

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held NOVEMBER 20, 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 November 20, 2012. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Pastor Julio Jn Gilles of Bethesda School, Madeline, in Cap-Haitien, Haiti, 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 Brian "Slim" Nash, Commissioner Bill Waltrip, Commissioner Joe W. Denning, Commissioner Melinda M. Hill and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

PUBLIC HEARING

City Engineer Melissa Cansler conducted a public hearing for the purpose of reviewing the proposed use of the Municipal Aid Program (Liquid Fuel Tax) funds and the Coal-Mineral Severance Tax funds. She reported that the Fiscal Year 2013 Liquid Fuel Tax (LFT) projected revenues are \$1,175,000 with proposed expenses totaling \$1,090,000. She reviewed the projects proposed for Street and Alley Resurfacing (Overlay) of 4.3 miles in the amount of \$850,000 and the Downtown Traffic Signal Expansion project to include improvements at the intersections of Center Street/11th Avenue and Chestnut Street/10th Avenue in the amount of \$140,000. In addition, \$100,000 would be allocated along with \$57,000 of carryover funds from previous years, as well as \$25,000 of Community Development Block Grant (CDBG) funds, for the rehabilitation of approximately 2,500 linear feet of sidewalk, curb & gutter along Collegeview Drive. Ms. Cansler further reported that the Fiscal Year 2013 Coal-Mineral Tax projected revenues are \$40,000. She explained that there were no specific plans to expend any of Coal-Mineral funds in Fiscal Year 2013 since the fund balance had been depleted in the past few years. The projected ending fund balances are \$791,348 for LFT and \$51,985 for Coal-Mineral. There were no questions from the public.

CITY MANAGER

City Manager Kevin D. DeFebbo withdrew item number 18 (Municipal Order No. 2012 - 212) regarding the use of City and County owned property by the Bowling Green/Warren County Humane Society from the agenda. He also requested a closed session for the purpose of discussion which might lead to the appointment of an individual employee without restricting that employee's right to a public hearing if requested. Motion was made by Waltrip and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (f). Mayor Wilkerson called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Regular Meeting October 16, 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 Nash to approve said minutes as written. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of October 16, 2012 was approved by unanimous vote.

PUBLIC COMMENTS

Dr. Ray Biggerstaff, 1st Vice President of the Cumberland Trace Chapter of the American Military Officers Association, thanked the Board for its active participation to help locate a Veterans nursing home facility in the Bowling Green area. As they prepare proposal documents to deliver to Frankfort, he requested assistance with identifying potential entrepreneurs and/or land owners that might be willing to allocate the property needed for the Veterans facility.

John David Ryan, Kyle O'Donnell and Patricia Mentor, residents of Bowling Green, spoke in favor of Kentuckians for Fairness and urged the adoption of a local Fairness Ordinance to prohibit discrimination in employment, housing and public accommodations on the basis of sexual orientation and gender identity. Ms. Mentor provided a copy of a draft ordinance for the Board's consideration.

Dr. Dana Bradley, Director for the Center of Gerontology at Western Kentucky University (WKU), provided an update about the Age Friendly Cities Project. She also recognized members of the audience that had recently participated in the Citizen's Academy held in October. She expressed appreciation for the continued support of the City.

CHANGE ORDER OF AGENDA

Without objection, Mayor Wilkerson moved item number 19 (Ordinance No. BG2012 - 39) up on the agenda to be considered at this time.

REMOVE FROM TABLE

Motion was made by Nash and seconded by Hill to remove Ordinance No. BG2012 - 39 from the table for its first reading. With no discussion, a roll call vote was taken.

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

Motion to remove Ordinance No. BG2012 - 39 from the table for consideration at this time was approved by unanimous vote.

ORDINANCE NO. BG2012 - 39
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.56 ACRES FROM RM-3 (MULTI-FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS) LOCATED AT 603 OLD MORGANTOWN ROAD, PRESENTLY OWNED BY PSM ENTERPRISES, LTD WITH REDO SALKIC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2012 - 39 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for first reading of said Ordinance. City Attorney Gene Harmon outlined the steps the Board needed to take if it was going to deny the City-County Planning Commission's recommendation, including the ability to hold its own public hearing or to hear arguments based on the Planning Commissioner's record. Since there were no objections, Mayor Wilkerson stated the Board would hear arguments based on the existing record and would not allow any new testimony.

City-County Planning Commission Director Steve Hunter provided an overview of the staff report, the various policies that related to this case, and the approved binding elements. He detailed that of the total number of policies (20), there were 17 found to be in compliance, with three others considered a judgment call. With a 9-0 vote, Mr. Hunter confirmed that the recommendation was approved without opposition. He also responded to questions from Comm. Nash regarding the surrounding zoning types, the consideration of traffic impact related to six of the policies, and the use of the property as a neighborhood grocery store.

Comm. Nash expressed concern about the ability of the property to be used for other purposes in the future under the General Business zoning designation which may not fit with the neighborhood's character, and which also allowed for a 10,000 square foot structure to be built on the property. Additionally, he questioned if there was a compelling need for the zone change. Like most zone changes, Mr. Hunter replied the request originated by the property owner and was neither determined to be compelling or not compelling.

Comm. Denning requested clarification that the binding elements stayed with the property even if it was sold. Mr. Hunter confirmed that was a true statement.

Attorney Mark Alcott, representing the zoning applicant and contract vendee, indicated that the sale of the property was contingent upon the zone change and would turn a rental property into a neighborhood business. He revealed that Mr. Salkic, the contract vendee, proposed to open a neighborhood grocery store in that location because it was in the area of a large Bosnian population and would include international items. He also noted that the proposed hours of operation would be from 7:00 a.m. to no later than 7:00 p.m. Mr. Alcott reiterated that the applicant's intent was to keep the property part of the neighborhood, including making accommodations for lower level signage, locating the dumpster in the back of the property and addressing various parking issues. Mr. Alcott also responded to questions about the desired location for the grocery, the products to be sold in the market, and other issues that had been brought up during the public hearing.

The timing of the application was also briefly discussed as it related to when the new Comprehensive Plan took effect; however, Mr. Harmon opined that the zone change must be considered under the old Comprehensive Plan which was in place at the time of the application. He

also confirmed that new binding elements could not be introduced at the Board of Commissioners' approval level.

Following further discussion about the proposed hours of operation and lack of restrictions under a designation of General Business, Comm. Nash stated he had no reason to question the intent of the property owners. He simply was concerned about the future use of the property and the impact to the neighborhood.

Without introducing any new testimony, Trudy Kapley of 611 Old Morgantown Road asked questions about the ability to locate a used car lot on the property, whether a traffic study was required and if surveys could be sent out to determine interest/issues of neighbors. Although not all issues brought up at the public hearing were agreed to, Mr. Alcott pointed out that everything was addressed and there was no proposal to use the property for a used car lot. Mr. Hunter also responded that a traffic impact study was not completed since it did not meet the level of traffic counts required for such a study. Once all the discussion ended, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 39 was approved by majority vote.

RESUME REGULAR AGENDA

ORDINANCE NO. BG2012 - 38

(Second Reading)

ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS

AN ORDINANCE OF THE CITY OF BOWLING GREEN, KENTUCKY AUTHORIZING THE ISSUANCE OF (I) CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013A IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,455,000 FOR THE PURPOSE OF REFUNDING THE OUTSTANDING CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2002A, REFUNDING A PORTION OF THE OUTSTANDING CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2004A AND REFUNDING THE OUTSTANDING MASTER LEASE-PURCHASE AGREEMENT DATED AS OF AUGUST 31, 2007 BETWEEN CHASE EQUIPMENT LEASING INC. AND THE CITY, THE PROCEEDS OF WHICH FINANCINGS IN TURN FINANCED THE COSTS OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF VARIOUS PUBLIC PROJECTS IN THE CITY, AND (II) CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,215,000 FOR THE PURPOSE OF REFUNDING THE OUTSTANDING MASTER LEASE-PURCHASE AGREEMENT DATED AS OF OCTOBER 7, 2010 BETWEEN CHASE EQUIPMENT FINANCE, INC. AND THE

CITY AND THE OUTSTANDING LEASE AGREEMENT DATED AS OF JUNE 30, 2005 BETWEEN BRANCH BANKING AND TRUST COMPANY AND THE CITY, THE PROCEEDS OF WHICH IN TURN FINANCED THE COSTS OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF VARIOUS PUBLIC PROJECTS IN THE CITY; 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. BG2012 - 38 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2012 - 38 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 198

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF GARY COUNTS AND CHARLES A. MOSLEY TO THE CONTRACTORS LICENSING BOARD

Summary of Municipal Order No. 2012 - 198 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for consideration of said Municipal Order. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 198 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 199

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF EDWARD MARTIN AND APPOINTMENT OF PAUL RESS TO THE GREENWAYS COMMISSION OF BOWLING GREEN AND WARREN COUNTY

Summary of Municipal Order No. 2012 - 199 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 recognized Mr. Ress who was in the audience. He asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Waltrip, Denning, Hill and Wilkerson
 Voting Nay: None
Municipal Order No. 2012 - 199 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 40
(First Reading)

ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

ORDINANCE APPROVING THE APPOINTMENT OF DONNA
HARMON TO THE BOWLING GREEN MUNICIPAL UTILITIES
(BGMU) BOARD

Title and summary of Ordinance No. BG2012 - 40 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for first reading of said Ordinance. Mayor Wilkerson explained that a vacancy on the BGMU Board occurred with the resignation of Arthur Reynolds who was moving out of the area. Comm. Nash commented about Mr. Reynolds service and stated he would be missed. Mayor Wilkerson indicated that Ms. Harmon had previously served on the BGMU Board. With no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 40 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 200

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2013-10 FOR KEREIAKES PARK TENNIS COURTS 9 AND 10
AND BASKETBALL COURT LIGHTING SYSTEM FROM MUSCO
SPORTS LIGHTING, LLC OF OSKALOOSA, IOWA IN THE
AMOUNT OF \$28,900

Summary of Municipal Order No. 2012 - 200 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed and recommended the purchase to upgrade the lighting system. He noted that installation would be completed with in-house labor. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 200 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 201

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2012-49 FOR TURNOUT GEAR (JACKETS, PANTS AND
ACCESSORIES) FOR THE FIRE DEPARTMENT FROM
BLUEGRASS UNIFORMS OF BOWLING GREEN, KENTUCKY AT
A UNIT PRICE OF \$2,089 WITH A TOTAL AMOUNT NOT TO
EXCEED \$31,335

Summary of Municipal Order No. 2012 - 201 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 indicated the budget included the scheduled replacement of up to fifteen sets of turnout gear for Fire personnel. He recommended the bid award based on the evaluation completed by the Fire Department. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 201 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 202

MUNICIPAL ORDER APPROVING THE PURCHASE AND INSTALLATION OF A 25 TON TRANE CONDENSING UNIT AND CHILLER BARREL FOR CITY HALL THROUGH NONCOMPETITIVE NEGOTIATIONS WITH STEWART RICHEY SERVICE GROUP (FORMERLY ROLLIN MECHANICAL) IN THE AMOUNT OF \$36,900

Summary of Municipal Order No. 2012 - 202 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 reported that the condensing unit failed in City Hall back in October and it was necessary to replace the equipment with a more energy efficient product. In response to a question from Comm. Nash, Public Works Director Jeff Lashlee and Ms. Schaller explained the ability to purchase through noncompetitive negotiations since HVAC repair, replacement and installation services were previously bid out under a five year contract. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 202 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 203

MUNICIPAL ORDER APPROVING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH FREEDOM DODGE OF LEXINGTON, KENTUCKY UNDER KENTUCKY STATE PRICING CONTRACT FOR THE PURCHASE OF PATROL VEHICLES FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$205,682

Summary of Municipal Order No. 2012 - 203 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 explained that since the Ford Crown Victoria was no longer in production, there were only two choices (Dodge Charger and Chevrolet Caprice) currently available that included a rear wheel drive option for patrol vehicles. Based on price, availability and interior roominess, Mr. DeFebbo indicated that the Police Department and Public Works Fleet Division recommended the purchase of the Dodge Charger which was available through a State Pricing Agreement.

Mayor Wilkerson inquired if the Fleet Division would become Dodge certified to make warranty repairs. Fleet Division Manager Barry Harris replied that they had already started the process to receive the warranty certification. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2012 - 203 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 204

MUNICIPAL ORDER APPROVING THE CONTINUATION OF AN AGREEMENT WITH WESTERN KENTUCKY UNIVERSITY (WKU) FOR PROVIDING A LEAF COMPOSTING SYSTEM FOR THE CITY OF BOWLING GREEN, KENTUCKY

Summary of Municipal Order No. 2012 - 204 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 summarized the on-going partnership with WKU to save the City money with the disposal from the annual leaf collection process and to share in revenues received from compost sales.

As it related to partnering with WKU, Mayor Wilkerson asked about the potential to consider using biodiesel as an alternative fuel source. Public Works Director Jeff Lashlee responded and indicated that discussions were taking place; however, a raw source was necessary for the biodiesel to be properly produced. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 204 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 205

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 \$3,780

Summary of Municipal Order No. 2012 - 205 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 and recommended the acceptance of grant funds to assist with 50% of the cost to purchase nine bulletproof vests for the Police Department. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 205 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 206

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE 2012 HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$81,000 FOR THE PURCHASE OF MOBILE RADIOS FOR THE POLICE DEPARTMENT

Summary of Municipal Order No. 2012 - 206 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 and recommended the acceptance of grant funds to purchase thirteen digital ready mobile radios. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 206 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 207

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF PROJECT COMPLETION AND A GRANT CLOSEOUT AGREEMENT FOR ECONOMIC DEVELOPMENT INITIATIVE FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE LOST RIVER CAVE IMPROVEMENT PROJECT

Summary of Municipal Order No. 2012 - 207 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 recounted that the grant was received in 2005 to procure 22 acres of land for the Lost River Cave project. Since all funds were expended and the project was completed, he recommended approval as a housekeeping matter. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 207 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 208

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING OUT-OF-TOWN TRAVEL EXPENSES FOR CITY MANAGER KEVIN D. DEFEBBO TO ATTEND THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION CONFERENCE IN PHOENIX, ARIZONA

Summary of Municipal Order No. 2012 - 208 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for consideration of said Municipal Order. DeFebbo reported that it was an excellent conference. In response to a question by Mayor Wilkerson,

Mr. DeFebbo remarked that Bowling Green fared well in relation to other communities, as further evidenced by the results of the Citizen Survey discussed during the work session earlier in the day. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2012 - 208 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 41

(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 2013**

Title and summary of Ordinance No. BG2012 - 41 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Nash for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 41 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 209

**MUNICIPAL ORDER DESIGNATING WARREN COUNTY
EMERGENCY MANAGEMENT AGENCY AS A SINGLE POINT OF
CONTACT TO SERVE AS THE COORDINATOR FOR THE
NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) IN THE
CITY OF BOWLING GREEN**

Summary of Municipal Order No. 2012 - 209 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 noted that during a disaster, NIMS made it possible for everyone to speak the same language. Since there were no known issues, he recommended approval for Warren County to be designated as the single point of contact. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 209 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 210

**MUNICIPAL ORDER APPROVING REVISED CITY OF BOWLING
GREEN NUISANCE BIRD AND WILDLIFE POLICY**

Summary of Municipal Order No. 2012 - 210 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order.

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DeFebbo recounted that the proposed policy was discussed at a previous work session and addressed several areas of concern related to animal control efforts. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 210 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 211

MUNICIPAL ORDER DECLARING TWO TRACTS OF PROPERTY CONTAINING APPROXIMATELY 0.12 ACRE AND 0.08 ACRE LOCATED AT THE INTERSECTION OF BROADWAY AVENUE / EAST 12TH AVENUE AND HIGH STREET SURPLUS, AND AUTHORIZING SALE OF THESE PROPERTIES BY SEALED BID

Summary of Municipal Order No. 2012 - 211 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 recalled that the Downtown Redevelopment Authority (DRA) had made plans many years ago to construct an entrance to The District at this location including the use of an archway donated by the Ridley family. Since those plans had not materialized at an affordable cost and because there was no other need for the excess property, Mr. DeFebbo recommended it be declared surplus and sold to the highest bidder(s). Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 211 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 212

MUNICIPAL ORDER APPROVING AND AUTHORIZING EXECUTION OF APPROPRIATE DOCUMENTS TO AUTHORIZE THE BOWLING GREEN / WARREN COUNTY HUMANE SOCIETY TO CONSTRUCT A FACILITY ON PROPERTY OWNED BY THE CITY OF BOWLING GREEN AND WARREN COUNTY

Municipal Order No. 2012 - 212 was previously withdrawn from consideration.

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) (f) as previously approved. Mayor Wilkerson confirmed 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 9:10 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 request from Bowling Green resident Frank Melton to consider local enforcement requirements under the Americans with Disabilities Act (ADA) regarding the resealing/restriping of commercial parking lots; 2) a quarterly report regarding downtown TIF activities presented by the Warren County Downtown Economic Development Authority, including an update regarding initiation of the process to receive Signature TIF status from the State; and 3) a presentation of the results from the biennial Citizen Survey conducted in September 2012 for the City of Bowling Green. Although not discussed during the work session, materials were provided with the work session packet including the results of the FY2012 Internal Services Survey completed by employees in July. There was also a consensus given by the Board of Commissioners for staff to pursue more information about the ability and/or best solution for enforcement of ADA parking of existing construction and the potential to adopt a local ordinance to establish City enforcement procedures.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller