

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held DECEMBER 20, 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 December 20, 2016. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Elder Todd Fugate with Faith Missionary Baptist Church, 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 Melinda M. Hill, Commissioner Sue Parrigin, Commissioner Rick Williams, Commissioner Joe W. Denning and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Mayor Wilkerson recognized a manger scene placed in front of him on the dais and said it was to remember the season. He mentioned all the recent publicity received about changes in Fountain Square Park and noted there was still a nativity scene located on the Square which was part of a new holiday lighting display put up in the park this year. Mayor Wilkerson also mentioned other seasonal lighting displays in the area for families to view.

CITY MANAGER

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

APPROVAL OF MINUTES

Minutes of Regular Meeting December 6, 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: Hill, Parrigin, Williams, Denning and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of December 6, 2016 was approved by unanimous vote.

PUBLIC COMMENTS

Mayor Wilkerson opened the floor for any public comments about items not included on the agenda, and there were none.

REGULAR AGENDA

**ORDINANCE NO. BG2016 – 40
(Second Reading)
ORDINANCE AMENDING CODE OF ORDINANCES**

ORDINANCE AMENDING CHAPTERS 2 (ADMINISTRATION)
AND 27 (PROPERTY CODE) OF THE CITY OF BOWLING GREEN
CODE OF ORDINANCES TO COMPLY WITH AMENDED
STATUTORY CHANGES RELATED TO CODE ENFORCEMENT

Title and summary of Ordinance No. BG2016 - 40 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: Hill, Parrigin, Williams, Denning and Wilkerson
Voting Nay: None

Ordinance No. BG2016 - 40 was adopted by unanimous vote.

ORDINANCE NO. BG2016 - 41

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 4 (ALCOHOLIC BEVERAGE
CONTROL) OF THE CITY OF BOWLING GREEN CODE OF
ORDINANCES TO MAKE ADMINISTRATIVE AMENDMENTS
RELATED TO CHANGES IN THE KENTUCKY REVISED
STATUTES

Title and summary of Ordinance No. BG2016 - 41 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: Hill, Parrigin, Williams, Denning and Wilkerson
Voting Nay: None

Ordinance No. BG2016 - 41 was adopted by unanimous vote.

ORDINANCE NO. BG2016 - 42

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTERS 2 (ADMINISTRATION), 8
(CEMETERIES), 9 (CRIMES AND OFFENSES), 13 (HEALTH), 15
(BUSINESS AND GENERAL REGULATIONS), 20 (SOLID WASTE
COLLECTION) AND 23 (WATER AND SEWER) OF THE CITY OF
BOWLING GREEN CODE OF ORDINANCES TO MAKE
ADMINISTRATIVE REVISION IDENTIFIED IN THE JUDICIAL
REVIEW AND TO MAKE OTHER REVISIONS REMOVING
OBSOLETE OR OUTDATED LANGUAGE NO LONGER
APPLICABLE

Title and summary of Ordinance No. BG2016 - 42 was read by the Assistant City Manager/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: Hill, Parrigin, Williams, Denning and Wilkerson
Voting Nay: None
Ordinance No. BG2016 - 42 was adopted by unanimous vote.

ORDINANCE NO. BG2016 - 43
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TWO TRACTS OF LAND CONTAINING 1.80 ACRES FROM HB (HIGHWAY BUSINESS) TO RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED AT THE NORTH SIDE OF AUDLEY COURT, ADJACENT TO SEYMOUR DRIVE, PRESENTLY OWNED BY COOK PROPERTY MANAGEMENT, LLC

Title and summary of Ordinance No. BG2016 - 43 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: Hill, Parrigin, Williams, Denning and Wilkerson
Voting Nay: None
Ordinance No. BG2016 - 43 was adopted by unanimous vote.

Mayor Wilkerson temporally stepped back from the dais to allow Mayor Pro Tem Hill to preside over Ordinance No. BG2016 - 44.

ORDINANCE NO. BG2016 - 44
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 2.49 ACRES FROM RS-1A (SINGLE FAMILY RESIDENTIAL) TO HB (HIGHWAY BUSINESS) LOCATED AT 1125, 1129, 1133 AND 1143 FAIRVIEW AVENUE, 601 GREENLAWN AVENUE AND 604 MEADOWLAWN AVENUE, PRESENTLY OWNED BY CONSTRUCTION DESIGN MANAGEMENT, LLC

Title and summary of Ordinance No. BG2016 - 44 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Denning for second reading of said Ordinance. Mayor Pro Tem Hill asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Parrigin, Williams and Denning
Voting Nay: None
Ordinance No. BG2016 - 44 was adopted by unanimous vote of those voting.

Following consideration of the previous item, Mayor Wilkerson resumed his role to preside over the rest of the meeting.

MUNICIPAL ORDER NO. 2016 - 268

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF KATHLEEN W. ORNDORFF TO THE POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2016 - 268 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 appointment. He noted that Ms. Orndorff had previously worked for the City. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 268 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 269

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF BROOKS P. BENNETT TO THE POSITION OF IRRIGATION/SPRAY TECHNICIAN IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2016 - 269 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 and recommended the appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 269 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 270

MUNICIPAL ORDER APPROVING ACTIONS OF CITY MANAGER AND ACCEPTING AN EMERGENCY ROOF REPAIR AT PUBLIC WORKS OPERATIONS DIVISION THROUGH BREAKFIELD ROOFING OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$27,000

Summary of Municipal Order No. 2016 - 270 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 stated a recent storm had blown the roof off a storage shed which required immediate replacement under the emergency purchasing protocols. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 270 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 271

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-31 FOR THE PURCHASE OF TWO (2) KNUCKLE-BOOM TRUCKS FROM TRI-STATE INTERNATIONAL TRUCKS OF BOWLING GREEN, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$249,500

Summary of Municipal Order No. 2016 - 271 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 recommended the bid award for the purchase of heavy equipment to help with storm debris cleanup. Public Works Director Greg Meredith responded to questions about the purchase of two trucks, one as a replacement and the other as an addition to the fleet, to allow for two crews to operate simultaneously following a storm event. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2016 - 271 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 272

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING NEGOTIATIONS AFTER SEALED BIDDING FOR BID #2017-23 FOR CROSSWINDS LAKES REHABILITATION FROM SCOTT & RITTER, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$777,185.70

Summary of Municipal Order No. 2016 - 272 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 recounted the project to repair two lakes at the golf course. He explained there was only one bidder and the City was able to negotiate the price down with little impact on the final product. Public Work Director Greg Meredith explained the change in the bid to reduce costs and confirmed the need for the project to address issues with stormwater retention efforts. DeFebbo thanked Parks and Recreation and Public Works staff for effectively collaborating on this project. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2016 - 272 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 45

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 2.1893 ACRES FROM HB (HIGHWAY BUSINESS) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED AT 259 GREENWOOD LANE, PRESENTLY OWNED BY DMM INVESTMENTS, LLC

Title and summary of Ordinance No. BG2016 - 45 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 stated this recommendation was unanimously approved by the City-County Planning Commission. He asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 45 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 46

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 0.5165 ACRE FROM RM-3 (MULTI-FAMILY RESIDENTIAL) TO RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 201, 214 AND 220 CHERRY WAY, PRESENTLY OWNED BY JASON AND DENA MILLS AND JADE VENTURES, LLC

Title and summary of Ordinance No. BG2016 - 46 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 stated this recommendation was unanimously approved by the City-County Planning Commission. He asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 46 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 47

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 6.71 ACRES FROM RM-4 (MULTI-FAMILY RESIDENTIAL), NB (NEIGHBORHOOD BUSINESS) AND PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED AT 0, 1212 AND 1216 ADAMS STREET, 0 AND 1235 KENTUCKY STREET, AND 1313 CENTER STREET, PRESENTLY OWNED BY YELLOWFIN INVESTMENTS, LLC, BROOKSIDE KENTUCKY, LLC AND JOE DIEMER

Title and summary of Ordinance No. BG2016 - 47 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 stated this recommendation was unanimously approved by the City-County Planning Commission. He asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Parrigin, Williams, Denning and Wilkerson
 Voting Nay: None
First reading of Ordinance No. BG2016 - 47 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 48
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING
1.1347 ACRES FROM GB (GENERAL BUSINESS) TO PUD
(PLANNED UNIT DEVELOPMENT) LOCATED AT 515 AND 529
CHESTNUT STREET AND 0 EAST 6TH AVENUE, PRESENTLY
OWNED BY DOUGLAS GORMAN AND NORMAN BURKS C/O
JANNA SHANNON WITH ROGERS REAL ESTATE HOLDINGS,
LLC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2016 - 48 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for first reading of said Ordinance. Mayor Wilkerson stated this recommendation was unanimously approved by the City-County Planning Commission. He asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Parrigin, Williams, Denning and Wilkerson
 Voting Nay: None
First reading of Ordinance No. BG2016 - 48 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 273

MUNICIPAL ORDER APPROVING AN AMENDMENT TO THE
FIVE YEAR CONSOLIDATED PLAN FOR COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT
FUNDING AND AUTHORIZING ITS SUBMISSION TO THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Summary of Municipal Order No. 2016 - 273 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 proposed change to place 80% of the annual CDBG allocation toward the BG Reinvestment Area Neighborhood Improvements Program, eliminating funds for outside agencies, and to use the remaining 20% for administrative costs and fair housing education efforts. Mayor Wilkerson recounted a public hearing was held at the previous Board meeting as well as a month long comment period during which no comments had been received. With no other discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Parrigin, Williams, Denning and Wilkerson
 Voting Nay: None
Municipal Order No. 2016 - 273 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 274

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR BROWNFIELDS ASSESSMENT FUNDS TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY IN AN AMOUNT UP TO \$300,000

Summary of Municipal Order No. 2016 - 174 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 recommended the grant application to apply for funds to survey abandoned sites in specific areas. In response to questions, Grants Manager Nick Cook described the Census tracts to be included. He indicated the surveys would help foster redevelopment for various properties which might be thought of as brownfields. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2016 - 274 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 49

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 11 (FINANCE, TAXATION AND ECONOMIC DEVELOPMENT) AND CHAPTER 18 (OCCUPATIONAL LICENSE FEES AND TAXES) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO MAKE ADMINISTRATIVE REVISION IDENTIFIED IN THE JUDICIAL REVIEW AND TO MAKE OTHER REVISIONS TO REMOVE OBSOLETE OR OUTDATED LANGUAGE

Title and summary of Ordinance No. BG2016 - 49 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for first reading of said Ordinance. DeFebbo indicated this was a generalized update to the chapters similar to other recent actions taken by the Board following a legal review of the City's Code of Ordinances. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 49 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 275

MUNICIPAL ORDER APPROVING THE TERMINATION OF A LEASE AGREEMENT FOR 1240 FAIRVIEW AVENUE AND AUTHORIZING THE CITY ATTORNEY TO PROVIDE NOTICE TO TRAXRUNNING, LLC OF THE CITY'S INTENT TO NOT RENEW THE LEASE AGREEMENT

Summary of Municipal Order No. 2016 - 275 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 recommended the termination of the lease agreement to repurpose the property. City Attorney Gene Harmon indicated the lease renewed annually on March 1st, but included a provision to give 30 days' notice if either party did not wish to renew the agreement. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2016 - 275 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 276

**MUNICIPAL ORDER AUTHORIZING AND APPROVING THE
CITY OF BOWLING GREEN FACILITY USAGE RULES AND
REGULATIONS**

Summary of Municipal Order No. 2016 - 276 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 reviewed the proposed policy to restrict use of certain meeting rooms by the public, such as those in Police and Fire departments' buildings, and to establish specific rules for the public's use of Neighborhood and Community Services (NCS) and Parks and Recreation meeting facilities. He explained that in this post 9/11 world, it was imperative to prevent unintended access to Police and Fire facilities. Neighborhood and Community Services Director Brent Childers responded to questions about the public's ability to request and receive use of the NCS Community Room for a minimal fee. He also explained the facility was specifically designed to control access to non-public areas and to allow community groups to use the facility without a staff person being present. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2016 - 276 was approved by unanimous vote.

BOARD OF COMMISSIONERS COMMENTS

Each of the Board members extended holiday wishes and expressed appreciation for their continued support from the community. Since this was her last meeting, Commissioner Denning and Mayor Wilkerson also recognized Commissioner Hill and thanked her for her service. Commissioner Hill stated it was an honor to serve on the Board of Commissioners for the past four plus years. She thanked staff and the other Board members for all their efforts to get and keep the City in great shape, and she looked forward to another successful year for the City in 2017.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 5:15 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: January 3, 2017

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