

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held APRIL 6, 2010**

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 6, 2010. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Nermin Klavic, Iman of the Bosnian Islamic Center of Bowling Green, 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 Joe W. Denning, Commissioner Catherine Hamilton, Commissioner Bruce Wilkerson and Mayor Elaine N. Walker. Absent: Commissioner Brian "Slim" Nash. There was a quorum of the Board of Commissioners.

PUBLIC HEARING

City Manager Kevin D. DeFebbo introduced the new Housing and Grants Manager Brent Childers. Mr. Childers conducted a public hearing for the purpose of receiving comments on the Annual Action Plan draft for the Year 7 Community Development Block Grant (CDBG) Entitlement Program. He outlined the development process for the Year 7 Plan draft and the priority needs (affordable housing opportunity, economic opportunity, and education and counseling) which were established in the Five Year Consolidated Plan approved in 2009. He explained that the Annual Action Plan identified specific projects for funding in that year and the projects for Year 7 included: 1) \$25,000 for Human Rights Commission to continue its Fair Housing Education Program; 2) \$50,000 for Housing Authority of Bowling Green to continue its Small Business Training and Technical Assistance Program; 3) \$120,000 for Barren River Area Save Space (BRASS) to expand one of its facilities for development of the Economic Justice Institute; and 4) \$335,765 for Bowling Green infrastructure improvements within approved Census tract areas. Mr. Childers also noted that the City could take up to 20% of the \$610,765 of CDBG funds allocated for Fiscal Year 2011 to cover its administrative costs, but will only take \$80,000 or 13% this year. He also stated that the deadline to submit written comments about the Action Plan would be April 19th. Mr. Childers responded to questions from Commissioner Denning about the application process and funds set aside for infrastructure improvements. There were no comments from the public.

Mayor Walker encouraged everyone to fill out and mail back their 2010 Census forms because the data received from those forms determined the amount of funding the City would be entitled to receive for future CDBG programs.

AWARDS & RECOGNITIONS

Mayor Walker announced that Bowling Green was still in the running for and was among the top 20 finalists eligible for the *2010 All American City Award*, a program of the National Civic League.

CITY MANAGER

Prior to the public hearing, City Manager Kevin D. DeFebbo publicly acknowledged and thanked Administrative Assistant Kim Rich for all her hard work with keeping the Housing and

Community Development Department's grants office running over the past few months following the retirement of Grants Manager Lisa Ryan and prior to the hiring of Housing and Grants Manager Brent Childers.

APPROVAL OF MINUTES

Minutes of Regular Meeting March 16, 2010 and Special Meeting April 1, 2010

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

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

Motion to approve the minutes of the regular meeting of March 16, 2010 and special meeting of April 1, 2010 was approved by unanimous vote.

PUBLIC COMMENTS

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

MUNICIPAL ORDER NO. 2010 - 65

MUNICIPAL ORDER APPROVING THE CAREER PATH
ADVANCEMENT OF KEVIN E. MEREDITH TO THE POSITION
OF OPERATIONS TECHNICIAN II IN THE PUBLIC WORKS
DEPARTMENT

Summary of Municipal Order No. 2010 - 65 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 reviewed the career path program and stated this would be the last advancement for a while since all the available slots for Operations Technician II would be filled if approved. Mayor Walker commended the Public Works staff who went from leaf pick-up to snow removal and kept right on rolling with no interruption to services. She asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 65 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 35

MUNICIPAL ORDER APPROVING CHANGES IN THE RISK
MANAGEMENT MANUAL (FORMERLY THE LOSS CONTROL
MANAGEMENT AND SAFETY POLICIES AND PROCEDURES
MANUAL) FOR THE CITY OF BOWLING GREEN, KENTUCKY

Summary of Municipal Order No. 2010 - 35 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 that this item was withdrawn from the March 2nd meeting for a work

session discussion on March 16th and was now recommended for approval. He noted that language was added to the document that excluded elected officials from most of the policy requirements unless specifically listed for inclusion. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 35 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 66

MUNICIPAL ORDER APPROVING AMENDMENT TO SECTION 2-4.4 OF THE ADMINISTRATIVE PERSONNEL POLICY AND PROCEDURES MANUAL FOR CLASSIFIED EMPLOYEES

Summary of Municipal Order No. 2010 - 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 that the Board first amended this section of the manual at its March 2nd meeting to specify that non-exempt employees would be eligible for overtime if they actually worked over forty hours in a week. He explained that this second amendment further clarified how the overtime policy would apply to fire shift personnel. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 66 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 67

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2010-21 FOR FISCAL YEAR 2010 OVERLAY FROM SCOTTY'S CONTRACTING AND STONE, LLC OF BOWLING GREEN, KENTUCKY BASED ON UNIT PRICES IN THE AMOUNT NOT TO EXCEED \$850,000

Summary of Municipal Order No. 2010 - 67 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. In a bit of good news, DeFebbo stated that a decrease in fuel prices translated into a decrease in the cost for asphalt (a petroleum based product) which came in well below the City's budgeted amount for the annual overlay project. He informed the Board that the City would add about another mile of streets to the original project list for a total of 4.74 miles of repaving.

