

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held DECEMBER 18, 2012**

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 December 18, 2012. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by New Friendship Baptist Church Pastor and Police Detective Barry Raley, 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 Melinda M. Hill, Commissioner Brian “Slim” Nash, Commissioner Bill Waltrip, Commissioner Joe W. Denning and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

SWEARING-IN

Because Commissioner-elect Joe W. Denning was unable to attend the swearing-in ceremony for the newly elected Board of Commissioners (whose term of office begins January 1, 2013) held on Friday, December 14, 2012, Mayor Wilkerson announced that Mr. Denning would be sworn in at this time. Warren District Court Judge Sam Potter administered the oath of office to City Commissioner Denning, who stood and affirmed his acceptance.

AWARDS & RECOGNITIONS

Mayor Wilkerson recognized the Bowling Green High School Football Team with Coach Kevin Wallace for winning its second consecutive Kentucky 5A football championship game in the Commonwealth Gridiron Bowl. He proclaimed 2012 as “The Season of Bowling Green Purples Football” and encouraged everyone to congratulate all the members of the team and coaching staff. Coach Wallace introduced the senior members on the team and other coaching staff who were in attendance, and he expressed his appreciation for the support and recognition.

City Manager Kevin D. DeFebbo acknowledged the members of the Budget Team and Finance Department for receiving the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) for the City’s Annual Operating Budget for Fiscal Year 2012/2013. Budget Team members include Assistant City Manager/City Clerk Katie Schaller, Chief Financial Officer Jeff Meisel, Human Resources and Risk Management Director J. Michael Grubbs, Comptroller Wilma Brown, Senior Staff Accountant Erin Ballou and City Manager Kevin DeFebbo.

Operation P.R.I.D.E. Executive Director Quentin Hughes presented P.R.I.D.E.’s November and December 2012 monthly commercial awards to the City of Bowling Green, Public Works Department for improvements made to 1011 College Street (known as Public Works Administration building) and 1017 College Street (known as City Hall Annex). Public Works Director Jeff Lashlee accepted the awards and voiced appreciation for the recognition.

CITY MANAGER

City Manager DeFebbo requested a closed session for the purpose of discussion on the future sale of real property by the City as publicity would likely affect the value of the specific piece of property to be sold. Motion was made by Hill and seconded by Waltrip to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b). Mayor Wilkerson called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Regular Meeting December 4, 2012

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

Motion to approve the minutes of the regular meeting of December 4, 2012 was approved by unanimous vote.

PUBLIC COMMENTS

Dr. Ray Biggerstaff and Col. Robert Spiller provided an update about the process underway to develop a proposal to request funding for a Veterans nursing home in the Bowling Green area. Dr. Biggerstaff reported that they continue to receive support from the entire Barren River Area Development District (BRADD); however, they were in need of help to identify people in the area who would be willing to provide land for the facility, approximately 20-30 acres. He expressed the urgency in submitting a proposal to Frankfort as soon as possible in order to be placed at the top of the list since there was competition from other Kentucky cities. Col. Spiller stated Bowling Green and Warren County were desperately in need of such a home with over 21,000 veterans in the area and with existing locations over an hour away already experiencing waiting lists. He also pointed out that a Veterans nursing home would bring new jobs and benefit the community.

Mayor Wilkerson noted that anyone interested in donating land needed to contact Executive Director Rodney Kirtley at the BRADD offices. He reiterated that the entire Board of Commissioners offered its support as previously approved by passage of a Resolution in 2010.

REGULAR AGENDA

MUNICIPAL ORDER NO. 2012 - 222

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF KEVIN D. DEFEBBO, GARY DILLARD, HAROLD MCGUFFEY AND JOHNNY WEBB AND THE APPOINTMENT OF MELINDA

M. HILL TO SERVE ON THE INTER-MODAL TRANSPORTATION AUTHORITY, INC. BOARD OF DIRECTORS, AND AUTHORIZING THE SUBMISSION OF REAPPOINTMENTS AND AN APPOINTMENT TO THE WARREN COUNTY JUDGE EXECUTIVE

Summary of Municipal Order No. 2012 - 222 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for consideration of said Municipal Order. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 222 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 223

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF PENNY L. BOWLES TO THE POSITION OF ASSISTANT POLICE CHIEF, BRIAN E. HARRELL TO THE POSITION OF POLICE CAPTAIN AND BERNARD J. WIEDEMER TO THE POSITION OF POLICE SERGEANT IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2012 - 223 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for consideration of said Municipal Order. Police Chief Doug Hawkins presented each recommended promotion, introducing family members, giving a brief overview of work history and providing a short story about each individual highlighting unique attributes. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 223 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 224

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF DUSTIN R. BOWMAN, JONATHAN P. BROWN, J. ANDREW MANN, D. TYLER NORRIS AND STEPHEN D. PURVIS TO THE POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2012 - 224 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed the application and testing process to narrow the pool of applicants down to the five recommended for hire. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 224 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 225

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2013-14 FOR THE HOBSON GROVE HANES FIELD RENOVATION FROM PARLAYNE OUTDOOR SOLUTIONS OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$31,793

Summary of Municipal Order No. 2012 - 225 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hill for consideration of said Municipal Order. DeFebbo indicated this was a capital project to make needed improvements to the ball field and recommended its approval. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 225 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 226

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF 2013 GRANT FUNDS FROM THE APPALACHIA HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) THROUGH THE OFFICE OF NATIONAL DRUG CONTROL POLICY IN THE AMOUNT OF \$30,000

Summary of Municipal Order No. 2012 - 226 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal Order. DeFebbo recommended the acceptance of grant funds which would assist with overtime costs associated with the two Bowling Green Police Officers assigned to the BG/WC Drug Task Force. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 226 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 42

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 23 (WATER AND SEWER) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO MAKE VARIOUS ADMINISTRATIVE CHANGES

Title and summary of Ordinance No. BG2012 - 42 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for first reading of said Ordinance. Mayor Wilkerson explained this item and the next three Ordinances were a continuation of an initiative which started a couple of years ago by Comm. Denning to reduce the number of boards and commissions that required an elected official's membership appointment. With the start of a new term in office, he noted this was a good time to make the changes.

With regard to Chapter 23 which related directly to BGMU board members, City Attorney Gene Harmon outlined the recommended changes to include making board appointments by Municipal Order rather than by Ordinance and to comply with the language in state statute with relation to residency requirements, payment of board members and allowing the Mayor to recommend appoint of a member of the Board of Commissioners or the City Manager at his discretion. He explained further that other changes reflect an intent to remove City involvement in the administrative functions of the BGMU Board whereby state statute allowed the BGMU Board to incorporate them within its own policies and procedures. In addition, he noted there was one final change to clean up a typo in the Ordinance dealing with discharge limitations.

Comm. Nash inquired if the term limitation of board members was also required by statute. If it was not, he encouraged the Board of Commissioners to look at making it longer than eight years or eliminating it altogether. He explained that often the forced turnover provides a disadvantage when negotiating between other utility boards that do not have such limits. Mr. Harmon indicated he would follow up before second reading of the Ordinance to confirm if it was a requirement of state law. With no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 42 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 43

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 6 (BUILDING REGULATIONS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO AMEND THE COMPOSITION OF THE CONTRACTORS LICENSING BOARD

Title and summary of Ordinance No. BG2012 - 43 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hill for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 43 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 44

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 14 (HOUSING) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO AMEND THE COMPOSITION OF THE HOUSING AUTHORITY BOARD OF DIRECTORS

Title and summary of Ordinance No. BG2012 - 44 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Denning for first reading of said Ordinance. City Attorney Gene Harmon noted that this Ordinance also included a change to comport with state statute. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 44 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 45

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

**ORDINANCE AMENDING CHAPTER 11 (FINANCE, TAXATION
AND ECONOMIC DEVELOPMENT) OF THE CITY OF BOWLING
GREEN CODE OF ORDINANCES TO AMEND THE COMPOSITION
OF THE JOB DEVELOPMENT INCENTIVE PROGRAM
COMMITTEE**

Title and summary of Ordinance No. BG2012 - 45 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Hill for first reading of said Ordinance. Mayor Wilkerson indicated the recommended change would allow any two members of the Board of Commissioners to serve versus having one of the two members always being the Mayor. With no further discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 45 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 227

**MUNICIPAL ORDER APPROVING AND AUTHORIZING THE
MAYOR TO EXECUTE GRANT OF EASEMENT WITH
AUBURNDALE GARY LIMITED PARTNERSHIP II RELATED TO
PLACEMENT OF SIGN NEAR THE INTERSECTION OF
CAMPBELL LANE AND WESTPARK DRIVE**

Summary of Municipal Order No. 2012 - 227 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 commented that in relation to development in the area, this action allowed the use of excess right-of-way to place signage for a new shopping center. Mayor Wilkerson described that it would give the ability for signage to be placed at the third entrance to the Gary Farms' development. City Attorney Gene Harmon also explained that the City had no other use for the excess right-of-way and it was available to help support the commercial development. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2012 - 227 was approved by unanimous vote.

REMOVE FROM TABLE

Motion was made by Waltrip and seconded by Nash to remove Municipal Order No. 2012 - 221 from the table for consideration at this time. With no discussion, a roll call vote was taken.

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

Motion to remove Municipal Order No. 2012 - 221 from the table for consideration at this time was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 221

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT RELATED TO THE CONNECTION OF THE CITY'S CAD SYSTEM AND AN AGREEMENT FOR THE CONTINUATION OF WARREN COUNTY VOLUNTEER FIRE DEPARTMENT DISPATCHING SERVICE BY THE CITY OF BOWLING GREEN, BOTH AGREEMENTS BEING BETWEEN THE CITY OF BOWLING GREEN AND WARREN COUNTY

Summary of Municipal Order No. 2012 - 221 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hill for consideration of said Municipal Order. DeFebbo recounted that this item included two agreements, one related to connection to the City's CAD system through a message switch and the other requiring a fee for service related to continued dispatching for Warren County Volunteer Fire Department. He specified the fee for dispatching was set at \$27,000 per year and there was no cost proposed for the County's connection to the message switch. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 221 was approved by unanimous vote.

REMOVE FROM TABLE

Motion was made by Denning and seconded by Hill to remove Municipal Order No. 2012 - 220 from the table to continue the discussion of this item, which started at the December 4th meeting. With no discussion, a roll call vote was taken.

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

Motion to remove Municipal Order No. 2012 - 220 from the table for consideration at this time was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 220

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT RELATED TO THE CONNECTION OF THE CITY'S CAD SYSTEM BETWEEN THE

CITY OF BOWLING GREEN AND WESTERN KENTUCKY
UNIVERSITY

Summary of Municipal Order No. 2012 - 220 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 remarked that this item included the same type of agreement that was just approved for Warren County with relation to connection to the City's CAD system and use of the message switch. He noted that Police Chief Doug Hawkins was unable to attend the last meeting, but he was here tonight to explain the proposal. Chief Hawkins explained that all three agencies (City, County and WKU) had or would purchase their own CAD systems and the City would simply provide connectivity to interface with LINC/NCIC data bases through the message switch maximizing the ability to share data at no additional cost to the City. He further explained that a network connection would be required to allow agencies the ability to search data bases, but any connectivity cost would be the responsibility of each agency. He reiterated that there was no additional wear and tear on the City system to share access.

There was additional discussion about the benefits of sharing data between the agencies through a universal connection and the potential to achieve some minor savings with regard to personnel time currently spent on responding to requests for information. Comm. Hill requested clarification regarding the purported savings of \$60,000 to both WKU and Warren County by using the City's switch. Chief Hawkins responded that if each agency purchased its own message switch they may incur such a cost. He reaffirmed that the City would not be exposed to any costs beyond the normal operational costs associated with the message switch which was independent of the connectivity.

Comm. Hill asked the City Manager to prepare a list of all organizations that the City provided in-kind services to and whether the City paid for any services from the same organizations. She asked that the list be ready for the annual Board retreat in January. Although he supported the approval of this particular Municipal Order, Comm. Waltrip indicated he also supported the request to get more information and thought it would be a good idea to look at the issue in broader terms, possibly establishing a policy to assist staff with future negotiations. He commended Comm. Hill for bringing it up. Following a request to clarify the information to be gathered, Mr. DeFebbo agreed to get it done. Once the discussion concluded, a roll call vote was taken.

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

Municipal Order No. 2012 - 220 was approved by majority vote.

SPECIAL RECOGNITION

Mayor Wilkerson presented Commissioner Nash with a few parting gifts since this was the last regular Board of Commissioners meeting to be held before the end of his term of office. Comm. Denning commented about the tremendous job Comm. Nash had done for the City during his service, praised his efforts with the Skate Park and other issues, and wished him well.

Comm. Nash expressed his appreciation for the recognition and thanked everyone for the gifts and the honor to serve. He recognized his two children, Wil and Presley, who were at his very first meeting of the Board and also in attendance at this meeting. He remarked it has been a fantastic eight

years and this was the best job he has ever had. He revealed that he loved this job because of the number of people he has been able to meet and help along the way. Comm. Nash said he would like to be remembered, if at all, for two things; first, he did not stab people in the back and was up front when he disagreed on an issue; and second, that he had a backbone and he was not afraid to use it. He closed by wishing Commissioner-elect Rick Williams and the rest of the Board of Commissioners the best of luck moving forward. He stated it has been his absolute pleasure to serve the citizens of Bowling Green.

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) (b) as previously approved. There was no action expected to follow 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 8:50 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller