

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held OCTOBER 15, 2013**

The Board of Commissioners of the City of Bowling Green, Kentucky met in regular session in the Commission Chamber of City Hall, Bowling Green, Kentucky at 7:00 p.m. on October 15, 2013. Mayor Bruce Wilkerson called the meeting to order and gave the invocation. All present recited the Pledge of Allegiance. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Rick Williams, Commissioner Joe W. Denning, Commissioner Melinda M. Hill, Commissioner Bill Waltrip and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

**AWARDS & RECOGNITIONS**

Mayor Wilkerson announced the retirements of Deputy Fire Chief David McCarty with 22 years of service and Master Police Officer James McCubbins with 20 years of service.

Comm. Williams remarked about the success of two special events held by the City in the past week. He commended Community Services Specialist Leyda Becker for her work with the *New Neighbor Series* featuring Burma, and he thanked the Fire Department for holding its annual Firehouse Festival at Home Depot.

**CITY MANAGER**

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion on the future acquisition of real property by the City as publicity would likely affect the value of the specific piece of property to be acquired for public use, and for discussion of proposed litigation on behalf of the City. Motion was made by Waltrip and seconded by Hill to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b) and (c). Mayor Wilkerson called for roll call vote.

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

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

**APPROVAL OF MINUTES**

Minutes of Regular Meeting September 17, 2013 and Special Meeting September 23, 2013

Minutes of the above-referenced meetings were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Hill and seconded by Williams to approve said minutes as written. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of September 17, 2013 and special meeting of September 23, 2013 was approved by unanimous vote.

PUBLIC COMMENTS

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

REGULAR AGENDA

MUNICIPAL ORDER NO. 2013 - 159

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF DUSTIN S. ROCKROHR TO THE POSITION OF DEPUTY FIRE CHIEF, LEE H. HATCHER II TO THE POSITION OF COMPANY COMMANDER/EMT AND S. JETT MILLER TO THE POSITION OF FIRE APPARATUS OPERATOR/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2013 - 159 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 indicated that these promotions followed the retirement of Deputy Fire Chief David McCarty. Deputy Fire Chief Todd Napier reviewed the qualifications for each recommended promotion. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 159 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 160

MUNICIPAL ORDER APPROVING THE PROMOTION OF CATHERINE P. MARONEY TO COMMUNITY CENTER SUPERVISOR IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2013 - 160 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Hill for consideration of said Municipal Order. DeFebbo noted the retirement of Sandra Young created this opening. Parks and Recreation Director Brent Belcher reviewed Ms. Maroney's qualifications and recommended her for promotion. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 160 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 161

MUNICIPAL ORDER APPROVING THE PROMOTION OF BOBBY DWAYNE GREATHOUSE TO SENIOR PARKS FACILITY MAINTAINER IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2013 - 161 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 commented the retirement of Tommy Dubree created this opening. Parks and Recreation Director Brent Belcher reviewed the qualifications for the recommended promotion. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 161 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 162

**MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF CHRISTOPHER W. CASH TO THE POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT**

Summary of Municipal Order No. 2013 - 162 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 the application and testing process to be considered for hire and recommended the appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 162 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 163

**MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF PAMELA R. HURT TO THE POSITION OF OFFICE ASSOCIATE IN THE PUBLIC WORKS DEPARTMENT**

Summary of Municipal Order No. 2013 - 163 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo reviewed the application process and qualifications of the recommended applicant for appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 163 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 164

**MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF DREW W. CASSADY TO THE POSITION OF FIREFIGHTER/EMT IN THE FIRE DEPARTMENT**

Summary of Municipal Order No. 2013 - 164 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. From the previously considered Fire Department promotions, DeFebbo indicated an opening at the entry level position was created. He reviewed the hiring process and qualifications of the

recommended applicant for appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 164 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2013 – 165**

**MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF SOFTWARE SUBSCRIPTION AND MAINTENANCE SERVICES FROM OPEN TEXT, INC. IN THE AMOUNT OF \$26,126.02**

Summary of Municipal Order No. 2013 - 165 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo recommended the approval of the annual maintenance agreement for document management and imaging software. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 165 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2013 – 166**

**MUNICIPAL ORDER APPROVING A CONTRACT THROUGH COOPERATIVE PURCHASE WITH KIZAN TECHNOLOGIES OF LOUISVILLE, KENTUCKY UNDER THE KENTUCKY PRICING CONTRACT FOR THE MICROSOFT EXCHANGE CONFIGURATION AND MIGRATION SERVICES IN AN AMOUNT NOT TO EXCEED \$47,000, AND REJECTING ALL BIDS RECEIVED FOR BID #2013-48**

Summary of Municipal Order No. 2013 - 166 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Williams for consideration of said Municipal Order. DeFebbo explained that the bids received for the migration from the current GroupWise email application to Microsoft Exchange came in over budget, and he recommended that the bids be rejected. Since there was a state pricing contract available for this purpose, he advised the City was able to negotiate a better deal through cooperative purchasing. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 166 was approved by unanimous vote. Comm. Denning had previously left the meeting and was absent during the vote.

**MUNICIPAL ORDER NO. 2013 – 167**

**MUNICIPAL ORDER DECLARING CITY-OWNED PROPERTY LOCATED AT 1117 CABELL DRIVE SURPLUS, AND**

AUTHORIZING AND ACCEPTING BID #2014-05 FOR THE SALE AND DEVELOPMENT OF 1117 CABELL DRIVE FROM DAVID HOLLAND D/B/A SIGNATURE SIGNS, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$144,000

Summary of Municipal Order No. 2013 - 167 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo reported that the City issued a request for proposals (RFP) and received three responses. Based on price and proposed use of the facility and with a positive reception from the neighborhood, he recommended the sale of property to the highest bidder. Comm. Waltrip said he was glad that the neighbors all agreed this was a good use of the building and he appreciated the method Mr. Holland used for purchasing the building. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2013 - 167 was approved by unanimous vote. Comm. Denning had previously left the meeting and was absent during the vote.

MUNICIPAL ORDER NO. 2013 - 168

MUNICIPAL ORDER AUTHORIZING CHANGE ORDER NOS. 3 AND 4 TO THE CONTRACT WITH AMEC ENVIRONMENT AND INFRASTRUCTURE, INC. OF NASHVILLE, TENNESSEE FOR FINAL DESIGN SERVICES FOR BUTLER COUNTY LANDFILL IMPROVEMENTS (BID #2012-20) IN THE AMOUNT OF \$24,500

Summary of Municipal Order No. 2013 - 168 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo recounted that the City had been in collaboration with the Kentucky Department of Waste Management to complete improvements at the landfill for the past couple of years. Environmental Manager Matt Powell provided a brief overview of the project scope with construction set to begin in the spring. He explained that these two change orders should cover all the remaining administrative costs for this portion of the project through the end of this year. As a multi-phase project, he indicated he would return to the Board at least two more times as the City proceeds to Phase 1 (leachate consolidation) and eventually to Phase 2 (leachate treatment). He also confirmed that the Kentucky Department of Waste Management would cover the bulk of the expenditures estimated at about \$2 million, with the City only required to contribute approximately \$125,000 to the entire project. Once the discussion concluded, a roll call vote was taken.

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

Municipal Order No. 2013 - 168 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 169

MUNICIPAL ORDER ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE CITY OF BOWLING GREEN WITH THE KENTUCKY

JUSTICE AND PUBLIC SAFETY CABINET FOR FEDERAL  
VICTIMS OF CRIME ACT (VOCA) 2013 FUNDS IN THE AMOUNT  
OF \$35,978

Summary of Municipal Order No. 2013 - 169 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo recommended the acceptance of funding for the twenty-first year of the program. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 169 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 170

MUNICIPAL ORDER APPROVING AND AUTHORIZING THE  
MAYOR TO EXECUTE A SANITARY SEWER EASEMENT WITH  
WARREN COUNTY WATER DISTRICT (WCWD) RELATED TO  
REPLACEMENT OF A SANITARY SEWER PUMP STATION  
LOCATED ON CITY PARK PROPERTY ADJACENT TO WELDON  
PEETE PARK

Summary of Municipal Order No. 2013 - 170 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo explained that the WCWD requested an easement to replace an existing pump station which was no longer sufficient or working properly. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 170 was approved by unanimous vote.

ORDINANCE NO. BG2013 - 34

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 9 (GENERAL OFFENSES),  
SUBCHAPTER 9-3 (NOISE) OF THE CITY OF BOWLING GREEN  
CODE OF ORDINANCES TO PROVIDE AN EXEMPTION FOR  
INDUSTRIAL ZONED PROPERTIES

Title and summary of Ordinance No. BG2013 - 34 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for first reading of said Ordinance. As sponsor of the ordinance, Mayor Wilkerson indicated that the proposed revisions would assist with recruitment of industrial prospects. With no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2013 - 34 was approved by unanimous vote.

ORDINANCE NO. BG2013 - 35

(First Reading)

ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS

AN ORDINANCE OF THE CITY OF BOWLING GREEN, KENTUCKY AUTHORIZING THE ISSUANCE OF CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013C IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,800,000 FOR THE PURPOSE OF CURRENTLY REFUNDING THE OUTSTANDING CITY OF BOWLING GREEN, KENTUCKY GENERAL OBLIGATION BONDS, SERIES 2003, THE PROCEEDS OF WHICH IN TURN REFUNDED AN EARLIER SERIES OF BONDS ISSUED TO FINANCE THE CONSTRUCTION AND EQUIPPING OF A MUNICIPAL CONVENTION CENTER AND TRADE SHOW FACILITY; 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. BG2013 - 35 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for first reading of said Ordinance. DeFebbo remarked that Chief Financial Officer Jeff Meisel was always on the lookout for ways to reduce debt costs and this was the result of one of those opportunities. Mr. Meisel confirmed that this refunding would provide approximately \$230,000 in savings over the next five years and would not extend the term of the existing bonds. Mayor Wilkerson expressed appreciation for staff's continued efforts to achieve savings. With no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2013 - 35 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 171

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

Summary of Municipal Order No. 2013 - 171 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo reviewed and recommended a 1% credit on employee withholdings for the next 10 years

with the creation of 72 new jobs. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 171 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2013 – 172**

**MUNICIPAL ORDER APPROVING AMENDMENTS TO THE LOCAL BIDDER PREFERENCE POLICY INCORPORATED IN THE CITY OF BOWLING GREEN, KENTUCKY MANUAL OF PURCHASING POLICIES AND PROCEDURES**

Summary of Municipal Order No. 2013 - 172 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Hill for consideration of said Municipal Order. With the original policy passed two years ago and set to expire October 18, 2013, DeFebbo indicated there was a need to reevaluate whether the City should continue offering a local preference. Based on previous discussions by the Board and from a proposal by Comm. Williams to use a sliding scale approach, he recommended the policy be revised to make it more workable going forward. Mayor Wilkerson stated he appreciated the ability to retain local preference but at a more appropriate limit. Once discussion ended, a roll call vote was taken.

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

Municipal Order No. 2013 - 172 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2013 – 173**

**MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE KENTUCKY TRANSPORTATION CABINET FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS ON BEHALF OF THE GREENWAYS COMMISSION OF BOWLING GREEN AND WARREN COUNTY**

Summary of Municipal Order No. 2013 - 173 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 commented about the public goal of expanding the greenways system and this grant would assist with funding three additional projects, two of which were located in the city limits. Historic Preservation Planner Miranda Clements gave a brief overview of the two projects located in the City and the total proposed grant amount of \$246,500. She noted that the City was being asked to contribute \$49,300 of the required match, with \$34,000 of that amount made up from in-kind services and the other \$15,300 in cash. Once the discussion concluded, a roll call vote was taken.

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

Municipal Order No. 2013 - 173 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2013 - 174

MUNICIPAL ORDER APPROVING AN AMENDMENT TO THE  
JOB DEVELOPMENT INCENTIVE FUND EMPLOYEE  
WITHHOLDINGS CREDIT AGREEMENT WITH NASCO TO  
CHANGE THE COMPANY NAME TO NHK OF AMERICA  
SUSPENSION COMPONENTS, INC.

Summary of Municipal Order No. 2013 - 174 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. DeFebbo recounted that the City had previously approved a credit agreement with NASCO in 2011 and this was a housekeeping item to change the company name to match up with the application submitted to the State. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2013 - 174 was approved by unanimous vote.

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 (c) as previously approved. DeFebbo confirmed 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 8:15 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) progress updates for the Hennessey Way Realignment and Downtown Signal Expansion projects; and 2) the Fiscal Years 2013/2014 through 2016/2017 multi-year Capital Improvement Program. In relation to the Hennessey Way project, the Board of Commissioners provided consensus in support of the conceptual design and to proceed with final design and property acquisition. In addition, the Board supported redirecting Fiscal Year 2014 capital project funds for the Downtown Signal Expansion toward improvements to the Highland Way and Smallhouse Road intersection instead of the previously proposed intersection at Regents Avenue and Normal Drive.

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

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

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

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