

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held JULY 17, 2012**

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, 2012. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Mayor Wilkerson, 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 Brian "Slim" Nash, Commissioner Bill Waltrip, 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**

Mayor Wilkerson recognized two Boy Scouts from Troup 555 who led the reciting of the Pledge of Allegiance.

Operation P.R.I.D.E. Executive Director Ray Lackey presented P.R.I.D.E.'s August 2012 monthly commercial award to First Baptist Church located at 621 E. 12<sup>th</sup> Avenue for a landscape improvement project. Mr. Lackey also mentioned that he would be working with the City to assist with cleaning up the median at the curve on Broadway Street.

Mayor Wilkerson also reminded everyone that radio personality Tony Rose of SAM 100.7-FM would be collecting school supplies during the annual "Stuff the Bus" campaign which would begin this coming Saturday.

**CITY MANAGER**

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion on the future acquisition and/or sale of real property by the City as publicity would likely affect the value of the specific piece of property to be acquired for public use and/or to be sold by the City. Motion was made by Nash and seconded by Hill to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b). Mayor Wilkerson called for roll call vote.

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

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

**BICENTENNIAL CELEBRATION**

Executive Assistant/Public Information Officer Kim Lancaster reported that the City was preparing plans to commemorate its 200 years of incorporation as a city of the Commonwealth of Kentucky. She announced that the celebration would be held during the week of September 18-22, 2012 with several activities planned throughout the week, including a proclamation recognizing the bicentennial, a writing contest for grades 5-8, partnering with local attractions and radio stations to

give away tickets to visit each attraction, an open house to be held at City Hall and a festival to be held at Circus Square Park.

## APPROVAL OF MINUTES

### Minutes of Special Meeting July 3, 2012

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

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

Motion to approve the minutes of the special meeting of July 3, 2012 was approved by majority vote. Mayor Wilkerson abstained since he was not in attendance at the special meeting.

## PUBLIC COMMENTS

Janko Emedi of 1001 Stonewood Court expressed dissatisfaction with the Bowling Green Police Departments efforts with enforcing the fireworks ordinance during the 4<sup>th</sup> of July celebrations. He referred to an article in the *Park City Daily News* that indicated the Police only gave warnings to individuals illegally using fireworks instead of issuing citations for violations of the law. Mr. Emedi compared the noise to a war zone and asked why the Board adopted an ordinance that would allow such behavior by its residents and for it to not be properly enforced. He referred to a particular incident in his neighborhood where he did not believe the Police did enough to prevent the improper and illegal use of fireworks. Mayor Wilkerson suggested that Mr. Emedi arrange a meeting with Police Chief Doug Hawkins, since Chief Hawkins was not able to attend tonight's meeting and respond about the enforcement process. He thanked Mr. Emedi for his comments.

## REGULAR AGENDA

### MUNICIPAL ORDER NO. 2012 - 134

#### MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF AUBREY E. HOAGLIN TO THE POSITION OF LANDSCAPE GARDENER IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2012 - 134 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed the qualifications of the recommended candidate for appointment who was already working part-time in the Landscape Division. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 134 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 135

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF KIMBERLY S. IVES TO THE POSITION OF OFFICE ASSOCIATE IN THE HUMAN RESOURCES AND RISK MANAGEMENT DEPARTMENT

Summary of Municipal Order No. 2012 - 135 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for consideration of said Municipal Order. DeFebbo reviewed the opening in the position of Administrative Assistant following a recent resignation and subsequent promotion. He explained that from the recommendation of the Human Resources Director, the position would be downgraded to Office Associate which would save the City money. He reviewed the qualifications and recommended the appointment of Ms. Ives who had been working part-time in the Human Resources Department for about a year. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 135 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 136

MUNICIPAL ORDER AUTHORIZING ADOPTION OF THE REVISED CITY OF BOWLING GREEN PUBLIC SAFETY PROMOTIONAL PROCEDURES

Summary of Municipal Order No. 2012 - 136 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Nash for consideration of said Municipal Order. DeFebbo noted promotions were important to public safety personnel and there was a need to fine tune the procedures to ensure a fair process. He also noted that both the Fire and Police Chiefs along with Human Resources Director Michael Grubbs recommended the proposed changes. Mr. Grubbs responded to questions and further described the proposed changes which came about following a previous grievance hearing. He also indicated that employee committees assisted with the development of the new language which more clearly matched the intent of the promotional testing process. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 136 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 137

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2012-44 FOR PUBLIC WORKS FLEET TOOL BID FROM DAN JENKINS SALES OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$72,775.75

Summary of Municipal Order No. 2012 - 137 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal

Order. DeFebbo remarked that it was in the best interest of the City to provide a basic tool set for the mechanics to use versus providing their own. He recommended approval of the bid award which would provide six complete tool sets. Comm. Waltrip stated he was glad that the City was taking this step. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2012 - 137 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2012 - 138**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID  
#2012-37 FOR CISCO VOICE OVER INTERNET PROTOCOL (VOIP)  
PHONE SYSTEM FROM JBK NETWORK CONSULTING OF  
BOWLING GREEN, KENTUCKY IN THE AMOUNT NOT TO  
EXCEED \$385,000**

Summary of Municipal Order No. 2012 - 138 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 indicated that the City had made plans to migrate to VOIP about three years ago, but delayed the project due to financial conditions at the time. However, he reported that it was time to make the move forward to take advantage of the newer technology and he recommended approval of the bid award.

Chief Information Officer Lynn Hartley responded to questions from Mayor Wilkerson about the number of phones and other equipment that would be included in the total project cost as well as installation of any wiring. Since the phone system would be connected through data ports, Mr. Hartley indicated that Information Technology staff had already completed some preliminary work in-house to add additional data drop lines where needed. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2012 - 138 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2012 - 139**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID  
#2012-46 FOR LAMPKIN PARK BACKSTOP PROJECT FROM  
FLENER BROTHERS OF LEITCHFIELD, KENTUCKY IN THE  
AMOUNT OF \$39,250**

Summary of Municipal Order No. 2012 - 139 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed and recommended the bid award to make much needed improvements at the Lampkin Park ball fields. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Nash, Waltrip, Denning, Hill and Wilkerson  
                  Voting Nay: None  
Municipal Order No. 2012 - 139 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 140

MUNICIPAL ORDER APPROVING SERVICE AGREEMENT WITH  
DIALOGIC COMMUNICATIONS CORPORATION, D/B/A  
CASSIDIAN COMMUNICATIONS RELATED TO THE  
CONTINUATION OF ITS COMMUNICATOR TECHNOLOGY FOR  
USE BY THE CITY OF BOWLING GREEN POLICE DEPARTMENT

Summary of Municipal Order No. 2012 - 140 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Nash for consideration of said Municipal Order. DeFebbo recommended approval of the agreement to allow the Police to continuing using the communicator technology as a notification tool during emergencies or for other various purposes. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Nash, Waltrip, Denning, Hill and Wilkerson  
                  Voting Nay: None  
Municipal Order No. 2012 - 140 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 141

MUNICIPAL ORDER AUTHORIZING AND APPROVING THE  
ANNUAL DUES PAYMENT IN THE AMOUNT OF \$29,034 TO  
BARREN RIVER AREA DEVELOPMENT DISTRICT (BRADD) FOR  
FISCAL YEAR 2013

Summary of Municipal Order No. 2012 - 141 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hill for consideration of said Municipal Order. DeFebbo recommended the annual payment which was based on a calculation using the latest Census data. At the request of the City Manager and as a former employee of the BRADD, Neighborhood and Community Services Director Brent Childers gave a brief explanation of the services that BRADD provides to the region. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL:           Voting Yea: Nash, Waltrip, Denning, Hill and Wilkerson  
                  Voting Nay: None  
Municipal Order No. 2012 - 141 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 142

MUNICIPAL ORDER AUTHORIZING AGREEMENTS BETWEEN  
THE CITY OF BOWLING GREEN AND EACH OF THE NINE (9)  
APPROVED SUBRECIPIENTS FOR YEAR 9 COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM FUNDING

Summary of Municipal Order No. 2012 - 142 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for consideration of said Municipal Order. DeFebbo indicated that the City would receive \$496,081 to be allocated to the nine agencies based on the Year 9 Annual Plan. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 142 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2012 - 143**

**MUNICIPAL ORDER APPROVING AMENDMENTS TO THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) FUNDING AGREEMENT WITH THE U.S. DEPARTMENT OF ENERGY**

Summary of Municipal Order No. 2012 - 143 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for consideration of said Municipal Order. DeFebbo recounted that the City received funds through the 2009 stimulus program for specified uses, including energy savings retrofits for City owned buildings, a ride share program, a bicycle friendly community program, a mini-energy grant program and a project grant program. Unfortunately, he reported that the bicycle friendly community program never got off the ground and the funds previously allocated to it would be reallocated to complete energy savings retrofits. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 143 was approved by unanimous vote.

**ORDINANCE NO. BG2012 - 23**

**(First Reading)**

**ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY**

**ORDINANCE APPROVING THE CLOSING OF AN ALLEY ADJACENT TO OLD 6<sup>TH</sup> AVENUE AND BOUNDED BY 6<sup>TH</sup> AVENUE, 7<sup>TH</sup> AVENUE, KENTUCKY STREET AND CENTER STREET**

Title and summary of Ordinance No. BG2012 - 23 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for first reading of said Ordinance. DeFebbo explained that this was a recommendation from the City-County Planning Commission to close an unimproved alley in the triangular block where the Dollar General development would locate. Mayor Wilkerson clarified that this action related to the closing of an interior alley in the block and did not relate to any further closing of Center Street. With no additional discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 23 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 24  
(First Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 1.33 ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) AND LI (LIGHT INDUSTRY) TO HB (HIGHWAY BUSINESS) LOCATED BETWEEN 6<sup>TH</sup> AVENUE, 7<sup>TH</sup> AVENUE, KENTUCKY STREET AND CENTER STREET, PRESENTLY OWNED BY SANDERFORD PROPERTIES, INC.

Title and summary of Ordinance No. BG2012 - 24 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 24 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 25  
(First Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 6.505 ACRES FROM LI (LIGHT INDUSTRY) TO HI (HEAVY INDUSTRY) LOCATED AT 1412 MEMPHIS JUNCTION ROAD, PRESENTLY OWNED BY SML PROPERTIES, LLC

Title and summary of Ordinance No. BG2012 - 25 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 25 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 26  
(First Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 3.176 ACRES FROM P (PUBLIC), F (FLOOD PLAIN) AND LI (LIGHT INDUSTRY) TO LI (LIGHT INDUSTRY) AND F (FLOOD PLAIN) LOCATED AT 2325 AIRWAY COURT, PRESENTLY OWNED BY BOWLING GREEN-WARREN COUNTY REGIONAL AIRPORT BOARD WITH KYCORE, LLC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2012 - 26 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 26 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 27

(First Reading)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE AMENDING ARTICLES 1, 2, 3, 4, 5, 6 AND 8 AND  
APPENDIXES OF THE ZONING ORDINANCE FOR THE CITY OF  
BOWLING GREEN, KENTUCKY AS RECOMMENDED BY THE  
CITY-COUNTY PLANNING COMMISSION

Title and summary of Ordinance No. BG2012 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Denning for first reading of said Ordinance. City-County Planning Commission Director Steve Hunter explained that after the adoption of the new Comprehensive Plan it was determined that several revisions, as well as a number of housekeeping items, were needed to the Zoning Ordinance. In addition, he reported that Warren County Fiscal Court approved amendments from the floor to Section 1.13.1 (Fire Protection Requirements). He recommended that the City pass the ordinance with the Warren County changes.

Mayor Wilkerson stated that this was the Board of Commissioners first opportunity to address the recommended changes in a final form. He asked questions and requested further explanation from Mr. Hunter regarding revisions made in Section 2.5.2 (Powers and Duties of the Preservation Board), Section 3.13.3 (Historic Overlay Standards), Section 4.9.2 (Conservation Subdivision Overlay District) and Section 4.9.4 (Historic Overlay District). Mayor Wilkerson expressed concern about a possible conflict of interest for the Historic Preservation Board to be able to provide fair hearings as a quasi-judicial body and also have the ability to act as an advocate to initiate projects (referring to Sec. 2.5.2(8)). He also suggested that additional language be added to Sec. 3.13.3A to indicate that other local standards “may” apply to properties located in a historic overlay.

While discussing the duration of conservation areas (Sec. 4.9.2H) in Conservation Subdivision Overlay Districts (CSOD), Mayor Wilkerson expressed concern about the potential limitation placed on agricultural land if a need arose for increased development to address overcrowding in the future as the population continued to grow. Comm. Nash expressed concern that the development standards in a CSOD appeared to be too lenient and may cause problems down the road, similar to issues that the City has already been dealing with in recent years from developments that took place under lesser standards. Mr. Hunter acknowledged the potential for issues in the future, but indicated the CSOD came out of a compromise to get the Comprehensive Plan passed and to preserve some prime farm land for another 20 years.

With regard to prohibited uses in Historic Overlay Districts identified in Sec. 4.9.4D, and in particular with the Downtown Commercial Local Historic District, Mayor Wilkerson surmised that items 4 – motels and extended stay facilities, 5 – commercial parking, and 6 – retail with drive-thru or



pick up window were not in line with historical uses in the area which included hotels, filling stations, and banks. Mr. Hunter clarified that hotels would be allowed and were considered different from motels and extended stay facilities. He also admitted that the wording did not necessarily reflect the intent of the type of parking that could be permitted. He indicated that the purpose behind the prohibitions were to limit the removal of buildings just to install parking or drive-thru windows and find a way to allow modern uses that kept with the integrity of the historic district. Comm. Nash agreed that there was a need to have some preservation and suggested that an application process be used to allow a group of peers to make those determinations.

Mayor Wilkerson moved to table Ordinance No. BG2012 - 27 until the next meeting of the Board to allow time to consider the proper language for other proposed amendments. The motion to table was seconded by Comm. Denning. Comm. Nash requested that Mr. Hunter come prepared to answer questions at the next Board of Commissioners meeting. Mr. Hunter agreed and stated he would ask Preservation Coordinator Miranda Clements to attend the meeting as well. With no other discussion, a roll call vote was taken.

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

Motion to table first reading of Ordinance No. BG2012 - 27 until the next meeting of the Board of Commissioners was approved by unanimous vote.

**ORDINANCE NO. BG2012 - 28**

(First Reading)

**ORDINANCE RELATING TO BUDGET AMENDMENT**

**ORDINANCE APPROVING AMENDMENT NUMBER FIVE TO  
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL  
OPERATING BUDGET FOR FISCAL YEAR 2012**

Title and summary of Ordinance No. BG2012 - 28 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 stated this was the fifth and final budget amendment to the previous fiscal year's budget. Chief Financial Officer Jeff Meisel confirmed it would be the last amendment since the FY2012 budget would be officially closed out the second week of August. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 28 was approved by unanimous vote.

**ORDINANCE NO. BG2012 - 29**

(First Reading)

**ORDINANCE AMENDING CODE OF ORDINANCES**

**ORDINANCE AMENDING CHAPTER 21 (STREETS AND  
SIDEWALKS) OF THE CITY OF BOWLING GREEN CODE OF  
ORDINANCES TO MAKE CHANGES RELATED TO RIGHT-OF-  
WAY OBSTRUCTIONS, STORMWATER AND STREET CUTS**

Title and summary of Ordinance No. BG2012 - 29 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for first reading of said Ordinance. DeFebbo reminded the Board that this item and the next (Ordinance No. BG2012 - 30) were previously discussed at the June 19<sup>th</sup> work session and included recommended changes to various Public Works related regulations.

Public Works Director Jeff Lashlee responded to questions about the lack of feasibility to remove all obstructions in the rights-of-way, particularly considering the number of mail boxes that would be impacted. He also confirmed that if a nonconforming obstruction was involuntarily torn down, the owner would have up to a year to replace it. City Engineer Melissa Cansler explained that the time frame to allow a year aligned with the Zoning Ordinance regulations and was recommended in effort to be lenient when the damage to or removal of a nonconforming structure was beyond the control of the owner. Comm. Nash stated he understood grandfathering nonconforming structures, but did not understand why it would be allowed to return once removed regardless of how it happened. City-County Planning Commission Director Steve Hunter confirmed that the Zoning Ordinance allowed brick mail boxes and considered them as a break away structure. However, he pointed out that the local jurisdiction had the ability to regulate those structures.

Comm. Nash stated that the City did not do enough to protect its rights-of-way. He continued that the City could be opening its doors to other issues down the road by allowing nonconforming structures to stay. He suggested a plan be developed to better educate the public about the distinction between the property an individual owned and did not own but helped to maintain. Ms. Cansler indicated it was nearly impossible to enforce the existing language which did not allow any nonconforming structures in the rights-of-way and the proposed changes were considered a practicable compromise. Mr. Lashlee also reported that staff was preparing a brochure to provide more public education and awareness to the issue. Comm. Waltrip stated he was inclined to support the changes at this time. There being no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 29 was approved by unanimous vote.

**ORDINANCE NO. BG2012 - 30**

**(First Reading)**

**ORDINANCE AMENDING CODE OF ORDINANCES**

**ORDINANCE AMENDING CHAPTER 22 (TRAFFIC AND MOTOR  
VEHICLES) OF THE CITY OF BOWLING GREEN CODE OF  
ORDINANCES RELATED TO ON-STREET PARKING**

Title and summary of Ordinance No. BG2012 - 30 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Hill for first reading of said Ordinance. DeFebbo remarked that this ordinance addressed some parking complaints that were consistently mentioned by residents during summer strolls. Public Works Director Jeff Lashlee provided a brief overview of the proposed changes which would limit on-street parking and would generally impact commercial vehicle parking in some of the more problematic areas. He also clarified that the ordinance set minimum distance standards in addition to identifying a more ideal standard. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

*(Minutes-Board of Commissioners-July 17, 2012)*

ROLL CALL:           Voting Yea: Nash, Waltrip, Denning, Hill and Wilkerson  
                          Voting Nay: None  
First reading of Ordinance No. BG2012 - 30 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 8:40 p.m. in closed session pursuant to KRS 61.810 (1) (b) as previously approved. Mr. DeFebbo confirmed that no action was expected 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 9:10 p.m., Mayor Wilkerson declared this meeting adjourned.

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

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

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

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