

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held MARCH 15, 2016**

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 4:30 p.m. on March 15, 2016. 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-Ward called the roll, and the following members were present: Commissioner Joe W. Denning, Commissioner Melinda M. Hill, Commissioner Sue Parrigin, Commissioner Rick Williams and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

**AWARDS & RECOGNITIONS**

At the Mayor's request, Community Services Specialist Leyda Becker introduced M'munga Ramadhani who spoke on behalf of the Association of Rescue and Intervention of Kentucky (ARIKY). Mr. Ramadhani expressed appreciation to the City, and especially to Ms. Becker, for all the assistance and support provided with helping to form the ARIKY organization, which was established to assist other refugees integrate successfully into American life.

Mayor Wilkerson introduced and welcomed the new City-County Planning Commission Executive Director Ben Peterson. Mr. Peterson made a few remarks and said he was looking forward to working with the City and community.

Commissioner Williams congratulated the Bowling Green High School Boys' Basketball Team for winning the 4<sup>th</sup> Region Championship game and moving on to the Whitaker Bank/KHSAA Boys' Sweet Sixteen Tournament. Commissioner Denning also recognized the achievements of Bowling Green High's Girls' Basketball Team.

The City Manager announced the Finance Department achieved its tenth consecutive Certificate of Excellence in Financial Reported from the Government Finance Officers Association (GFOA) for the FY2015 Comprehensive Annual Financial Reporting (CAFR). He recognized Assistant Chief Financial Officer Erin Ballou and the rest of the Finance Department staff for all their hard work.

**CITY MANAGER**

City Manager Kevin D. DeFebbo withdrew item #11 (Ordinance No. BG2016-11). He also requested a closed session for the purpose of discussion of proposed litigation against the City. Motion was made by Hill and seconded by Parrigin to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (c). Mayor Wilkerson called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Regular Meeting March 1, 2016

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 Williams 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, Parrigin, Williams and Wilkerson  
                  Voting Nay: None

Motion to approve the minutes of the regular meeting of March 1, 2016 was approved by unanimous vote.

PUBLIC COMMENTS

Dana Harrison, a Bowling Green resident, asked the Board of Commissioners to add Lesbian, Gay, Bisexual and Transgender (LGBT) as protected classes of the City. Ms. Harrison recounted incidents when she was personally discriminated against for being a transgender when searching for a home and with past employment, as well as how difficult it has been to find a doctor who would be willing to treat her. She asked that the Board embrace the idea and act on this local issue.

REGULAR AGENDA

ORDINANCE NO. BG2016 - 8

(Second Reading)

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 80.37 ACRES OF PROPERTY LOCATED ON LOVERS LANE, WITH PROPERTY PRESENTLY OWNED BY LIVING HOPE BAPTIST CHURCH (MISSIONARY), INC., AND SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS, AND FURTHER APPROVING THE ECONOMIC DEVELOPMENT ANNEXATION INCENTIVE AGREEMENT

Title and summary of Ordinance No. BG2016 - 8 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin 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, Parrigin, Williams and Wilkerson  
                  Voting Nay: None

Ordinance No. BG2016 - 8 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 40

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF CHIP HIGHTOWER TO THE URBAN GROWTH DESIGN REVIEW BOARD

Summary of Municipal Order No. 2016 - 40 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 reappointment. He asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 40 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 41

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE PURCHASE OF ADDITIONAL CLEARLANE ENHANCED DEICER UNDER BID #2015-42 FROM CARGILL, INC., DEICING TECHNOLOGY BUSINESS UNIT, OF NORTH OLMSTEAD, OHIO IN THE TOTAL AMOUNT OF \$66,162.50

Summary of Municipal Order No. 2016 - 41 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. While supplies are available and pricing was locked in, DeFebbo recommended the purchase of additional deicer to restock approximately 625 tons of the 1,150 tons of deicer used this winter. In response to a question, he clarified this purchase was being made off of a bid previously awarded in May 2015 in order to take advantage of the fixed pricing. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 41 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 42

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING NEGOTIATIONS AFTER SEALED BIDDING FOR BID #2016-35 FOR THE CITY HALL AND IT SERVER ROOM HVAC REPLACEMENT FROM LYONS SERVICE COMPANY OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$272,990

Summary of Municipal Order No. 2016 - 42 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo reviewed the projects which originally came in over budget and the need to negotiate the price down to make it more affordable. He also responded to an inquiry about the new generator located behind City Hall. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 42 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 43

MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH DAN BARNES GLASS ART OF LEXINGTON, KENTUCKY FOR TWO CUSTOM

HANGING GLASS SCULPTURES FOR THE SLOAN CONVENTION  
CENTER LOBBY IN THE AMOUNT OF \$40,000

Summary of Municipal Order No. 2016 - 43 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. DeFebbo noted this item was discussed and approved by The Convention Center Corporation Board of Directors at its meeting immediately preceding this meeting. Human Resources Director/Convention Center CEO Michael Grubbs described the project underway to renovate the lobby at the Sloan Convention Center and the desire to add artwork which would help to transform the space. He also identified the various sources of funding which would be used to purchase the art pieces. Commissioner Williams commented about the long overdue facelift needed at the Convention Center. Commissioner Hill thanked Mr. Grubbs and the Management Company for all the time spent putting this project together. Once the discussion ended, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Hill, Parrigin and Williams  
Voting Nay: Wilkerson

Municipal Order No. 2016 - 43 was approved by majority vote.

MUNICIPAL ORDER NO. 2016 - 44

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE  
PURCHASE OF GOLF EQUIPMENT FOR THE PARKS AND  
RECREATION DEPARTMENT FROM KENNEY OUTDOOR  
SOLUTIONS OF LOUISVILLE, KENTUCKY IN AN AMOUNT NOT  
TO EXCEED \$76,112.16

Summary of Municipal Order No. 2016 - 44 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 explained the leasing arrangement used in the past to obtain new equipment for the golf courses. He recommended the purchase of this equipment following the expiration of the 60 month lease since this equipment was maintained by City staff and was still in excellent working condition. In response to questions, Parks and Recreation Director Brent Belcher confirmed the purchase would be through a local vendor. He also commented about the ability to save money by not extending the lease or purchasing brand new equipment. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2016 - 44 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 9

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 15.14  
+/- ACRES FROM RM-4 (MULTI-FAMILY RESIDENTIAL) TO RS-  
1D (SINGLE FAMILY RESIDENTIAL) LOCATED AT CALLAWAY  
GARDENS SUBDIVISION, THE GREENS AT HARTLAND  
SUBDIVISION AND HARTLAND COURT SUBDIVISION WITH  
VARIOUS OWNERS

Title and summary of Ordinance No. BG2016 - 9 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for first reading of said Ordinance. Mayor Wilkerson pointed out this downzoning was a continuation of the efforts to preserve and protect single family neighborhoods. With no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 9 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 10  
(First Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 3.49 ACRES FROM AG (AGRICULTURE) TO HB (HIGHWAY BUSINESS) LOCATED AT THE CORNER OF CUMBERLAND TRACE ROAD AND OLD SCOTTSVILLE ROAD, PRESENTLY OWNED BY CHRISTINA, FRANK AND SUE PERKINS, DWIGHT AND JUDY TREW AND DOROTHY RENICK, WITH MAGNOLIA LANE INVESTMENTS, LLC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2016 - 10 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 10 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 45

MUNICIPAL ORDER APPROVING AND AUTHORIZING OUT-OF-TOWN TRAVEL EXPENSES FOR CITY MANAGER KEVIN D. DEFEBBO TO ATTEND THE KENTUCKY LEAGUE OF CITIES INSURANCE SERVICES BOARD OF TRUSTEES SPECIAL MEETING IN LEXINGTON, KENTUCKY

Summary of Municipal Order No. 2016 - 45 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. DeFebbo explained the requirement for Board approval. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 45 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 46

MUNICIPAL ORDER APPROVING APPLICATION FOR TAX INCREMENT FINANCING (TIF) PROJECT WITH NEW MILLENNIUM REAL ESTATE, LLC FOR A PORTION OF BLOCK

4 OF THE WKU GATEWAY TO DOWNTOWN BOWLING GREEN DEVELOPMENT AREA, AND AUTHORIZING CONVEYANCE OF A PORTION OF BLOCK 4 TO THE WARREN COUNTY DOWNTOWN ECONOMIC DEVELOPMENT AUTHORITY, INC.

Summary of Municipal Order No. 2016 - 46 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. As one of the partners of New Millennium Real Estate, LLC, Mike Vitale described the 65,000 to 75,000 square foot structure which would include residential, retail and commercial space. In response to a question regarding an existing stormwater easement located on the property, Mr. Vitale confirmed the development would be constructed in such a way that would allow access for any future repairs. He stated they were working closely with the Public Works Department to make sure there would be enough room for large equipment to maneuver and that footings would be deeper in this area to avoid any issues.

Mr. DeFebbo reported the City would receive \$242,250 from the conveyance of this property. City Attorney Gene Harmon clarified how the property conveyance would be completed and that the funds would go back into the Community Development Block Grant (CDBG) program since CDBG funds were initially used to purchase the property. Mr. Vitale also remarked this project was a private development that would not receive any TIF money. Mayor Wilkerson expressed appreciation for that fact and remarked this was exactly the kind of project a TIF District was designed to promote. Following the discussion, a roll call vote was taken.

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

Municipal Order No. 2016 - 46 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 11

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE REPEALING THE EXISTING CHAPTER 21 (STREETS AND SIDEWALKS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES AND APPROVING A REVISED VERSION TITLED PUBLIC INFRASTRUCTURE, RIGHTS-OF-WAY AND STORMWATER, AND FURTHER AMENDING CHAPTER 27 (PROPERTY CODE) TO MAKE RELATED ADMINISTRATIVE REVISIONS

Ordinance No. BG2016 - 11 was previously withdrawn from the agenda to allow more time to assess the proposed revisions.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:15 p.m. in closed session pursuant to KRS 61.810 (1) (c) as previously approved. Mr. DeFebbo confirmed there would be no 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 5:30 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: April 5, 2016

APPROVED: Bruce Wilkerson  
Mayor, Chairman of Board of Commissioners

ATTEST: Katie Schaller Ward  
City Clerk

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