

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held NOVEMBER 3, 2015**

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 3, 2015. 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 Sue Parrigin, Commissioner Rick Williams, Commissioner Melinda M. Hill and Mayor Bruce Wilkerson. Absent: Commissioner Joe W. Denning. There was a quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Commissioner Hill provided special recognition to Audrey Roberts who was celebrating her 104th birthday today, and wished her a happy birthday. Commissioner Williams congratulated both the 7th and 8th grade football teams at Bowling Green Jr. High School for finishing second in the State.

At the request of the City Manager, Neighborhood and Community Services (NCS) Director Brent Childers recognized Code Enforcement Officer Tim Butts who was named the *2015 Code Enforcement Officer of the Year* by the American Association of Code Enforcement (ACCE). Mr. Childers also reported the Housing Choice Voucher Program received High Performer status for the ninth consecutive year from the U.S. Department of Housing and Urban Development (HUD). Mayor Wilkerson congratulated the NCS Department and especially Mr. Butts for receiving a national award.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion of pending litigation on behalf of the City related to the Kentucky League of Cities Insurance Services (KLCIS). Motion was made by Hill and seconded by Williams 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, 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 20, 2015

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, Hill and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of October 20, 2015 was approved by unanimous vote.

PUBLIC COMMENTS

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

REGULAR AGENDA

ORDINANCE NO. BG2015 - 34

(Second Reading)

ORDINANCE RELATING TO CLASSIFICATION/PAY SCHEDULE

ORDINANCE AMENDING THE CLASSIFICATION/PAY SCHEDULE "G" FOR GENERAL CLASSIFIED EMPLOYEES OF THE CITY OF BOWLING GREEN FOR FISCAL YEAR 2016

Title and summary of Ordinance No. BG2015 - 34 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: Parrigin, Williams, Hill and Wilkerson
 Voting Nay: None

Ordinance No. BG2015 - 34 was adopted by unanimous vote.

ORDINANCE NO. BG2015 - 35

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 5.00 ACRES FROM HB (HIGHWAY BUSINESS) TO P (PUBLIC) LOCATED AT THE CORNER OF RUSSELLVILLE ROAD AND HILLVIEW MILLS BOULEVARD, PRESENTLY OWNED BY BAKER & HILLIARD, INC., WITH WARREN COUNTY EXTENSION DISTRICT BOARD AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2015 - 35 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: Parrigin, Williams, Hill and Wilkerson
 Voting Nay: None

Ordinance No. BG2015 - 35 was adopted by unanimous vote.

ORDINANCE NO. BG2015 - 36

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING PORTIONS OF TRACTS OF LAND CONTAINING 0.99 ACRE FROM OP-R (OFFICE AND

PROFESSIONAL - RESIDENTIAL) AND P (PUBLIC) TO PUD (PLANNED UNIT DEVELOPMENT) LOCATED AT 716 10TH AVENUE AND PARK STREET, PRESENTLY OWNED BY THE CITY OF BOWLING GREEN, WITH GEMINI HOMES, INC. AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2015 - 36 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: Parrigin, Williams, Hill and Wilkerson
Voting Nay: None

Ordinance No. BG2015 - 36 was adopted by unanimous vote.

ORDINANCE NO. BG2015 - 37

(Second Reading)

ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF A PORTION OF RUSH DRIVE IN FRONT OF 1895 CAVE MILL ROAD AND 2945 SCOTTSVILLE ROAD

Title and summary of Ordinance No. BG2015 - 37 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: Parrigin, Williams, Hill and Wilkerson
Voting Nay: None

Ordinance No. BG2015 - 37 was adopted by unanimous vote.

ORDINANCE NO. BG2015 - 38

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING 40 TRACTS OF LAND CONTAINING 8.0092 ACRES FROM RM-4 (MULTI-FAMILY RESIDENTIAL) TO RS-1D (SINGLE FAMILY RESIDENTIAL) LOCATED AT COURTYARD AT HARTLAND SUBDIVISION WITH VARIOUS OWNERS

Title and summary of Ordinance No. BG2015 - 38 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: Parrigin, Williams, Hill and Wilkerson
Voting Nay: None

Ordinance No. BG2015 - 38 was adopted by unanimous vote.

ORDINANCE NO. BG2015 - 39

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.22 ACRE FROM RM-4 (MULTI-FAMILY RESIDENTIAL) TO OP-C (OFFICE PROFESSIONAL – COMMERCIAL) LOCATED AT 528 CHESTNUT STREET, PRESENTLY OWNED BY ROBERT H. TURNER III, WITH PARK STREET MEDICAL PLAZA, LLC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2015 - 39 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: Parrigin, Williams, Hill and Wilkerson
 Voting Nay: None

Ordinance No. BG2015 - 39 was adopted by unanimous vote.

ORDINANCE NO. BG2015 – 40

(Second Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER ONE TO THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2016

Title and summary of Ordinance No. BG2015 - 40 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: Parrigin, Williams, Hill and Wilkerson
 Voting Nay: None

Ordinance No. BG2015 - 40 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2015 – 196

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF SANJA DUDARIC AND ASHLEY L. RIMINGTON TO THE POSITION OF COMMUNICATIONS DISPATCHER SUPERVISOR IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2015 - 196 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 indicated this position was one of the harder positions to keep filled. Police Chief Doug Hawkins reviewed qualifications and recommended the two promotions. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2015 - 196 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 197

MUNICIPAL ORDER APPROVING THE PROMOTION OF
TIGRACE L. TOOLEY TO THE POSITION OF HUMAN
RESOURCES COORDINATOR IN THE HUMAN RESOURCES AND
RISK MANAGEMENT DEPARTMENT

Summary of Municipal Order No. 2015 - 197 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 indicated with the challenge of achieving proportionality, a new position was created to help fulfill the requirements. Human Resources Director Michael Grubbs reviewed the qualifications and recommended the promotion. He explained the added demand for increasing recruitment efforts and taking year-round applications necessitated the need to add the additional position. He also reiterated the Human Resources Specialist position being vacated was downgraded as Ms. Tooley would retain some of the job responsibilities in her new position. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2015 - 197 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 198

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2016-20 FOR LAMPKIN PARK SHELTER #1 FROM CARTER
DOUGLAS COMPANY LLC OF RUSSELLVILLE, KENTUCKY IN
THE AMOUNT OF \$88,500

Summary of Municipal Order No. 2015 - 198 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 bidding process and recommended the bid award. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2015 - 198 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 199

MUNICIPAL ORDER APPROVING RECOMMENDATION FROM
THE BOWLING GREEN AREA CONVENTION AND VISITORS
BUREAU (CVB) TO DISTRIBUTE \$81,635 OF TRANSIENT ROOM
TAXES TO MID-SOUTH ATHLETIC CONFERENCE

Summary of Municipal Order No. 2015 - 199 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 requirements to allow the use of funds for special projects by the CVB. Bowling Green Area CVB Executive Director Vicki Fitch introduced Mid-South Athletic Conference Commissioner Eric Ward, who provided a brief overview of the sports events to be brought to

Bowling Green. Mr. Ward expressed excitement for the opportunity to benefit the community and the Mid-South Athletics Conference. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2015 - 199 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 200

MUNICIPAL ORDER ACCEPTING DONATION FROM MID-SOUTH ATHLETIC CONFERENCE IN THE AMOUNT OF \$39,355 FOR ENHANCEMENTS AT LOVERS LANE SOCCER COMPLEX (LLSC)

Summary of Municipal Order No. 2015 - 200 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 explained a portion of the special project funds awarded in the previous action would be donated to the City to enhance the LLSC by building a press box and installing fiber for webcasting and simulcasting. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2015 - 200 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 201

MUNICIPAL ORDER APPROVING AMENDMENT NUMBER SIX TO LEE SQUARE HOUSING PROJECT AGREEMENT AMONG THE CITY OF BOWLING GREEN, HOUSING ASSISTANCE AND DEVELOPMENT SERVICES (HANDS), INC., LIVE THE DREAM, INC. AND THE HOUSING AUTHORITY OF BOWLING GREEN RELATING TO REDESIGNATION OF BUILDING LOTS

Summary of Municipal Order No. 2015 - 201 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 housing project and partnership to complete the Lee Square development. He indicated there was one remaining lot to be developed which was currently under the control of HANDS. He explained this final lot would be transferred to the Housing Authority since it had the ability to complete the build-out. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2015 - 201 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 202

MUNICIPAL ORDER APPROVING SECOND AMENDED AND RESTATED AGREEMENT ON SHARING OF REVENUES, WELDON PEETE PARK GROUND LEASE AGREEMENT, AND

**CONTRACT AND LEASE AGREEMENT, ALL OF WHICH ARE
RELATED TO THE WKU GATEWAY TO DOWNTOWN BOWLING
GREEN TIF DEVELOPMENT AREA**

Summary of Municipal Order No. 2015 - 202 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. At the request of the City Manager, City Attorney Gene Harmon provided an overview of the history which led up to the proposed amendments to the revenue sharing, local participation and other agreements related to the Block 6 development. He outlined each of the documents under consideration in both this Municipal Order and Ordinance No. BG2015 - 41 (to be considered next on the agenda). Mr. Harmon reported any funds received from the sale of Block 4 would need to be returned to the Community Development Block Grant (CDBG) program since the City used CDBG funds to purchase the property several years ago. He also specified the terms of the City's General Obligation (GO) Sublease and the pledged revenues for the Block 6 Wrap debt. In addition, Mr. Harmon explained the Weldon Peete Park Ground Lease would ensure Warren County backstopped any shortfall in debt service required to be paid by the City on the Block 6 Wrap bonds. Attorney Scott Bachert, representing the Warren County Downtown Economic Development Authority, concurred with Mr. Harmon's summary of the documents. Chief Financial Officer Jeff Meisel added that nothing has been significantly changed from the Term Sheet which was previously approved by Board in March and established the parameters by which all parties were working under.

Mr. Harmon, Mr. Bachert and Mr. Meisel responded to questions about the legally enforceable agreement by Warren County to indemnify the City and to share in the risk, the City's portion of TIF revenues now committed to the Block 6 Wrap debt service payment, the total amount of the bonds to be issued by Warren County for the Block 6 Wrap, and the ability for the City to continue to monitor the collection and spending of TIF funds. Mr. Harmon reiterated the Authority's membership was also changed to include a City Commissioner and the City's CFO on the board. Mr. Meisel indicated the County was equally sharing in the risk now, and he believed the City had capitulated its level of risk with these proposed changes. Mr. Bachert asserted the County had taken over ultimate responsibility. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2015 - 202 was approved by unanimous vote.

ORDINANCE NO. BG2015 - 41

(First Reading)

**ORDINANCE RELATED TO WKU GATEWAY TO DOWNTOWN BOWLING GREEN TIF
DEVELOPMENT AREA**

**ORDINANCE APPROVING AMENDED AND RESTATED LOCAL
PARTICIPATION AGREEMENT (LPA) #4 AND GENERAL
OBLIGATION GO SUBLEASE AGREEMENT WITH MANHATTAN
CAPITAL BG LLC RELATED TO THE WKU GATEWAY TO
DOWNTOWN BOWLING GREEN TIF DEVELOPMENT AREA**

Title and summary of Ordinance No. BG2015 - 41 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for first reading of said

Ordinance. Since this item was principally discussed in conjunction with the previous Municipal Order No. 2015 – 202, City Attorney Gene Harmon explained the requirement for both the LPA and GO Sublease to be approved by Ordinance versus Municipal Order like the other TIF related agreements. With no further discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2015 - 41 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:15 p.m. in closed session pursuant to KRS 61.810 (1) (c) as previously approved. Mr. DeFebbo confirmed no formal action would 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 5:30 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller-Ward