

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held OCTOBER 19, 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 October 19, 2010. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Mayor Walker, 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 Bruce Wilkerson, Commissioner Joe W. Denning, Commissioner Catherine Hamilton, Commissioner Brian "Slim" Nash and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

REMEMBRANCE

Mayor Walker requested a moment of silence to remember Franco P. Irvin who unexpectedly passed away earlier in the day. She remarked that Mr. Irvin was an Operations Technician I in the Public Works Department, Operations Division and had been with the City since November 2008. Comm. Denning respectfully requested that staff expedite any necessary paperwork to assist Mr. Irvin's family.

AWARDS & RECOGNITIONS

Mayor Walker announced Fountain Square Park was named one of *10 Great Public Spaces for 2010* by the American Planning Association (APA) under the organization's Great Places in America Program. She also announced Parks and Recreation employee Tony Whitmer recently received his renewal as a Certified Golf Course Superintendent (CGCS) from the Golf Course Superintendents Association of America (GCSAA). She noted that Mr. Whitmer was one of approximately 1,700 people in the country to receive this achievement and the City was fortunate to have him. In addition, Mayor Walker recognized City Engineer Jeff Lashlee, who was in attendance, for being named *Distinguished Engineer in the Public Sector* by the Kentucky American Society of Civil Engineers (ASCE). She explained that this award was only given to one engineer each year in the state and that Mr. Lashlee deserved the honor.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussing pending litigation against the City. Motion was made by Wilkerson and seconded by Hamilton to convene in closed session following the regular meeting pursuant to KRS 61.810 (1)(c). Walker called for roll call vote.

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

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

With a pre-application deadline of October 31st, Mr. DeFebbo stated the City intended to apply for Federal Emergency Management Agency (FEMA) Hazard Mitigation Program funds for two

major projects – Covington Avenue and Cave Mill Road. He reported that both locations received significant flooding during the May 1-2, 2010 storm. He also noted that both projects have a cost in excess of \$4 million.

PRESENTATION

Downtown Redevelopment Authority (DRA) Executive Director Cheryl Blaine explained a group of volunteers came together in 2006, following the donation of an historic façade of the old “Kirby’s Saloon” from Rioann Ridley, to develop a plan for the first entry corridor into *The District* (downtown Bowling Green). She reported that countless hours were also donated by Architect Brian Shirley of Arnold Consulting to design a neighborhood park that incorporated the historic façade on excess property purchased by the City from the realignment of Broadway Avenue. Mr. Shirley presented and described the conceptual plan for the Broadway Gateway Project. DRA Board member Alice Rockhold, and member of the group of volunteers, responded to questions about donations received to date for the project and the estimated cost for development of approximately \$300,000.

APPROVAL OF MINUTES

Minutes of Regular Meeting October 5, 2010

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

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

Motion to approve the minutes of the regular meeting of October 5, 2010 was approved by majority vote. Comm. Nash abstained since he was not in attendance at the October 5th meeting.

PUBLIC COMMENTS

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

ORDINANCE NO. BG2010 – 35

(Second Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER ONE TO THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2011

Title and summary of Ordinance No. BG2010 - 35 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2010 - 35 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 224

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF GREG JOHNSON TO THE BOWLING GREEN-WARREN COUNTY MOBILE RADIO COMMUNICATIONS COMMITTEE

Summary of Municipal Order No. 2010 - 224 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 224 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 225

MUNICIPAL ORDER APPROVING THE PROMOTION OF WILLIAM R. DANIELS TO THE POSITION OF FIRE APPARATUS OPERATOR/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2010 - 225 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. Deputy Fire Chief John Weatherbee indicated a vacancy came about due to a recent resignation, and he reviewed the qualifications for the recommended promotion. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 225 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 226

MUNICIPAL ORDER APPROVING REVISIONS TO THE EMPLOYEE MEDICAL BENEFIT PLAN FOR EMPLOYEES OF THE CITY OF BOWLING GREEN

Summary of Municipal Order No. 2010 - 226 was read by the Assistant City Manager/City Clerk. Motion was made by Hamilton and seconded by Nash for consideration of said Municipal Order. DeFebbo stated the recommendations for revisions were discussed and approved by the Employee Healthcare Committee. Human Resources and Risk Management Director Michael Grubbs outlined the most significant revisions which included changes to the dental benefits, vision plan, emergency room coverage, out-patient surgery benefit, supplemental injury payment benefit (accident provision coverage), and changes mandated under the new federal regulations. Mr. Grubbs also responded to questions regarding the annual maximum benefit proposed for the dental plan, the departmental representation on the employee committee, and the accident coverage elimination.

Mayor Walker thanked the Committee members for making such tough decisions. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2010 - 226 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 227

MUNICIPAL ORDER AUTHORIZING A CONTRIBUTION FROM THE CITY’S GENERAL FUND IN THE AMOUNT OF \$450,000 TO THE BOWLING GREEN POLICE AND FIREFIGHTERS RETIREMENT FUND FOR FISCAL YEAR 2011

Summary of Municipal Order No. 2010 - 227 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 City’s annual contribution to the closed pension fund to assist with providing a 2.7% cost of living adjustment for annuitants. Mayor Walker commented that the retirees on the Board of Trustees for the fund were very involved and active members. She also thanked fund advisors Bob Kirby and Mac Jefferson of Hilliard Lyons for their assistance. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2010 - 227 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 228

MUNICIPAL ORDER ACCEPTING TRAVEL EXPENSES FOR MAYOR ELAINE N. WALKER TO ATTEND THE U.S. CONFERENCE OF MAYORS LEADERSHIP CONFERENCE IN WASHINGTON, D.C. AND ACKNOWLEDGING REIMBURSEMENT OF EXPENSES

Summary of Municipal Order No. 2010 - 228 was read by the Assistant City Manager/City Clerk. Motion was made by Hamilton and seconded by Denning for consideration of said Municipal Order. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 228 was approved by majority vote.

MUNICIPAL ORDER NO. 2010 – 229

MUNICIPAL ORDER ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE CITY OF BOWLING GREEN WITH THE KENTUCKY JUSTICE AND PUBLIC SAFETY CABINET FOR FEDERAL VICTIMS OF CRIME ACT (VOCA) 2010 FUNDS IN THE AMOUNT OF \$35,273

Summary of Municipal Order No. 2010 - 229 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 reviewed and recommended acceptance of grant funds for the eighteenth year. Comm. Nash commented that the City routinely accepted grants, however, this grant addressed a vitally important role by targeting children who have been victims of sexual and physical abuse. He listed all the various aspects of Victim Advocate April Fulcher's responsibilities and services to these crime victims, and he thanked Ms. Fulcher for all that she does. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2010 - 229 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2010 – 230

**MUNICIPAL ORDER APPROVING AMENDMENT TO TRAFFIC
FEATURE MAP RELATED TO THE INSTALLATION OF STOP
SIGNS ON GRIDER POND ROAD AT ITS INTERSECTION WITH
HUNT MASTER DRIVE TO CONVERT THE INTERSECTION TO A
THREE-WAY STOP**

Summary of Municipal Order No. 2010 - 230 was read by the Assistant City Manager/City Clerk. Motion was made by Hamilton and seconded by Wilkerson for consideration of said Municipal Order. Civil Engineer Mark Absher described the location and the citizen request to reduce speeding and cut thru traffic in the area. Although Mr. Absher noted stop signs were not the solution to address speeding concerns, an analysis of the area did reveal that it met guidelines for the installation of additional stop signs at that intersection. He also clarified the stop signs would address any safety issues regarding sight distance.

Bill Page of 3218 Hunt Master Drive expressed concerns about the increase in traffic and speed as the area has further developed. He appreciated the request and thanked staff for its study.

Betty Rich of 1239 Grider Pond Road agreed there was a lot of traffic, but she did not believe a three-way stop was the answer. She suggested an increase in police patrols to deter speeding and would like reconsideration for a better overall solution. Ms. Rich stated she was concerned about traffic backing up on Grider Pond Road to Smallhouse Road if the stop signs were installed.

Comm. Wilkerson admitted he had not considered the potential back up of traffic. Mr. Absher confirmed he had considered this issue in his study, however, the numbers suggested there was sufficient storage for the volume of traffic with about a thirty second delay.

Mayor Walker specified that if the Board of Commissioners approved this item and a new problem arose like traffic backing up, the Board could always readdress the issue. In support of the stop signs, she also voiced her concern for the safety of motorists coming off of Hunt Master Drive particularly knowing the speed that people travel on Grider Pond Road.

There was further discussion about the use of stop signs as not being a suggested method to deter speeding. Mr. Absher reported that national studies did not recommend the use of stop signs for

this purpose because motorists often speed up between stop signs to regain time lost by having to stop. In an effort to verify if speeding increased (or did not improve) in this location with the new stop signs, Mr. Absher stated he would further monitor and track data for comparison in about four weeks following the installation.

Once the discussion ended, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson (with the idea that staff will continue to look at the issue), Denning, Hamilton, Nash and Walker

Voting Nay: None

Municipal Order No. 2010 - 230 was approved by unanimous vote. Mayor Walker thanked the residents for speaking and encouraged them to report any additional problems that may need to be addressed at a later date.

MUNICIPAL ORDER NO. 2010 - 231

MUNICIPAL ORDER ACCEPTING MAINTENANCE RESPONSIBILITY FOR SIDEWALKS ON CUMBERLAND TRACE (KY 2158) LOCATED IN THE CITY LIMITS TO BE CONSTRUCTED BY THE KENTUCKY TRANSPORTATION CABINET AS PART OF A WIDENING AND OVERLAY PROJECT

Summary of Municipal Order No. 2010 - 231 was read by the Assistant City Manager/City Clerk. Motion was made by Hamilton and seconded by Denning for consideration of said Municipal Order. DeFebbo indicated that about a month or so ago the Kentucky Transportation Cabinet asked the City to take over maintenance of its older sidewalks, to which the Board did not agree. Under this proposal, he explained the State was requesting the future maintenance of newly constructed sidewalks. Mr. DeFebbo recommended acceptance based on the investment being made by the State which further enhanced the City's Sidewalk Program to connect neighborhoods and schools.

Comm. Wilkerson inquired if there was any information about the status of the State's plan to divert traffic to Cherry Farms Boulevard near the new Greenwood Fire Station. Mayor Walker responded that the lack of State funds had slowed the project down. However, she surmised that it should be picked back up in the next few years.

Mayor Walker remarked about the Board's disagreement with accepting maintenance of the State's older sidewalks due to the cost the City would immediately incur by having to make repairs to those sidewalks. She agreed that in this particular case, it made sense for the City to accept future maintenance of the new sidewalks. She asked for additional discussion, and with none, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2010 - 231 was approved by unanimous vote.

NEXT MEETING

Mayor Walker announced that due to elections on November 2, 2010, the Board of Commissioners would not meet according to its regular schedule on the first Tuesday of the month. Instead, the Board would hold a special meeting at 3:00 p.m. on November 3, 2010.

CLOSED SESSION

Mr. DeFebbo confirmed there was no expectation of action to follow the discussion. Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:50 p.m. in closed session pursuant to KRS 61.810 (1)(c) 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 8:25 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) requested refinancing of bonds for Western Kentucky University E.A. Diddle Arena; and 2) proposed revisions to the Purchasing Policy regarding local vendor preference in bidding.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller