

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held MAY 7, 2013**

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 May 7, 2013. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Bowling Green Chapter of Habitat for Humanity Executive Director Rodney Goodman, 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 Rick Williams, Commissioner Joe W. Denning, Commissioner Melinda M. Hill, Commissioner Bill Waltrip and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Mayor Wilkerson asked if there were any awards or recognitions, and there were none.

CITY MANAGER

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

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

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

APPROVAL OF MINUTES

Minutes of Regular Meeting April 16, 2013 and Special Meeting April 30, 2013

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

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

Motion to approve the minutes of the regular meeting of April 16, 2013 and special meeting of April 30, 2013 was approved by unanimous vote.

PUBLIC COMMENTS

Since there were no public comments, Mayor Wilkerson took this opportunity to dispel a potential misunderstanding about the perceived involvement of City government with the recent decisions of the Warren County Board of Education which impact the Bowling Green Independent School District. He confirmed that City government had no connection to or participation with the

decisions of either School Board, which operated under separately elected membership. He urged interested individuals to contact the elected school board members directly with their concerns or comments.

REGULAR AGENDA

ORDINANCE NO. BG2013 - 8

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.79 ACRES FROM LI (LIGHT INDUSTRIAL) AND HI (HEAVY INDUSTRIAL) TO CB (CENTRAL BUSINESS) LOCATED AT 425 1ST AVENUE AND 101, 115, 119 AND 125 STATE STREET, PRESENTLY OWNED BY PHOENIX ENTERPRISES, LLC

Title and summary of Ordinance No. BG2013 - 8 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2013 - 8 was adopted by unanimous vote.

ORDINANCE NO. BG2013 - 9

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 56.96 ACRES FROM AG (AGRICULTURE) TO HI (HEAVY INDUSTRIAL) LOCATED AT 164 FRED MADISON ROAD AND 1777 GLASGOW ROAD, PRESENTLY OWNED BY THE INTER-MODAL TRANSPORTATION AUTHORITY, INC.

Title and summary of Ordinance No. BG2013 - 9 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2013 - 9 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 62

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2013-35 FOR FISCAL YEAR 2013 STREET OVERLAY FROM SCOTTY'S CONTRACTING & STONE, LLC OF BOWLING GREEN, KENTUCKY IN THE TOTAL AMOUNT OF \$825,237.28

Summary of Municipal Order No. 2013 - 62 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. As a top priority of the City, DeFebbo indicated that 4.04 miles of road was proposed to be repaved under the annual resurfacing project. With the list of locations previously presented to the Board of Commissioners, he recommended approval of the bid award. He also mentioned that a supplemental list of streets had been provided to the Board prior to the meeting and would be added to the project if there was any under spending. Public Works Director Jeff Lashlee responded to questions from Comm. Denning about specific street locations. Mayor Wilkerson confirmed that Liquid Fuel Tax (LFT) money was the source of funding. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2013 - 62 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 63

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING NEGOTIATIONS AFTER SEALED BIDDING FOR BID #2013-29 FOR LOVER'S LANE SOCCER COMPLEX RESTROOM CONSTRUCTION FROM SCOTT, MURPHY & DANIEL, LLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$108,814

Summary of Municipal Order No. 2013 - 63 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Waltrip for consideration of said Municipal Order. DeFebbo explained it has been a long standing priority to build another restroom facility at the Soccer Complex. He reported that the initial bids received came in over budget which lead to negotiations after sealed bidding with the three lowest responsive bidders. He also noted that negotiations lead to a revised scope of work to bring costs down with more work to be completed in-house. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 63 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 64

MUNICIPAL ORDER APPROVING THE YEAR 10 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDING AND AUTHORIZING ITS SUBMISSION TO THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Summary of Municipal Order No. 2013 - 64 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. DeFebbo indicated that the City received money directly from HUD as an entitlement community and the funds would be allocated this year to selected projects or programs as presented to the Board at a recent public hearing. Neighborhood and Community Services Director Brent Childers identified each

program/project to receive funding. He also responded to questions about the funds recommended for child care services being provided to Community Action of Southern Kentucky (CASKY) as a voucher program. Mr. Childers explained CASKY was instructed to develop the new voucher program that would tie funds back to individual families and provide better data reporting.

Although the funding amount was an increase over the past two years of allocations, CASKY Executive Director Cheryl Allen expressed concern that under the voucher program they would have less funding available to support general operating costs. She reported that the reduced operating support would cause a reduction in the number of infant and toddler slots to be available. Since this was an on-going problem to be addressed, Comm. Waltrip indicated he would like the City to look at this again next year since child care services was an important need in the City.

At the request of Comm. Hill, Mr. Childers provided more information about the direction given to CASKY regarding the development of a voucher program. He confirmed that it was CASKY's program to design, however he would have to approve the program design in order to be accountable to HUD. He also confirmed he was working with CASKY to assist them with setting up the program. Once the discussion ended, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2013 - 64 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 65

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 OF \$11,340

Summary of Municipal Order No. 2013 - 65 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo reviewed the grant application which would provide 50% reimbursement for the cost to purchase up to 27 new vests. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2013 - 65 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 66

MUNICIPAL ORDER APPROVING PARKS AND RECREATION FEES

Summary of Municipal Order No. 2013 - 66 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Hill for consideration of said Municipal Order. DeFebbo remarked that he believed it proper for the Board of Commissioners to approve all fees, with staff making the recommendation. Parks and Recreation Director Brent Belcher provided

an overview of the 345 fees which included 19 new fees and 14 adjusted fees. He detailed that the new fees were associated with new programs at the golf courses, a partnership with the Foundry to offer more garden plots and the establishment of fees for all youth sports athletic programs.

Comm. Hill expressed appreciation for the development of the recommendation and was pleased to see the new proposed fees. She stated she would like to see the Junior fee at CrossWinds Golf Course be increased to half the cost of an Adult fee. Comm. Hill made the motion, which was seconded by Waltrip, to amend the Junior fee at CrossWinds Golf Course from \$11.00 to \$13.00. With no other discussion about the amendment, a roll call vote was taken.

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

Motion to amend Municipal Order No. 2013 - 66 to increase the CrossWinds Golf Course Specials-Junior fee was approved by unanimous vote.

Comm. Waltrip thanked the staff for partnering with the Foundry to develop more garden plots for area residents. Once discussion concluded, a roll call vote was taken on the Municipal Order as amended.

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

Municipal Order No. 2013 - 66 as amended was approved by unanimous vote.

ORDINANCE NO. BG2013 - 10

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 22 (TRAFFIC AND MOTOR VEHICLES), SUBCHAPTER 22-11 (TEMPORARY DISPLAY OF MOTOR VEHICLES) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO ALLOW FOR AN ANNUAL DISPLAY AND SALE OF ANTIQUE, VINTAGE, RARE OR COLLECTIBLE MOTOR VEHICLES AT THE NATIONAL CORVETTE MUSEUM

Title and summary of Ordinance No. BG2013 - 10 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Hill for first reading of said Ordinance. As sponsor of the Ordinance, Comm. Williams explained the potential for this event to grow and boost the economy, possibly even becoming a signature event. He thanked the Bowling Green Area Convention and Visitors Bureau (CVB) for recognizing its potential and getting the information needed to set it up. A representative of the Progressive Auction Group confirmed that 70 consigned cars had already been signed up to participate in the event. Once the discussion ended, a roll call vote was taken.

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

First reading of Ordinance No. BG2013 - 10 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:40 p.m. in closed session pursuant to KRS 61.810 (1) (c) and (f) 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 8:30 p.m., Mayor Wilkerson declared this meeting adjourned.

WORK SESSION

Prior to the regular meeting and with no action taken, the Board of Commissioners convened at 4:00 p.m. in the Commission Chamber of City Hall for a regular work session to discuss the following subjects: 1) the replacement and expansion of the 800MHz radio system; and 2) an update related to the Steeplechase Way sidewalk project. Consensus by the Board was given to proceed with the Steeplechase Way sidewalk project based on the results of the resident survey.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller