

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held OCTOBER 18, 2011**

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 18, 2011. Mayor Joe W. Denning called the meeting to order. An invocation was given by Commissioner Brian "Slim" Nash, and all present recited the Pledge of Allegiance. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Bruce Wilkerson, Commissioner Melinda M. Hill, Commissioner Brian "Slim" Nash, Commissioner Bill Waltrip and Mayor Joe W. Denning. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

In the absence of Operation P.R.I.D.E. Executive Director Ray Lackey, Neighborhood Services Coordinator Karen Foley (member of Operation P.R.I.D.E.'s Board) presented P.R.I.D.E.'s monthly residential award to Mark and Michelle Dilliha for improvements made to The Dickey House located at 1259 Park Street. Ms. Dilliha remarked about the neighborhood support they received. Ms. Foley presented Jake Petrovic with the commercial award for improvements made to NOVO DOLCE Espresso Bar, Bakery & Grill located at 728 Old Morgantown Road.

Mayor Denning recognized and welcomed a member of Eagle Scout Troop 202 and several WKU students in attendance.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion of proposed litigation on behalf of the City, and for discussion concerning a specific proposal for which open discussions would jeopardize the siting, retention, expansion or upgrading of the business or businesses. Motion was made by Wilkerson and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (c) and (g). Denning called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Regular Meeting October 4, 2011

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 Hill to approve said minutes as written. Mayor Denning asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of October 4, 2011 was approved by unanimous vote.

PUBLIC COMMENTS

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

REGULAR AGENDA

MUNICIPAL ORDER NO. 2011 - 197

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF HELEN SIEWERS AND APPOINTMENTS OF TINA COATES AND JOSHUA TWARDOWSKI TO THE BOWLING GREEN COMMUNITY TREE ADVISORY BOARD

Summary of Municipal Order No. 2011 - 197 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Wilkerson for consideration of said Municipal Order. Mayor Denning asked for discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 197 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 198

MUNICIPAL ORDER APPROVING THE CAREER PATH ADVANCEMENT OF DAVID K. WOOD TO THE POSITION OF OPERATIONS TECHNICIAN I IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2011 - 198 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 career path program and recommended advancement since all requirements had been met. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2011 - 198 was approved by unanimous vote.

To address the speed with which the Board was able to consider the items on the agenda, Mayor Denning explained they each receive an advance copy of the agenda materials which allows them time to ask any questions of staff before the meeting.

MUNICIPAL ORDER NO. 2011 - 199

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF LEYDA M. BECKER TO THE POSITION OF COMMUNITY SERVICES SPECIALIST IN THE NEIGHBORHOOD AND COMMUNITY SERVICES DEPARTMENT

Summary of Municipal Order No. 2011 - 199 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. With Bowling Green being a diverse community and operated as a public service organization, Mr. DeFebbo remarked that it was important for all residents to be represented by a diverse staff. In taking a step closer toward that representation, he recounted how an Hispanic liaison position had been established in the Police Department about three years ago. In the FY2012 budget, that position was essentially reorganized and a new position was created under the Neighborhood and Community Services Department to give it more of a broader focus, including the responsibility to train other employees about diversity. Mr. DeFebbo reviewed the application and interview process, which also included involvement from members of the Hispanic Focus Group (a group of community leaders who came together to aid Hispanic residents with understanding the City services available to them), and he recommended the appointment.

Ms. Becker, speaking first in English and then repeated in Spanish, introduced herself and her family. She expressed appreciation for the opportunity to work for the City and the community. She also remarked about her own struggles with being an immigrant to Bowling Green at a young age and not knowing how to speak English at the time, and how she eventually overcame the barriers. Mayor Denning indicated that the Board of Commissioners was glad to have Ms. Becker as an employee and he believed that she would become a great asset to the staff and City. With no other discussion, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2011 - 199 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 - 200

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2012-01 FOR CITY HALL ANNEX AND PUBLIC WORKS OPERATIONS ROOF REPLACEMENT FROM CMS ROOFING OF BOWLING GREEN, KENTUCKY AND GUNTER CONSTRUCTION ROOFING OF SCOTTSVILLE, KENTUCKY IN THE TOTAL AMOUNT OF \$222,366

Summary of Municipal Order No. 2011 - 200 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 both facilities had been experiencing problems with their roofs. He recommended approval of the award for the bid based on the lowest bidder for each project. Mayor Denning asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Hill, Nash, Waltrip and Denning
 Voting Nay: None
Municipal Order No. 2011 - 200 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2011 – 201

MUNICIPAL ORDER APPROVING AMENDMENTS TO THE CITY OF BOWLING GREEN, KENTUCKY MANUAL OF PURCHASING POLICIES AND PROCEDURES RELATED TO A LOCAL BIDDER PREFERENCE

Summary of Municipal Order No. 2011 - 201 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Wilkerson for consideration of said Municipal Order. As sponsor of this item, Comm. Nash noted that this issue had been discussed on multiple occasions. He outlined the content of the provision which would give preference to local businesses if the bid was within 5%, not to exceed \$5,000 of the lowest bidder. He further explained that if it was an evaluated bid, the local bidder would be given 3 points to the total evaluation score, provided the difference between bid amounts did not exceed \$5,000. Comm. Nash confirmed that the local preference would only apply to bids for goods or materials which exceed a total of \$20,000.

Comm. Waltrip specified that he liked the two year time period for this provision to remain in effect and that it would take Board of Commissioners approval to extend beyond the two years. He surmised that this would provide ample time to review and evaluate the local preference initiative. With no additional discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Hill, Nash, Waltrip and Denning
 Voting Nay: None
Municipal Order No. 2011 - 201 was approved by unanimous vote.

BOARD OF COMMISSIONERS COMMENTS

Comm. Nash requested the Board’s indulgence to speak about something personal, yet beneficial to the public. He announced that on this day nine years ago his daughter Presley Nash was the benefactor of an anonymous bone marrow donor. He urged people to consider making a donation of core blood or bone marrow at public or private banks where it can be stored and used in the future to save another life.

Comm. Hill reminded everyone about the opportunity to check out the Warren County Asylum, a Halloween themed tour experience located at 707 E. Main, and to support the efforts of several Police Department members to raise funds for the American Cancer Society Relay for Life Team named “Cancer Cops.”

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:30 p.m. in closed session pursuant to KRS 61.810 (1) (c) and (g) as previously approved. Mr. DeFebbo confirmed that there would not be any action 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 7:55 p.m., Mayor Denning 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) further deliberation about proposed amendments to the City of Bowling Green Code of Ordinances, Chapter 25 (Code of Ethics) as recommended by the Board of Ethics; and 2) recommended revisions to the Administrative Personnel Policy and Procedures Manual. Additionally, the Board discussed the agenda protocol, including the advance receipt of discussion topic materials and avoiding the placement of an item on the regular meeting agenda for a vote that was just discussed at that afternoon's work session.

With the Ethics Board having presented its proposal for changes to the Code of Ethics, a majority of the Board of Commissioners determined that any changes to the proposal should be at the discretion of the Commission. Following the debate of various elements of the proposed language, primarily in Sections 25-3(7) and 25-3(9)(1), (2) and (3), Comm. Wilkerson volunteered to prepare a redrafted ordinance based on the outcome of the discussion. He agreed to provide copies to the members of the Board of Commissioners for further discussion at the next work session.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller