

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held SEPTEMBER 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 September 2, 2014. 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 Rick Williams, Commissioner Joe W. Denning, Commissioner Melinda M. Hill, Commissioner Bill Waltrip and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

CHANGE ORDER OF AGENDA

Without objection, Mayor Wilkerson changed the order of the agenda to dispense with routine matters and personnel actions (Municipal Order Nos. 2014 - 174 through 2014 - 178) before the public hearing.

AWARDS & RECOGNITIONS

Mayor Wilkerson reported that he and the Mayor of Bowling Green, Ohio had a friendly wager that depending on which football team won Friday night's game between the Western Kentucky Hilltoppers and Bowling Green Falcons, the other would wear the winning team's colors. With a final score of 59-31, Mayor Wilkerson was pleased to say he did not have to wear orange and brown, and he thanked Mayor Richard Edwards for being a good sport.

Also, during the discussion of the various personnel promotions and appointments on the agenda, Mayor Wilkerson announced the retirements of Public Works Crew Supervisor II Mike Pillow with 27 years of service, Fire Company Commanders Tracey Kenny and Matthew Martin both with 23 years of service, and Neighborhood and Community Services Housing Recertification Specialist M B Stoner with 17 years of service.

CITY MANAGER

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

APPROVAL OF MINUTES

Minutes of Regular Meeting August 19, 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 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: Williams, Denning, Hill, Waltrip and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of August 19, 2014 was approved by unanimous vote.

PUBLIC COMMENTS

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

MUNICIPAL ORDER NO. 2014 - 174

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF RYAN K. JOHNSON TO THE POSITION OF CREW SUPERVISOR II AND KEVIN E. MEREDITH TO THE POSITION OF CREW LEADER IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2014 - 174 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 noted a recent retirement opened up an opportunity for these promotions. Public Works Director Jeff Lashlee reviewed and recommended both promotions. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 174 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 175

MUNICIPAL ORDER APPROVING THE CAREER PATH ADVANCEMENT OF ANTHONY O. PHELPS TO THE POSITION OF OPERATIONS TECHNICIAN III AND W. DERRICK SANDERS TO THE POSITION OF OPERATIONS TECHNICIAN II IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2014 - 175 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. As a result of the two previous promotions, DeFebbo explained two additional positions opened up for advancement. With all requirements met based on the established career path program, Public Works Director Jeff Lashlee reviewed and recommended the promotions. Mayor Wilkerson expressed appreciation for the career path program and having the ability for skill development and advancement opportunities. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2014 - 175 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 176

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF GREGORY R. FLORA AND ERIC D. SCOTT TO THE POSITION OF COMPANY COMMANDER/EMT AND BRADLEY J. AKINS AND MARK E. CARVER TO THE POSITION OF FIRE APPARATUS OPERATOR/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2014 - 176 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 commented about the generational change taking place in the Fire Department following recent retirements and new promotions through the ranks. Deputy Fire Chief Todd Napier outlined the qualifications and recommended the promotions. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 176 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 – 177

MUNICIPAL ORDER APPROVING THE TRANSFER OF JEREMY W. ABELL AND THE PROBATIONARY APPOINTMENTS OF DILLON A. EASLEY-FREDERICKSON, CHAD D. ENNIS, ESMIR FERIZOVIC, CHRISTOPHER A. JOHNSON, JEREMY G. MAYNARD AND WILLIAM T. MOORE, III TO THE POSITION OF FIREFIGHTER IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2014 - 177 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 annual application, testing and interview process to establish an eligibility list for new hires, and he recommended the appointment of the qualified candidates. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 177 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 – 178

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF RANDY J. DOSS AND SEAN M. PERRY TO THE POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2014 - 178 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 and recommended the two qualified candidates for appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 178 was approved by unanimous vote.

PUBLIC HEARING

Chief Financial Officer Jeff Meisel conducted a public hearing for the purpose of obtaining comments from citizens regarding the proposed 2014 property tax rates which were recommended to remain at \$0.206 per \$100 assessed value on real property and \$0.260 per \$100 assessed value on personal property. He reported that existing property growth totaled 3.3% and new real estate property growth amounted to 2.3%, for a total growth of 5.6%. He explained existing property growth was up in part due to a change in the law last year which required previously exempt property under an economic development lease to be placed back on the tax rolls.

Mr. Meisel summarized the calculation method required by law to determine the compensating tax rate of \$0.199, as well as the ability to capture up to a four percent (4%) growth rate at \$0.208 as permitted by HB44 (KRS 132). He also confirmed the requirement to hold this public hearing since the proposed property tax rate, although remaining unchanged, fell between the compensating rate and permitted growth rate. Additionally, Mr. Meisel reviewed the history of new, existing and total growth in real property values from 2003 to present, which revealed that tax rates have not been raised in the past eleven years. In fact, rates were lowered four times during that same period and remained unchanged for the past seven years. Mr. Meisel also compared Bowling Green's tax rates for real and personal property with the proposed rates for Warren County and both school districts.

In conclusion, Mr. Meisel announced that once the tax rates are approved, property tax bills would be mailed and payment would be due by December 31st. He also indicated that a 10% penalty would apply to all delinquent bills as of January 1, 2015, which would increase by 0.5% each month thereafter until paid in full. He also pointed out that property owners in the city limits would receive two tax bills, one from the City and one from Warren County. Mayor Wilkerson also explained that the City does not set the Bowling Green Independent School District's tax rate, but does assist the School District with its collection. There were no public comments during the hearing.

RESUME REGULAR AGENDA

ORDINANCE NO. BG2014 - 23

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 24.29 ACRES FROM AG (AGRICULTURE) AND R-E (RESIDENTIAL ESTATE) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED AT 2101 AND 2111 MORGANTOWN ROAD, BETWEEN REFLECTION LANE AND BREWSTER LANE, PRESENTLY OWNED BY STONEHENGE CORPORATION

Title and summary of Ordinance No. BG2014 - 23 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Ordinance No. BG2014 - 23 was adopted by unanimous vote.

ORDINANCE NO. BG2014 - 24
(Second Reading)
ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE REPEALING CHAPTER 2 (ADMINISTRATION),
SUBCHAPTER 2-26 (BOWLING GREEN ENTERPRISE
COMMUNITY, INC.) OF THE CITY OF BOWLING GREEN CODE
OF ORDINANCES AND AUTHORIZING THE DISSOLUTION OF
THE CORPORATION

Title and summary of Ordinance No. BG2014 - 24 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: Williams, Denning, Hill, Waltrip and Wilkerson
 Voting Nay: None

Ordinance No. BG2014 - 24 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 179

MUNICIPAL ORDER REVISING THE PROMOTIONAL
PROCEDURES FOR POLICE CHIEF AND FIRE CHIEF

Summary of Municipal Order No. 2014 - 179 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. Human Resources and Risk Management Director Michael Grubbs indicated that promotional procedures for public safety ranks below chief were periodically updated and kept in a separate policy from the procedures for both chief positions. Since these procedures were last updated in 2002, he explained it was necessary to consider some revisions before the next promotional process for either chief position began. Mr. Grubbs outlined the two primary changes which included the requirement for the Fire Chief to have a bachelor's degree, matching all other department head position requirements, and to provide the option for the City Manager to be part of an interview process if he so chose. He noted the bachelor's degree provision would not be in effect until 2018 providing ample opportunity for fair warning and would not impact the next anticipated promotional opportunity likely to occur in the next year or so. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 179 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 180

MUNICIPAL ORDER APPROVING THE REAPPOINTMENT OF JIM
BOHANNON, III TO THE BOWLING GREEN-WARREN COUNTY
REGIONAL AIRPORT BOARD

Summary of Municipal Order No. 2014 - 180 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Hill for consideration of said Municipal

Order. Mayor Wilkerson recommended the reappointment and asked for any discussion. With none, a roll call vote was taken.

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

Municipal Order No. 2014 - 180 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 – 181

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2015-07 FOR DEICER AND ROCK SALT FROM NORTH AMERICAN SALT COMPANY, A COMPASS MINERALS COMPANY OF OVERLAND PARK, KANSAS IN THE AMOUNT OF \$168,506

Summary of Municipal Order No. 2014 - 181 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for consideration of said Municipal Order. As a result of last year's winter weather and in anticipation of the upcoming winter season, DeFebbo reported it was necessary to restock up to 1,300 tons of deicer to bring supplies back up to approximately 2,000 tons. With prices significantly higher due to an increased demand, he recommended splitting the purchase between deicer and rock salt at 650 tons each. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 181 was approved by unanimous vote.

**ORDINANCE NO. BG2014 – 25
(First Reading)
ORDINANCE REZONING REAL ESTATE**

ORDINANCE REZONING A TRACT OF LAND CONTAINING 3.582 ACRES FROM RM-2 (TWO-FAMILY RESIDENTIAL) TO OP-C (OFFICE PROFESSIONAL-COMMERCIAL) LOCATED AT 1706 SMALLHOUSE ROAD, PRESENTLY OWNED BY EASTSIDE CHURCH OF CHRIST

Title and summary of Ordinance No. BG2014 - 25 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Denning for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 25 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 – 182

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE FOR

2014 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE
GRANT (JAG) FUNDS IN THE AMOUNT OF \$26,131

Summary of Municipal Order No. 2014 - 182 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. DeFebbo reported these grant funds would be split 50/50 with Warren County, and the City would use its half to purchase a couple more in-car cameras for the Police Department. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2014 - 182 was approved by unanimous vote.

ORDINANCE NO. BG2014 - 26

(First Reading)

ORDINANCE RELATING TO PROPERTY TAX RATES

ORDINANCE SETTING 2014 PROPERTY TAX RATES,
FRANCHISE TAX RATES AND IMPROVEMENT ASSESSMENT
RATES, AND SETTING FORTH GUIDELINES FOR PAYMENT,
PENALTY AND INTEREST

Title and summary of Ordinance No. BG2014 - 26 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 remarked about the public hearing held earlier and that the rates would remain the same as the previous year. Commissioner Hill thanked the City Manager and staff for running a frugal City and for being able to keep rates low. With no further discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2014 - 26 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2014 - 183

MUNICIPAL ORDER PRIVATIZING STREETS, SIDEWALKS AND
DRAINAGE FACILITIES IN OLDE STONE SUBDIVISION

Summary of Municipal Order No. 2014 - 183 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 indicated the City had been approached by Olde Stone Community Association, Inc. (OSCA) about privatizing the streets to create a gated community. In response to a question from Commissioner Denning, City Attorney Gene Harmon clarified this action did not include privatizing the bridge which leads up to the subdivision. He explained that if this action was approved, OSCA would be responsible for all streets, sidewalks, drainage structures, signage and street lighting in the subdivision starting at where the gate would be installed.

Commissioner Hill asked for further explanation as to why the City would still be responsible for a road that goes nowhere, referring to the entrance road to the subdivision and bridge located off

Scottsville Road. Mr. Harmon pointed out that normally a gated community would be determined at the front end of the development, but this situation was new for the City since it had previously accepted the streets in its maintenance responsibilities. Olde Stone resident and OSCA member Tim Edelen affirmed they would like to gate the community and understood the responsibility for taking over maintenance, but they were not asking to include the bridge. He did confirm that they would address a need to developed ample space in front of the gate for vehicles to turn around safely. In response to an inquiry from Commissioner Waltrip, Mr. Edelen remarked that he was unaware of any opposition to the privatization.

Commissioner Denning expressed concern that the gate would slow down public safety responses. Mr. Edelen specified he was confident accommodations would be made with the gate installation that would give special access codes and/or other means for public safety personnel to gain access as needed without delay. Mayor Wilkerson pointed out that 6.5 miles of roadway would be removed from the City's maintenance schedule, and Commissioner Hill voiced appreciation for that fact. Once the discussion ended, a roll call vote was taken.

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

 Voting Nay: None

 Municipal Order No. 2014 - 183 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 7:45 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
Assistant City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller