

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held NOVEMBER 1, 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 November 1, 2016. Mayor Bruce Wilkerson called the meeting to order and gave the invocation. All present recited the Pledge of Allegiance. Assistant City Clerk Ashley Jackson called the roll, and the following members were present: Commissioner Sue Parrigin, Commissioner Rick Williams, 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**

Operation P.R.I.D.E. Executive Director Angie Alexieff presented P.R.I.D.E.'s October residential award to Mark and Christy Fuqua for improvements made to 822 Covington Street.

Kenan Mujkanovic, founder and CEO of The Young Visionaries Foundation, stated in the foundation's first year the non-profit hosted nine (9) events and provided over 1,000 meals to the homeless in Bowling Green and other cities. On October 22, 2016, Mr. Mujkanovic received the National Caring Award in Mother Teresa's name. He further expressed his gratitude to the City of Bowling Green and all the Elected Officials. Mayor Wilkerson commended Mr. Mujkanovic for his accomplishments.

**CITY MANAGER**

Assistant City Manager/City Clerk Katie Schaller-Ward extended regrets on behalf of City Manager Kevin D. DeFebbo for his absence and confirmed there was a need for a closed session for the purpose of discussion about proposed litigation against the City. Motion was made by Hill and seconded by Denning 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: Parrigin, Williams, Denning, Hill 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 October 18, 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 Parrigin to approve said minutes as written. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of October 18, 2016 was approved by unanimous vote.

PUBLIC COMMENTS

Dr. Grayson Hunt, 803 E. 10<sup>th</sup> Avenue, spoke in favor of a fairness ordinance. He believes there is evidence of discrimination because there is no law protecting LGBTQ from discrimination and the burden of proof is on the shoulders of the Elected Officials as the LGBTQ are stigmatized and exposed to discrimination and violence. He further stated he hoped to change hearts or minds in favor of fairness.

Commissioner Denning asked if Dr. Hunt had been discriminated against at his workplace and he indicated he was a professor at WKU, and just last week WKU passed an ordinance to include sexual orientation and gender identity as part of its policy. Commissioner Denning also remarked about the availability of seeking legal action if discrimination ever occurred, and Dr. Hunt disagreed as legal action is not a reasonable option without the LGBTQ law enacted. It was said by Patricia Mentor a LGBTQ supporter, the Civil Rights Act does not include sexual orientation or gender identity and they are wanting to be added to list of protections.

REGULAR AGENDA

ORDINANCE NO. BG2016 - 32

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 6.887 ACRES FROM AG (AGRICULTURE), HB (HIGHWAY BUSINESS) AND RM-3 (MULTI-FAMILY RESIDENTIAL) TO RM-3 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 250 CHERRY FARM LANE, PRESENTLY OWNED BY CHERRY PARK, LLC WITH TAIBOS LANDING, LLC AS THE CONTRACT VENDEE

Title and summary of Ordinance No. BG2016 - 32 was read by the Assistant 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: Parrigin, Williams, Denning, Hill and Wilkerson  
Voting Nay: None

Ordinance No. BG2016 - 32 was adopted by unanimous vote.

ORDINANCE NO. BG2016 -- 33

(Second Reading)

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING A TOTAL OF APPROXIMATELY 6.87 ACRES LOCATED AT 6132 AND 6140 SCOTTSVILLE ROAD WITH PROPERTY PRESENTLY OWNED BY NEXT PHASE, LLC, AND SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS, AND APPROVING THE ADDITION OF THIS LOCATION TO THE TARGET ANNEXATION AREA MAP AND FURTHER APPROVING ASSOCIATED ECONOMIC DEVELOPMENT ANNEXATION INCENTIVE AGREEMENT

Title and summary of Ordinance No. BG2016 - 33 was read by the Assistant 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: Parrigin, Williams, Denning, Hill and Wilkerson  
                      Voting Nay: None

Ordinance No. BG2016 - 33 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 231

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF ROBBY L. GILLIAM TO THE POSITION OF ASSISTANT FIRE CHIEF, JASON C. BROOKS AND SHANNON L. PARDUE TO THE POSITION OF COMPANY COMMANDER/EMT, AND MICHAEL R. CORNWELL AND C. SHANE O'BANION TO THE POSITION OF FIRE APPARATUS OPERATOR/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2016 - 231 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. Schaller-Ward asked Chief Colson to discuss the recommendations for promotion. Chief Colson reviewed the qualifications and recommended each promotion. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 231 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 232

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-22 FOR CAVE MILL ROAD AND CROSSINGS BOULEVARD SIGNAL CONSTRUCTION PROJECT FROM TEM GROUP, INC. OF LOUISVILLE, KENTUCKY IN THE AMOUNT OF \$69,064.25

Summary of Municipal Order No. 2016 - 232 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. Schaller-Ward stated this signal construction project was originally budgeted for in 2008 but due to the economic downturn and uncertainty of the location it was delayed, however the best location has been determined and refunded in the current year budget. She further reported that the lowest bid was being recommended, about 400 households received notification from which the City received positive feedback, and there are plans for message boards to be used during the construction. Commissioner Parrigin asked if County residents also received notification and Public Works Director Greg Meredith said the City did not approach the County. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 232 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2016 - 233**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-25 FOR SURVEY AND DESIGN FOR STORM WATER MITIGATION PROJECTS FROM DDS ENGINEERING, PLLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$28,800**

Summary of Municipal Order No. 2016 - 233 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. Schaller-Ward reviewed the storm water program and explained that construction projects are prioritized by a set criteria. She then stated Request for Proposals were issued for design services related to four locations on the prioritized list and included 229 W. 14<sup>th</sup> Avenue, 607 Woodford Street, 2110 Robin Avenue, and the intersection of 13<sup>th</sup> Avenue and Nutwood Street. Schaller-Ward recommended the best evaluated proposal. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 233 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2016 - 234**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-27 FOR POLICE VEHICLE EQUIPMENT FROM ON-DUTY DEPOT, INC. OF OWENSBORO, KENTUCKY, LAW ENFORCEMENT SUPPLY OF MARIETTA, GEORGIA AND TRUCKERS LIGHTHOUSE OF NASHVILLE, TENNESSEE IN THE TOTAL AMOUNT OF \$64,243.80**

Summary of Municipal Order No. 2016 - 234 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. Schaller-Ward recommended the outfitting of the newly purchased Dodge Chargers for the Police Department. Commissioner Denning asked if there was an option for the vehicles to be pre-equipped from the manufacturer, and Police Chief Hawkins confirmed there was no known manufacturer available to outfit the vehicles with the specific equipment necessary for the Police Department. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 234 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2016 - 235**

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-28 FOR THE PURCHASE OF A MINI-VAN FOR THE NEIGHBORHOOD AND COMMUNITY SERVICES DEPARTMENT FROM POGUE CHRYSLER-DODGE-JEEP-RAM-FIAT OF POWDERLY, KENTUCKY IN THE AMOUNT OF \$23,493**

Summary of Municipal Order No. 2016 - 235 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Denning for consideration of said Municipal Order. Schaller-Ward recommended approval of a replacement vehicle for the Neighborhood and Community Services Department to include fold and go seating for the hauling of materials and larger seating capacity for neighborhood services, and the Dodge Grand Caravan met the specifications. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 235 was approved by unanimous vote.

**ORDINANCE NO. BG2016 - 34**

**(First Reading)**

**ORDINANCE REZONING REAL ESTATE**

**ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.3094 ACRE FROM GB (GENERAL BUSINESS) TO CB (CENTRAL BUSINESS) LOCATED AT 700 STATE STREET, PRESENTLY OWNED BY ROBERT ELLIS D/B/A ELLIS INTERIORS WITH NEW MILLENNIUM REAL ESTATE, LLC AS CONTRACT VENDEE**

Title and summary of Ordinance No. BG2016 - 34 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Denning for first reading of said Ordinance. Mayor Wilkerson asked for any discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 34 was approved by unanimous vote.

**ORDINANCE NO. BG2016 - 35**

**(First Reading)**

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

**ORDINANCE APPROVING THE CLOSING OF AN UNIMPROVED RIGHT-OF-WAY NAMED LOUDEN DRIVE LOCATED BETWEEN 1783 AND 1791 ASHLEY CIRCLE.**

Title and summary of Ordinance No. BG2016 - 35 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for first reading of said Ordinance. Schaller-Ward described the City was working on a drainage improvement project on Canton Avenue near Ashley Circle and the Board recently approved an agreement with Greenview Hospital regarding additional property needed for the project. As part of the agreement, the City agreed to close the unimproved and never constructed right-of-way and revert the property to Greenview Hospital as part of the compensation for the property. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 35 was approved by majority vote. Mayor Wilkerson abstained stating he is a board member at Greenview.

MUNICIPAL ORDER NO. 2016 - 236

MUNICIPAL ORDER WAIVING PROVISIONS OF CHAPTER 6 (BUILDING REGULATIONS), SUBCHAPTER 6-8 (BUILDING PERMIT FEES) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES AND OTHER APPLICABLE CITY FEE PROVISIONS RELATED TO THE WAIVER OF PERMIT FEES FOR THE CONSTRUCTION OF THE SALVATION ARMY PARKING LOT

Summary of Municipal Order No. 2016 - 236 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. Mayor Wilkerson recommended the approval of this one time waiver to compliment the recent grant award from the Women's Fund to allow the Salvation Army to expand its parking lot and services to the homeless community. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 236 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:20 p.m. in closed session pursuant to KRS 61.810 (1) (c) as previously approved. Schaller-Ward confirmed 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 5:40 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: November 15, 2016

APPROVED: Bruce Wilkerson  
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Schaller Ward  
City Clerk

*Minutes prepared by Assistant City Clerk Ashley Jackson*