

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held MARCH 6, 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 March 6, 2012. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Commissioner Brian "Slim" Nash, 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 Joe W. Denning, Commissioner Melinda M. Hill, Commissioner Brian "Slim" Nash, Commissioner Bill Waltrip and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Operation P.R.I.D.E. Executive Director Ray Lackey presented P.R.I.D.E.'s monthly commercial award to Bowling Green Technical College (BGTC) for improvements made to its property located at 1845 Loop Drive. Donna Martin of BGTC accepted the award and expressed appreciation for the recognition. Mr. Lackey also reported that the last section of fencing was scheduled to be installed on Louisville Road which would complete the project.

Mayor Wilkerson announced the recent retirement of Master Police Officer Mitch Walker with fifteen years and ten months of service to the City. He also recognized the Housing Division which was named Kentucky's Public Housing Agency of the Year by the Kentucky Housing Association (KHA) with recommendation by the U.S. Department of Housing and Urban Development (HUD). Neighborhood and Community Services Director Brent Childers explained the challenges with administering the Section 8 Program to utilize as much of the funds as possible without exceeding the allotted amount of funds. He recognized and thanked Housing Coordinator Elvira Ramic for effectively managing the program.

CITY MANAGER

City Manager Kevin D. DeFebbo withdrew item number 13 (Municipal Order No. 2012-35) related to the Chapter 99 Revitalization Project Area for downtown Bowling Green from the agenda to allow more time for discussion with the City-County Planning Commission as discussed during the work session. He also requested a closed session for the purpose of discussion on the future acquisition and sale of real property by the City as publicity would likely affect the value of the specific pieces of property to be acquired for public use and sold by the City, and for discussions between the City and a representative of business entities and discussion concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion or upgrading of the businesses. Motion was made by Waltrip and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b) and (g). Mayor Wilkerson called for roll call vote.

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

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

Mr. DeFebbo thanked all the employees and Senior Managers who prepared for turbulent weather conditions this past Friday in anticipation of a significant storm which did not materialize. He indicated that staff was well organized if a need to respond was required.

Police Chief Doug Hawkins took a few minutes to provide an update about the 800 MHz Radio System Replacement Project and the involvement of a four member committee, comprised of the Police Chief, Fire Chief, Warren County Emergency Management Services Director and Warren County Sheriff's Office Chief Deputy. He reported the City/County Radio Committee developed a request for proposals (RFP) and evaluated the responses, with a recommendation for consideration of Municipal Order No. 2012-30 on tonight's agenda.

APPROVAL OF MINUTES

Minutes of Regular Meeting February 7, 2012

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Nash and seconded by Waltrip 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 and Wilkerson
 Voting Nay: None
 Abstaining: Denning and Hill

Motion to approve the minutes of the regular meeting of February 7, 2012 was approved by majority vote. Both Commissioners Denning and Hill were absent from that meeting and chose to abstain.

PUBLIC COMMENTS

Mike Montgomery of 1605 Bernard Way expressed his dissatisfaction with the City's analysis of the golf proposal to lease both Paul Walker Golf Course and the Golf Course at Riverview to Gary Dirt Company, Inc. He perceived the analysis to be short on facts and poorly done. He offered the City his services at no cost, as a practicing accountant, to lead, consult or conduct a proper analysis of the proposal. Mr. Montgomery said he did not know Mr. Gary, but wanted to give the Board of Commissioners information to make an informed decision and to do what was right by the taxpayer. He also discerned that not charging employees and giving half off to retirees to play golf was not right since the courses were running at a deficit, and he suggested the Board should reassess that decision. Mayor Wilkerson thanked Mr. Montgomery for his comments and said that he would pass that information on to the City Manager.

REGULAR AGENDA

MUNICIPAL ORDER NO. 2012 - 26

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF
PATSY T. SLOAN TO THE BOWLING GREEN-WARREN COUNTY
REGIONAL AIRPORT BOARD

Summary of Municipal Order No. 2012 - 26 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for consideration of said Municipal Order. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 26 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 27

**MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
MARY ANN JOHNSON TO THE BOWLING GREEN FIRE
DEPARTMENT BURN VICTIM FUND BOARD OF ADVISORS**

Summary of Municipal Order No. 2012 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip 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: Denning, Hill, Nash, Waltrip and Wilkerson
 Voting Nay: None

Municipal Order No. 2012 - 27 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 28

**MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENTS OF AMANDA J. HAMILTON, MARGARET A.
MUCHMORE AND ASHLEY L. RIMINGTON TO THE POSITION
OF COMMUNICATIONS DISPATCHER IN THE POLICE
DEPARTMENT**

Summary of Municipal Order No. 2012 - 28 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 indicated that the position of Dispatcher was one of the more difficult to fill since it is such a high stress job. He reviewed the application, testing and evaluation process, and recommended the appointments. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 28 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 29

**MUNICIPAL ORDER APPROVING A CONTRACT THROUGH
NONCOMPETITIVE NEGOTIATIONS WITH MOTOROLA
SOLUTIONS, INC. OF SCHAUMBURG, ILLINOIS UNDER THE
KENTUCKY STATE PRICING CONTRACT FOR THE PURCHASE
OF MOBILE RADIOS FOR THE POLICE DEPARTMENT IN THE
AMOUNT OF \$51,728.96**

Summary of Municipal Order No. 2012 - 29 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 reviewed and recommended the purchase of seventeen digital ready radios with the use of grant funds previously accepted. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 29 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 30

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING
PROPOSAL FROM FEDERAL ENGINEERING FROM FAIRFAX,
VIRGINIA FOR PUBLIC SAFETY/WIRELESS COMMUNICATIONS
CONSULTANT IN THE AMOUNT OF \$77,700

Summary of Municipal Order No. 2012 - 30 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Denning for consideration of said Municipal Order. DeFebbo recommended the approval of the contract which was discussed at the beginning of the meeting. He also thanked the members of the City/County Radio Committee. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 30 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 3

(First Reading)

ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULE

ORDINANCE AMENDING THE CLASSIFICATION/PAY
SCHEDULE "G" FOR GENERAL CLASSIFIED EMPLOYEES FOR
FISCAL YEAR 2012 TO ADD THE CLASSIFICATION OF
EXECUTIVE ASSISTANT

Title and summary of Ordinance No. BG2012 - 3 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for first reading of said Ordinance. DeFebbo recommended merging two Administrative Assistant positions in the Police Department into one Executive Assistant position which would provide approximately \$48,000 in savings. He thanked the Police Chief for making the suggestion.

Regarding the savings to the budget, Comm. Nash asked the City Manager to make a presentation to the Board at an upcoming work session about the total money carved out of the City's budget since Mr. DeFebbo took office. Comm. Nash commented that it was difficult to fully understand and recognize the cumulative savings that has taken place under many of the efforts that the City Manager has put in place, particularly when they are only seen as one issue at a time. Mr. DeFebbo stated he planned to provide a yearly update of accomplishments to the Board in the next

couple of weeks; however, he could add more to that and make it a more formal presentation if that was the desire of the Board. Comm. Waltrip supported the idea and said he would like to see that showing that we were good stewards of taxpayer money. Mr. DeFebbo added that you cannot absorb a major recession, cut the tax rate, add debt service for the Ballpark and ITA, and continue to provide services without changing something. He also pointed out that in just this meeting, the City was producing savings from combining the two jobs and refinancing a 2004 bond issue at a lower interest rate with over \$700,000 in savings as well as reducing the golf debt service at Riverview.

Once the discussion ended, Mayor Wilkerson asked for a roll call vote.

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

First reading of Ordinance No. BG2012 - 3 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 31

MUNICIPAL ORDER APPROVING AND AUTHORIZING OUT-OF-TOWN TRAVEL EXPENSES FOR CITY MANAGER KEVIN D. DEFEBBO TO ATTEND THE KENTUCKY LEAGUE OF CITIES CITY DAY/CITY NIGHT AND KENTUCKY CITY/COUNTY MANAGEMENT ASSOCIATION 2012 WINTER CONFERENCE IN FRANKFORT, KENTUCKY

Summary of Municipal Order No. 2012 - 31 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for consideration of said Municipal Order. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 31 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 32

MUNICIPAL ORDER APPROVING AND ACCEPTING LITTER ABATEMENT FUNDING FROM THE KENTUCKY ENERGY AND ENVIRONMENT CABINET AND APPROVING AN AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND WARREN COUNTY FISCAL COURT FOR LITTER ABATEMENT ACTIVITIES

Summary of Municipal Order No. 2012 - 32 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 City received a little over \$28,000 from the State for litter abatement purposes. He explained that \$11,000 would be provided to Warren County to assist with the cost for using inmates to pick-up litter in the City. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 32 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 4

(First Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

**ORDINANCE APPROVING AMENDMENT NUMBER TWO TO
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL
OPERATING BUDGET FOR FISCAL YEAR 2012**

Title and summary of Ordinance No. BG2012 - 4 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for first reading of said Ordinance. DeFebbo explained that watching the budget was the number one priority and some amendments were needed to reflect the receipt of new money and make some other minor changes. Chief Financial Officer Jeff Meisel mentioned that most of the amendments were housekeeping items. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 4 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 33

**MUNICIPAL ORDER DECLARING 1988 PIERCE ARROW FIRE
APPARATUS TO BE SURPLUS PROPERTY AND APPROVING ITS
DONATION TO THE BOWLING GREEN CAMPUS OF THE
KENTUCKY COMMUNITY TECHNICAL COLLEGE SYSTEM
(KCTCS)**

Summary of Municipal Order No. 2012 - 33 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 explained that with the purchase of new equipment, the older apparatus was no longer needed. He noted that the City did make the effort in accordance with state statute to auction the truck as surplus; however, the bids did not meet a set minimum price. In light of the results of the auction, DeFebbo recommended donating the truck to the Bowling Green Technical College for use with its Fire Science Degree Program. Mayor Wilkerson agreed this was a wonderful opportunity. With no more discussion, a roll call vote was taken.

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

Municipal Order No. 2012 - 33 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 5

(First 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 2012A IN AN AGGREGATE**

PRINCIPAL AMOUNT NOT TO EXCEED \$6,665,000 FOR THE PURPOSE OF REFUNDING A PORTION OF THE OUTSTANDING CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2004A AND (II) CITY OF BOWLING GREEN, KENTUCKY TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,525,000 FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE OUTSTANDING CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2004B (TAXABLE), THE PROCEEDS OF WHICH IN TURN FINANCED THE COSTS OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF VARIOUS PUBLIC PROJECTS IN THE CITY OF BOWLING GREEN, KENTUCKY; 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 - 5 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hill for first reading of said Ordinance. DeFebbo indicated that staff carefully monitors how much the City pays for interest on debt. As such, he recommended the partial refinancing of bonds issued in 2004 which would provide a savings of around \$800,000 over the life of the bonds, including a \$35,000 savings on the Riverview Pro Shop debt. Chief Financial Officer Jeff Meisel said he would have liked to refinance all of the debt. However, in order to take advantage of the bank-qualified interest rate, he explained that only \$6,665,000 could be refinanced, which was all that remained of the 2012 bank-qualified annual allocation (total of \$10 million) after allowing BGMU to use the other portion earlier in the year. Mr. Meisel confirmed that this advance refunding did not extend the life of the bonds which mature in 2024. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 5 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 34

MUNICIPAL ORDER APPROVING A JOB DEVELOPMENT INCENTIVE FUND EMPLOYEE WITHHOLDINGS CREDIT AGREEMENT WITH HOLLEY PERFORMANCE PRODUCTS, INC.

Summary of Municipal Order No. 2012 - 34 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 explained that the City will give 1% of its 1.85% occupational license fees and net profits fees back to Holley Performance with the creation of new jobs from its expansion. He noted that the City has provided this incentive to ten businesses to date with \$2.9 million being given up over a ten year period to create approximately 136 new jobs in the City. Comm. Waltrip stated that Holley Performance has been a great employer for a number of years and he was glad to see them adding new jobs. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2012 - 34 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 35

MUNICIPAL ORDER HOLDING IN ABEYANCE THE
ADMINISTRATION AND ENFORCEMENT OF THE CHAPTER 99
COMMUNITY DEVELOPMENT PLAN (URBAN RENEWAL PLAN)
FOR THE HISTORIC BOWLING GREEN REVITALIZATION
PROJECT AREA

Municipal Order No. 2012 - 35 was previously withdrawn from consideration.

CLOSED SESSION

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) (b) and (g) as previously approved. Mr. DeFebbo confirmed that no action was 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 9:20 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) Links Across America/Wadsworth Golf Foundation Charities, including a proposal for repurposing the Golf Course at Riverview by developing a First Tee Program for school age children, shortening the existing 9-hole course and installing a driving range; and 2) regarding a proposed moratorium on the Chapter 99 Community Development Plan (Urban Renewal Plan) for the Historic Bowling Green Revitalization Project Area.

By consensus, the Board of Commissioners agreed to utilize the Wadsworth Foundation's services to obtain an architectural rendering and draft master plan for the Riverview golf course, which would be provided at no cost to the City. A majority of the Board of Commissioners requested

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that City staff meet with the City-County Planning Commission staff and any other appropriate parties to work out a solution to the Chapter 99 Plan.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller