

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held MARCH 7, 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 March 7, 2017. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Broadway United Methodist Church Executive Minister Jason Brown, 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 Brian "Slim" Nash, Commissioner Sue Parrigin, Commissioner Rick Williams and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

CITY MANAGER

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

APPROVAL OF MINUTES

Minutes of Regular Meeting February 21, 2017

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

Motion to approve the minutes of the regular meeting of February 21, 2017 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

MUNICIPAL ORDER NO. 2017 - 33

**MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENTS OF JESSICA R. RAGER, AMBER K. SENN AND
CHRISTOPHER R. YOUNG TO THE POSITION OF POLICE
OFFICER IN THE POLICE DEPARTMENT**

Summary of Municipal Order No. 2017 - 33 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed and recommended the appointments. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Parrigin, Williams and Wilkerson
 Voting Nay: None
Municipal Order No. 2017 - 33 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 34

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF JERRY W. MCADOO, JR. TO THE POSITION OF EQUIPMENT TECHNICIAN - CERTIFIED IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2017 - 34 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 recommended the appointment and mentioned that Mr. McAdoo had previously worked for the City in a similar capacity. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Parrigin, Williams and Wilkerson
 Voting Nay: None
Municipal Order No. 2017 - 34 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 35

MUNICIPAL ORDER APPROVING THE CAREER PATH ADVANCEMENT OF LEWIS W. BOHR TO THE POSITION OF OPERATIONS TECHNICIAN I IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2017 - 35 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Williams for consideration of said Municipal Order. DeFebbo reviewed the career path program. He indicated that all requirements were met and advancement was recommended. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Parrigin, Williams and Wilkerson
 Voting Nay: None
Municipal Order No. 2017 - 35 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 36

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-42 FOR THE LOVERS LANE SOCCER COMPLEX BATHROOM AND PAVILION EXPANSION FROM SCOTT, MURPHY & DANIEL, LLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$668,249

Summary of Municipal Order No. 2017 - 36 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. As one of the City's signature recreation facilities, DeFebbo recommended the improvements. Parks and Recreation Director Brent Belcher reviewed the project to upgrade the entry building,

expand the restroom facilities and add a covered plaza area to meet the needs of one of the busiest Parks locations in the City. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 36 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 6
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 0.95
ACRE FROM RM-2 (TWO-FAMILY RESIDENTIAL) AND GB
(GENERAL BUSINESS) TO RM-3 (MULTI-FAMILY RESIDENTIAL)
LOCATED AT 1132, 1136 AND 1142 KENTON STREET,
PRESENTLY OWNED BY TRIDENT PROPERTIES OF BOWLING
GREEN, LLC

Title and summary of Ordinance No. BG2017 - 6 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Parrigin for first reading of said Ordinance. Mayor Wilkerson indicated this recommendation was unanimously approved by the City-County Planning Commission. With no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 6 was approved by unanimous vote.

WORK SESSION

Mayor Wilkerson stated there were special procedures established for the work session and made a motion to approve the special procedures. The motion was seconded by Williams and approved by unanimous vote. Mayor Wilkerson outlined the special procedures for the audience and those watching the live broadcast. He explained the order for the discussion, stated public comments would be received from those individuals who signed up to speak and comments would be strictly limited to three minutes per person.

Following a procedural correction, Commissioner Nash opened the discussion of Ordinance No. BG2017 -- 5 related to amendments to Chapters 2 (Administration), 14 (Housing) and 17 (Personnel Policies) of the City of Bowling Green Code of Ordinances to add language prohibiting discrimination in housing accommodations and employment on the bases of sexual orientation or gender identify, prohibiting discrimination in public accommodations on the basis of disability, race, religion, national origin, sex, color, sexual orientation and gender identity, and providing for certain exceptions and exclusions to such prohibitions, including an exception for burdening freedom of religion. He compared the language in the Pledge of Allegiance and how this Ordinance addressed the phrase "one nation under God, indivisible, with liberty and justice for all." He pointed out that no matter what God you worship, this Ordinance acknowledges and protects your religious freedom rights by mirroring language in KRS 446.350 which states in part, "the government shall not substantially burden a person's freedom of religion." He reiterated this Ordinance includes language to protect people who act in religious matters according to their faith regardless of what that faith is. Commissioner Nash remarked that by allowing discrimination he believed it would eventually divide

us. He further remarked the Pledge states that everyone has the right to liberty to be free from oppression. He also cited a case out of Russellville where the Kentucky Supreme Court stated, "the purpose of local municipalities are to provide the safety, convenience, comfort and common welfare of citizens by establishing and maintaining those things which tend to do so and by regulating and prohibiting things which are hurtful." Commissioner Nash asserted that passing the fairness ordinance would offer the same protections to LGBT people that are already afforded to other minority groups by providing the right to live in our City free from discrimination or exclusion. He also maintained that the passage of this Ordinance would balance the right of religious freedom against the right to have protection from discrimination.

During the comment period, there was a total of 64 speakers, 13 who expressed opposition and 51 who voiced support for the fairness ordinance. Those in opposition expressed concerns regarding religious and moral reasons, elevating some to a higher status over others, and the potential for the law to have unintended consequences as seen in other places across the country. A petition was also presented by Brandon Porter of the Commonwealth Policy Center with 921 signatures "to protect religious freedom and true fairness by opposing the 'fairness' ordinance." Those in favor cited many examples of discrimination against LGBT individuals, comparing it to the civil rights movement, the potential to reduce violence and suicides among those being persecuted, and the ability to send a message that the LGBT community was welcome, supported and could feel safe in Bowling Green. Since many other cities larger and smaller have passed similar laws, supporters said it was time for Bowling Green to do the right thing.

Commissioner Denning stated it was his intent to listen to both sides of the debate. He also stated it was his opinion and observation that there was no comparison of any kind to what black people have gone through.

Following the public comments, Commissioner Nash thanked everyone for their attendance and participation. He reiterated the Religious Freedom Restoration Act was a part of this Ordinance which ensured there was both the balance between the rights of the LGBT community and the rights of people to practice their religion freely. With regard to the examples provided where similar ordinances were used in other locations, he remarked the Religious Freedom Restoration Act was not in play at that time. He said it has changed the game with how this particular Ordinance would be implemented. Commissioner Nash stated he believes we protect a number of different groups referred to as minorities based on things they can and cannot control and that LGBT should be added to that list of things. He also stated it was his hope, although it would not be today, that the LGBT protections would be added in the City of Bowling Green.

Commissioner Williams also thanked everyone for sharing their comments, stories and passions, and stated, "I hear what you are saying."

Mayor Wilkerson expressed appreciation for the comments received and apologized for having to cut some individuals off who exceeded their time limit. He stated that for those who think they have not been heard, from his perspective that was an inaccurate statement. He recounted this issue was thoroughly discussed at the four candidate forums throughout the campaign and those on the Board of Commissioners expressed their views clearly at that time. Mayor Wilkerson also explained nobody here was not listening and that courage of conviction stands on both sides of the issue. He pointed out the fact that the issue was on the agenda and did not receive a second meant that it was in essence voted down 4 to 1. Mayor Wilkerson also specified that if anyone thought not agreeing with

their position on the Ordinance was somehow devaluing them as individuals, he did not agree. He remarked the people he knows on this Board think very highly of each of you as individuals, however the majority of this Board does not feel it is appropriate to enshrine it into a City ordinance. He stated that unless a member of the Board chooses to change their opinion for the remainder of this term of office, this Ordinance would not be on the agenda again. He welcomed people to continue to come to the meetings and voice their support during the public comments section, but advised that saying it over and over and louder and louder would not necessarily change anyone's mind. He again thanked everyone for coming.

ADJOURNMENT

Once the work session concluded and there being no further business to come before the Board of Commissioners, at approximately 8:10 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: March 21, 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