

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JUNE 16, 2009**

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 June 16, 2009. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Mark Iverson, 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 Bruce Wilkerson, Commissioner Joe W. Denning, Commissioner Catherine Hamilton and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

**PUBLIC HEARING**

Housing and Community Development Director Alice Burks conducted a public hearing for the purpose of reviewing and receiving comments on a proposed revision in activity to the Lee Square 03-045 Community Development Block Grant Project, specifically to reduce the required number of homes to be built from 27 to 11 and to closeout the grant project. Ms. Burks reported that the City has expended \$990,499 to date on this project and requested to amend the 2004 grant agreement to reduce the number of homes required to fulfill the grant obligation. She stated that the City, through HANDS and the Housing Authority, still intended to build up to 27 homes in the future as economic and housing conditions improve. There were no comments received from the public at the hearing.

**AWARDS & RECOGNITIONS**

Operation P.R.I.D.E. Executive Director Ray Lackey presented two awards for improvements made to residential and non-residential property. The first award was presented to the twenty-one property owners off Lovers Lane between Searcy Way and Scottsville Road, Bowling Green Municipal Utilities, Kentucky Department of Transportation and to the City for the Lovers Lane Widening Project, including the under-grounding of utilities. Tim Huston, property owner of 1109 Lovers Lane, accepted the award on behalf of all the property owners involved. The second award was presented to Teresa and David Bluette for their property located at 203 Parish Court. Mr. Lackey explained the process for submitting nominations to recognize individuals who have made significant improvements to residential and non-residential properties on a monthly basis.

Mr. Lackey thanked the Board of Commissioners for its actions to accept Operation P.R.I.D.E. as a contract agency of the City and he commented about positive remarks he had received regarding the improvements made to Cemetery Road. He also announced the upcoming fundraiser event planned at The Club at Olde Stone - *Olde Stone Run for P.R.I.D.E.* - to be held on June 26 & 27, 2009. The event includes a pasta dinner on June 26<sup>th</sup> and a 5K run/walk on June 27<sup>th</sup>.

**CITY MANAGER**

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

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

Motion to convene in closed session pursuant to KRS 61.810 (c) was approved by unanimous vote. Mr. DeFebbo confirmed there would not be any action to follow the discussion.

Mr. DeFebbo stated that there were seven individuals who deserved special recognition for their contributions to public service and who were selected from their peers to receive the Excellence in Service Award (\$1,000 each). Nominating Committee Chairman (Police Officer) Michael Keffer introduced Firefighter/EMT II Don Brod, Athletic Staff Assistant II Michael Carter, Public Works Crew Supervisor II Michael Pillow, Police Detective Barry Raley, Surveyor Joan Snyder, Senior System Engineer Steve Milam and Fire Company Commander/EMT Garry Preston. The Board of Commissioners thanked the recipients for all their dedication and service to the community.

#### APPROVAL OF MINUTES

#### Minutes of Regular Meeting June 2, 2009 and Special Work Session June 9, 2009

Minutes of the above-referenced meetings 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: Nash, Wilkerson, Denning, Hamilton and Walker  
Voting Nay: None

Motion to approve the minutes of the regular meeting of June 2, 2009 and special work session of June 9, 2009 was approved by unanimous vote.

#### PUBLIC COMMENTS

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

#### ORDINANCE NO. BG2009 - 16

(Second Reading)

#### ORDINANCE APPROVING APPOINTMENT TO CITY BOARD

#### ORDINANCE APPROVING THE REAPPOINTMENT OF ARTHUR M. REYNOLDS TO THE BOWLING GREEN MUNICIPAL UTILITIES BOARD

Title and summary of Ordinance No. BG2009 - 16 was read by the Assistant City Manager/City Clerk. Motion was made by Nash 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: Nash, Wilkerson, Denning, Hamilton and Walker  
Voting Nay: None

Ordinance No. BG2009 - 16 was adopted by unanimous vote.

#### ORDINANCE NO. BG2009 - 17

(Second Reading)

#### ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 23 (WATER AND SEWER)  
OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO  
REVISE BOWLING GREEN MUNICIPAL UTILITIES WATER AND  
SEWER RATES

Title and summary of Ordinance No. BG2009 - 17 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Denning for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2009 - 17 was adopted by unanimous vote.

ORDINANCE NO. BG2009 - 18  
(Second Reading)  
ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER FOUR TO  
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL  
OPERATING BUDGET FOR FISCAL YEAR 2009

Title and summary of Ordinance No. BG2009 - 18 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: Nash, Wilkerson, Denning, Hamilton and Walker  
                          Voting Nay: None

Ordinance No. BG2009 - 18 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 110

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
DR. JOHN FITTS TO THE CITY-COUNTY BOARD OF  
ADJUSTMENTS

Summary of Municipal Order No. 2009 - 110 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: Nash, Wilkerson, Denning, Hamilton and Walker  
                          Voting Nay: None

Municipal Order No. 2009 - 110 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 111

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF RICK  
VOAKES TO THE HISTORIC PRESERVATION BOARD

Summary of Municipal Order No. 2009 - 111 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: Nash, Wilkerson, Denning, Hamilton and Walker  
                          Voting Nay: None

Municipal Order No. 2009 - 111 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 112**

**MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
DOTTI BETH LAWRENCE TO THE BARREN RIVER AREA  
AGENCY COUNCIL ON AGING**

Municipal Order No. 2009 - 112 was withdrawn from consideration by sponsor Mayor Walker.

**MUNICIPAL ORDER NO. 2009 – 113**

**MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF  
LYLE PARRIGIN AND ROGER E. LAPOINTE TO THE CITY OF  
BOWLING GREEN CODE ENFORCEMENT BOARD**

Summary of Municipal Order No. 2009 - 113 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hamilton for consideration of said Municipal Order. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 113 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 114**

**MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF  
SUSIE OLDHAM TO THE HOUSING AUTHORITY OF BOWLING  
GREEN**

Summary of Municipal Order No. 2009 - 114 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Hamilton for consideration of said Municipal Order. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 114 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 115**

**MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF  
DEAN BROSCHE AND RONALD D. RAMSING TO THE BOARD  
OF PARK COMMISSIONERS**

Summary of Municipal Order No. 2009 - 115 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 115 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 116

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF LAURA B. FOSTER, BEVERLY D. PENNINGTON AND PAMELA S. RITTER TO THE POSITION OF OFFICE ASSOCIATE, SENIOR IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2009 – 116 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the promotional career path program for Office Associate. Police Chief Doug Hawkins reviewed and recommended the promotions. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 116 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 117

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF MICHAEL A. ELLIOTT, JAMES D. GRIMSLEY, WARREN W. PHILIPPS, KEVIN D. PRESTON, TYLER W. SHAW AND JENNIFER R. WILLIS TO THE POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2009 - 117 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 the application process and recommended the appointments. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 117 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 118

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF AN AGREEMENT WITH MCCANN ASSOCIATES RELATING TO PUBLIC SAFETY TESTING FOR THE POLICE DEPARTMENT; AND AUTHORIZING CONTINUATION OF AN AGREEMENT

WITH RESOURCE MANAGEMENT ASSOCIATES FOR  
PROMOTIONAL TESTING SERVICES FOR THE FIRE  
DEPARTMENT FOR FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 118 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo recommended approval to continue the two agreements for a second year. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 118 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 119

MUNICIPAL ORDER AUTHORIZING CONTINUATION OF AN  
AGREEMENT WITH PARK STREET PARTNERS D/B/A  
URGENTCARE AND CORPCARE TO PROVIDE EMPLOYEE  
MEDICAL SERVICES (PHYSICALS AND MEDICAL TESTING)  
FOR FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 119 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 recommended the continuation of the third year of the three year agreement. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 119 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 120

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF  
AN AGREEMENT WITH HUMANA RELATING TO MANAGED  
HEALTH CARE AND CLAIMS ADMINISTRATION SERVICES FOR  
THE REMAINDER OF 2009 AND AN AGREEMENT WITH THE  
STANDARD INSURANCE COMPANY TO PROVIDE LIFE,  
ACCIDENTAL DEATH AND DISMEMBERMENT BENEFITS FOR  
FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 120 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo reviewed the recommendation to extend the Humana agreement for third party claims administration for six more months to coincide with the change in benefit plan year previously approved. He also recommended the continuation of the life insurance agreement to maintain \$50,000 per employee coverage. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 120 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 121

MUNICIPAL ORDER AUTHORIZING INSURANCE PREMIUM PAYMENTS TO THE KENTUCKY LEAGUE OF CITIES INSURANCE SERVICES (KLCIS) FOR INSURANCE COVERAGES OF GENERAL LIABILITY, PUBLIC OFFICIALS LIABILITY, LAW ENFORCEMENT LIABILITY, AUTOMOBILE LIABILITY AND PHYSICAL DAMAGE, PROPERTY, AND WORKERS COMPENSATION FOR FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 121 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 recommended approval of the second year of a three year rate freeze agreement for insurance premiums with KLCIS. He indicated that the FY2010 premiums were 4.8% less than FY2009 providing approximately \$55,000 in savings.

In light of recent headlines in the *Lexington Herald-Leader* about excessive spending by KLC, Comm. Wilkerson inquired if the City had to be a member of KLC to participate in the insurance program. He stated he was satisfied with KLC's services, but was embarrassed about the lavish expenditures.

Mayor Walker, 2<sup>nd</sup> Vice President on the KLC Board of Directors, responded that there would be an upcoming meeting of the KLC Board of Directors at which these issues would be reviewed. She stated that the articles were grossly overstated and that it was important to look at both sides of the story. She indicated that she would bring a report back to the Board of Commissioners regarding the outcome of the discussions.

Safety/Risk Manager David Weisbrodt responded to a few questions and indicated that a decision would need to be made before the end of June to receive the greatest discount on premiums.

Comm. Nash agreed that the City probably would not find cheaper rates and that it was a good business decision to stay with KLCIS. However, he wanted to make it clear that he did not condone mismanagement or misuse of taxpayer dollars by KLC which were received from cities for membership services and insurance premiums.

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

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

Municipal Order No. 2009 - 121 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 122

MUNICIPAL ORDER AUTHORIZING INSURANCE PREMIUM PAYMENTS TO THE KENTUCKY LEAGUE OF CITIES INSURANCE SERVICES FOR INSURANCE COVERAGES OF GENERAL LIABILITY, PUBLIC OFFICIALS ERRORS AND OMISSIONS, BUILDINGS AND PROPERTY, AND BUSINESS

AUTOMOBILE FOR THE CONVENTION CENTER CORPORATION  
FOR FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 122 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Walker for consideration of said Municipal Order. DeFebbo noted this item was discussed in conjunction with the previous item. He also mentioned that these rates provided a 2.9% savings compared to FY2009. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 122 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 123

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING  
NEGOTIATIONS AFTER SEALED BIDDING FOR BID #2009-42  
FOR THE PURCHASE OF CONVENTION CENTER TABLES FROM  
SOUTHERN ALUMINUM OF MAGNOLIA, ARKANSAS IN THE  
AMOUNT OF \$39,337.11

Summary of Municipal Order No. 2009 - 123 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 the bid award. He noted that The Convention Center Corporation (CCC) had previously authorized CCC CEO Michael Grubbs to negotiate with the only responsive bidder. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 123 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 124

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID  
#2009-39 FOR JANITORIAL SERVICES FOR THE PUBLIC WORKS  
DEPARTMENT, FACILITIES MANAGEMENT DIVISION FROM A  
GENERAL TOUCH LLC OF LOUISVILLE, KENTUCKY IN THE  
AMOUNT OF \$468,787.32 FOR THREE YEARS

Summary of Municipal Order No. 2009 - 124 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo recommended the bid award to the lowest qualified bidder. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 124 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 125



MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2009-44 FOR ASPHALT SURFACE MATERIALS FROM SCOTTY'S CONTRACTING AND STONE LLC OF BOWLING GREEN, KENTUCKY IN AN AMOUNT NOT TO EXCEED \$85,000

Summary of Municipal Order No. 2009 - 125 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo recommended the purchase of asphalt materials based on the Kentucky Average Price Index for unit pricing to pave forty City alleyways. Mayor Walker expressed appreciation that Scotty's Contracting and Stone had adopted a more environmentally friendly production process. She asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 125 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 126

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2009-23 FOR WESTSIDE SIDEWALK CONSTRUCTION FROM SOUTHERN KENTUCKY CONTRACTORS, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$71,708.75

Summary of Municipal Order No. 2009 - 126 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo reviewed and recommended the bid award for construction of sidewalks on one side of W. 12<sup>th</sup> Avenue from Clay to Stubbins Streets and on Stubbins Street from W. 12<sup>th</sup> to W. 13<sup>th</sup> Avenues. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 126 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 127

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2009-45 FOR NOVELL MLA ANNUAL RENEWAL FROM ENPOINTE TECHNOLOGIES OF GARDENA, CALIFORNIA IN THE AMOUNT OF \$38,169.81

Summary of Municipal Order No. 2009 - 127 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 recommended the bid award for annual maintenance services which was at a 9.5% decrease from the current price. He also indicated that a portion of the cost would be shared with a few other agencies that the City provides networking access. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 127 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 128

MUNICIPAL ORDER AUTHORIZING SOFTWARE SUBSCRIPTION SERVICES FROM ENROUTE EMERGENCY SYSTEMS IN THE AMOUNT OF \$100,948 FOR FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 128 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo recommended the continuation of subscription and maintenance services for public safety software. Police Chief Doug Hawkins responded to a question about the automatic power shutoff for the mobile data computers in police cars. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 128 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 129

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE PURCHASE OF BUSINESS PROCESS MANAGER (BPM) SOFTWARE FROM OPEN TEXT CORPORATION IN THE AMOUNT OF \$45,135

Summary of Municipal Order No. 2009 - 129 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo recommended the purchase of software in Fiscal Year 2010 to assist the City with its continuing efforts to reduce the use of paper (allow for a more paperless environment). Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 129 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 130

MUNICIPAL ORDER AUTHORIZING MAINTENANCE SERVICES FOR RADIO AND COMMUNICATION EQUIPMENT WITH MOTOROLA, INC. IN AN AMOUNT NOT TO EXCEED \$36,977.88 FOR FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 130 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo recommended continuing maintenance services for the City's Motorola equipment, which was at a 3% increase. He further explained that the City will need to move away from this communication platform as the equipment becomes out dated and no longer serviceable and that staff was looking at different alternatives to replace existing equipment in the future. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 130 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 131

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A 2009 GRANT APPLICATION TO THE KENTUCKY COMMERCIAL MOBILE RADIO SERVICE BOARD FOR 911 MAPPING SYSTEM UPGRADES IN THE AMOUNT OF \$163,000

Summary of Municipal Order No. 2009 - 131 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 explained that this item and the next were opportunities to address 911 system upgrades for the Public Safety Communication Center. He recommended approval of the grant submission to enhance the City's GIS mapping program. Mayor Walker commented about the reduced revenues generated through 911 landline telephone service as more and more people switch to cell phones. She asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 131 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 132

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A 2009 GRANT APPLICATION TO THE KENTUCKY COMMERCIAL MOBILE RADIO SERVICE BOARD FOR 911 CONTROLLER SYSTEM UPGRADES IN THE AMOUNT OF \$72,236

Summary of Municipal Order No. 2009 - 132 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo recommended approval of this item which was discussed in conjunction with the previous item on the agenda. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 132 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 133

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS FOR FISCAL YEAR 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS IN THE AMOUNT OF \$43,037

Summary of Municipal Order No. 2009 - 133 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 recommended the grant application to provide funds to purchase more in-car

cameras for public safety. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 133 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 134**

**MUNICIPAL ORDER APPROVING AND AUTHORIZING THE  
SUBMISSION OF A FUNDING REQUEST FOR THE CENSUS 2010  
PARTNERSHIP SUPPORT PROGRAM TO THE U.S. CENSUS  
BUREAU**

Summary of Municipal Order No. 2009 - 134 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 the grant application to apply for funds to assist with promoting awareness of the 2010 Census. Mayor Walker commented about the ability to partner with other communities and to pool grant funds together increasing outreach and impacting participation for the upcoming census count. She asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 134 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 135**

**MUNICIPAL ORDER APPROVING CONSTRUCTION AND  
ACCEPTING MAINTENANCE OF VARIOUS STREETS IN  
OXFORD CENTER SUBDIVISION, SECTION ONE AND SECTION  
TWO**

Summary of Municipal Order No. 2009 - 135 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Walker for consideration of said Municipal Order. DeFebbo recommended acceptance of street, curb and gutter maintenance according to City policies. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 135 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 136**

**MUNICIPAL ORDER AMENDING PROCEDURES RELATING TO  
ANNUAL FUNDING OF NONPROFIT ENTITIES RECEIVING CITY  
APPROPRIATIONS**

Summary of Municipal Order No. 2009 - 136 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. Ms. Schaller indicated that this item formalized the preliminary decision of the Board of Commissioners at its June 9<sup>th</sup> work session to add Operation P.R.I.D.E. as a contract agency for

funding purposes. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 136 was approved by unanimous vote.

ORDINANCE NO. BG2009 - 19  
(First Reading)  
ORDINANCE ADOPTING ANNUAL CITY BUDGET

ORDINANCE ADOPTING THE CITY OF BOWLING GREEN,  
KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR  
BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010, BY  
ESTIMATING REVENUES AND APPROPRIATING FUNDS FOR  
THE OPERATION OF CITY GOVERNMENT

Title and summary of Ordinance No. BG2009 - 19 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for first reading of said Ordinance. DeFebbo urged the Board's approval of the Fiscal Year 2010 Annual Operating Budget as recommended and discussed at the June 2<sup>nd</sup> and June 9<sup>th</sup> work sessions.

Commissioner Nash made a motion, seconded by Wilkerson, to reduce the Legislative Budget for the Mayor's travel by \$2,500. He suggested holding the travel budget to the same level as Fiscal Year 2009 (\$5,000, allocated at \$1,500 for Commissioners and \$3,500 for the Mayor) since all the other departments were asked to reduce their travel budgets for the new year. Mayor Walker remarked of her recent trip to the U.S. Conference of Mayors and some ideas that she brought back from attending the conference. She asked that the travel budget stay at the amount (\$7,500, allocated at \$1,500 for Commissioners and \$6,000 for the Mayor) the Board discussed at the June 9<sup>th</sup> work session. With no further discussion, a roll call vote was taken.

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

Motion to amend Ordinance No. BG2009 - 19 to reduce the Mayor's travel budget by \$2,500 was defeated by majority vote.

Comm. Nash made a second motion to reduce the Legislative Budget for the Mayor's travel by \$900. Comm. Wilkerson seconded the motion to allow discussion. Comm. Nash suggested that next year's travel budget should be reduced by the amount of money, which was approximately \$900, that the Mayor spent over the current year's (FY2009) approved travel budget of \$5,000. With no further discussion, a roll call vote was taken.

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

Motion to amend Ordinance No. BG2009 - 19 to reduce the Mayor's travel budget by \$900 was defeated by majority vote.

Comm. Nash made a third motion based on the line item breakdown for travel in the Legislative Budget which provided \$1,500 for Commissioners' travel and \$6,000 for the Mayor's travel. He requested that the Mayor not be allowed to spend funds set aside for Commissioners'

travel even if those funds were not being used by Commissioners. This motion died for lack of a second.

Once all discussion ended, a roll call vote was taken on the Ordinance as originally presented.

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

First reading of Ordinance No. BG2009 - 19 was approved by unanimous vote.

ORDINANCE NO. BG2009 - 20

(First Reading)

ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULES  
AND POLICY AMENDMENTS

ORDINANCE AMENDING THE CLASSIFICATION/PAY SCHEDULES "G" FOR GENERAL CLASSIFIED, "S" FOR PROTECTIVE/SWORN, "D" FOR DEPARTMENT HEAD / MANAGEMENT, AND "U" FOR UNCLASSIFIED PART-TIME EMPLOYEES, AND AUTHORIZING PAY INCREASES AND PAY POLICY AND EMPLOYEE BENEFIT AMENDMENTS FOR FISCAL YEAR 2010

Title and summary of Ordinance No. BG2009 - 20 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for first reading of said Ordinance. DeFebbo recommended approval of the pay schedules and policy changes as recommended with the FY2010 budget. Acting Human Resources Director Michael Grubbs explained that the pay schedules were adjusted for the Department for Local Government (DLG) cost of living which was 0.10%, however, existing full-time employees would receive a 0.50% adjustment in their FY2010 salary. He also explained that most part-time employees would receive a 70-cent increase based on the new federal minimum wage. Mr. Grubbs noted that based on state statute and City code, the Board of Commissioners and City Manager would receive the DLG COLA. In addition, Mr. Grubbs outlined the proposed pay policy and employee benefit changes: 1) suspension of the step plan for one year, 2) clarification of the calculation for Firefighter II/EMT assignment pay, and 3) restrictions to the education assistance program. As other mayors were facing significant cut backs, Mayor Walker commended staff for their diligence in preparing these recommendations. She asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2009 - 20 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 - 137

MUNICIPAL ORDER APPROVING APPROPRIATIONS FOR VARIOUS CITY CREATED / CONTRACT AGENCIES FOR FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 137 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 indicated that the agency funding amounts were discussed at the June 9<sup>th</sup> work session. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 137 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2009 – 138**

**MUNICIPAL ORDER ACCEPTING THE INTER-MODAL  
TRANSPORTATION AUTHORITY, INC. FISCAL YEAR 2010  
OPERATING BUDGET AND FINANCIAL STATEMENTS ENDING  
JUNE 30, 2008**

Summary of Municipal Order No. 2009 - 138 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Hamilton for consideration of said Municipal Order. DeFebbo stated that this item was discussed at the earlier work session and he recommended its acceptance. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 138 was approved by unanimous vote.

**CLOSED SESSION**

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 8:25 p.m. in closed session pursuant to KRS 61.810 (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 9:25 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. (Comm. Nash arrived at 4:30 p.m.) in the Commission Chamber of City Hall for a regular work session to discuss the following subjects: 1) presentation of the Inter-Modal Transportation Authority, Inc. (ITA) Fiscal Year 2010 Operating Budget and Financial Audit for the period ending June 30, 2008; 2) a Greenways partnership project between the City of Bowling Green and Western Kentucky University; 3) a Lean Thinking Concept - Process Action Team (PAT) Program; 4) an update regarding the Select Neighborhood Action Program (SNAP) Grant funding guidelines for Fiscal Year 2010; and 5) the draft Traffic Control Policy.

ADOPTED: \_\_\_\_\_

*(Minutes-Board of Commissioners-June 16, 2009)*

APPROVED: \_\_\_\_\_  
Mayor, Chairman of Board of Commissioners

ATTEST: \_\_\_\_\_  
City Clerk

*Minutes prepared by Assistant City Manager/City Clerk Katie Schaller*