

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held OCTOBER 21, 2014**

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 21, 2014. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Pastor Ed Gentry of Eastwood Baptist Church, 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 Bill Waltrip, Commissioner Rick Williams, Commissioner Joe W. Denning, Commissioner Melinda M. Hill 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 Angie Alexieff presented P.R.I.D.E.'s October residential award to Dr. and Mrs. Kernohan for improvements made to their home located at 1011 Covington Street. She also presented P.R.I.D.E.'s commercial award for September to Lawton Insurance located at 812 State Street, and the award for October to Walk2Campus Holdings, LLC for improvements made to several homes near WKU's campus.

Kentucky League of Cities (KLC) Deputy Director J D Chaney presented the *Friend of Cities Award* to Representative Michael Meredith for his efforts to support cities during the 2014 Kentucky General Assembly Session, and in particular, with the passage of the classification reform bill (HB 331). Representative Meredith expressed his appreciation for the recognition. Mayor Wilkerson also recognized Brownsville Mayor Jerry Meredith and Assistant Warren County Attorney Jamie Spinks who were in attendance.

Mayor Wilkerson announced the October retirements of Senior Parks Facility Maintainer Fred Haley with 23 years of service, Police Detective Brett Kreilein with 17 years of service, and Finance Office Assistant Virginia Markham with 26 years of service. He also congratulated Dr. Alan Anderson, Linda McCray and Abraham Williams who were among the 2014 inductees into the Kentucky Civil Rights Hall of Fame.

CITY MANAGER

City Manager Kevin D. DeFebbo acknowledged the Public Works Department for their recent achievements with the receipt of two awards. The first award was given by the American Public Works Association (APWA) naming Covington Street Drainage Improvement as the 2014 Project of the Year under the stormwater category. The second award was presented by the Federal Highway Administration through the Local and Tribal Technical Assistant Program (LTAP), which recognized the most creative and cost effective solution with regard to safety and the benefit of the community, with 1st Place in Building a Better Mousetrap for a lawnmower discharge control door developed in-house. Mr. DeFebbo congratulated Public Works Director Jeff Lashlee and his staff for these worthy achievements.

APPROVAL OF MINUTES

Minutes of Regular Meeting September 16, 2014

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 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: Waltrip, Williams, Denning, Hill and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of September 16, 2014 was approved by unanimous vote.

PUBLIC COMMENTS

Kerry Northrup, a Bowling Green resident and WKU Journalism Professor, expressed concerns about towing issues and predatory tow companies. After a recent incident in which his vehicle was towed, he said he began researching the issue in more detail. He commented the City's ordinance was a good start, but more due diligence was needed. Mr. Northrup urged the Board to establish a designated place for people to register complaints, prohibit trolling or cruising for cars by private tow companies which has been done by other cities, and have tow companies handout brochures to educate car owners about their rights if towed. At the request of the Mayor, Mr. Northrup agreed to send all the information in an email for further review. Commissioner Denning asked a few questions to clarify the information provided.

REGULAR AGENDA

ORDINANCE NO. BG2014 - 27
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.16 ACRES FROM GB (GENERAL BUSINESS) TO HB (HIGHWAY BUSINESS) LOCATED AT 1288 CAMPBELL LANE, PRESENTLY OWNED BY WILLIAM AND SANDRA BOUSSARD, WITH NTI INVESTMENTS, LLC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2014 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2014 - 27 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 194

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF APRIL N. FIKE TO THE POSITION OF

HOUSING RECERTIFICATION SPECIALIST IN THE
NEIGHBORHOOD AND COMMUNITY SERVICES DEPARTMENT

Summary of Municipal Order No. 2014 - 194 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 qualifications and recommended the appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 194 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 28

(First Reading)

ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULE

ORDINANCE AMENDING THE CLASSIFICATION/PAY
SCHEDULE "G" FOR GENERAL CLASSIFIED EMPLOYEES OF
THE CITY OF BOWLING GREEN FOR FISCAL YEAR 2015

Title and summary of Ordinance No. BG2014 - 28 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Denning for first reading of said Ordinance. DeFebbo indicated that a Grants Coordinator position was added to the schedule with the FY2015 budget; however, he stated he misjudged the appropriate grade for the position and recommended it be moved from 121 to 123 to better align with the qualifications of candidates. He further explained that a Grants Manager position was previously listed at grade 125 and this recommendation still provided a savings from that former listing. Human Resources Director Michael Grubbs responded to a question about education requirements for the position. Once the discussion was over, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 28 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 195

MUNICIPAL ORDER ENDORSING THE QUIVER VENTURES LLC
ECONOMIC DEVELOPMENT PROJECT IN WARREN COUNTY
AND FURTHER APPROVING APPLICATION FOR ECONOMIC
DEVELOPMENT BOND GRANT (EDB) FROM THE KENTUCKY
CABINET FOR ECONOMIC DEVELOPMENT AND REQUESTING
GRANT IN THE AMOUNT OF \$750,000 TO BENEFIT QUIVER
VENTURES LLC

Summary of Municipal Order No. 2014 - 195 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 explained the Bowling Green Area Chamber of Commerce worked with the State to attract this business and bring in 80 new jobs. He indicated the City would simply act as the pass

through agent for the bond funds. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 195 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 196

**MUNICIPAL ORDER ACCEPTING THE INTER-MODAL
TRANSPORTATION AUTHORITY, INC. (ITA) FINANCIAL
STATEMENTS ENDING JUNE 30, 2014**

Summary of Municipal Order No. 2014 - 196 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 indicated the ITA was required to submit its yearly financial statements to the City and County pursuant to agreement. Mayor Wilkerson noted this was another clean audit and expressed his appreciation for the work being done. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 196 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 29

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

**ORDINANCE AMENDING CHAPTER 23 (WATER AND SEWER)
OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES
RELATED TO LIMITATIONS ON WASTEWATER DISCHARGES
AS PROPOSED BY BOWLING GREEN MUNICIPAL UTILITIES
(BGMU)**

Title and summary of Ordinance No. BG2014 - 29 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for first reading of said Ordinance. DeFebbo reviewed the proposed changes in wastewater discharge limitations as required by BGMU. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 29 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 197

**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) 2014 FUNDS IN THE AMOUNT
OF \$35,978

Summary of Municipal Order No. 2014 - 197 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 stated this was the twenty-second year to receive VOCA funding which was used to offset Victim Advocate April Fulcher's salary. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 197 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 198

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A
GRANT FROM THE KENTUCKY OFFICE OF HOMELAND
SECURITY FOR THE 2014 HOMELAND SECURITY GRANT
PROGRAM IN THE AMOUNT OF \$60,000 FOR THE PURCHASE
OF IN-CAR CAMERAS FOR THE POLICE DEPARTMENT

Summary of Municipal Order No. 2014 - 198 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. With no grant match required, DeFebbo recommended acceptance of the grant funds. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 198 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 199

MUNICIPAL ORDER APPROVING AMENDED LEASE
AGREEMENT WITH TEA SQUARES, LLC D/B/A TEA BAYOU
FOR LEASE OF A PORTION OF THE PUBLIC SIDEWALK
LOCATED IN FRONT OF 906 STATE STREET

Summary of Municipal Order No. 2014 - 199 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 indicated the City provides leases for portions of the downtown sidewalk in front of various restaurants to be used as outdoor cafés. City Attorney Gene Harmon explained this was a unique situation as Tea Bayou needed to count its outside seating to qualify for a liquor license and the hours of operation listed in the existing agreement did not match with actual operating hours which raised an issue with the State ABC Investigator. Mayor Wilkerson asked if other lease agreements would also need to be changed, and Mr. Harmon did not think so based on this particular situation. After the discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 199 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 – 200

MUNICIPAL ORDER ACCEPTING AND RATIFYING ACTIONS OF CITY OFFICIALS IN EXECUTING A GRANT AGREEMENT AMONG THE BOWLING GREEN-WARREN COUNTY REGIONAL AIRPORT BOARD, THE CITY OF BOWLING GREEN, WARREN COUNTY AND THE FEDERAL AVIATION ADMINISTRATION RELATED TO AN UPDATE TO THE AIRPORT LAYOUT PLAN AND AN AIRPORT GEOGRAPHIC INFORMATION SYSTEM (AGIS) SURVEY

Summary of Municipal Order No. 2014 - 200 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 recommended ratification of the Grant Agreement which required action to be taken prior to this Board meeting. He stated the City's share of the grant match would amount to \$7,914.50 (1.5%). Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 200 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 – 201

MUNICIPAL ORDER APPROVING THE DISADVANTAGED BUSINESS ENTERPRISES (DBE) PLAN FOR THE CITY OF BOWLING GREEN TRANSIT PROGRAM AND AUTHORIZING ITS SUBMISSION TO THE FEDERAL TRANSPORTATION ADMINISTRATION

Summary of Municipal Order No. 2014 - 201 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 requirement to submit a DBE Plan. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 201 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 – 202

MUNICIPAL ORDER AUTHORIZING A DEPOSITORY AGREEMENT BETWEEN THE CITY OF BOWLING GREEN NEIGHBORHOOD AND COMMUNITY SERVICES DEPARTMENT, HOUSING DIVISION AND PNC BANK, NA FOR HOUSING CHOICE VOUCHER PROGRAM FUNDING

Summary of Municipal Order No. 2014 - 202 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Waltrip for consideration of said Municipal

Order. DeFebbo indicated an updated agreement was required to be on file with the Department for Housing and Urban Development (HUD). Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 202 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 203

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-01 FOR THE SLOAN CONVENTION CENTER EXTERIOR FINISHES PROJECT FROM CARTER DOUGLAS COMPANY LLC OF RUSSELLVILLE, KENTUCKY IN AN AMOUNT NOT TO EXCEED \$100,000

Summary of Municipal Order No. 2014 - 203 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 and recommended the bid award, including a small contingency amount for any unanticipated materials or work which may be required. Mayor Wilkerson stated the funds for this project come from the Convention Center and not the City's General Fund. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 203 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 204

MUNICIPAL ORDER AUTHORIZING RENEWAL OF BID #2012-49 FOR TURNOUT GEAR (JACKETS, PANTS AND ACCESSORIES) FOR THE FIRE DEPARTMENT FROM BLUEGRASS UNIFORMS OF BOWLING GREEN, KENTUCKY FOR TWENTY (20) ADDITIONAL SETS AT A UNIT PRICE OF \$2,287.25 PER SET WITH THE TOTAL AMOUNT NOT TO EXCEED \$45,745

Summary of Municipal Order No. 2014 - 204 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 the previous bid and the ability to renew it one more time with no cost increase. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 204 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 205

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. 2014 - 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. With no increase over the previous year, DeFebbo recommended continuation of the maintenance services. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 205 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 206

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-16 FOR COBAN IN-CAR CAMERA EXPANSION PROJECT FROM JBK NETWORK CONSULTING, LTD OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$25,526.73

Summary of Municipal Order No. 2014 - 206 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 indicated that as most police cars have cameras, this equipment was necessary to extract the footage and properly store it. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 206 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 207

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-12 FOR OUTDOOR NON-ELEVATED ALUMINUM BLEACHERS FOR ROLAND BLAND, KEREIAKES AND LOVERS LANE PARKS FROM TOADVINE ENTERPRISES, INC. OF FISHERVILLE, KENTUCKY IN THE AMOUNT OF \$64,537

Summary of Municipal Order No. 2014 - 207 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 noted there were thirteen bleachers currently remaining that did not meet new safety compliance requirements and needed to be replaced. Parks and Recreation Director Brent Belcher responded to questions and provided a description of the new bleachers. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 207 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 208

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING NEGOTIATIONS AFTER SEALED BIDDING FOR BID #2015-08

FOR MCLELLAN ROAD WIDENING AND OVERLAY FROM
SCOTTY'S CONTRACTING & STONE, LLC OF BOWLING
GREEN, KENTUCKY IN THE AMOUNT OF \$198,969.04

Summary of Municipal Order No. 2014 - 208 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Denning for consideration of said Municipal Order. As one of the Board's top road projects, DeFebbo reviewed and recommended approval of the negotiated amount with the only bidder for this project. Mayor Wilkerson asked the Public Works Director to provide a diagram of the road so he could have it available when asked questions by residents. Mr. Lashlee agreed. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 208 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 209

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2015-17 FOR THE INSTALLATION OF SOUTHWOOD COURT
CURB ISLAND FROM SCOTT & MURPHY, INC. OF BOWLING
GREEN, KENTUCKY IN THE AMOUNT OF \$31,095.50

Summary of Municipal Order No. 2014 - 209 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 recalled that a number of months ago Berry Plastics Corporation personnel had expressed concern about some problems they encountered with the layout of Southwood Court located in the South Central Kentucky Industrial Park. He reported the Public Works Department developed a solution to address the problems and installed a temporary curb island to test its success just a few months ago. With a successful outcome of the temporary solution, DeFebbo recommended this bid be awarded to make the curb island a permanent fixture. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 209 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 210

MUNICIPAL ORDER AUTHORIZING CHANGE ORDER NO. TWO
TO BID #2014-14 FOR THE CITY HALL ANNEX AND
NEIGHBORHOOD AND COMMUNITY SERVICES (NCS)
BUILDING RENOVATION PROJECT FROM SCOTT, MURPHY
AND DANIEL, LLC OF BOWLING GREEN, KENTUCKY IN THE
AMOUNT OF \$280,000

Summary of Municipal Order No. 2014 - 210 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 pointed out that anytime an older building is renovated, unforeseen issues are bound to arise. With this being the case for the City Hall Annex ventilation system, he recommended

approval of the change order to replace the ductwork in the building. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 210 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 211

**MUNICIPAL ORDER APPROVING AMENDMENTS TO THE CITY
OF BOWLING GREEN, KENTUCKY MANUAL OF PURCHASING
POLICIES AND PROCEDURES**

Summary of Municipal Order No. 2014 - 211 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 remarked this item was presented at the earlier work session and recommended its approval. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 211 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 212

**MUNICIPAL ORDER APPROVING FISCAL YEARS 2014/2015
THROUGH 2017/2018 CAPITAL IMPROVEMENT PROGRAM (CIP)
FOR THE CITY OF BOWLING GREEN, KENTUCKY**

Summary of Municipal Order No. 2014 - 212 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 in addition to preparing the annual budget, the multi-year Capital Improvement Program was also updated. He confirmed the only year that mattered was the actual year of the budget and all other years were considered as discretionary. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 212 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 30

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

**ORDINANCE AMENDING CHAPTER 6 (BUILDING
REGULATIONS), SUBCHAPTER 6-4 (FEES) OF THE CITY OF
BOWLING GREEN CODE OF ORDINANCES TO REVISE
BUILDING PLAN REVIEW FEES FOR THE REVIEW OF
MULTIPLE IDENTICAL BUILDINGS**

Title and summary of Ordinance No. BG2014 - 30 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for first reading of said Ordinance. DeFebbo commented the City was approached by various contractors and builders to revise the fees for plan review. Neighborhood and Community Services Director Brent Childers provided an overview of the plan review process, which the City was able to do locally for a fee based on the square footage of the building under review. He explained that if an identical building structure was built multiple times, the plans only had to be reviewed once but fees were charged at the full amount for each building. Under the proposed changes, Mr. Childers stated the protocol would be to require the full plan review fee for the initial building and the Commonwealth of Kentucky's minimum plan review fee of \$250 to be applied for each additional building in the same development plan, with the caveat that the building plans have to be identical and must be submitted at the same time. Commissioner Williams commended staff for finding a compromise that would satisfy the builders. Mayor Wilkerson said he liked that staff was willing to consider the idea and not just brush it off. Once the discussion ended, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 30 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 213

**MUNICIPAL ORDER AUTHORIZING A CONTRIBUTION FROM
THE CITY'S GENERAL FUND IN THE AMOUNT OF \$400,000 TO
THE BOWLING GREEN POLICE AND FIREFIGHTERS
RETIREMENT FUND FOR FISCAL YEAR 2015**

Summary of Municipal Order No. 2014 - 213 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Hill for consideration of said Municipal Order. Chief Financial Officer Jeff Meisel recalled these funds were included in the budget and he recommended the contribution to the closed pension fund to help reduce its unfunded liability. He reported the Retirement Fund was approximately 98% funded according to the most recent actuary study as of January 1, 2014. In addition, he explained that in order to comply with the Governmental Accounting Standards Board (GASB), the next actuary would be conducted on the fiscal year basis instead of the calendar year. Mayor Wilkerson thanked Financial Advisors Bob Kirby and Mac Jefferson with Hillard Lyons for their efforts with achieving a 12.65% return on assets for the Fund during 2013. Following the discussion, a roll call vote was taken.

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

Municipal Order No. 2014 - 213 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 31

(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 2015**

Title and summary of Ordinance No. BG2014 - 31 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for first reading of said Ordinance. DeFebbo reviewed the necessity for periodic budget amendments to be considered. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 31 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 32

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

**ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION),
SUBCHAPTER 2-2 (BOARD OF COMMISSIONERS) OF THE CITY
OF BOWLING GREEN CODE OF ORDINANCES TO MAKE
CHANGES RELATED TO REVISIONS IN KENTUCKY LAW AND
ADD LANGUAGE FOR ELECTIONS OF THE BOARD OF
COMMISSIONERS**

Title and summary of Ordinance No. BG2014 - 32 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for first reading of said Ordinance. City Attorney Gene Harmon provided an overview of the proposed changes which aligned with the recent reclassification reform bill (HB 331) passed during the 2014 Session of the Kentucky General Assembly. He clarified Bowling Green would no longer be classified as a City of the Second Class, but rather a Home Rule City. Included among the changes with becoming a Home Rule City, Mr. Harmon explained there was no longer a requirement for larger cities to hold primary elections and the Board could enact an ordinance to change it as well as stipulate that it would continue with city-wide non-partisan elections. Mayor Wilkerson recalled this topic was previously discussed at a work session in August and presented an opportunity to clean up language in the Code of Ordinances related to the classification system. Commissioner Williams clarified this action would only affect city elections. With no further discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 32 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 214

**MUNICIPAL ORDER APPROVING AMENDED AGREEMENT
BETWEEN THE CITY OF BOWLING GREEN AND ST. JOSEPH
FOUNDATION, INC. RELATED TO THE PROVISION OF
CEMETERY SERVICES**

Summary of Municipal Order No. 2014 - 214 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 recalled the City approved an agreement in 2011 to assist with burial openings/closings for the St. Joseph Catholic Cemetery located adjacent to Fairview Cemetery. He

indicated this was a renewal of that agreement as well as an update to the fee structure. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 214 was approved by unanimous vote.

RESOLUTION NO. BG – WCCA – 57

A RESOLUTION OF THE CITY OF BOWLING GREEN SECTION OF THE BOWLING GREEN-WARREN COUNTY CABLE FRANCHISE AUTHORITY APPROVING THE TRANSFER OF CONTROL OF THE CABLE FRANCHISE AGREEMENT FROM COMCAST CORPORATION TO CHARTER COMMUNICATIONS, INC.

Summary of Resolution No. BG – WCCA – 57 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Resolution. Although the cable company has changed hands several times over the years, City Attorney Gene Harmon indicated the City was nearing the end of its current non-exclusive Franchise Agreement for cable services. He explained federal approval was still pending regarding the transfer from Time Warner Cable Inc. to Comcast, which transfer was approved by the City in July. Even though federal approval was still pending he reported that about 120 days ago, the Mayor received written notification of the subsequent transfer from Comcast to Charter. With limited basis for refusal, he opined the City now had to act upon this transfer which would also be contingent upon federal approval. In addition, Mr. Harmon noted that in the next month, a two year extension of the existing non-exclusive Franchise Agreement would be brought forth for consideration.

Charter Communications representative Brian Gregory commented about Charter's services. Commissioner Williams stated he has been through several of these transitions from both sides of the aisle and remarked that Charter would have some perception challenges to overcome, such as providing better service, more channel selection and better communication than its predecessor. He also mentioned the long standing request that a local channel out of Louisville be brought back if possible in place of an existing Tennessee based CBS station. Once the discussion ended, a roll call vote was taken.

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

Resolution No. BG – WCCA – 57 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 – 215

MUNICIPAL ORDER APPROVING KEREIAKES PARK INDOOR HITTING FACILITY AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND BOWLING GREEN EAST LITTLE LEAGUE

Summary of Municipal Order No. 2014 - 215 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 recapped this item was discussed at two prior work sessions including the one earlier in the day. He indicated an agreement had been reached with East Little League that appeared to satisfy each party. Mayor Wilkerson agreed the issue had been thoroughly discussed.

Commissioner Waltrip echoed his comments from the work session in which he expressed having a problem with excluding access to all children who lived in the city by only allowing children associated with East and West Little Leagues to use the facility. He felt strongly that city recreation should be for the largest number.

Commissioner Williams commended the ability for the groups to come together. With no additional discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Williams, Hill and Wilkerson
 Voting Nay: Waltrip and Denning
Municipal Order No. 2014 - 215 was approved by unanimous vote.

NEXT MEETING

Mayor Wilkerson announced the next regularly scheduled meeting of the Board of Commissioners would be on November 18, 2014. The November 4th meeting was canceled due to it being election day. He also announced the candidates for City Commissioner would appear on the backside of the ballot.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 8:30 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) proposed revisions to the Purchasing Policies and Procedures Manual; 2) recommendation for Fiscal Year 2015 Stormwater Mitigation Program projects; and 3) continuation of the discussion about a proposals from Bowling Green East Little League for an indoor batting facility to be constructed at Kereiakes Park and review of a draft agreement.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk