

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JUNE 21, 2011**

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 21, 2011. Mayor Joe W. Denning called the meeting to order. An invocation was given by Pastor Marco Ballesteros of Corazones Christianos (Christian Heart) Methodist 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 Bill Waltrip, Commissioner Bruce Wilkerson, Commissioner Melinda M. Hill, Commissioner Brian “Slim” Nash and Mayor Joe W. Denning. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Mayor Denning recognized Warren Central student Zac Mooneyhan with Boy Scout Troop 202 who was in attendance.

American Public Works Association (APWA) Past President Noel Thompson presented the City with an award for reaccreditation achieved by the Public Works Department. He remarked that Bowling Green was still the only Kentucky city to achieve accreditation. Of the 132 practices reviewed by the APWA accreditation committee, Mr. Thompson reported that 130 were in complete compliance and two were in largely complete compliance, a model that APWA will share with other cities across the nation. Public Works Director Jeff Lashlee commented about the Department’s initial accreditation process in 2007. He also recognized and thanked the staff for all their hard work in achieving the reaccreditation. Mayor Denning thanked Mr. Thompson for presenting the award and he expressed appreciation to the Public Works Department for all that they do to make the City proud. Comm. Waltrip requested that the City Manager provide more information about the model policy that APWA will take to other cities. Mr. DeFebbo agreed to follow up with additional information.

CITY MANAGER

City Manager Kevin D. DeFebbo withdrew item number 35 (Ordinance No. BG2011 – 33) from the agenda and said it would be brought back for discussion at the next work session. He also requested a closed session for the purpose of discussion regarding proposed litigation on behalf of 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 Waltrip and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (c) and (f). Denning called for roll call vote.

ROLL CALL: Voting Yea: Waltrip, Wilkerson, Hill, Nash and Denning
 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 June 7, 2011 and Special Meeting June 14, 2011

Minutes of the above-referenced meetings were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Nash and seconded by Waltrip to approve said minutes as written. Mayor Denning asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of June 7, 2011 and special meeting of June 14, 2011 was approved by unanimous vote.

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

Operation P.R.I.D.E. Executive Director Ray Lackey presented P.R.I.D.E.'s monthly residential award to Ryan and Stacy Smith for improvements made to their property located at 1362 Clay Street. Ms. Smith expressed appreciation for the opportunity provided to them through Habitat for Humanity. Mr. Lackey presented the commercial award to the City for improvements made to Covington Woods Park Shelter #1. Parks and Recreation Director Ernie Gouvas accepted the award and gave special thanks to the highly skilled Parks Maintenance crew that performed most of the work.

PUBLIC COMMENTS

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

ORDINANCE NO. BG2011 – 18

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO REVISE THE MEMBERSHIP OF THE GREENWAYS COMMISSION OF BOWLING GREEN AND WARREN COUNTY AND TO MAKE OTHER ADMINISTRATIVE AMENDMENTS

Title and summary of Ordinance No. BG2011 - 18 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 Denning asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2011 - 18 was adopted by unanimous vote.

ORDINANCE NO. BG2011 – 22

(Second Reading)

ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

ORDINANCE APPROVING THE REAPPOINTMENT OF HOWARD BAILEY TO THE BOWLING GREEN MUNICIPAL UTILITIES BOARD

Title and summary of Ordinance No. BG2011 - 22 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Nash for second reading of said Ordinance. Mayor Denning asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2011 - 22 was adopted by unanimous vote.

ORDINANCE NO. BG2011 – 23
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 7.56 ACRES FROM RS-1A (SINGLE FAMILY RESIDENTIAL) AND RM-2 (MULTI-FAMILY RESIDENTIAL) TO OP-C (OFFICE AND PROFESSIONAL - COMMERCIAL) LOCATED AT 1323 MELROSE STREET, PRESENTLY OWNED BY BROADWAY UNITED METHODIST CHURCH

Title and summary of Ordinance No. BG2011 - 23 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for second reading of said Ordinance. Mayor Denning asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2011 - 23 was adopted by unanimous vote.

ORDINANCE NO. BG2011 – 24
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.7587 ACRE FROM RM-4 (MULTI-FAMILY RESIDENTIAL) TO HB (HIGHWAY BUSINESS) LOCATED AT 2350 NASHVILLE ROAD, PRESENTLY OWNED BY POTTERS CHILDREN'S HOME AND FAMILY MINISTRIES

Title and summary of Ordinance No. BG2011 - 24 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 Denning asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2011 - 24 was adopted by unanimous vote.

ORDINANCE NO. BG2011 – 25
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.664 ACRE FROM RM-4 (MULTI-FAMILY RESIDENTIAL) AND OP-C (OFFICE AND PROFESSIONAL – COMMERCIAL) TO OP-C (OFFICE AND PROFESSIONAL - COMMERCIAL) LOCATED AT 440 HIGH STREET, PRESENTLY OWNED BY TRIDENT ENTERPRISES OF KENTUCKY, LLC

Title and summary of Ordinance No. BG2011 - 25 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 Denning asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2011 - 25 was adopted by unanimous vote.

ORDINANCE NO. BG2011 – 26
(Second Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER SIX TO THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2011

Title and summary of Ordinance No. BG2011 - 26 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 Denning asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2011 - 26 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 115

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF COURTLANN ATKINSON TO THE CITY-COUNTY BOARD OF ADJUSTMENTS

Summary of Municipal Order No. 2011 - 115 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Wilkerson for consideration of said Municipal Order. Mayor Denning asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 115 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 116

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF JOHN ATKERSON AND CHUCK COPPINGER, III TO THE BOWLING GREEN-WARREN COUNTY PLANNING COMMISSION

Summary of Municipal Order No. 2011 - 116 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 Denning asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 116 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 117

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF
BETTY CRAYTON TO THE BARREN RIVER AREA AGENCY
COUNCIL ON AGING

Summary of Municipal Order No. 2011 - 117 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Wilkerson for consideration of said Municipal Order. Mayor Denning asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 117 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 118

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

Summary of Municipal Order No. 2011 - 118 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 Denning stated that he recommended this and the previously considered reappointments in an effort to build continuity on the boards. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2011 - 118 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 119

MUNICIPAL ORDER CONFIRMING THE PROBATIONARY
APPOINTMENT OF ROBERT J. STAMATIS TO THE POSITION OF
EQUIPMENT TECHNICIAN IN THE PUBLIC WORKS
DEPARTMENT

Summary of Municipal Order No. 2011 - 119 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for consideration of said Municipal Order. DeFebbo indicated there was a recent vacancy in the Fleet Division and he reviewed the qualifications and experience of the recommended candidate for appointment. Mayor Denning remarked that he has known Mr. Stamatis for a number of years and he was glad to have him join the City. With no additional discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Waltrip, Wilkerson, Hill, Nash and Denning

Voting Nay: None
Municipal Order No. 2011 - 119 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 120

MUNICIPAL ORDER CONFIRMING THE PROMOTION OF STEVEN
R. WILSON TO THE POSITION OF COMMUNICATIONS
DISPATCHER SUPERVISOR IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2011 - 120 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo reminded the Board that a recent transfer within the Police Department created an opening. Police Chief Doug Hawkins reviewed the qualifications of the individual recommended for promotion. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 120 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 121

MUNICIPAL ORDER CONFIRMING THE PROBATIONARY
APPOINTMENT OF JASON W. HOPKINS TO THE POSITION OF
LANDSCAPE GARDENER IN THE PARKS AND RECREATION
DEPARTMENT

Summary of Municipal Order No. 2011 - 121 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for consideration of said Municipal Order. DeFebbo indicated that a recent promotion opened up an entry level position. He reviewed the individual's qualifications and recommended the appointment. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 121 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 122

MUNICIPAL ORDER CONFIRMING THE PROMOTION OF BRENT
E. CHILDERS TO THE POSITION OF NEIGHBORHOOD AND
COMMUNITY SERVICES DIRECTOR IN THE NEIGHBORHOOD
AND COMMUNITY SERVICES DEPARTMENT

Summary of Municipal Order No. 2011 - 122 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. As presented in the Fiscal Year 2012 budget message, Mr. DeFebbo reiterated his proposal and efforts over the past couple of years to reorganize the Housing and Community Development (HCD) Department, including a change in departmental name to Neighborhood and Community Services (NCS). In addition to Mr. Childers retaining his duties as the Grants and Housing Manager, Mr. DeFebbo recommended the promotion of Mr. Childers to serve as the first director under the newly

redesigned NCS Department. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 122 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 123

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF AN AGREEMENT WITH MCCANN ASSOCIATES RELATING TO PUBLIC SAFETY TESTING FOR THE POLICE DEPARTMENT; AND AUTHORIZING CONTINUATION OF AN AGREEMENT WITH RESOURCE MANAGEMENT ASSOCIATES FOR PROMOTIONAL TESTING SERVICES FOR THE FIRE DEPARTMENT FOR FISCAL YEAR 2012

Summary of Municipal Order No. 2011 - 123 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for consideration of said Municipal Order. DeFebbo indicated that the next few items (Municipal Order Nos. 2011 – 123 through 2011-127) were all of the same family of action. Human Resources Director Michael Grubbs reported that these items related to new fiscal year professional service agreements. He recommended the continuation of the testing services agreements which did not include any rate increases for the new year. He also explained that these type of services were not generally bid out that often to maintain continuity in the testing procedures from year to year. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 123 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 124

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF AN AGREEMENT WITH STANDARD LIFE INSURANCE COMPANY RELATING TO EMPLOYEE LIFE INSURANCE COVERAGE FOR FISCAL YEAR 2012

Summary of Municipal Order No. 2011 - 124 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. Human Resources Director Michael Grubbs reviewed the recommendation to continue the agreement which included a rate increase of one cent per month per \$1,000 basic life insurance benefit. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 124 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 125

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF AN AGREEMENT WITH HUMANA RELATING TO MANAGED

HEALTH CARE AND CLAIMS ADMINISTRATION SERVICES FOR
FISCAL YEAR 2012

Summary of Municipal Order No. 2011 - 125 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for consideration of said Municipal Order. Human Resources Director Michael Grubbs indicated the City became self-funded for medical coverage in 1992 and Humana held the administration contract since 2007. With an approximate 4% increase for both health and dental claims administration, Mr. Grubbs recommended continuation of the agreement for another year. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 125 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 126

MUNICIPAL ORDER AUTHORIZING AN AGREEMENT WITH
SYMETRA LIFE INSURANCE COMPANY RELATING TO
MANAGED HEALTH CARE AND SPECIFIC AND AGGREGATE
STOP-LOSS / EXCESS INSURANCE FOR FISCAL YEAR 2012

Summary of Municipal Order No. 2011 - 126 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. Human Resources Director Michael Grubbs recommended renewal of the agreement which provided coverage after the first \$75,000 per person per year in claims paid by the City. In addition, with the new health care laws in effect that eliminate any cap on lifetime insurance coverage, the aggregate stop-loss coverage for the City was even more important to maintain. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 126 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 127

MUNICIPAL ORDER AUTHORIZING INSURANCE PREMIUM
PAYMENTS TO THE KENTUCKY LEAGUE OF CITIES
INSURANCE SERVICES (KLCIS) 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 2012

Summary of Municipal Order No. 2011 - 127 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for consideration of said Municipal Order. Although a separate entity from the City, Human Resources Director and Convention Center CEO Michael Grubbs recommended continuation of insurance services from KLCIS to provide consistency with the City's insurance policies. He also pointed out that there would be a decrease in premiums for the next fiscal year. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Waltrip, Wilkerson, Hill, Nash and Denning
 Voting Nay: None
Municipal Order No. 2011 - 127 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 128

MUNICIPAL ORDER AUTHORIZING SOFTWARE SUBSCRIPTION SERVICES FROM ENROUTE EMERGENCY SYSTEMS IN THE AMOUNT OF \$110,115.52 FOR FISCAL YEAR 2012

Summary of Municipal Order No. 2011 - 128 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for consideration of said Municipal Order. DeFebbo recommended to continue the maintenance agreement for public safety needs which included an increase of approximately \$4,071 from the previous year due to the implementation of some additional services. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Waltrip, Wilkerson, Hill, Nash and Denning
 Voting Nay: None
Municipal Order No. 2011 - 128 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 129

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR HOMELAND SECURITY GRANT FUNDS THROUGH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE PURCHASE OF MOBILE RADIOS FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$212,106

Summary of Municipal Order No. 2011 - 129 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for consideration of said Municipal Order. DeFebbo recommended this item and the next four items (Municipal Order Nos. 2011 – 130 through 2011 – 133) which all related to grant applications for the Police Department. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Waltrip, Wilkerson, Hill, Nash and Denning
 Voting Nay: None
Municipal Order No. 2011 - 129 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 130

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR HOMELAND SECURITY GRANT FUNDS THROUGH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE PURCHASE OF MOBILE DATA COMPUTERS FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$66,702

Summary of Municipal Order No. 2011 - 130 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 Denning asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Waltrip, Wilkerson, Hill, Nash and Denning
 Voting Nay: None
Municipal Order No. 2011 - 130 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 131

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR HOMELAND SECURITY GRANT FUNDS THROUGH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE INSTALLATION OF SECURITY FENCING FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$160,339

Summary of Municipal Order No. 2011 - 131 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. Comm. Waltrip expressed concerned that a fence might give the look of a fortress or be a barricade to public access. DeFebbo explained that from a functionality standpoint, the fencing was recommended to protect and secure the area. However, he remarked that it would be aesthetically pleasing and be similar to the type of fence installed around Pioneer Cemetery. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Waltrip, Wilkerson, Hill, Nash and Denning
 Voting Nay: None
Municipal Order No. 2011 - 131 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 132

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE PURCHASE OF BULLETPROOF VESTS FOR THE POLICE DEPARTMENT IN THE AMOUNT UP TO \$15,120

Summary of Municipal Order No. 2011 - 132 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. Police Department Grants Associate Jennifer Nash explained the ability to leverage City funds with grant funds to cover half the cost for each vest replacement. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Waltrip, Wilkerson, Hill, Nash and Denning
 Voting Nay: None
Municipal Order No. 2011 - 132 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 133

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 FISCAL YEAR 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS IN THE AMOUNT OF \$52,963

Summary of Municipal Order No. 2011 - 133 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 Denning asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 133 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 134

MUNICIPAL ORDER AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE COMMONWEALTH OF KENTUCKY, JUSTICE AND PUBLIC SAFETY CABINET THROUGH THE FISCAL YEAR 2012 LAW ENFORCEMENT SERVICE FEE PROGRAM IN THE AMOUNT OF \$7,290

Summary of Municipal Order No. 2011 - 134 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 the awarded grant funds would be used to purchase portable breathalyzer tests (PBTs) and require a 25% match from the City. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 134 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 135

MUNICIPAL ORDER AUTHORIZING MAINTENANCE SERVICES FOR RADIO AND COMMUNICATION EQUIPMENT WITH MOTOROLA, INC. IN AN AMOUNT NOT TO EXCEED \$38,087.76 FOR FISCAL YEAR 2012

Summary of Municipal Order No. 2011 - 135 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Nash for consideration of said Municipal Order. DeFebbo recommended to continue maintenance services with Motorola. He also noted that the 800 MHz radio system was currently under study for eventual replacement. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 135 was approved by unanimous vote.

ORDINANCE NO. BG2011 – 27

(First Reading)

ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF A PORTION OF GREENWOOD LANE AND GATOR DRIVE TO BLUEGRASS FARMS BOULEVARD

Title and summary of Ordinance No. BG2011 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. DeFebbo reviewed the City's role in the process for renaming streets, which used to be handled through the City-County Planning Commission. In an effort to provide a continuous roadway with the same name, he reported that the renaming was recommended by staff and associated with the Greenwood Lane extension project.

Mayor Denning inquired if Greenwood High School was involved in the process. Public Works Director Jeff Lashlee responded that only those properties with addresses impacted by the name change were involved. Since the school did not have an address on Greenwood Lane or Gator Drive, he reported that the process did not require the school to be contacted. Once the discussion ended, a roll call vote was taken.

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

First reading of Ordinance No. BG2011 - 27 was approved by unanimous vote.

ORDINANCE NO. BG2011 – 28

(First Reading)

ORDINANCE ADOPTING ANNUAL CITY BUDGET

**ORDINANCE ADOPTING THE CITY OF BOWLING GREEN,
KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR
BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012, BY
ESTIMATING REVENUES AND APPROPRIATING FUNDS FOR
THE OPERATION OF CITY GOVERNMENT**

Title and summary of Ordinance No. BG2011 – 28 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. DeFebbo summarized that staff had presented the administrative recommendation over the past few weeks and it was now up to the Board to determine if any changes should be made.

Comm. Nash asked staff to define the City's relationship with the Downtown Redevelopment Authority (DRA), including a request for the legal process if the Board chose to end all contractual obligations with DRA. Mr. DeFebbo described the three different nexuses the City has to DRA: 1) concerts in the park for which DRA was solely responsible and with no obligations by the City; 2) a contractual arrangement by which the City hired DRA for its services to manage the three downtown parks and for which DRA receives all receipts from the parks' rentals; and 3) designated as a "contract agency" of the City for the purpose of continuing the City's participation in the Renaissance Program and advancing the interests of downtown development for which DRA received an appropriation through the budgetary agency funding process. City Attorney Gene Harmon added that the parks management agreement contained a 60-day termination clause that either party could initiate without cause. In the capacity of a contract agency receiving an annual appropriation, Mr. DeFebbo pointed out that DRA was recommended in Fiscal Year 2011 to be phased out from receiving funding over a two-year period with Fiscal Year 2012 being the last proposed year for funding.

Upon verification that concerts in the park was operated by DRA and had no contractual connection to the annual appropriation provided by the City, Comm. Nash specified that he wanted concerts in the park to continue because they were vital to downtown and to the continued efforts for redevelopment. He stated he wanted to make it clear that the rest of his discussion about DRA had no

bearing on concerts in the park. From a downtown redevelopment activities stand point, Comm. Nash surmised that there was a great deal of overlap between DRA and the Chapter 58 Corporation (also referred to as Warren County Downtown Economic Development Authority). In his opinion with the Chapter 58 Corporation well on top of the redevelopment activities, the financial contribution made by the City toward DRA was redundant. Upon further request from Comm. Nash, Mr. DeFebbo confirmed that City staff were prepared to take on the tasks to continue participation in the Renaissance Program and to manage the downtown parks if the 60-day termination clause in the parks management agreement was instigated.

Based on this discussion, Comm. Nash made a motion that the City turn in the 60-day termination on the rental of the three parks and for the City to end the financial contribution to DRA because the City and the Chapter 58 Corporation were either willing or already doing many of the activities that the City was funding. Mayor Denning inquired if the motion was to amend the approval of the budget. Ms. Schaller requested clarification if the motion made by Comm. Nash intended to reduce the total recommended budget amount. Comm. Nash stated he intended the funds to be taken away from DRA to go toward the Capital Arts. He restated his motion to amend the budget to end the financial contribution to DRA because the City and Chapter 58 Corporation were already performing those activities or prepared to perform those activities, and in addition the City turn in a 60-day notice of termination on the contract for the rental of the three parks.

There was some discussion about the actual item being considered and how the proposed motion by Comm. Nash fit with the consideration of the budget ordinance. Ms. Schaller specified that if the motion included the reassignment of funds set aside for DRA to specifically go to the Capital Arts, then such an amendment would be appropriate at this time. However, if the motion did not change the specific assignment of funds to another agency and did not change the total budget amount, then an amendment to the budget was not necessary at this time. Ms. Schaller clarified that the budget ordinance identified totals by category, which included funds set aside in the budget for community services and the Board would have the opportunity to address the specific approval of agency appropriation amounts at the upcoming special call meeting. In that case, Comm. Wilkerson suggested that Comm. Nash's motion may be premature. City Attorney Gene Harmon opined that the Board could add discussion of DRA and the parks management agreement at the end of the agenda since this was a regular meeting and there was not already an item on the agenda that would address the issues as presented. Comm. Nash withdrew his motion at this time; however, he wanted to make it clear that he intended to present his motion again and did not want there to be any misunderstanding. Once all the discussion ended, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2011 - 28 was approved by unanimous vote.

ORDINANCE NO. BG2011 – 29

(First Reading)

**ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULES AND POLICY
AMENDMENT**

**ORDINANCE AMENDING THE CLASSIFICATION/PAY
SCHEDULES “G” FOR GENERAL CLASSIFIED, “S” FOR
PROTECTIVE/SWORN, “D” FOR DEPARTMENT
HEAD/MANAGEMENT, AND “U” FOR UNCLASSIFIED PART-TIME**

EMPLOYEES, AND AUTHORIZING PAY INCREASES AND
RELATED POLICY AMENDMENTS FOR FISCAL YEAR 2012

Title and summary of Ordinance No. BG2011 - 29 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Waltrip for first reading of said Ordinance. Mayor Denning asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2011 – 29 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 136

MUNICIPAL ORDER APPROVING PAY ADJUSTMENT FOR CITY
MANAGER KEVIN D. DEFEBBO

Summary of Municipal Order No. 2011 - 136 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Wilkerson for consideration of said Municipal Order. Comm. Wilkerson specified that this action would bring the City Manager in line with the pay adjustment approved for the City employees in Fiscal Year 2012. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 136 was approved by unanimous vote.

ORDINANCE NO. BG2011 – 30

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF
THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO
UPDATE DEPARTMENTAL DESCRIPTIONS AND TO MAKE
OTHER RELATED CHANGES

Title and summary of Ordinance No. BG2011 - 30 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Wilkerson for first reading of said Ordinance. DeFebbo explained that the recommended revisions incorporated house-keeping changes in the departmental structures made over the past year or so and include some cleaning up of other language. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2011 - 30 was approved by unanimous vote.

ORDINANCE NO. BG2011 – 31

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 22 (TRAFFIC AND MOTOR
VEHICLES) OF THE CITY OF BOWLING GREEN CODE OF
ORDINANCES TO EXEMPT CERTAIN SPECIAL EVENTS FROM

SERVICE COSTS RELATED TO THE USE OF POLICE SERVICES
FOR THE SPECIAL EVENTS

Title and summary of Ordinance No. BG2011 – 31 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. In an effort to try to find the right balance of when to charge for police services, DeFebbo explained that this revision effectively grandfathered in certain events and he identified each of those events. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2011 - 31 was approved by unanimous vote.

ORDINANCE NO. BG2011 – 32

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 19 (POLICE) OF THE CITY OF
BOWLING GREEN CODE OF ORDINANCES TO MAKE
ADMINISTRATIVE CHANGES

Title and summary of Ordinance No. BG2011 - 32 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. DeFebbo reviewed the proposal to change the position of school crossing guard from permanent part-time to a seasonal position which was more in-line with the need for the position. Comm. Waltrip requested that information be conveyed to the crossing guards to make sure they all understood the change. Human Resources Director Michael Grubbs agreed and indicated that letters would be sent to each employee. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2011 - 32 was approved by unanimous vote.

ORDINANCE NO. BG2011 – 33

(First Reading)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE AMENDING ARTICLES 4, 5 AND 8 OF THE ZONING
ORDINANCE FOR THE CITY OF BOWLING GREEN, KENTUCKY
AS RECOMMENDED BY THE CITY-COUNTY PLANNING
COMMISSION

Ordinance No. BG2011 – 33 regarding recommended changes to sign regulations was previously withdrawn from the agenda.

ADDITION TO AGENDA

City Attorney Gene Harmon recommended that the Board vote to add any additional topics to the agenda for discussion in order to comply with the adopted meeting procedures. Motion was made by

Nash, seconded by Hill, to add a general discussion to the agenda concerning budgetary items and agencies. With no discussion, a roll call vote was taken.

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

Motion to add a general discussion to the agenda concerning budgetary items and agencies was approved by unanimous vote.

Since discussion on this particular issue began with consideration of Ordinance No. BG2011 – 28, Comm. Nash made a motion, seconded by Wilkerson, to rescind the Downtown Parks Management Agreement between the City and DRA and authorizing the City Manager to provide DRA with the required 60-day notice, and further directing City staff to remove DRA from the annual contract agencies funding list for Fiscal Year 2012. Comm. Hill inquired if the motion intended to remove all of the funding from DRA. Comm. Nash responded that it was his original intent to have some small pot of money available for DRA to continue on for the next 60 days for management of the parks. However, after further discussion earlier in the meeting, Comm. Nash reiterated that the parks management agreement did not tie into the annual appropriation since DRA received the rental revenue from the parks. He restated that the actual agency funding received by DRA was for downtown redevelopment which Chapter 58 Corporation was doing and for the Renaissance Program which the City Manager said could be done in-house. Housing and Grants Manager Brent Childers responded to questions about what was required to continue the Renaissance Program and to maintain the certification through the Kentucky Heritage Council.

Comm. Hill further inquired if there would be any work DRA would be doing for the City during the 60 days until termination became effective. Comm. Nash clarified his motion contained two items, the 60-day notice which only applied to the parks management agreement and the agency funding which would end June 30th to finish out the current fiscal year. In terms of the management of the parks, Mr. DeFebbo stated that DRA would continue to receive 100% of the revenues from rentals during the 60-day time period.

Mayor Denning asked if the original Fiscal Year 2011 adopted budget had DRA identified to receive one more year of funding. Mr. DeFebbo affirmed the proposal included one additional year. Although that was ultimately approved, Comm. Nash indicated that he recalled there being at least three members of the Board during the budget discussions that supported Fiscal Year 2011 as DRA's last year of funding. Acknowledging that was not what the Board eventually ratified, Comm. Nash asked Comm. Wilkerson what he recalled. Comm. Wilkerson said that after last week's discussion, he reviewed his notes from the previous year and then conferred with Comm. Nash. He remembered that the specific discussion about DRA was to provide enough funding to last them through the concert season in order to not pull the rug out from under them and that DRA had the opportunity to generate additional funds through the rental of 601 State Street, which the City had deeded over to DRA to generate funding without being on the City's scheduled payments.

In referring to a comment made previously by Comm. Hill that this was a difficult decision, Comm. Waltrip stated he was under the impression that DRA believed they had another year, whether that was the right assumption or not he could not say since he was not on the Board at that time. And, having heard from DRA, he was inclined to continue funding one more year which would give City staff time to decide how to distribute the duties. Respecting Comm. Nash's points made, Comm. Waltrip stated that DRA should be funded one more year. Mayor Denning stated he concurred with Comm. Waltrip. He indicated that he had agreed to the additional year of funding with last year's vote and planned to do the same thing again this time.

Comm. Hill commented that she was in support of continuing DRA's funding, but it surprised her that she did not receive any phone calls about DRA requesting to keep the funding amount the same. She agreed with Comm. Nash that there was a duplication of efforts among different agencies in the community. Although she did not agree with funding at the full amount, Comm. Hill stated that she believed DRA deserved to receive some funding. However, she was not sure what that amount should be at this time.

There was additional discussion about the involvement of DRA and the activities performed for the City which were under debate. Mr. DeFebbo suggested dividing the question regarding the parks management agreement from the actual activities funded through the contract agency appropriation (Renaissance and downtown development). In response to questions about how damage to the parks was handled, he also reviewed elements of the parks management agreement, including the collection of deposits to assist with costs related to any repairs need following rentals. Following clarification of the motion on the floor, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson and Nash
 Voting Nay: Waltrip, Hill and Denning

Motion to rescind the Downtown Parks Management Agreement between the City and DRA with the required 60-day notice and to remove DRA from the annual contract agencies funding list for Fiscal Year 2012 was defeated by majority vote.

Similar to Comm. Nash's motion, Comm. Hill made a motion to initiate the 60-day process to discontinue the contractual agreement with DRA and to start the process to bring parks management in-house. Upon request, she clarified that her motion did not address the agency appropriation because she did not have an amount in mind and wanted to give it more thought. The motion was seconded by Comm. Nash. With no additional discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Hill and Nash
 Voting Nay: Waltrip and Denning

Motion to initiate the 60-day termination process to discontinue the Downtown Parks Management Agreement between the City and DRA was approved by majority vote (see also Municipal Order No. 2011 – 137 approved at the June 27, 2011 special meeting of the Board of Commissioners).

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 8:45 p.m. in closed session pursuant to KRS 61.810 (1) (c) and (f) as previously approved. There was no action expected to following the discussion.

ADJOURNMENT

Once all discussion concluded in closed session and there being no further business to come before the Board of Commissioners, at approximately 9:50 p.m., Mayor Denning declared this meeting adjourned.

ADOPTED: _____

(Minutes-Board of Commissioners-June 21, 2011)

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller