

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held AUGUST 15, 2017**

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 August 15, 2017. 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 Rick Williams, Commissioner Joe W. Denning, Commissioner Brian "Slim" Nash, Commissioner Sue Parrigin and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

City Manager Kevin DeFebbo announced the Parks and Recreation Department was named *FY2017 Safe Department of the Year* by Safety/Risk Manager David Weisbrodt for having 1) zero lost days due to injury, 2) zero dollars spent on general liability claims, 3) a preventable injury frequency rate drop of 47% over the prior five-year average to 3.5 per 100 full-time employee equivalents (FTE), and 4) only 2 minor vehicle collisions. He reported this was all accomplished with more than 55 full-time and 254 part-time employees working 225,000 hours and driving 219,475 miles. Mr. Weisbrodt presented an award to Parks and Recreation Director Brent Belcher for this achievement.

Commissioner Nash encouraged the public to attend an upcoming Civility Training Workshop on August 26, 2017 to be held at the Presbyterian Church of Bowling Green. He said he planned to attend the workshop which will explore what civility is and why it is important.

PUBLIC HEARING

City Engineer Melissa Cansler conducted a public hearing for the purpose of reviewing the proposed use of Municipal Aid Program (Liquid Fuel Tax) funds, and Coal Severance and Processing Tax and Mineral Severance Tax funds for Fiscal Year 2018. She reported the Fiscal Year 2018 Liquid Fuel Tax (LFT) unencumbered balance was \$1,558,562 and projected revenues were \$2,779,000, of which \$1,350,000 was coming directly from the General Fund, with proposed expenditures totaling \$2,450,000. She reviewed the projects proposed for Street Resurfacing (overlay) of approximately 22.5 miles in the total amount of \$2,350,000 and 1,480 feet of sidewalk, curb and gutter repair in the amount of \$100,000. The total projected ending balance was designated to be \$1,887,562. Ms. Cansler also reported the Fiscal Year 2018 Coal-Mineral Severance Tax projected revenues were \$30,000, with an opening balance of \$74,864. She explained there were no specific projects to apply the Coal-Mineral Severance funds in Fiscal Year 2018; however, she identified these funds could be used for transportation safety related issues or the purchase of additional deicer should the need arise later in the year. The projected ending fund balance was \$104,864 for Coal-Mineral Severance. After responding to questions from the Board about the proposed list for street paving and making it available on the City's website, the public hearing was closed since no other public comments were presented.

CITY MANAGER

City Manager Kevin D. DeFebbo requested the addition of a late-filed Municipal Order for consideration by the Board. Motion was made by Wilkerson and seconded by Parrigin to add Municipal Order No. 2017 - 161 to the end of the agenda for consideration. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Motion to add Municipal Order No. 2017 - 161 to the end of the agenda was approved by majority vote.

APPROVAL OF MINUTES

Minutes of Regular Meeting August 1, 2017

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Williams and seconded by Denning 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, Nash, Parrigin and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of August 1, 2017 was approved by unanimous vote.

CHANGE ORDER OF AGENDA

With no objections, Mayor Wilkerson moved the Fire Department promotional item up on the agenda.

MUNICIPAL ORDER NO. 2017 - 150

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF DOUGLAS R. MORRIS, JR. TO THE POSITION OF ASSISTANT FIRE CHIEF, CALEB P. HULSEY TO THE POSITION OF COMPANY COMMANDER/EMT AND T. ANDREW CRAWFORD TO THE POSITION OF FIRE APPARATUS OPERATOR/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2017 - 150 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Williams for consideration of said Municipal Order. Fire Chief Jason Colson reviewed the individual qualifications for each recommended promotion. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 150 was approved by unanimous vote.

RESUME REGULAR AGENDA

ORDINANCE NO. BG2017 - 36

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 15 (BUSINESS AND GENERAL REGULATIONS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO MAKE REVISIONS TO SUBCHAPTER 15-6 (STORAGE, SALE AND USE OF FIREWORKS) RELATED TO EDUCATIONAL REQUIREMENTS AND ENFORCEMENT

Title and summary of Ordinance No. BG2017 - 36 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Nash 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 and Nash
 Voting Nay: Denning, Parrigin and Wilkerson
Ordinance No. BG2017 - 36 failed by majority vote.

ORDINANCE NO. BG2017 - 37

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) 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. BG2017 - 37 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash 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, Nash, Parrigin and Wilkerson
 Voting Nay: None
Ordinance No. BG2017 - 37 was adopted by unanimous vote.

ORDINANCE NO. BG2017 - 38

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.83 ACRE FROM HB (HIGHWAY BUSINESS) TO LI (LIGHT INDUSTRIAL) LOCATED ON A PORTION OF 125 HUNTER COURT, PRESENTLY OWNED BY ONE TWO FIVE (125) HUNTER, LLC

Title and summary of Ordinance No. BG2017 - 38 was read by the Assistant City Manager/City Clerk. Motion was made by Williams 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: Williams, Denning, Nash, Parrigin and Wilkerson
Voting Nay: None
Ordinance No. BG2017 - 38 was adopted by unanimous vote.

ORDINANCE NO. BG2017 - 39
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 89.94 ACRES FROM AG (AGRICULTURE) TO RM-4 (MULTI-FAMILY RESIDENTIAL) AND HB (HIGHWAY BUSINESS) LOCATED AT 495 LOVERS LANE, PRESENTLY OWNED BY CHANDLER RESIDENTIAL, LLC, THE MEDICAL CENTER AND AMERICAN BANK AND TRUST

Title and summary of Ordinance No. BG2017 - 39 was read by the Assistant City Manager/City Clerk. Motion was made by Denning 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: Williams, Denning, Nash, Parrigin and Wilkerson
Voting Nay: None
Ordinance No. BG2017 - 39 was adopted by unanimous vote.

ORDINANCE NO. BG2017 - 40
(Second Reading)
ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 3.12 ACRES OF PROPERTY LOCATED AT 7288 LOUISVILLE ROAD PRESENTLY OWNED BY NEWCOMB OIL CO., LLC, WITH SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS

Title and summary of Ordinance No. BG2017 - 40 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash 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, Nash, Parrigin and Wilkerson
Voting Nay: None
Ordinance No. BG2017 - 40 was adopted by unanimous vote.

Note: Municipal Order No. 2017 - 150 was moved to the beginning of the agenda.

MUNICIPAL ORDER NO. 2017 - 151

MUNICIPAL ORDER APPROVING THE PROMOTION OF CATHERINE P. MARONEY TO THE POSITION OF CEMETERY DIVISION MANAGER IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2017 - 151 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. DeFebbo recounted this position was the result of a restructuring in the Cemetery Division following recommendations from an Internal Audit. Parks and Recreation Director Brent Belcher reviewed and recommended the promotion. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 151 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 152

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
DONALD BUTLER TO THE BOWLING GREEN-WARREN
COUNTY MILITARY LIAISON BOARD

Summary of Municipal Order No. 2017 - 152 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Williams for consideration of said Municipal Order. Mayor Wilkerson recommended the appointment. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 152 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 153

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF
WATHETTA BUFORD, MATT EDWARDS AND CLAY SMALLEY,
JR. TO THE HUMAN RIGHTS COMMISSION

Summary of Municipal Order No. 2017 - 153 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Mayor Wilkerson recommended the reappointments. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 153 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 154

MUNICIPAL ORDER APPROVING A CONTRACT THROUGH
COOPERATIVE PURCHASE WITH DEERE AND COMPANY OF
CARY, NORTH CAROLINA THROUGH WRIGHT IMPLEMENT 1,
LLC OF BOWLING GREEN, KENTUCKY UNDER THE
KENTUCKY STATE PRICING CONTRACT FOR THE PURCHASE
OF FOUR LAWN MOWERS FOR THE PARKS AND RECREATION
DEPARTMENT IN THE TOTAL AMOUNT OF \$34,770.12

Summary of Municipal Order No. 2017 - 154 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed and recommended the purchase to replace existing equipment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 154 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 155

MUNICIPAL ORDER APPROVING A CONTRACT THROUGH COOPERATIVE PURCHASE WITH DEERE AND COMPANY OF CARY, NORTH CAROLINA THROUGH WRIGHT IMPLEMENT 1, LLC OF BOWLING GREEN, KENTUCKY UNDER THE KENTUCKY STATE PRICING CONTRACT FOR THE TRADE-IN AND PURCHASE OF TWO TRACTORS AND A MOWER FOR THE PUBLIC WORKS DEPARTMENT IN THE NET AMOUNT OF \$111,965.30

Summary of Municipal Order No. 2017 - 155 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed and recommended the trade-in and replacement of two tractors and the purchase of a new side mount rotary mower. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 155 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 156

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE PURCHASE OF A DUMP TRUCK EQUIPPED WITH A SNOW PLOW AND V-BOX SALTER FOR THE PUBLIC WORKS OPERATIONS DIVISION UNDER BID #2017-19 FROM GILLIE HYDE FORD OF GLASGOW, KENTUCKY IN THE TOTAL AMOUNT OF \$94,315

Summary of Municipal Order No. 2017 - 156 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Nash for consideration of said Municipal Order. DeFebbo recommended the purchase of a new truck and equipment which accompanies the new position approved in the Fiscal Year 2018 budget. He said this was the second year of the three-year implementation plan to eventually have a person and truck assigned to each work zone during a snow event. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 156 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 41
(First Reading)
ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF TWO UNNAMED ALLEYS LOCATED BETWEEN THE PROPERTIES OF 400 AND 418 MAIN AVENUE WEST

Title and summary of Ordinance No. BG2017 - 41 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Parrigin for first reading of said Ordinance. Mayor Wilkerson indicated this right-of-way closure was for the expansion of the Salvation Army and was recommended by the City-County Planning Commission. He asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 41 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 42
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.2296 ACRE FROM RM-3 (MULTI-FAMILY RESIDENTIAL) TO RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 1415 NUTWOOD STREET, PRESENTLY OWNED BY VULCAN INVESTMENTS, LLC

Title and summary of Ordinance No. BG2017 - 42 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Denning for first reading of said Ordinance. Mayor Wilkerson stated this item was unanimously recommended by the City-County Planning Commission. He asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 42 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 43
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 2.3217 ACRES FROM HB (HIGHWAY BUSINESS) TO RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 800, 900 AND 904 BOATLANDING ROAD, PRESENTLY OWNED BY BANKS AND PATRICIA CRANDELL

Title and summary of Ordinance No. BG2017 - 43 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for first reading of

said Ordinance. Mayor Wilkerson stated this item was unanimously recommended by the City-County Planning Commission. He asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 43 was approved by unanimous vote.

Prior to the introduction of the next item on the agenda, Mayor Wilkerson explained he sponsored Ordinance No. BG2017 - 44 for this agenda which would approve the rezoning by rejecting the recommendation of the City-County Planning Commission. He said that although the Planning Commission denied the recommendation for approval (as represented in Ordinance No. BG2017 - 45) it took several votes to obtain this outcome, and based on his protocol an approval of a rezoning should be considered before a denial. Mayor Wilkerson outlined the process to be followed if a recommendation of the Planning Commission was not to be approved. He said the Board of Commissioners would base its decision on the record of the Planning Commission's public hearing and no new testimony could be introduced. He would allow each side time to summarize its position starting with the requestor or zoning applicant.

ORDINANCE NO. BG2017 - 44

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REJECTING RECOMMENDATION OF THE CITY-COUNTY PLANNING COMMISSION AND REZONING TRACTS OF LAND CONTAINING 33.8695 ACRES FROM AG (AGRICULTURE) TO RM-3 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 0 AND 1854 THREE SPRINGS ROAD, PRESENTLY OWNED BY THE OWEN SIMS ESTATE WITH GVTP DEVELOPMENTS, LLC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2017 - 44 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for first reading of said Ordinance. Mayor Wilkerson reiterated this item was presented to reject the denial by the Planning Commission and approve the rezoning. Attorney Mark Alcott, representing the contract vendee, requested approval of the zone change as presented at the public hearing. He indicated this zone change actually received two public hearings before the Planning Commission and all issues were addressed in the binding elements and met all requirements of the Comprehensive Plan and Future Land Use Map (FLUM). Mr. Alcott reported the applicant was prepared to make all road improvements on Three Springs Road as recommended in the traffic impact study but was told not to by the State since improvements for this state right-of-way were already planned. He outlined the proposed development which included a retention pond and other drainage improvements, screening, buffering and other amenities. Mr. Alcott and Engineer Lucas Slavey responded to questions regarding the retention pond and proposed drainage improvements.

Commissioner Denning expressed concern with the potential drainage issues and impact on the neighboring Silver Springs Subdivision. He stated he does not want Silver Springs to receive any more water than it already does and wants to know how the concerns of the neighborhood will be answered. Commissioner Parrigin also expressed similar concerns. Mr. Slavey stated the proposed stormwater drainage design must go through several groups for review and would be bound by the

City's stormwater regulations. He specified the proposal was to pipe as much stormwater as possible to the retention pond which was designed to also divert up to seven acres of the existing watershed away from the neighborhood as part of the drainage improvements.

Attorney Chris Davenport, representing Denise Castle an adjoining property owner in opposition to the zone change, pointed out the statements made by Mr. Alcott regarding Three Springs Road improvements not being allowed by the State as part of this development was not supported in the testimony given at the public hearing other than the specific statement made by Mr. Alcott during the hearing. He argued there was no timetable for when improvements would be made to Three Springs Road and no one from the State was present at the public hearing to provide testimony on this issue. He further argued the traffic study said improvements needed to be made with this development, but no traffic mitigation requirements were being done by the developer. He also said it was not equitable to the neighbors to have to wait for something that may or may not come sometime in the future. Mr. Davenport also commented the ground water situation did not comply with appropriate standards and neighbors worried about the impact of the development and its compatibility with the adjacent subdivision as well as concerns with no unity of ownership or accountability. He urged the Board to follow the Planning Commission's recommendation to deny the rezoning.

As a rebuttal, Mr. Alcott stated the developer agreed to do everything required in the traffic study and it was in the record that they agreed to do everything they were allowed to do by the State. Mr. Davenport reiterated there was no testimony on the record from Kentucky Transportation District 3 Chief Engineer Joe Plunk regarding what the State would or would not allow.

There was additional discussion about the development, owners association responsibilities and ability to enforce rules and governance over the homeowners association through binding elements. City-County Planning Commission Attorney Hamp Moore responded to questions about the binding elements.

Mayor Wilkerson clarified this item recommended the approval of the zone change based on the summary of evidence presented to the Planning Commission and the Board of Commissioners, the testimony before the Planning Commission, the packet provided by the Planning Commission, the summary minutes and binding elements, and with a determination the rezoning was in compliance with the Focus 2030 Comprehensive Plan as demonstrated by its compliance with the following objectives and action plan: LU-1.1.1, LU-1.1.2, LU-1.1.3 and/or TR-2.1. He confirmed an affirmative vote would reject the Planning Commission's recommendation to deny the zone change.

Commissioner Nash clarified that as a general rule he objected to voting on a first reading of an ordinance as this vote was non-binding and it was only the second vote that counted. As such, he explained he may change his vote between readings since he still had more questions and research he wanted to complete before making a final determination in the matter. Once the discussion ended, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 44 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 45
(First Reading)

ORDINANCE DENYING REZONING OF REAL ESTATE

ORDINANCE DENYING REZONING OF TRACTS OF LAND CONTAINING 33.8695 ACRES FROM AG (AGRICULTURE) TO RM-3 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 0 AND 1854 THREE SPRINGS ROAD, PRESENTLY OWNED BY THE OWEN SIMS ESTATE WITH GVTP DEVELOPMENTS, LLC AS CONTRACT VENDEE

Based on the outcome of Ordinance No. BG2017 - 44, Ordinance No. BG2017 - 45 was not considered at this time. Mayor Wilkerson indicated this Ordinance would be held in abeyance pending a final vote of Ordinance No. BG2017 - 44 at the next Board meeting.

BRIEF RECESS

The Board of Commissioners took a ten minute recess at 6:15 p.m. before continuing with the remaining items on the agenda.

MUNICIPAL ORDER NO. 2017 - 157

MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE UPDATE OF AREA DESIGNATION FORM TO BE INCLUDED IN THE WARREN COUNTY AREA SOLID WASTE MANAGEMENT PLAN 2018-2022

Summary of Municipal Order No. 2017 - 157 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. DeFebbo reviewed the area designation and requirement for approval by the City. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 157 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 158

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A 2017 GRANT FROM THE KENTUCKY 911 SERVICES BOARD FOR 911 SYSTEM UPGRADES IN THE AMOUNT OF \$245,000

Summary of Municipal Order No. 2017 - 158 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. DeFebbo recommended acceptance of the grant to make improvements to the 911 system. Police Chief Doug Hawkins reviewed the use of the funds to upgrade the 911 system with "next gen" technology which adds more functionality and provides more redundancy. He explained the grant would pay to upgrade seven workstations at the main Communications Center and the City will use other special revenue funds to upgrade the five workstations at the Alternate 911 Center. He also confirmed the upgraded technology would provide an annual savings in phone service costs. When the discussion ended, a roll call vote was taken.

ROLL CALL: Voting Yea: Williams, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None
Municipal Order No. 2017 - 158 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 159

MUNICIPAL ORDER APPROVING CONSTRUCTION AND
ACCEPTING MAINTENANCE OF GREYSTONE SUBDIVISION,
SECTIONS 11, 12 AND 13

Summary of Municipal Order No. 2017 - 159 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Williams for consideration of said Municipal Order. DeFebbo indicated it was the City's standing protocol to accept street maintenance for new developments once they pass all inspections. Public Works Director Greg Meredith responded to a question about sidewalks being included in the development and inspection process. With no additional discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Williams, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None
Municipal Order No. 2017 - 159 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 160

MUNICIPAL ORDER APPROVING CONSTRUCTION AND
ACCEPTING MAINTENANCE OF MOLLY COURT IN THE LEON
TARTER AND GARLAND REEVES SUBDIVISION

Summary of Municipal Order No. 2017 - 160 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Parrigin for consideration of said Municipal Order. DeFebbo reviewed this item in conjunction with the previous item Municipal Order No. 2017 - 159. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Williams, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None
Municipal Order No. 2017 - 160 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 161

MUNICIPAL ORDER APPROVING THE FILING OF A CIVIL
ACTION BY KEATING MUETHING & KLEKAMP PLL RELATED
TO THE BLOCK 6 WRAP IN THE WKU GATEWAY TO
DOWNTOWN BOWLING GREEN DEVELOPMENT AREA

Summary of Municipal Order No. 2017 - 161 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Wilkerson for consideration of said Municipal Order. Mayor Wilkerson indicated the Board engaged in a closed session held earlier in the day to discuss the pros and cons of this proposed litigation, and as a result, this item was added to the agenda for consideration. As an important issue for the City and taxpayers, Commissioner Nash explained he would be voting against this action since he believed it had already been aggressively investigated for the last two years by private attorneys, State Auditor, Attorney General, Commonwealth Attorney and

FBI, and the City has been given conflicting reports as to whether or not it could successfully win litigation. He admitted there is no question that mistakes were made related to this project. He further explained he did not believe the City will prevail in collecting any money. He also stated this action is not fiscally responsible based on the \$102,000 already spent to date and considering a conservative estimate of future litigation costs of another \$185,000. He also said he believes pursuing this action hampers the progress being made downtown, and since no money is likely to be collected, his focus is ensuring that downtown continues to grow and prosper. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 161 was approved by majority vote.

PUBLIC COMMENTS

Following the conclusion of the regular agenda, Mayor Wilkerson opened the floor for any public comments about items not included on the agenda. Dr. Janice Bunch remarked about overgrown grass and weeds near Reservoir Hill Park and the Neighborhood and Community Services office building as well as along other rights-of-way throughout the City. She said the City needs to set a better example for residents and address this issue. She also suggested a wild flower or butterfly garden program should be implemented to make a habitat for hummingbirds and honeybees.

Vincent Bolton spoke in favor of a fairness ordinance to provide equality for LGBTQ individuals which would in turn provide incentives for tourism and businesses making Bowling Green more prosperous.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 6:45 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: September 5, 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