Public Works Director Emmett Wood reported that a couple of streets on the project list currently contained speed humps/bumps, specifically the portions of right-of-way on Wilkinson Trace and Tomblinson Way selected for repaving. He specified that those speed humps would be removed during the overlay process and would not be replaced in accordance with the Neighborhood Traffic Control Policy. Board members acknowledged that they understood the speed humps would be permanently removed. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Hamilton, Wilkerson and Walker
 Voting Nay: None
Municipal Order No. 2010 - 67 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 68

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2010-27 FOR TRANSPARK LANDSCAPE AND TURF MANAGEMENT FROM CHRIS’ MOWING SERVICE OF BOWLING GREEN, KENTUCKY AND TRUGREEN / CHEMLAWN OF BOWLING GREEN, KENTUCKY IN THE TOTAL AMOUNT OF \$27,230

Summary of Municipal Order No. 2010 - 68 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 that the City provided landscaping services for the Transpark and recommended approval of the bid awards for those services. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Hamilton, Wilkerson and Walker
 Voting Nay: None
Municipal Order No. 2010 - 68 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 69

MUNICIPAL ORDER AUTHORIZING THE APPROVAL AND SUBMISSION OF FISCAL YEARS 2011 THROUGH 2015 FIVE YEAR PLAN AND FISCAL YEAR 2011 ANNUAL PLAN FOR THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

Summary of Municipal Order No. 2010 - 69 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 reported that the City recently opened the Section 8 Program to new applicants, which it had not done for awhile. He reviewed the Section 8 Program and its benefits to the community and explained the federal requirement to approve and submit a five year plan and annual plan to the U.S. Department of Housing and Urban Development (HUD). Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Hamilton, Wilkerson and Walker
 Voting Nay: None
Municipal Order No. 2010 - 69 was approved by unanimous vote.

ORDINANCE NO. BG2010 – 12

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 27 (PROPERTY CODE) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO PROVIDE LOCAL REQUIREMENTS OMITTED FROM THE INTERNATIONAL PROPERTY MAINTENANCE CODE

Title and summary of Ordinance No. BG2010 - 12 was read by the Assistant City Manager/City Clerk. Motion was made by Hamilton and seconded by Wilkerson for first reading of said Ordinance. DeFebbo stated this was a housekeeping item which imposed additional local requirements for property maintenance enforcement in the City limits. He explained that each jurisdiction that adopted the International Property Maintenance Code had the discretion to specify local requirements. He declared that it was the City's intent to run the best Code Enforcement Program possible. In that regarding, DeFebbo further remarked that he planned to present changes for improvement to the program at a future work session. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2010 - 12 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 70

**MUNICIPAL ORDER APPROVING AMENDMENT TO TRAFFIC
FEATURE MAP RELATED TO ALLOWING 30 MINUTE PARKING
IN THE PULL-OFF AREA ON 8TH AVENUE IN FRONT OF THE
ENTRANCE TO THE BALLPARK NEAR CENTER STREET**

Summary of Municipal Order No. 2010 - 70 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 reviewed the amendment for time limited parking requested by the Chapter 58 Corporation (also known as Warren County Downtown Economic Development Authority, Inc.) as the second season for the Bowling Green Hot Rods kicked off. Public Works Director Emmett Wood described the specific location for the time restricted parking and stated there were no issues with the amendment. DeFebbo confirmed that notices about this proposal were sent out and no objections had been received to date.

Comm. Wilkerson commented that he attended the last Chapter 58 Corporation board meeting when this issue was discussed. He summarized that the purpose of the pull-off area was to allow for convenient loading and unloading and could provide short-term parking to allow someone to run into the Hot Rods store or over to the ticket windows without having to find a place to park on the street. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 70 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 - 71

**MUNICIPAL ORDER APPROVING AMENDMENT TO TRAFFIC
FEATURE MAP RELATED TO NO PARKING ON CENTER
STREET IN THE VICINITY OF THE INTERSECTION OF 8TH
AVENUE AND CENTER STREET**

Summary of Municipal Order No. 2010 - 71 was read by the Assistant City Manager/City Clerk. Motion was made by Hamilton and seconded by Wilkerson for consideration of said Municipal

Order. DeFebbo noted this request was made by a Police Officer. Public Works Director Emmett Wood described the specific location for the parking restriction and the ability to address a safety issue related to improving the line of sight at that intersection.

Comm. Denning inquired about the existing parking and inquired if parking on 8th Avenue (to the east of the stop sign) should also be restricted to further improve the line of sight at that intersection. Neighborhood Action Coordinator Karen Foley confirmed that the courtesy notification cards mailed out contained a broad description of the location and parking restriction. In light of the language on the courtesy cards, Mr. Wood acquiesced that an amendment could be made to include the additional parking restriction if not already restricted. Motion made by Denning and seconded by Wilkerson to amend Municipal Order No. 2010 – 71 to include the restriction of parking on a portion of 8th Avenue from the intersection along the curb for a distance to the drive entrance (first curb cut) to the Daily News parking lot.

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

Motion to amend Municipal Order No. 2010 - 71 to also restrict parking on a portion of 8th Avenue at the intersection of Center Street and 8th Avenue was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 71

(As Amended)

**MUNICIPAL ORDER APPROVING AMENDMENT TO TRAFFIC
FEATURE MAP RELATED TO NO PARKING ON CENTER
STREET AND 8TH AVENUE IN THE VICINITY OF THE
INTERSECTION OF 8TH AVENUE AND CENTER STREET**

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

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

Municipal Order No. 2010 - 71 as amended was approved by unanimous vote.

REMOVE FROM THE TABLE

Municipal Order No. 2010 – 59 was tabled at the March 16, 2010 meeting of the Board of Commissioners until its next regularly scheduled meeting. Motion was made by Wilkerson and seconded by Hamilton to remove Municipal Order No. 2010 – 59 from the table for further consideration.

MUNICIPAL ORDER NO. 2010 – 59

**MUNICIPAL ORDER APPROVING AMENDMENT TO TRAFFIC
FEATURE MAP RELATED TO THE RESTRICTION OF PARKING
TO ONE SIDE OF THE STREET LOCATED ON COASTAL
AVENUE IN RIVERBEND SUBDIVISION**

Summary of Municipal Order No. 2010 - 59 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 provided an overview of the request from the Warren County School District which was previously tabled to allow time to consider an alternative parking restriction option for the street.

Neighborhood Action Coordinator Karen Foley reported that a second round of courtesy notices were mailed out and no additional comments had been received regarding the parking restrictions.

Jason Wolfe of 540 Coastal Avenue presented a fifteen signature petition to the Board of Commissioners objecting to full-time parking restrictions on Coastal Avenue. Mr. Wolfe reported the results of his door to door neighborhood canvassing which noted that most of those who opposed full-time parking restrictions would not necessarily be opposed to time limited restrictions. He further stated that he had no objection to the alternative parking restriction proposal developed by the Public Works staff.

Warren East Area Manager Chip Jenkins of the Warren County Schools Transportation Department thanked the City's staff for their time and efforts to address the Schools' request. He stated that he had some concerns with the ability for school buses to maneuver around vehicles under the alternative policy proposed and still preferred the restriction of parking all on one-side of the street.

Public Works Director Emmett Wood reviewed both of the proposals presented, the original which restricted parking on one-side of the street and the alternative which restricted parking in designated locations on both sides of the street. Comm. Denning specifically asked Mr. Wood to give his recommendation regarding the two proposals. Mr. Wood stated he would recommend the restriction of parking on one-side of the street over the alternative proposal.

Comm. Denning expressed his concern for the safety of the children and the difficulty for buses to get through the street. Mr. Jenkins responded to a question about the pick up and drop off locations for the school age children, which was door to door.

Mayor Walker stated she respected the position of the residents on the street; however, she could not personally put aside the concerns of the school and bus drivers. She suggested the restriction be approved to see how it worked and that it could always be revisited later. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning and Walker
 Voting Nay: Hamilton and Wilkerson

Municipal Order No. 2010 - 59 was not approved for lack of a majority vote. Mayor Walker confirmed that based on the outcome of the vote no changes would be made at this time to the on-street parking along Coastal Avenue. Comm. Wilkerson suggested bringing the item up again for consideration when Commissioner Nash was in attendance to determine a majority vote on the issue.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 8:00 p.m., Mayor Walker declared this meeting adjourned.

WORK SESSION

Prior to the regular meeting and with no action taken, the Board of Commissioners, excluding Commissioner Nash, convened at 4:00 p.m. in the Commission Chamber of City Hall for a regular work session to discuss the following subjects: 1) public safety outdoor wireless mesh network status and recommendations for the next phase of the project; and 2) the Butler County sanitary landfill

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property and corrective actions underway to address some issues. The Board of Commissioners provided a consensus to support Information Technology Director Lynn Hartley's recommendation to not pursue any further, at this time, public WiFi access beyond that of the existing hot spots already established. Also, the Board agreed to the purchase of laptops for City use by elected officials and to provide access for elected officials to the City's wireless network in order to use the laptops for City business at their homes.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller