

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JUNE 19, 2007**

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 19, 2007. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Warren County Deputy Sheriff Rev. Fred Brown of State Street Baptist Church, and all present recited the Pledge of Allegiance. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Bruce Wilkerson, Commissioner Joe W. Denning, Commissioner Brian "Slim" Nash, Commissioner Brian K. Strow and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

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

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 residential property award to the City of Bowling Green for the Lee Square residential housing development. Ms. Hume noted that HANDS, Inc. and Live the Dream, Inc. also participated with the development. Mayor Walker accepted the P.R.I.D.E. Award on behalf of the City.

AWARDS & RECOGNITIONS

As the first in the Commonwealth of Kentucky, Public Works Director Emmett Wood announced that the Public Works Department achieved accreditation through the American Public Works Association (APWA) this past April and he commented about the department's effort over the past two years in attaining that recognition. APWA Past President Bob Freudenthal and APWA Region III Director Noel Thompson presented the APWA Accreditation Award to the City's Public Works Department.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion regarding the future acquisition of real property by the City as publicity would likely affect the value of the specific piece of property to be acquired for public use by the City; for discussion of proposed or pending litigation against or on behalf of the City; and for discussion which might lead to the appointment, discipline or dismissal of an individual employee without restricting that employee's right to a public hearing if requested. Motion was made by Nash and seconded by Strow to convene in closed session following the regular meeting pursuant to KRS 61.810 (b), (c) and (f). Walker called for roll call vote.

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

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

Mr. DeFebbo also stated that item number 7 (Municipal Order No. 2007 – 204) related to an appointment to the Board of Ethics was withdrawn from consideration by the Mayor, as its sponsor, from the consent agenda.

APPROVAL OF MINUTES

Minutes of Special Meeting May 31, 2007, Regular Meeting June 5, 2007 and Special Meeting June 12, 2007

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 Nash to approve said minutes as written. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the special meetings of May 31 and June 12, 2007 and regular meeting of June 5, 2007 was approved by unanimous vote.

PUBLIC COMMENTS

Rick Voakes of 1328 College Street spoke in support of a smoke-free ordinance.

CONSENT AGENDA

Mayor Walker requested if there were any items to be removed from the Consent Agenda prior to its consideration. With none, Assistant City Manager/City Clerk Katie Schaller read the summaries of each of the following items:

MUNICIPAL ORDER NO. 2007 – 198

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF
DOTTI BETH LAWRENCE TO THE BARREN RIVER AREA
AGENCY COUNCIL ON AGING

MUNICIPAL ORDER NO. 2007 – 199

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF
ANTHONY D. BOWLES TO THE HOUSING AUTHORITY OF
BOWLING GREEN

MUNICIPAL ORDER NO. 2007 – 200

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF DR.
ERIC REED AND REAPPOINTMENT OF MARK E. HOOD TO THE
HISTORIC PRESERVATION BOARD

MUNICIPAL ORDER NO. 2007 – 201

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF TIMOTHY D. HUSTON AND REAPPOINTMENT OF PEARL TAYLOR TO THE OPERATION P.R.I.D.E., INC. BOARD OF DIRECTORS

MUNICIPAL ORDER NO. 2007 – 202

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF HELEN TYSON SIEWERS TO THE BOWLING GREEN COMMUNITY TREE ADVISORY BOARD

MUNICIPAL ORDER NO. 2007 – 203

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF EDWARD W. COPPINGER, III AND WILLIAM P. ROBERTSON TO THE BOWLING GREEN-WARREN COUNTY PLANNING COMMISSION

MUNICIPAL ORDER NO. 2007 – 205

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF LUCINDA FRANCIS ANDERSON TO THE UNIVERSITY DISTRICT REVIEW COMMITTEE

Motion was made by Wilkerson and seconded by Nash for acceptance of the Consent Agenda as presented. With no discussion, a roll call vote was taken.

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

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

Following consideration of the Consent Agenda, Comm. Nash requested that each board, commission and agency Director be asked to provide attendance information regarding an individual recommended for reappointment. Mayor Walker agreed.

REGULAR AGENDA

ORDINANCE NO. BG2007 – 23

(Second Reading)

ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

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

Title and summary of Ordinance No. BG2007 - 23 was read by the Assistant City Manager/City Clerk. Motion was made by Strow 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Ordinance No. BG2007 - 23 was adopted by unanimous vote.

ORDINANCE NO. BG2007 - 24
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING
49.06 ACRES FROM HB (HIGHWAY BUSINESS) AND RS-1A
(SINGLE FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT
DEVELOPMENT) LOCATED ON THE SOUTHWEST CORNER OF
RUSSELLVILLE ROAD AND MEMPHIS JUNCTION ROAD, WITH
BINDING ELEMENTS, PRESENTLY OWNED BY EDDIE BOGLE,
POA FOR JOSEPH V. BOGLE AND EDDIE PAULINE BOGLE
REVOCABLE TRUST

Title and summary of Ordinance No. BG2007 - 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 Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2007 - 24 was adopted by unanimous vote.

ORDINANCE NO. BG2007 - 26
(Second Reading)
ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER FOUR TO
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL
OPERATING BUDGET FOR FISCAL YEAR 2007

Title and summary of Ordinance No. BG2007 - 26 was read by the Assistant City Manager/City Clerk. Motion was made by Strow 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

Ordinance No. BG2007 - 26 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 206

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF AMELIA LIANE RONE TO THE POSITION OF COMMUNICATIONS DISPATCHER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2007 - 206 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 the appointment. Communications Center Manager Malissa Carter reviewed the recommended applicants qualifications. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 206 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 207

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-71 FOR INSPECTION OF HAZARDOUS MATERIALS FROM MICRO-ANALYTICS, INC. OF LOUISVILLE, KENTUCKY IN AN AMOUNT NOT TO EXCEED \$50,000

Summary of Municipal Order No. 2007 - 207 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the annual need for inspection services and recommended the bid award. In response to a question regarding the number of bids received, Code Enforcement Coordinator Alex Colovos indicated that there was not much interest in performing these services. Ms. Schaller reviewed the Purchasing Agent's efforts in seeking out interested bidders. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 207 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 208

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-72 FOR DEMOLITION OF STRUCTURES AND SITE CLEARANCE SERVICES FROM KENWAY CONTRACTING, INC. OF BOWLING GREEN, KENTUCKY IN AN AMOUNT NOT TO EXCEED \$150,000

Summary of Municipal Order No. 2007 - 208 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo indicated this was another annual bid and he recommended the bid award. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None
Municipal Order No. 2007 - 208 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 209

MUNICIPAL ORDER AUTHORIZING MAINTENANCE SERVICES FOR RADIO AND COMMUNICATION EQUIPMENT WITH MOTOROLA, INC. IN AN AMOUNT NOT TO EXCEED \$37,000 FOR FISCAL YEAR 2008

Summary of Municipal Order No. 2007 - 209 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 and recommended the continuation of the maintenance agreements. He noted that the cost did not change from the previous year. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None
Municipal Order No. 2007 - 209 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 210

MUNICIPAL ORDER AUTHORIZING PAYMENT TO THE WARREN COUNTY PROPERTY VALUATION ADMINISTRATOR FOR FISCAL YEAR 2008

Summary of Municipal Order No. 2007 - 210 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 explained that the City purchases the assessment service and pays the maximum amount allowed by statute. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None
Municipal Order No. 2007 - 210 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 27

(First Reading)

ORDINANCE ADOPTING ANNUAL CITY BUDGET

ORDINANCE ADOPTING THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008, BY ESTIMATING REVENUES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT

Title and summary of Ordinance No. BG2007 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for first reading of said

Ordinance. DeFebbo commented about the budget planning process and thanked the budget team and other staff involved in preparing the recommended budget. Mayor Walker commended the City Manager and staff for their efforts in presenting a balanced budget. She asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2007 - 27 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 28

(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 2008

Title and summary of Ordinance No. BG2007 - 28 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 stated that in an effort to maintain consistency with pay, a cost of living adjustment as determined by the Governor's Office for Local Development (GOLD) was applied to the schedules. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2007 - 28 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 211

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF AN AGREEMENT WITH MCCANN ASSOCIATES RELATING TO PUBLIC SAFETY TESTING AND CONSULTING SERVICES FOR FISCAL YEAR 2008

Summary of Municipal Order No. 2007 - 211 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 continuation of the agreement for a short period of time to assist with the upcoming public safety promotional process. He mentioned that the City would prepare a request for proposals (RFP) later in the year to bid out these services. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 211 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 212

MUNICIPAL ORDER APPROVING APPROPRIATIONS FOR
VARIOUS CITY CREATED / CONTRACT AGENCIES FOR FISCAL
YEAR 2008

Summary of Municipal Order No. 2007 - 212 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo recommended the appropriations as part of the budget process and as discussed during the work session at the June 12, 2007 special meeting. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 212 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 213

MUNICIPAL ORDER APPROVING APPROPRIATIONS FOR
VARIOUS AGENCIES PURSUANT TO COMPETITIVE PROPOSALS
FOR FISCAL YEAR 2008

Summary of Municipal Order No. 2007 - 213 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Nash for consideration of said Municipal Order. Mayor Walker commented that Board members had received numerous contacts regarding the agency funding discussions at the previous work session. Comm. Denning stated that he had specifically been contacted about funding for the Bowling Green International Festival, Inc., and he once again expressed concern with the funding level for Operation P.R.I.D.E., Inc.

Comm. Denning made a motion, seconded by Wilkerson, to amend Municipal Order No. 2007 - 213 to increase the allocation for the Bowling Green International Festival to \$8,128 from \$5,128. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Motion to amend Municipal Order No. 2007 - 213 to increase the agency appropriation for the Bowling Green International Festival to \$8,128 was approved by majority vote.

Comm. Denning made another motion, seconded by Walker, to amend Municipal Order No. 2007 - 213 to increase the allocation for Operation P.R.I.D.E. to \$36,507 from \$26,507. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Motion to amend Municipal Order No. 2007 - 213 to increase the agency appropriation for Operation P.R.I.D.E. to \$36,507 was defeated by majority vote.

Once all discussion ended, a roll call vote was taken to approve Municipal Order No. 2007 - 213 as amended.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None
Municipal Order No. 2007 – 213 as amended was approved by unanimous vote.

ORDINANCE NO. BG2007 – 29
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.86 ACRES FROM RM-3 (MULTI-FAMILY RESIDENTIAL) TO LI (LIGHT INDUSTRY) LOCATED OFF OF BROCKLEY WAY, WITH BINDING ELEMENTS, PRESENTLY OWNED BY CHRISTINE GENTRY WITH WILLIAM B. AND WILLIE MAE HILDRETH, AS CONTRACT VENDEES

Title and summary of Ordinance No. BG2007 - 29 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 indicated that this was a standard rezoning request. City-County Planning Commission Director Steve Hunter reviewed the recommended rezoning and its binding elements. Mr. Hunter also responded to questions regarding the future use and possible rezoning of the property if sold. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None
First reading of Ordinance No. BG2007 - 29 was approved by unanimous vote.

ORDINANCE NO. BG2007 – 30
(First Reading)
ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF JODY RICHARDS WAY TO KAWANISHI WAY

Title and summary of Ordinance No. BG2007 - 30 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 renaming of a street in the South Industrial Park. Mr. Hunter responded to questions regarding the street renaming application process. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None
First reading of Ordinance No. BG2007 - 30 was approved by unanimous vote.

ORDINANCE NO. BG2007 – 31
(First Reading)
ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF A PORTION OF
COSMA DRIVE (NORTH) TO JODY RICHARDS DRIVE

Title and summary of Ordinance No. BG2007 - 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. City-County Planning Commission Director Steve Hunter reviewed the recommended renaming of a street in the Transpark. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2007 - 31 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met in closed session pursuant to KRS 61.810 (b), (c) and (f) as previously approved.

RECONVENE IN OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session to consider action. Motion was made by Strow and seconded by Denning to add Municipal Order No. 2007 - 214 to the agenda for consideration. With no discussion, a roll call vote was taken.

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

Motion to add Municipal Order No. 2007 - 214 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 214

MUNICIPAL ORDER AUTHORIZING AND ORDERING
CONDEMNATION OF A PORTION OF THE PROPERTY
BELONGING TO THOMAS AND EVELYN PETTIGREW LOCATED
AT 1317 JAMES EDWARD COURT, FOR A NECESSARY
EASEMENT FOR THE CONTINUATION OF THE BOWLING
GREEN GREENBELT SYSTEM PROJECT

Summary of Municipal Order No. 2007 - 214 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for consideration of said Municipal Order. Comm. Wilkerson indicated that he did not support this particular action, but that he did support the greenways program. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 214 was approved by majority vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 9:05 p.m., Mayor Walker declared this meeting adjourned.

WORK SESSION

Prior to the regular meeting and with no action taken, the Board of Commissioners convened at 4:00 p.m. in the Commission Chamber of City Hall for a regular work session to discuss the following subject: presentation by Community Action of Southern Kentucky of the Go BG Transit Business Plan for Fiscal Year 2008.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller