

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JULY 21, 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 July 21, 2009. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Pastor Gregg Farrell of Crosslands Community 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 Catherine Hamilton, Commissioner Brian "Slim" Nash, Commissioner Bruce Wilkerson, Commissioner Joe W. Denning and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

**AWARDS & RECOGNITIONS**

Operation P.R.I.D.E. Executive Director Ray Lackey announced that work was progressing to 1) address the cleanup of graffiti in the area, 2) address its "Top 10" list of beautification projects and 3) improve the appearance of landscaping along Scottsville Road and Three Springs Road near the I-65 interchange. Mr. Lackey presented two awards for improvements made to residential and non-residential property. The first award was to Hasim and Sadika Mahmutovic for their property located at 110 Whispering Hills Boulevard. The second award was presented to Bowling Green Glass Company located at 813 Clay Street, with owners Jim and Darla French accepting.

**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:   Hamilton, Nash, Wilkerson, Denning 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.

**APPROVAL OF MINUTES**

Minutes of Regular Meeting July 7, 2009

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

Motion to approve the minutes of the regular meeting of July 7, 2009 was approved by unanimous vote.

**PUBLIC COMMENTS**

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

ORDINANCE NO. BG2009 - 21  
(Second Reading)  
ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF A FIFTEEN FOOT  
ALLEY OFF OF PARK STREET NEAR 4<sup>TH</sup> AVENUE

Title and summary of Ordinance No. BG2009 - 21 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: Hamilton, Nash, Wilkerson, Denning and Walker  
Voting Nay: None

Ordinance No. BG2009 - 21 was adopted by unanimous vote.

ORDINANCE NO. BG2009 - 22  
(Second Reading)  
ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF GRIDER STREET  
AND AN UNNAMED ALLEY LOCATED BETWEEN KENTUCKY  
AND CENTER STREETS, PARALLEL TO 2<sup>ND</sup> AND 3<sup>RD</sup> AVENUES

Title and summary of Ordinance No. BG2009 - 22 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2009 - 22 was adopted by unanimous vote.

ORDINANCE NO. BG2009 - 23  
(Second Reading)  
ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING PORTIONS OF LOTS 5 AND 7 OF  
PROPERTY LOCATED AT CHERRY FARMS SUBDIVISION, WITH  
PROPERTY PRESENTLY OWNED BY CHERRY PARK, LLC, AND  
SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY  
LIMITS

Title and summary of Ordinance No. BG2009 - 23 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: Hamilton, Nash, Wilkerson, Denning and Walker  
Voting Nay: None

Ordinance No. BG2009 – 23 was adopted by unanimous vote.

ORDINANCE NO. BG2009 – 24  
(Second Reading)  
ORDINANCE RELATING TO BUDGET AMENDMENT

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

Title and summary of Ordinance No. BG2009 – 24 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: Hamilton, Nash, Wilkerson, Denning and Walker  
                          Voting Nay: None

Ordinance No. BG2009 - 24 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 149

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF  
FRANCO P. IRVIN AND DERRICK L. SIGDESTAD TO THE  
POSITION OF OPERATIONS TECHNICIAN I IN THE PUBLIC  
WORKS DEPARTMENT

Summary of Municipal Order No. 2009 - 149 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 commented about the career path program for Operations and Maintenance Technicians (OMT). Public Works Director Emmett Wood reviewed the individual qualifications and recommended the promotions. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 149 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 150

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF  
THOMAS A. MANLEY TO THE ADMINISTRATIVE APPEALS  
BOARD

Summary of Municipal Order No. 2009 - 150 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: Hamilton, Nash, Wilkerson, Denning and Walker  
                          Voting Nay: None

Municipal Order No. 2009 - 150 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 151

MUNICIPAL ORDER AUTHORIZING AND APPROVING AN OPTION TO RENEW CONTRACTS ACCEPTED BY BID #2008-49 FOR POLICE AND FIRE UNIFORMS FROM BLUEGRASS UNIFORMS OF BOWLING GREEN, KENTUCKY AND NAT'S OUTDOOR SPORTS OF BOWLING GREEN, KENTUCKY AT A TOTAL UNIT COST OF \$15,349.53

Summary of Municipal Order No. 2009 - 151 was read by the Assistant City Manager/City Clerk. Motion was made by Hamilton and seconded by Denning for consideration of said Municipal Order. DeFebbo stated that the City accepted bids last year for uniforms with an option to extend that bid for a second year. With agreement from both Police and Fire chiefs, DeFebbo recommended the renewal of the contracts for an additional year at the same prices. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 151 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 152

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

Summary of Municipal Order No. 2009 - 152 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 the agreement with WKU for composting services and revenue sharing. He also commented about the benefits related to the City's stormwater program. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 152 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 153

MUNICIPAL ORDER AUTHORIZING AND APPROVING THE ANNUAL DUES PAYMENT IN THE AMOUNT OF \$27,122 TO BARREN RIVER AREA DEVELOPMENT DISTRICT (BRADD) FOR FISCAL YEAR 2010

Summary of Municipal Order No. 2009 - 153 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 payment of the City's annual dues based on a per capita formula. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Voting Nay: None  
Municipal Order No. 2009 - 153 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2009 – 154

MUNICIPAL ORDER AUTHORIZING AND ADOPTING AN  
ENERGY POLICY FOR THE CITY OF BOWLING GREEN,  
KENTUCKY MUNICIPAL FACILITIES

Summary of Municipal Order No. 2009 - 154 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 this item was discussed during the work session and he recommended its approval. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2009 - 154 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners at approximately 7:15 p.m. met 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 8:20 p.m., Mayor Walker declared this meeting adjourned.

WORK SESSION

Prior to the regular meeting and with no action taken, the Board of Commissioners excluding Commissioner Nash, convened at 4:00 p.m. in the Commission Chamber of City Hall for a regular work session to discuss the following subjects: 1) an overview of the Section 8 Housing Choice Voucher Program through the Department of Housing and Community Development; 2) a proposed Energy Policy for municipal facilities; and 3) priorities for future Capital Improvement Projects (CIP). In addition, there was discussion regarding steps to take to urge CSX Railroad to address maintenance issues at the crossing of Riverview Drive (1<sup>st</sup> Avenue) and Kentucky Street (Louisville Road/31-W) and the railroad bridge over Barren River.

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

APPROVED: \_\_\_\_\_

*(Minutes-Board of Commissioners-July 21, 2009)*

Mayor, Chairman of Board of Commissioners

ATTEST:

\_\_\_\_\_  
City Clerk

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