

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JULY 17, 2007**

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 17, 2007. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Rev. Shawn Sales of Loving Chapel 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 Bruce Wilkerson, Commissioner Joe W. Denning, Commissioner Brian K. Strow and Mayor Elaine N. Walker. Absent: Commissioner Brian "Slim" Nash. There was a quorum of the Board of Commissioners.

**OPERATION P.R.I.D.E. AWARDS**

Operation P.R.I.D.E. Executive Director Karen Hume said that awards are presented to those that have made significant improvements to residential and non-residential property. For the month of July, Ms. Hume presented the commercial award to Booth Fire and Safety located at 538 State Street. Owner Doug Gorman accepted the award.

**CITY MANAGER**

City Manager Kevin D. DeFebbo had no comments at this time.

**APPROVAL OF MINUTES**

Minutes of Special Meetings June 28, 2007 and July 2, 2007

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

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

Motion to approve the minutes of the special meetings of June 28, 2007 and July 2, 2007 was approved by unanimous vote.

**PUBLIC COMMENTS**

Jonathon Claire, who recently moved to Bowling Green, spoke in support of a smoke-free community. He referred to a letter to the editor in the July 9, 2007 edition of the *Daily News* and stated that secondhand smoke was a health issue just as much as a political issue.

**CONSENT AGENDA**

Mayor Walker requested if there were any items to be removed from the Consent Agenda prior to its consideration. With none, Assistant City Manager/City Clerk Katie Schaller read the summary of the following item:

MUNICIPAL ORDER NO. 2007 - 229

MUNICIPAL ORDER AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE COMMONWEALTH OF KENTUCKY JUSTICE AND PUBLIC SAFETY CABINET FOR LAW ENFORCEMENT SERVICE FEE GRANT (TAP) PROGRAM IN THE AMOUNT OF \$13,423

Motion was made by Wilkerson and seconded by Strow for acceptance of the Consent Agenda as presented. With no discussion, a roll call vote was taken.

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

Motion to accept the Consent Agenda as presented was approved by unanimous vote.

REGULAR AGENDA

MUNICIPAL ORDER NO. 2007 - 230

MUNICIPAL ORDER APPROVING THE PROMOTION OF DAWN L. RALEY TO THE POSITION OF INSPECTION SUPPORT SPECIALIST IN THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT

Summary of Municipal Order No. 2007 - 230 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo reviewed the recommended promotion and qualifications. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 230 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 231

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF BLAKE HARRISON LEGRAND TO THE POSITION OF LANDSCAPE GARDENER FOR THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2007 - 231 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo reviewed the recommended appointment and qualifications. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 231 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 232

MUNICIPAL ORDER AUTHORIZING THE CONTINUATION OF A CONTRACT WITH J & F JANITORIAL SERVICE TO PROVIDE CUSTODIAL SERVICES FOR FISCAL YEAR 2008

Summary of Municipal Order No. 2007 - 232 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for consideration of said Municipal Order. DeFebbo indicated that this was a annual item for continuation of a multi-year contract. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Strow and Walker

Voting Nay: None

Municipal Order No. 2007 - 232 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 233

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2007-74 FOR COMMUNITY CENTER CAMERAS FROM JBK NETWORKING OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$32,327.50

Summary of Municipal Order No. 2007 - 233 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Wilkerson for consideration of said Municipal Order. DeFebbo recommended the bid award for purchase and installation of cameras to increase security at the new Community Center. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Strow and Walker

Voting Nay: None

Municipal Order No. 2007 - 233 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 234

MUNICIPAL ORDER AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH RUNDELL ERNSTBERGER ASSOCIATES (REA) FOR PROFESSIONAL ARCHITECTURAL SERVICES OF CIRCUS SQUARE PARK IN THE AMOUNT OF \$13,000

Summary of Municipal Order No. 2007 - 234 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the Downtown Redevelopment Authority's recommendation for a change order for architectural services related to the construction phase of the Circus Square project. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Wilkerson, Denning, Strow and Walker

Voting Nay: None

Municipal Order No. 2007 - 234 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 235

MUNICIPAL ORDER APPROVING CONSTRUCTION AND ACCEPTING MAINTENANCE OF COMMONWEALTH BOULEVARD, TECHNOLOGY WAY AND COSMA DRIVE IN THE KENTUCKY TRANSPARK SUBDIVISION

Summary of Municipal Order No. 2007 - 235 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Strow for consideration of said Municipal Order. DeFebbo reviewed the policy to accept street maintenance when all requirements were met. Mayor Walker noted that inspections were conducted before acceptance of street maintenance. She asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 235 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 236

MUNICIPAL ORDER APPROVING RECOMMENDATION FROM THE BOWLING GREEN AREA CONVENTION AND VISITORS BUREAU TO DISTRIBUTE \$25,000 OF TRANSIENT ROOM TAXES TO OPERATION P.R.I.D.E.

Summary of Municipal Order No. 2007 - 236 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for consideration of said Municipal Order. DeFebbo commented that this was a pass-thru item. Bowling Green Area Convention and Visitor Bureau Executive Director Vicki Fitch reviewed the recommendation for award of special tourism project funds and confirmed that it was a one-time award. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2007 - 236 was approved by unanimous vote.

RESOLUTION NO. 2007 - 4

RESOLUTION SUPPORTING THE CREATION OF A WARREN COUNTY LIBRARY DISTRICT AND DECLARING THE INTENT OF THE CITY OF BOWLING GREEN TO REDUCE ITS PROPERTY TAX RATE BASED ON THE CREATION OF A WARREN COUNTY LIBRARY DISTRICT

Summary of Resolution No. 2007 - 4 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for consideration of said Resolution. Mayor Walker commented on her desire for the County to step forward in support of the library system with the proposed establishment of a County-wide library district tax. She stated that she would recommend that the City's property tax rate be reduced up to 0.05% when or if the County created its taxing district.

There was discussion regarding the proposed tax rate being considered by Warren County, the possible closing of library branches and the City's current allocation to the Public Library of \$1,875,000. Comm. Strow expressed support for a reduction in taxes; however, he suggested that the occupational license fee be reduced instead of the property tax rate. Mayor Walker expressed concern that since the City's allocation was based on property tax revenues, property owners would be penalized with double taxation. Comm. Strow remarked that a reduction in the occupational tax (license fee) would be better for job creation, along with the ability to further diversify the City's revenue sources by not reducing the property tax rate. Comm. Strow made a motion to table Resolution No. 4 until the next meeting. There was no second to the motion.

Comm. Wilkerson stated that he would not tell another government how to operate; however, if Warren County did create such a taxing district, he would support a reduction in the property tax rate. Mayor Walker stated that before Warren County proceeded with creation of a library taxing district, the County needed the support of the City. Once all discussion ended, a roll call vote was taken.

ROLL CALL:           Voting Yea:   Wilkerson, Denning and Walker  
                          Voting Nay:   Strow

Resolution No. 2007 - 4 was approved by majority vote.

**ORDINANCE NO. BG2007 - 33**

(First Reading)

**ORDINANCE ESTABLISHING DEVELOPMENT AREA TAX INCREMENT FINANCING DISTRICT**

**ORDINANCE ESTABLISHING A DEVELOPMENT AREA IN DOWNTOWN BOWLING GREEN RELATING TO A COMPREHENSIVE MIXED USE REDEVELOPMENT AREA COMPRISED OF RESIDENTIAL, OFFICE AND COMMERCIAL COMPONENTS AND INCLUDING CERTAIN PUBLIC ELEMENTS, INCLUDING A BASEBALL STADIUM, PARKING GARAGE AND OTHER INFRASTRUCTURE IMPROVEMENTS; APPROVING A LOCAL PARTICIPATION AGREEMENT WITH WARREN COUNTY, KENTUCKY; ESTABLISHING A SPECIAL FUND; DESIGNATING AN AGENCY FOR THE OVERSIGHT, ADMINISTRATION AND IMPLEMENTATION OF THIS ORDINANCE; AND TAKING OTHER APPROPRIATE ACTIONS**

Title and summary of Ordinance No. BG2007 - 33 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for first reading of said Ordinance. DeFebbo remarked that there had been several discussions at previous meetings regarding a proposed downtown redevelopment plan. City Attorney Gene Harmon explained the difference between previous actions taken by the Board and the item up for consideration at this time. He further explained that once this ordinance was adopted, the next step would be to go to the state for consideration of participation in the tax increment financing (TIF) district, in addition to approval by Warren County. He indicated that Western Kentucky University had already approved its participation in the development. Mr. Harmon reconfirmed that there was no financial obligation of

the City with this development plan. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2007 – 33 was approved by unanimous vote. Mayor Walker announced that there would be a special meeting held on July 31, 2007 for consideration of second reading of this ordinance.

**ADJOURNMENT**

There being no further business to come before the Board of Commissioners, at approximately 7:45 p.m., Mayor Walker 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) Sidewalk Program; 2) revisions to Chapter 21 (Streets and Sidewalks) of the Code of Ordinances related to Storm Water; and 3) revisions to the Storm Water Best Management Practices (BMPs) Manual.

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

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

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

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