

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held DECEMBER 2, 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 December 2, 2014. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Commissioner Rick Williams, and Caleb Bruce with Boy Scout Troop 555 led the Pledge of Allegiance. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Joe W. Denning, Commissioner Melinda M. Hill, Commissioner Bill Waltrip, Commissioner Rick Williams and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

CITY MANAGER

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

ROLL CALL: Voting Yea: Denning, Hill, Waltrip, Williams and Wilkerson
 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 November 18, 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 Denning to approve said minutes as written. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of November 18, 2014 was approved by unanimous vote.

PUBLIC COMMENTS

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

REGULAR AGENDA

**ORDINANCE NO. BG2014 - 33
(Second Reading)
ORDINANCE REZONING REAL ESTATE**

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.25 ACRE FROM LI (LIGHT INDUSTRIAL) TO NB (NEIGHBORHOOD BUSINESS) LOCATED AT 1149 ADAMS STREET, PRESENTLY OWNED BY GREG AND LEANN POWELL

Title and summary of Ordinance No. BG2014 - 33 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2014 - 33 was adopted by unanimous vote.

ORDINANCE NO. BG2014 - 34
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 5.01 ACRES FROM MHP (MOBILE HOME PARK) AND HB (HIGHWAY BUSINESS) TO HB (HIGHWAY BUSINESS) LOCATED IN THE 2800 BLOCK OF NASHVILLE ROAD, PRESENTLY OWNED BY BENMARK PROPERTIES, INC., WITH M.A. WILLIAMS PROPERTIES, INC. AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2014 - 34 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2014 - 34 was adopted by unanimous vote.

ORDINANCE NO. BG2014 - 35
(Second Reading)
ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 3.33 ACRES OF PROPERTY LOCATED AT 1150 MORGANTOWN ROAD PRESENTLY OWNED BY JAMES AND GAIL MANNING AND PAUL AND WENONAH MANNING, AND 3.75 ACRES OF MORGANTOWN ROAD (U.S. HWY 231) RIGHT-OF-WAY, FOR A TOTAL OF 7.08 ACRES WITH SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS

Title and summary of Ordinance No. BG2014 - 35 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Hill, Waltrip, Williams and Wilkerson
Voting Nay: None
Ordinance No. BG2014 - 35 was adopted by unanimous vote.

ORDINANCE NO. BG2014 - 36
(Second Reading)

ORDINANCE RELATING TO CABLE TELEVISION FRANCHISE

AN ORDINANCE OF THE CITY OF BOWLING GREEN SECTION OF THE BOWLING GREEN-WARREN COUNTY CABLE FRANCHISE AUTHORITY APPROVING EXTENSION OF NON-EXCLUSIVE CABLE FRANCHISE AGREEMENT WITH INSIGHT KENTUCKY PARTNERS II, L.P.

Title and summary of Ordinance No. BG2014 - 36 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2014 - 36 was adopted by unanimous vote. Following the vote, Mayor Wilkerson reiterated this was a non-exclusive franchise and any other interested businesses could come into Bowling Green to provide cable services as well.

MUNICIPAL ORDER NO. 2014 - 228

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF DOMINIQUE LA RUE TO THE POSITION OF OFFICE ASSOCIATE IN THE NEIGHBORHOOD AND COMMUNITY SERVICES DEPARTMENT

Summary of Municipal Order No. 2014 - 228 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 reviewed the recent job opening and ability to use the applicant pool from a previously advertised position in Parks and Recreation. After reviewing Ms. La Rue's qualifications, he recommended her appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 228 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 37
(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 - 37 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for first reading of said Ordinance. DeFebbo indicated that following the retirement of Chief Building Inspector Glenn Burns, the City solicited for qualified applicants on two separate occasions, and was unsuccessful in finding a suitable candidate that held a Kentucky Level III Building Inspector Certification. He recommended being able to develop a qualified candidate by creating a new position titled Building Services Manager at a slightly lower grade and provide an opportunity for the required certification to be obtained within two years of hire. He emphasized the importance of interpersonal skills as well as technical abilities needed for this position. Neighborhood and Community Services Director Brent Childers responded to questions about the limited applicant pool and desired qualifications of the ideal candidate. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 37 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 229

**MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF
WALTER HAWKINS AND MICHELE TOLBERT TO THE CITY OF
BOWLING GREEN BOARD OF ETHICS**

Summary of Municipal Order No. 2014 - 229 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. Mayor Wilkerson recommended the reappointments, and asked for additional discussion. With none, a roll call vote was taken.

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

Municipal Order No. 2014 - 229 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 230

**MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF
CHARLES "CHIP" WINGER, JR., JENNIFER TOUGAS AND
SENAD VELETANLIC TO THE GREENWAYS COMMISSION OF
BOWLING GREEN AND WARREN COUNTY**

Summary of Municipal Order No. 2014 - 230 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. Mayor Wilkerson recommended the reappointments, and asked for additional discussion. With none, a roll call vote was taken.

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

Municipal Order No. 2014 - 230 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 231

MUNICIPAL ORDER AUTHORIZING THE SECOND AND FINAL EXTENSION OF BID #2013-22 AS APPROVED BY MUNICIPAL ORDER NO. 2013-23 FOR UNIFORMS FOR THE POLICE DEPARTMENT FROM BLUEGRASS UNIFORMS, INC. AND NAT'S OUTDOOR SPORTS OF BOWLING GREEN, KENTUCKY

Summary of Municipal Order No. 2014 - 231 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 award and ability to renew the contracts for two additional years. With the first contract extension now expiring, he recommended the second extension to maintain the same pricing structure. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 231 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 232

MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH TITLEIST OF CHICAGO, ILLINOIS FOR THE PURCHASE OF TITLEIST GOLF PRODUCTS FOR CROSSWINDS, PAUL WALKER AND RIVERVIEW GOLF COURSES IN AN AMOUNT NOT TO EXCEED \$60,000

Summary of Municipal Order No. 2014 - 232 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 reviewed and recommended the ability to purchase direct from the manufacturer for resale merchandise to stock the three golf pro shops. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 232 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 233

MUNICIPAL ORDER APPROVING THE FISCAL YEAR 2014 SIDEWALK PROJECTS (PHASE 1) AND AUTHORIZING THE CITY LAW DEPARTMENT TO NEGOTIATE THE PURCHASE OF PROPERTIES NECESSARY FOR THESE PROJECTS AND FURTHER AUTHORIZING APPROPRIATE CITY OFFICIALS TO EXECUTE DEEDS, EASEMENTS AND OTHER DOCUMENTS RELATED TO LAND PURCHASES NECESSARY FOR THE PROJECTS

Summary of Municipal Order No. 2014 - 233 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 project design complete on the four sidewalk projects included in Phase 1 (Lehman Avenue, Emmett Avenue, Meredith Drive and Cherry Drive) which were previously presented to the Board at the February 18th work session, DeFebbo indicated it was time to enter into negotiations for any necessary property acquisition related to the projects. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 233 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 234

MUNICIPAL ORDER AUTHORIZING THE HOUSING AUTHORITY OF BOWLING GREEN TO RETAIN THE CITY'S PORTION OF THE PAYMENT IN LIEU OF TAXES (PILOT) FOR THE 2014 TAX YEAR IN THE TOTAL AMOUNT OF \$17,399.08

Summary of Municipal Order No. 2014 - 234 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 explained that each year the Housing Authority requests to keep the PILOT payment to help fund its afterschool programs. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 234 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 235

MUNICIPAL ORDER ACCEPTING THE CITY OF BOWLING GREEN, KENTUCKY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE PERIOD ENDED JUNE 30, 2014 AS PREPARED BY THE DEPARTMENT OF FINANCE AND AUDITED BY MOUNTJOY CHILTON MEDLEY, LLP

Summary of Municipal Order No. 2014 - 235 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 commented that the City's Audit Committee reviewed the financial report and recommended its approval by the Board of Commissioners. Since Audit Committee Chair Cristi Pruitt was unable to attend this meeting, Internal Auditor Deborah Jenkins reported the City received an unqualified, clean opinion from the external auditor. She also conveyed this was the first year of the contract whereby the Finance Department created the financial statements in order to save the City money on the cost for auditing services.

As a member of the Audit Committee, Commissioner Denning commented about the presentation given by Mountjoy at the committee meeting and reported the City was in excellent shape. He praised staff and the management team for doing such a good job managing the City's

finances. Mayor Wilkerson echoed those comments. He also mentioned the compliance role of the Internal Auditor with not just looking at financial areas, but also reviewing management policies and processes. Mayor Wilkerson stated people can be assured that the City was doing everything it could to preserve fiscal accountability and viability.

Ms. Jenkins identified the members of the Audit Committee and Commissioner Denning remarked about the role of the City Manager in that process. Once all discussion ended, a roll call vote was taken.

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

Municipal Order No. 2014 - 235 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 38

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

**ORDINANCE AMENDING CHAPTER 20 (REFUSE COLLECTION)
OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO
MAKE CHANGES RECOMMENDED BY WARREN COUNTY AND
RENAME THE CHAPTER SOLID WASTE COLLECTION**

Title and summary of Ordinance No. BG2014 - 38 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 explained Warren County manages the solid waste collections for the City as well as the County, and the proposed changes would bring this chapter into compliance with that process. City Attorney Gene Harmon confirmed these changes would make it clear the City was not in the business of providing solid waste collection services. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 38 was approved by unanimous vote.

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. Mayor Wilkerson invited Commissioner-Elect Sue Parrigin to join in the closed session and indicated no action was expected to following 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 9:00 p.m., Mayor Wilkerson declared this meeting adjourned.

(Minutes-Board of Commissioners-December 2, 2014)

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller