarding speeding traffic in his neighborhood located near TC Cherry School. He asked the Board to consider installing speed humps or some other deterrent to speeding on the street, which was still under reconstruction. Mayor Walker asked staff to look into the issue, but responded that the Board had recently requested a hold on the installation of any speed humps, bumps and tables until further research could be completed and presented to the Board.

CONSENT AGENDA

Mayor Walker requested that items 6 (Municipal Order No. 2008 – 140) and 12 (Municipal Order No. 2008 – 146) regarding board appointments to the City’s Code Enforcement Board and Warren County Downtown Economic Development Authority, respectively, be removed from the Consent Agenda and withdrawn from further consideration. She asked if there were any other 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 – 135

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS FOR EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS IN THE AMOUNT OF \$6,443.50

MUNICIPAL ORDER NO. 2008 – 136

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE 2008 HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$55,741

MUNICIPAL ORDER NO. 2008 - 137

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE 2008 HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$433,545.20

MUNICIPAL ORDER NO. 2008 - 138

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE 2008 HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$732,719.93

MUNICIPAL ORDER NO. 2008 - 139

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE FISCAL YEAR 2008 COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM (CEDAP) THROUGH THE U.S. DEPARTMENT OF HOMELAND SECURITY

MUNICIPAL ORDER NO. 2008 - 141

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF DAVID COVERDALE TO THE CITY-COUNTY BOARD OF ADJUSTMENTS

MUNICIPAL ORDER NO. 2008 - 142

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF JERALD MANNING AND APPOINTMENT OF MARSHALL GRAY, JR. TO THE HOUSING AUTHORITY OF BOWLING GREEN

MUNICIPAL ORDER NO. 2008 - 143

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF THOMAS W. RICHARDS AND LEWIS H. BURKE, JR. TO THE BOARD OF PARK COMMISSIONERS

MUNICIPAL ORDER NO. 2008 - 144

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
ALEX NOTTMEIER TO THE BOWLING GREEN MUNICIPAL  
UTILITIES BOARD

MUNICIPAL ORDER NO. 2008 - 145

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF JOHN  
C. ATKERSON TO THE HISTORIC PRESERVATION BOARD

Motion was made by Wilkerson 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: Nash, Strow, Wilkerson, Denning and Walker  
Voting Nay: None

Motion to accept the Consent Agenda as presented was approved by unanimous vote. Following the meeting, Municipal Order No. 2008 - 144 regarding a reappointment to the BGMU Board was determined to be invalid since it should have been presented as an ordinance for consideration.

REGULAR AGENDA

ORDINANCE NO. BG2008 - 27

(Second Reading)

ORDINANCE REPEALING CHAPTER 15 OF THE CODE OF ORDINANCES

ORDINANCE REPEALING CHAPTER 15 (LIBRARY) OF THE CITY  
OF BOWLING GREEN CODE OF ORDINANCES DUE TO THE  
CREATION OF THE WARREN COUNTY LIBRARY DISTRICT  
AND DIRECTING STAFF TO REDUCE THE CITY'S PROPERTY  
TAX RATE IN THE FISCAL YEAR 2008/2009 ANNUAL BUDGET

Title and summary of Ordinance No. BG2008 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2008 - 27 was adopted by unanimous vote.

ORDINANCE NO. BG2008 - 28

(Second Reading)

ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF OLD 7<sup>TH</sup> AVENUE  
TO INCLUDE A PORTION OF CENTER STREET

Title and summary of Ordinance No. BG2008 - 28 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2008 - 28 was adopted by unanimous vote.

ORDINANCE NO. BG2008 - 29  
(Second Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 8.46 ACRES FROM LI (LIGHT INDUSTRY) AND GB (GENERAL BUSINESS) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED AT THE PROPOSED BLOCK "8" OF THE TIF DISTRICT, WITH BINDING ELEMENTS, PRESENTLY OWNED BY OR UNDER CONTRACT BY ALLIANCE CORPORATION ET AL

Title and summary of Ordinance No. BG2008 - 29 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2008 - 29 was adopted by unanimous vote.

ORDINANCE NO. BG2008 - 30  
(Second Reading As Amended)  
ORDINANCE APPROVING DOCUMENTS RELATED TO THE WKU GATEWAY TO DOWNTOWN BOWLING GREEN DEVELOPMENT AREA

ORDINANCE APPROVING AN AMENDED AND RESTATED LOCAL PARTICIPATION AGREEMENT, THE WKU GATEWAY TO DOWNTOWN BOWLING GREEN INTERLOCAL COOPERATION AGREEMENT, THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT AND THE AGREEMENT ON THE SHARING OF REVENUES, ALL RELATED TO THE ESTABLISHMENT, FINANCING AND IMPLEMENTATION OF A DEVELOPMENT AREA TAX INCREMENT FINANCING DISTRICT KNOWN AS THE WKU GATEWAY TO DOWNTOWN BOWLING GREEN

Title and summary of Ordinance No. BG2008 - 30 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Strow for second reading of said Ordinance. Comm. Wilkerson asked if the City had been given an indication about the end of the incentive program with the Master Developer. Rick Kelley, responding on behalf of Alliance Corporation, stated that Alliance was willing to set an ending date to the Master Developer Services and Compensation Agreement (Exhibit N to the Amended and Restated Master Development

Agreement) at either December 31, 2014 which was the date that the Signature TIF had to be accomplished, or if that date was extended whatever the new date was, or a \$300 million capital expenditure level, whichever came first.

Upon further clarification regarding the ability to amend the attachment, which agreement was not originally approved by the City, City Attorney Gene Harmon confirmed that it was not a substantive change to the ordinance. Motion was made by Wilkerson and seconded by Strow to amend the Master Developer Services and Compensation Agreement, as attached to the Amended and Restated Master Development Agreement in Exhibit N, to establish an ending date to the compensation term for the Master Developer as previously stated by Rick Kelley. A roll call vote was taken regarding the amendment to Exhibit N.

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

Motion to amend Exhibit N (Master Developer Services and Compensation Agreement) of the Amended and Restated Master Development Agreement to incorporate an end to the compensation term was approved by unanimous vote. With no additional discussion, a roll call vote was taken on second reading of the Ordinance.

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

Ordinance No. BG2008 - 30 was adopted by majority vote.

**ORDINANCE NO. BG2008 - 31**

**(Second Reading)**

**ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS**

AN ORDINANCE OF THE CITY OF BOWLING GREEN, KENTUCKY AUTHORIZING THE ISSUANCE OF (I) GENERAL OBLIGATION PUBLIC PROJECT BONDS, SERIES 2008A IN THE AGGREGATE PRINCIPAL AMOUNT OF \$25,000,000 FOR THE PURPOSE OF FINANCING THE COSTS OF THE CONSTRUCTION AND INSTALLATION OF A BASEBALL STADIUM AND RELATED APPROVED PUBLIC INFRASTRUCTURE COSTS (II) GENERAL OBLIGATION PUBLIC PROJECT BONDS, SERIES 2008B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,200,000 FOR THE PURPOSES OF FINANCING THE COSTS OF THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF THE GREENWOOD FIRE STATION AND THE EXPANSION OF FIRE DEPARTMENT HEADQUARTERS AND THE AIRPORT FIRE STATION; APPROVING FORMS OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; AUTHORIZING AND DIRECTING THE FILING OF NOTICE WITH THE STATE LOCAL DEBT OFFICER; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING BOND PAYMENT FUNDS AND CONSTRUCTION FUNDS; AUTHORIZING ACCEPTANCE OF THE BID OF THE BOND PURCHASERS FOR THE PURCHASE OF THE BONDS

FOLLOWING THE ADVERTISED SALE OF THE BONDS; AND  
REPEALING INCONSISTENT ORDINANCES

Title and summary of Ordinance No. BG2008 - 31 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Nash for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2008 - 31 was adopted by majority vote. Comm. Denning stated that his vote had nothing to do with the Fire Department bond issue which he supported, instead it was against the \$25 million ballpark issue.

MUNICIPAL ORDER NO. 2008 - 147

MUNICIPAL ORDER APPROVING DELEGATION OF AUTHORITY  
TO ACT AS ENVIRONMENTAL CERTIFYING OFFICER TO THE  
EXECUTIVE DIRECTOR OF THE HOUSING AUTHORITY OF  
BOWLING GREEN

Summary of Municipal Order No. 2008 - 147 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 transfer of authority to Housing Authority Executive Director Abraham Williams. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 147 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 148

MUNICIPAL ORDER APPROVING THE PROBATIONARY  
APPOINTMENT OF ADAM WESLEY BENNETT TO THE  
POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2008 - 148 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 qualifications of the recommended appointment to Police Officer. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 148 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 149

MUNICIPAL ORDER APPROVING THE PROMOTION OF M. B.  
STONER TO THE POSITION OF HOUSING RECERTIFICATION

SPECIALIST IN THE HOUSING AND COMMUNITY  
DEVELOPMENT DEPARTMENT

Summary of Municipal Order No. 2008 - 149 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 that a reorganization of the Section 8 program resulted in an opening for a promotion. Housing and Community Development Director Alice Burks reviewed the changes to make the most use of available funds and remaining staff, and she recommended the promotion. Ms. Burks also confirmed that there would be a net savings to the Section 8 budget based on the recommended changes. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 149 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 150

MUNICIPAL ORDER APPROVING RECOMMENDATION FROM  
THE BOWLING GREEN AREA CONVENTION AND VISITORS  
BUREAU TO DISTRIBUTE \$80,000 OF TRANSIENT ROOM TAXES  
TO THE BOWLING GREEN AREA LODGING ASSOCIATION

Summary of Municipal Order No. 2008 - 150 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 recommendation by the Convention and Visitors Bureau to provide funding for overflow parking and open event space for the Convention Center. Mayor Walker mentioned that this proposal had been discussed at the Convention Center Corporation quarterly meeting and she commented about its benefits. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2008 - 150 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 151

MUNICIPAL ORDER OF THE CITY OF BOWLING GREEN,  
KENTUCKY AUTHORIZING AND APPROVING THE  
TERMINATION OF THREE INTEREST RATE EXCHANGE  
AGREEMENTS HERETOFORE ENTERED INTO IN CONNECTION  
WITH CITY OF BOWLING GREEN, KENTUCKY GENERAL  
OBLIGATION BONDS, SERIES 2000 AND AUTHORIZING THE  
ENGAGEMENT OF MORGAN KEEGAN & COMPANY, INC. AND  
PECK SHAFFER & WILLIAMS LLP TO PROVIDE FINANCIAL  
AND LEGAL ADVISORY SERVICES WITH RESPECT THERETO

Summary of Municipal Order No. 2008 - 151 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 stated that the City had previously exchanged a fixed interest rate for a variable rate



on the 2000 Series General Obligation (GO) bond issue. He explained that with the volatility of the market and interest rates, it was now recommended for the City to go back to a fixed interest rate which would provide a savings of \$300,000. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2008 - 151 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 152**

**MUNICIPAL ORDER AUTHORIZING PAYMENT TO THE  
WARREN COUNTY PROPERTY VALUATION ADMINISTRATOR  
FOR FISCAL YEAR 2009**

Summary of Municipal Order No. 2008 - 152 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 recommended the maximum allowable payment for property assessment services provided to the City. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2008 - 152 was approved by unanimous vote.

**ORDINANCE NO. BG2008 - 32**

**(First Reading)**

**ORDINANCE ADOPTING ANNUAL CITY BUDGET**

**ORDINANCE ADOPTING THE CITY OF BOWLING GREEN,  
KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR  
BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009, BY  
ESTIMATING REVENUES AND APPROPRIATING FUNDS FOR  
THE OPERATION OF CITY GOVERNMENT**

Title and summary of Ordinance No. BG2008 - 32 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for first reading of said Ordinance. DeFebbo recommended the approval of the proposed Fiscal Year 2009 budget as discussed and presented at previous Board meetings this past month.

Comm. Nash made a personal plea to increase the funding for VSA Arts of Kentucky, which provides services for those with physical and mental disabilities, from \$5,000 to \$9,700. He proposed that the \$4,700 of additional funding could come from 1) a reduction of funding to the Fairview Community Health Center, 2) the net savings to the Section 8 program as previously mentioned with the discussion of Municipal Order No. 2008 - 149, or 3) the Drug Task Force (DTF) if it did not need the entire \$70,000 set aside in the budget. Ms. Burks verified that the Section 8 program funds were restricted and could not be used for this purpose. Tommy Loving, Director of the Bowling Green/Warren County Drug Task Force, indicated that it was possible that the DTF would not need all of the funds once thought, but that he could not say for sure at this time. He stated that he should

know more by the end of the week. Mr. DeFebbo also noted that funds could be taken from the City Manager contingency proposed for Fiscal Year 2009.

Mayor Walker stated that she would be willing to support the increase to VSA and suggested the additional funds be moved out of the Sidewalk Program. She made a motion to take the \$4,700 requested to increase the funding to VSA Arts of Kentucky from the \$1 million going to sidewalks. The motion died for lack of a second.

Comm. Strow indicated that the City had gone too long without sidewalks and that he did not support taking funds from that program. He made a motion to take the additional funds for VSA from the DTF if it did not need as much; otherwise, the additional funds could be taken from the amount for Fairview Community Health Center. Comm. Denning supported taking the funds from the DTF if it was not needed and seconded the motion. A roll call vote was taken on the motion to revise the funding for agencies.

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

Motion to amend the agency funding level for VSA Arts of Kentucky to a total of \$9,700 with the funds coming from the Drug Task Force or the Fairview Community Health Center was approved by majority vote. Since this revision did not change the bottom line of the proposed FY2009 budget and once discussion ended, a roll call vote was taken on first reading of the Ordinance.

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

First reading of Ordinance No. BG2008 - 32 was approved by unanimous vote.

**ORDINANCE NO. BG2008 - 33**

(First Reading)

**ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULE**

**ORDINANCE AMENDING THE CLASSIFICATION/PAY SCHEDULES "G" FOR GENERAL CLASSIFIED, "S" FOR PROTECTIVE/SWORN, SCHEDULE "D" FOR DEPARTMENT HEAD / MANAGEMENT AND THE SCHEDULE FOR UNCLASSIFIED PART-TIME EMPLOYEES OF THE CITY OF BOWLING GREEN FOR FISCAL YEAR 2009**

Title and summary of Ordinance No. BG2008 - 33 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 reviewed the annual requirement to establish pay schedules for employees, which included specific revisions discussed during the budget meetings. Comm. Wilkerson requested that information be provided at a later date to explain how the Department for Local Development (DLG) [formerly known as Governor's Office for Local Development (GOLD)] cost of living adjustment (COLA) was determined compared to the national Consumer Price Index (CPI). Human Resources Department Director Michele Tolbert acknowledged the request and indicated she would follow up. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2008 - 33 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 153

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, LAW ENFORCEMENT LIABILITY, AUTOMOBILE, BUILDINGS AND PROPERTY, AND WORKERS COMPENSATION FOR FISCAL YEAR 2009

Summary of Municipal Order No. 2008 - 153 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 recommended approval of the annual insurance premium payments. Safety/Risk Manager David Weisbrodt reviewed the amounts and annual renewal requirement. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 153 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 154

MUNICIPAL ORDER AUTHORIZING ADOPTION OF THE REVISED CITY OF BOWLING GREEN PUBLIC SAFETY PROMOTIONAL PROCEDURES

Summary of Municipal Order No. 2008 - 154 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 indicated that the previously approved professional service contracts for public safety entry and promotional testing, particularly for the Fire Department, required changes to be made to the promotional procedures. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 154 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 155

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 2009

Summary of Municipal Order No. 2008 - 155 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 stated that the insurance premiums for the Convention Center were established separately from the City's policies and represented a one percent (1%) decrease from Fiscal Year 2008. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 155 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 156**

**MUNICIPAL ORDER APPROVING AMENDMENT TO BEVERAGE  
MARKETING AGREEMENT WITH PEPSI-COLA GENERAL  
BOTTLERS, INC., D/B/A PEPSIAMERICAS TO EXTEND TERM  
FOR A THREE MONTH PERIOD**

Summary of Municipal Order No. 2008 - 156 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 specified that the City receives a better price with an exclusive contract for beverage service at the Parks and Golf courses and that this service will be re-bid later this summer. However, as the City was at the height of its summer season, he recommended an extension of the existing contract for a three-month period. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 156 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 157**

**MUNICIPAL ORDER APPROVING EXTENSION OF LEASE  
AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND  
THE BOWLING GREEN-WARREN COUNTY REGIONAL AIRPORT**

Summary of Municipal Order No. 2008 - 157 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 stated that a number of the CrossWinds Golf Course holes are located on property leased from the Airport. He recommended that the lease be extended for another 20 years. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 157 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 158**

**MUNICIPAL ORDER AUTHORIZING PAYMENTS TO AT&T,  
BOWLING GREEN MUNICIPAL UTILITIES AND INSIGHT**

COMMUNICATIONS FOR RELOCATION OF UTILITIES FOR THE  
BROADWAY CURVE REALIGNMENT ROAD PROJECT

Summary of Municipal Order No. 2008 - 158 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 project and need for relocation of utilities in order to move forward with the project as property acquisition was finishing up. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 158 was approved by unanimous vote.

ORDINANCE NO. BG2008 - 34  
(First Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING FOUR TRACTS OF LAND CONTAINING 3.692 +/- ACRES FROM RM-3 (MULTI-FAMILY RESIDENTIAL), GB (GENERAL BUSINESS) AND HB (HIGHWAY BUSINESS) TO OP-C (OFFICE PROFESSIONAL-COMMERCIAL) AND HB (HIGHWAY BUSINESS) LOCATED AT THE INTERSECTION OF FAIRVIEW AVENUE AND RIVERWOOD AVENUE, WITH BINDING ELEMENTS, PRESENTLY OWNED BY LUCKY SEVEN, LLC

Title and summary of Ordinance No. BG2008 - 34 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 reviewed the recommended rezoning and its binding elements. He responded to questions about landscape buffers, inability to access Fairmont Avenue from the proposed development, the main entrance and exit onto Fairview Avenue and lot restrictions. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2008 - 34 was approved by unanimous vote.

ORDINANCE NO. BG2008 - 35  
(First Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 2.165 ACRES FROM HB (HIGHWAY BUSINESS) AND P (PUBLIC) TO HB (HIGHWAY BUSINESS) LOCATED ON U.S. 31W BYPASS, WITH BINDING ELEMENTS, PRESENTLY OWNED BY BOWLING GREEN-WARREN COUNTY COMMUNITY HOSPITAL CORPORATION AND PARK MEDICAL PLAZA, LLC, CONTRACT VENDEE

Title and summary of Ordinance No. BG2008 - 35 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. City-County Planning Commission Director Steve Hunter reviewed the recommended rezoning and its binding elements. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2008 - 35 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 159**

**MUNICIPAL ORDER APPROVING THE ADVERTISEMENT FOR BIDS AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE PURCHASE OF \$25,000,000 CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION PUBLIC PROJECT BONDS, SERIES 2008A AND CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION PUBLIC PROJECT BONDS, SERIES 2008B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,200,000**

Summary of Municipal Order No. 2008 - 159 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Strow for consideration of said Municipal Order. DeFebbo indicated that this item went along with the previously discussed Ordinance No. BG2008 - 31 and authorized the advertisement of the GO bonds. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 159 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2008 - 160**

**MUNICIPAL ORDER RESCINDING MUNICIPAL ORDER NO. 2007-341 RELATED TO THE APPROVAL OF THE SHIVE LANE WIDENING AND EXTENSION ROAD PROJECT PLANS AND AUTHORIZING ACQUISITION OF PROPERTIES NECESSARY FOR THIS ROAD PROJECT**

Summary of Municipal Order No. 2008 - 160 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 difficulties encountered with trying to purchase the necessary property for the road project. He recommended the reprogramming of the General Obligation bond funds, which had to be spent down within a specified amount of time, for other road projects which were ready to move forward, such as Greenwood Lane extension, Old Morgantown Road rehabilitation, Kawanishi Way construction and preliminary design for realigning Smallhouse Road at the intersection of Cave Mill Road.

Comm. Strow indicated that the Shive Lane extension, to coincide with the Lovers Lane expansion, was once a top priority project of the Board of Commissioners in order to expand and redirect traffic off of Scottsville Road. He stated that he was not willing to give up on this project. City-County Planning Commission Director Steve Hunter agreed that this was a needed project to address traffic issues along Scottsville Road and that it was an important project to the Planning Commission. However, he acknowledged that he understood the realities with moving forward at this time.

Comm. Wilkerson expressed concern that the City would be building a road through County territory and that the road was an extension of State right-of-way. He suggested that the State should help fund the road project. Mayor Walker commented about public/private partnerships with other road projects and expressed disappointment with not being able to work with the private sector on this project. She stated that she would like to see the project happen in the future, but was unwilling to pay an exorbitant amount of funds to purchase property. Comm. Nash agreed and reiterated that this project was not being removed to be replaced with a neighborhood project, such as Old Morgantown Road, but rather, it was about being held hostage by land owners who were unwilling to reasonably negotiate a fair price. Once all discussion ended, a roll call vote was taken.

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

                          Voting Nay: Strow

Municipal Order No. 2008 - 160 was approved by majority vote.

#### CLOSED SESSION

Following a brief recess to clear the Commission Chamber at approximately 8:35 p.m., the Board of Commissioners met in closed session pursuant to KRS 61.810 (b) and (g) as previously approved.

#### ADJOURNMENT

Once all discussion concluded in closed session and there being no further business to come before the Board of Commissioners, at approximately 9:10 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) an economic development update and review of the ITA Fiscal Year 2009 Operating Budget and Financial Audit for June 30, 2007; 2) a request by Friends of L&N Depot for financial assistance to make repairs/upgrades to air conditioning, plumbing, exterior painting and parking lot improvements at the Historic Depot; and 3) a presentation from Brandstetter Carroll Inc. regarding a study of the City Hall Campus complex and proposed improvements.

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

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

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

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