

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held NOVEMBER 5, 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 November 5, 2013. Mayor Bruce Wilkerson called the meeting to order and gave the invocation. 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 Melinda M. Hill, Commissioner Bill Waltrip, Commissioner Rick Williams and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

PUBLIC HEARING

Neighborhood and Community Services Director Brent Childers conducted a public hearing for the purpose of obtaining comments from citizens regarding housing and community development needs for the development of the Five Year Consolidated Plan for the Community Development Block Grant (CDBG) Program. He reviewed the history of the CDBG Program and funding as an entitlement community, as well as the requirement to meet at least one national objective which focuses on benefiting Low-to-Moderate Income (LMI) persons, preventing or eliminating slum and blight, and/or addressing urgent community needs tied to natural disasters. Mr. Childers outlined the eligible and ineligible activities under the program, the performance measures used to evaluate outcomes, and the regulatory issues that must be followed. He also went over the planning process underway to develop a Plan draft, which includes citizen involvement and should represent the City's priorities on where to focus its funding for implementation of each Annual Plan year. In addition, Mr. Childers provided an overview of various census tract data to reflect estimated population growth, changes in homeowner and rental housing units, median household income, individuals in poverty, and other geographical representations. At the conclusion of his presentation, Mr. Childers stated public comments could continue to be received until November 25th. He also responded to a question from Commissioner Denning about the population estimates.

Habitat for Humanity Executive Director Rodney Goodman praised the Neighborhood and Community Services Department staff for their past partnerships and the work that they continue to do. He also expressed appreciation to Mr. Childers for laying out the housing statistics the way he did. Mr. Goodman said he looked forward to the day when we did not have to talk about substandard housing. However, he emphasized that we are not there yet, and he remarked it was so important to have the CDBG Program to help address these needs. Mr. Goodman explained how difficult it was for a family making a median wage income of \$9.56 per hour to afford rental housing in Bowling Green. Since the statistics showed we are trending to become a higher rental community, he stated that he would like the City to really address the needs of the rental community, both from a landlord and a tenant side so families could know they have a decent, safe and affordable place in which to live.

There were no other comments, and the public hearing concluded at approximately 7:30 p.m.

AWARDS & RECOGNITIONS

Mayor Wilkerson announced the retirement of Parks Maintenance Division Manager Gerald Belcher with 33 years of service to the City, and wished him well.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion on the future acquisition real property by the City and the sale 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 or sold by the City, and for discussion of proposed litigation against the City and on behalf of the City. Motion was made by Waltrip and seconded by Denning to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b) and (c). Mayor Wilkerson called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Regular Meeting October 15, 2013

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

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

Motion to approve the minutes of the regular meeting of October 15, 2013 was approved by unanimous vote.

PUBLIC COMMENTS

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

REGULAR AGENDA

ORDINANCE NO. BG2013 - 34

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 9 (GENERAL OFFENSES),
SUBCHAPTER 9-3 (NOISE) OF THE CITY OF BOWLING GREEN
CODE OF ORDINANCES TO PROVIDE AN EXEMPTION FOR
INDUSTRIAL ZONED PROPERTIES

Title and summary of Ordinance No. BG2013 - 34 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 explained he proposed the revisions to the noise ordinance at the recommendation of the Bowling Green Area Chamber of Commerce in an effort to remove any impediments to recruitment of industrial based businesses. He also confirmed there have not been any noise complaints due to industrial manufacturing filed with the Police Department in the past three years. With no other discussion, a roll call vote was taken.

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

Ordinance No. BG2013 - 34 was adopted by unanimous vote.

ORDINANCE NO. BG2013 - 35

(Second Reading)

ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS

AN ORDINANCE OF THE CITY OF BOWLING GREEN, KENTUCKY AUTHORIZING THE ISSUANCE OF CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013C IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,800,000 FOR THE PURPOSE OF CURRENTLY REFUNDING THE OUTSTANDING CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2003, THE PROCEEDS OF WHICH IN TURN REFUNDED AN EARLIER SERIES OF BONDS ISSUED TO FINANCE THE CONSTRUCTION AND EQUIPPING OF A MUNICIPAL CONVENTION CENTER AND TRADE SHOW FACILITY; APPROVING THE FORMS OF BONDS; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE BONDS; AUTHORIZING AND DIRECTING THE FILING OF NOTICE WITH THE STATE LOCAL DEBT OFFICER; PROVIDING FOR THE PAYMENT AND SECURITY OF THE BONDS; CREATING BOND PAYMENT FUNDS; AUTHORIZING ACCEPTANCE OF THE BIDS OF THE BOND PURCHASERS FOR THE PURCHASE OF THE BONDS FOLLOWING THE ADVERTISED SALE OF THE BONDS; AND REPEALING INCONSISTENT ORDINANCES

Title and summary of Ordinance No. BG2013 - 35 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2013 - 35 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 175

MUNICIPAL ORDER APPROVING THE TRANSFER OF

THEODORE L. WEBB TO THE POSITION OF PLAN REVIEWER I
IN THE NEIGHBORHOOD AND COMMUNITY SERVICES
DEPARTMENT

Summary of Municipal Order No. 2013 - 175 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 noted a recent retirement created a vacancy, and he recommended the transfer of Mr. Webb to fill the position. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 175 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 176

MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENT OF CHARLES W. STEWART TO THE POSITION
OF LABORER II IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2013 - 176 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the application process and recommended the appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 176 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 177

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2013-46 FOR FISCAL YEAR 2013 SIDEWALK CONSTRUCTION
PROGRAM FROM J.C. BREWER CONSTRUCTION, INC. OF
BOWLING GREEN, KENTUCKY IN THE TOTAL AMOUNT OF
\$221,677.80

Summary of Municipal Order No. 2013 - 177 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo recommended the bid award to construct 4,900 linear feet of new sidewalk, curb and gutter. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 177 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 178

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2014-07 FOR A BEVERAGE PROVIDER FOR SOFT DRINK

VENDING AND CONCESSIONS FROM CLARK BEVERAGE GROUP, INC. OF OAKLAND, KENTUCKY FOR A TOTAL ANNUAL NET COST OF \$44,360 FOR FIVE YEARS

Summary of Municipal Order No. 2013 - 178 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 reviewed the bid process and recommended contracting for Coca Cola products to service the Parks and Recreation Department facilities and other ancillary locations. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 178 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 179

MUNICIPAL ORDER APPROVING AND AUTHORIZING OUT-OF-TOWN TRAVEL EXPENSES FOR CITY MANAGER KEVIN D. DEFEBBO TO ATTEND THE KENTUCKY LEAGUE OF CITIES CONFERENCE IN COVINGTON, KENTUCKY

Summary of Municipal Order No. 2013 - 179 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 briefly commented about his attendance at the conference. Mayor Wilkerson pointed out the Board only approved the City Manager's travel and its own, but that all other staff travel was approved under the direction of the City Manager. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2013 - 179 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 180

MUNICIPAL ORDER APPROVING FISCAL YEARS 2013/2014 THROUGH 2016/2017 CAPITAL IMPROVEMENT PROGRAM (CIP) FOR THE CITY OF BOWLING GREEN, KENTUCKY

Summary of Municipal Order No. 2013 - 180 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo recounted that the CIP plan draft was presented at the October 15th work session. He reiterated that the current year's budget (Fiscal Year 2014) contained the only projects ratified at this time. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 180 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 181

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE THROUGH THE BULLETPROOF VEST PARTNERSHIP PROGRAM IN THE AMOUNT OF \$8,415.15

Summary of Municipal Order No. 2013 - 181 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo recommended acceptance of the grant funds to provide 50% of the money needed to purchase up to ten new vests. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 181 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 182

MUNICIPAL ORDER APPROVING A JOB DEVELOPMENT INCENTIVE PROGRAM EMPLOYEE WITHHOLDINGS CREDIT AGREEMENT WITH BILSTEIN COLD ROLLED STEEL, LP AND APPROVING AND RATIFYING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING (MOU) RELATED TO BILSTEIN COLD ROLLED STEEL, LP

Summary of Municipal Order No. 2013 - 182 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo indicated the City worked with the Bowling Green Area Chamber of Commerce and Inter-modal Transportation Authority (ITA) to provide incentives for the creation of 90 new jobs in the Kentucky Transpark. City Attorney Gene Harmon also explained this action included the ratification of the Mayor's signature which was required on the MOU prior to being able to go public about the economic development opportunity. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 182 was approved by unanimous vote.

ORDINANCE NO. BG2013 - 36

(First Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER ONE TO THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2014

Title and summary of Ordinance No. BG2013 - 36 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for first reading of said Ordinance. DeFebbo reviewed the process to amend the budget and recommended its approval. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2013 - 36 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 183

MUNICIPAL ORDER APPROVING DISSOLUTION OF THE BOWLING GREEN PUBLIC PROPERTIES CORPORATION AND THE CITY OF BOWLING GREEN MUNICIPAL PROJECTS CORPORATION, AUTHORIZING EXECUTION OF ALL NECESSARY DOCUMENTS RELATING TO A LAND EXCHANGE BETWEEN THE BOWLING GREEN-WARREN COUNTY REGIONAL AIRPORT AND THE BOWLING GREEN PUBLIC PROPERTIES CORPORATION, AUTHORIZING EXECUTION OF ALL NECESSARY DOCUMENTS TO TRANSFER PROPERTIES BELONGING TO BOTH CORPORATIONS TO THE CITY OF BOWLING GREEN AND AUTHORIZING THE CITY ATTORNEY AND OTHER APPROPRIATE CITY OFFICERS TO FILE APPROPRIATE DOCUMENTS TO CARRY OUT THE DISSOLUTIONS

Summary of Municipal Order No. 2013 - 183 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. City Attorney Gene Harmon outlined the request by the Airport Board to exchange land. He reported that the property to be given to the Regional Airport was actually owned by a holding company of the City and would also require approval by the Public Properties Corporation. He further explained that the two Corporations were once needed to issue revenues bonds on behalf of the City; however, with the ability to issue general obligation bonds, the two Corporations were no longer needed and could be dissolved once all property holdings are transferred to the City. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 183 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 184

MUNICIPAL ORDER APPROVING AMENDMENTS TO THE CITY OF BOWLING GREEN SIDEWALK PROGRAM - NEW SIDEWALK COMPONENT

Summary of Municipal Order No. 2013 - 184 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo recommended approval of the proposed changes to the Sidewalk Program which had been

discussed at the work session earlier in the afternoon. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 184 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 185

MUNICIPAL ORDER APPROVING THE ADVERTISEMENT FOR BIDS AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE PURCHASE OF CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013C IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,800,000

Summary of Municipal Order No. 2013 - 185 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 explained the requirement for the Board to approve the advertised sale for refunding the bonds which was in conjunction with Ordinance No. BG2013 - 35. Chief Financial Officer Jeff Meisel pointed out a correction to be made to Exhibit A relating to the date of the bond sale. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 185 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:55 p.m. in closed session pursuant to KRS 61.810 (1) (b) and (c) as previously approved. DeFebbo confirmed that no action would be required by the Board of Commissioners following 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 9:05 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) a quarterly report regarding the African American Museum activities; and 2) proposed amendments to the Sidewalk Program - New Sidewalk Component.

(Minutes-Board of Commissioners-November 5, 2013)

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller