

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held DECEMBER 2, 2008**

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 2, 2008. Mayor Elaine N. Walker called the meeting to order. An invocation was given by City Manager Kevin D. DeFebbo. Following a moment of silence for the victims and survivors of the terrorist attack in Mumbai, India, 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 Brian "Slim" Nash, Commissioner Brian K. Strow and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Mayor Walker recognized Commissioner Strow whose term on the Board of Commissioners was coming to an end on December 31st. Commissioner Strow was presented with a token of appreciation, a framed picture of downtown Bowling Green, for his past four years of service to the community. He thanked the voters for giving the opportunity to serve.

CITY MANAGER

City Manager Kevin D. DeFebbo welcomed Police Officer Lisa Brown who was in attendance for increased security. He requested a closed session for the purpose of discussion which might lead to the discipline or dismissal of an individual employee without restricting that employee's right to a public hearing if requested, and for discussion between the City and a representative of business entities and discussions concerning specific proposals, if open discussions would jeopardize the siting, retention, expansion or upgrading of the businesses. Motion was made by Wilkerson and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (f) and (g). Walker called for roll call vote.

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

Motion to convene in closed session pursuant to KRS 61.810 (f) and (g) was approved by unanimous vote.

In addition, Mr. DeFebbo stated that item number 6 (Municipal Order No. 2008 - 285) regarding the approval of a Contract of Sale with Hoot Owl Holdings, LLC related to the sale of Butler County property was withdrawn from the agenda.

APPROVAL OF MINUTES

Minutes of Regular Meeting November 18, 2008

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

Motion to approve the minutes of the regular meeting of November 18, 2008 was approved by unanimous vote.

PUBLIC COMMENTS

Mayor Eva Hawes from the City of Morgantown, Kentucky, stated that she and Butler County Judge Executive David Fields have been getting a number of phone calls regarding Bowling Green's proposed sale of a portion of its Butler County Landfill property. She expressed concern about the potential sale and the impact it could have on the residents of Morgantown and Butler County.

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. 2008 - 280

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF AMY CAPPICIE TO THE CITY OF BOWLING GREEN BOARD OF ETHICS

MUNICIPAL ORDER NO. 2008 - 281

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF SUE PARRIGIN AND MONICA BURKE TO THE ADMINISTRATIVE APPEALS BOARD

MUNICIPAL ORDER NO. 2008 - 282

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF LAUREN DOWELL TO THE BOWLING GREEN COMMUNITY TREE ADVISORY 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: Wilkerson, Denning, Nash, Strow and Walker
 Voting Nay: None

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

REGULAR AGENDA

MUNICIPAL ORDER NO. 2008 - 283

MUNICIPAL ORDER APPROVING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH BOB HOOK CHEVROLET INC. OF LOUISVILLE, KENTUCKY UNDER THE KENTUCKY STATE PRICING CONTRACT FOR THE PURCHASE OF A 2009 CHEVROLET SILVERADO 3500 HD TRUCK WITH CREW CAB IN THE AMOUNT OF \$25,585 FOR THE FIRE DEPARTMENT

Summary of Municipal Order No. 2008 - 283 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 reviewed and recommended this and the next purchasing item for the Fire Department to replace existing equipment. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2008 - 283 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2008 - 284

MUNICIPAL ORDER APPROVING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH BOB HOOK CHEVROLET INC. OF LOUISVILLE, KENTUCKY UNDER THE KENTUCKY STATE PRICING CONTRACT FOR THE PURCHASE OF A 2009 CHEVROLET SUBURBAN 2500 LT IN THE AMOUNT OF \$36,249 FOR THE FIRE DEPARTMENT

Summary of Municipal Order No. 2008 - 284 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson 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, Nash, Strow and Walker
 Voting Nay: None

Municipal Order No. 2008 - 284 was approved by unanimous vote.

NOTE: Municipal Order No. 2008 - 285 was previously withdrawn from consideration.

ORDINANCE NO. BG2008 - 62

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTERS 9 (CRIMES AND OFFENSES) AND 19 (POLICE) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES, RENAMING CHAPTER 9 TO GENERAL OFFENSES AND CREATING A NEW CHAPTER 15 (BUSINESS AND GENERAL REGULATIONS)

Title and summary of Ordinance No. BG2008 - 62 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for first reading of said Ordinance. As sponsor of this ordinance, Comm. Wilkerson stated that the proposed changes to Chapter 9 of the Code of Ordinances had been discussed at the past two work sessions of the Board. He explained that the updates included minor changes and several housekeeping items. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2008 - 62 was approved by unanimous vote.

BOARD OF COMMISSIONERS COMMENTS

Comm. Nash expressed his appreciation for serving the past few years with Comm. Strow. He said that Comm. Strow had the ability to take an idea from start to finish.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber at approximately 7:15 p.m., the Board of Commissioners met in closed session pursuant to KRS 61.810 (f) and (g) 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 7:20 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 subject: a proposed Private Storm Water Retention Basin Clean-up Program. The other two topics listed on the agenda regarding 1) a proposed Traffic Calming Program and 2) the Financing Plan revisions for the WKU Gateway to Downtown Bowling Green Development Area and Tax Increment Financing (TIF) District were not discussed.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk