

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held APRIL 7, 2009**

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 April 7, 2009. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Commissioner Bruce Wilkerson, 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 Catherine Hamilton, Commissioner Brian "Slim" Nash, Commissioner Bruce Wilkerson, Commissioner Joe W. Denning and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

PUBLIC HEARING

Housing and Community Development Director Alice Burks conducted a public hearing to receive comments about the Annual Action Plan draft for the Year 6 Community Development Block Grant (CDBG) Entitlement Program. She reported that the City was expected to receive approximately \$555,000 for Fiscal Year 2010. Ms. Burks recognized members of the Citizen Review Committee and their efforts to recommend programs for funding, which included the following:

1. \$50,000 for Small Business Training and Technical Assistance Program through the Housing Authority of Bowling Green;
2. \$25,000 for expansion of the Microenterprise Development Training and Technical Assistance Program from Community Ventures Corporation, a Community Development Financial Institution;
3. \$15,000 for Fair Housing Education Outreach and Foreclosure Prevention through the Bowling Green Human Rights Commission;
4. \$30,000 for Rental Conversion Program through Live the Dream Development, Inc.;
5. \$15,000 for Homeownership Preservation through HANDS, Inc. to provide "rescue funds" to low/moderate income homeowners facing foreclosure;
6. \$10,000 for Emergency Home Repair and Accessibility for low/moderate income and disabled homeowners also through HANDS, Inc.;
7. \$260,000 for acquisition of an existing building for re-use by Community Action of Southern Kentucky for its Public Transit and Weatherization Programs; and,
8. \$150,000 for an Independent Living Program through Bellwood Presbyterian Home for Children, Inc., including acquisition of a four unit residential property to provide transitional housing for youths aged 18-21 who have aged out of foster care.

Ms. Burks also noted that training would be provided to all subrecipients receiving CDBG funding. She further announced that the Action Plan was available for public review and comment through April 27, 2009. There were no comments made by the public during this public hearing.

CITY MANAGER

City Manager Kevin D. DeFebbo had no comments at this time.

APPROVAL OF MINUTES

Minutes of Regular Meeting March 17, 2009

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

Motion to approve the minutes of the regular meeting of March 17, 2009 was approved by unanimous vote.

PUBLIC COMMENTS

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

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. 2009 – 56

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF JOHN C. ATKERSON TO THE BOWLING GREEN-WARREN COUNTY PLANNING COMMISSION

MUNICIPAL ORDER NO. 2009 – 57

MUNICIPAL ORDER APPROVING THE APPOINTMENTS OF JAMES D. HARRIS, JR. AND REGINA JACKSON TO THE HOBSON HOUSE COMMISSION

MUNICIPAL ORDER NO. 2009 – 58

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF DAN RUDLOFF TO THE ADMINISTRATIVE APPEALS BOARD

MUNICIPAL ORDER NO. 2009 – 59

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
KEVIN KIRBY TO THE BOWLING GREEN-WARREN COUNTY
REGIONAL AIRPORT BOARD

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: Hamilton, Nash, Wilkerson, Denning and Walker
Voting Nay: None

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

REGULAR AGENDA

ORDINANCE NO. BG2009 - 8

(Second Reading)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE AMENDING ARTICLES 1, 3, 4, 5, 6 AND 8 OF THE
ZONING ORDINANCE FOR THE CITY OF BOWLING GREEN,
KENTUCKY AS RECOMMENDED BY THE CITY-COUNTY
PLANNING COMMISSION

Title and summary of Ordinance No. BG2009 - 8 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2009 - 8 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 60

MUNICIPAL ORDER APPROVING THE PROMOTION OF AMELIA
L. BOWEN TO THE POSITION OF COMMUNICATIONS
DISPATCHER SUPERVISOR IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2009 - 60 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 supervisor position was a new position created with the approval of the Fiscal Year 2009 budget. Police Chief Doug Hawkins recommended the promotion and reviewed the necessary qualifications. Mr. DeFebbo also confirmed that the lower level opening created by this promotion would be filled following the appropriate applicant process. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 60 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 61

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2009-25 FOR PANASONIC SECURITY HARDWARE FROM VIOLETA, INC. D/B/A TECH CCTV OF WOODLAND HILLS, CALIFORNIA IN THE AMOUNT OF \$54,072

Summary of Municipal Order No. 2009 - 61 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 internal audit completed last year of the golf facilities recommended the installation of security cameras. He recommended award of the purchase which would provide cameras for the Golf pro shops and the Parks recreation center. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 61 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 62

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2009-35 FOR CONVENTION CENTER TILE PURCHASE FROM HOWARD-CARPENTER FLOOR COVERING INCORPORATED OF DANVILLE, KENTUCKY IN THE AMOUNT OF \$28,903.40

Summary of Municipal Order No. 2009 - 62 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 bid award which was part of the bathroom renovation project at the Convention Center. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 62 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 63

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2009-27 FOR THE SLOAN CONVENTION CENTER SIGN/MESSAGE BOARD FROM WAKY SIGN OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$49,500

Summary of Municipal Order No. 2009 - 63 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo recommended the bid award for a new sign to accommodate the City, Convention Center and Holiday Inn. Comm. Nash expressed his appreciation to Citizen Information and Assistance Director and Convention Center CEO Michael Grubbs and Holiday Inn General Manager Imran Hussain for working together to develop a solution that benefited all parties.

Ms. Schaller specified that the previously tabled Municipal Order No. 2009 - 54 was essentially replaced with this Municipal Order and it did not require any additional action. She explained that with the change in final bid amount and sign design, a new Municipal Order 2009 - 63

was introduced for the Board to consider. City Attorney Gene Harmon confirmed that no further action was required regarding Municipal Order No. 2009 – 54.

Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 63 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 64

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2009-32 FOR FISCAL YEAR 2009 STREET OVERLAY FROM SCOTTY’S CONTRACTING AND STONE OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$890,000

Summary of Municipal Order No. 2009 - 64 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 bid award and indicated that if prices continued to remain low for asphalt, the City might be able to pave more streets than originally proposed. Public Works Director Emmett Wood responded to questions about which streets were subject to paving initially and which streets were on the additionally proposed list if prices remained low. He also explained the “escalator clause” contained in the contract, which would allow the City to benefit if prices fell lower. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 64 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 65

MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH XIOTECH OF EDEN PRAIRIE, MINNESOTA FOR THE PURCHASE OF UPGRADING THE XIOTECH STORAGE AREA NETWORK (SAN) EQUIPMENT IN THE AMOUNT OF \$41,048

Summary of Municipal Order No. 2009 - 65 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo recommended the purchase to address electronically stored data. Chief Information Officer Lynn Hartley responded to a question about technology advancement and the ability to migrate stored data in an affordable manner. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 65 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 66

MUNICIPAL ORDER AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND LIVE THE DREAM DEVELOPMENT, INC. FOR A RENTAL CONVERSION PROGRAM

Summary of Municipal Order No. 2009 - 66 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo indicated it was a priority of the City's CDBG program to create homeownership through a Rental Conversion Program. He recommended execution of the third year of that program. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 66 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 67

MUNICIPAL ORDER AUTHORIZING THE APPROVAL AND SUBMISSION OF FISCAL YEAR 2009/2010 ANNUAL PLAN FOR THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2009 - 67 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 was required to prepare and approve an annual plan for the Section 8 program. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 67 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 68

MUNICIPAL ORDER AUTHORIZING AND APPROVING REVISIONS TO THE SECTION 8 HOUSING CHOICE VOUCHER (HCV) ADMINISTRATIVE PLAN FOR THE CITY'S SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2009 - 68 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 Administrative Plan identified rules of engagement for the local program and was required by the Department of Housing and Urban Development. Housing and Community Development Director Alice Burks reviewed the changes proposed in the Administrative Plan. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 68 was approved by unanimous vote. Mayor Walker congratulated staff for their thorough review and administration of the Section 8 program.

MUNICIPAL ORDER NO. 2009 - 69

MUNICIPAL ORDER APPROVING ASSIGNMENT AND ASSUMPTION OF LEASE AND CONSENT AMONG DSF SPORTS, LLC, TRIPLE PLAY LLC AND WARREN COUNTY DOWNTOWN ECONOMIC DEVELOPMENT AUTHORITY, INC.

Summary of Municipal Order No. 2009 - 69 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hamilton for consideration of said Municipal Order. DeFebbo indicated that this item related to a lease of the ballpark property by the Chapter 58 Corporation (also known as the Warren County Downtown Economic Development Authority). City Attorney Gene Harmon provided an overview of the agreement and the need for the Board of Commissioners to provide its consent to the lease according to previously approved documents related to the TIF development project. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 69 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 70

MUNICIPAL ORDER ACCEPTING TWO DONATIONS FROM BOWLING GREEN CONCRETE, LLC FOR CONCRETE FOR THE BATTING CAGE PROJECT AND BOWLING GREEN EAST LITTLE LEAGUE FOR OUTDOOR CARPET FOR THE COMPLEX LOCATED AT KEREIAKES PARK

Summary of Municipal Order No. 2009 - 70 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Hamilton for consideration of said Municipal Order. DeFebbo reviewed the previously received donation and the receipt of additional donations for the batting cage project. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 70 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 71

MUNICIPAL ORDER APPROVING PARKS AND RECREATION FEES

Summary of Municipal Order No. 2009 - 71 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo stated the proposed fees were discussed during the work session and he recommended approval. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2009 - 71 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 72

MUNICIPAL ORDER APPROVING LEASE AGREEMENT WITH WARREN COUNTY DOWNTOWN ECONOMIC DEVELOPMENT AUTHORITY, INC. RELATED TO LEASE OF CITY PARKING LOTS FOR EVENTS USING THE DOWNTOWN BASEBALL STADIUM

Summary of Municipal Order No. 2009 - 72 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 this item was also discussed during the work session. In exchange for leasing parking spaces, he explained that the City would receive 700 tickets divided equally for attendance at two ball games. Mr. DeFebbo further explained that the City's Employee Committee would determine how to fairly distribute the tickets. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 72 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 73

MUNICIPAL ORDER AUTHORIZING THE CLOSING OF 8TH AVENUE BETWEEN KENTUCKY STREET AND CENTER STREET DURING BOWLING GREEN HOT RODS BASEBALL GAMES

Summary of Municipal Order No. 2009 - 73 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 reiterated that the ballpark was a week away from hosting its inaugural opening game on April 17, 2009. To address pedestrian safety concerns on ballgame days, the Hot Rods Baseball Team requested to close a portion of 8th Avenue beginning two hours before each game time until one hour after completion of the game. Hot Rods General Manager and CEO Brad Taylor responded to questions about the closing of the street and the negligible impact to the BGMU parking lot during day-time games. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 73 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 7:40 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 subjects: 1) the leasing of City parking lots with the Warren County Downtown Economic Development Authority, Inc. for events held at the baseball stadium; 2) the proposed Parks and Recreation user fees and charges for Fiscal Year 2010; 3) the Police Department proposed projects related to the Edward Byrne Memorial Justice Assistance Grant (JAG) funding from the Federal Stimulus Package; and 4) the American Recovery and Reinvestment Act (ARRA) Funding to include the Community Development Block Grant (CDBG) and Energy Efficiency and Conservation Block Grant. All members of the Board preliminarily agreed to support Police Chief Doug Hawkins' proposal to use the City's portion of the Byrne JAG funds for the purchase of a mobile data computer (MDC)/docking station for the Communications Center and for the purchase of in-car cameras. In addition, the Board provided its consensus to support the use of a portion of the ARRA funding to assist the City with completing projects that would increase energy efficiency of City facilities, with the other portion going toward community projects not yet determined.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller