

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held MAY 3, 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 May 3, 2016. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Senior Pastor Adam Shourds of Broadway United Methodist 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 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

Mayor Wilkerson announced the retirements of Advanced Communications Dispatcher Sue Ellen Lindsey with 20 years of service and Firefighter/EMT II James Rhoades with 21 years of service.

Commissioner Williams recognized Greg Brown, Jeff Bullock and Kenneth Willoughby who help save another man's life following a car accident.

Operation P.R.I.D.E. Executive Director Angie Alexieff presented P.R.I.D.E.'s April residential award to Heather Patterson for improvements made to 928 Josephine Street, and the commercial award to Commonwealth Health Corporation and Tomorrow's Woman for improvements made at 1623 Scottsville Road.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion of proposed litigation against the City. Motion was made by Hill and seconded by Parrigin 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.

RIVERFRONT AREA PROPOSED IMPROVEMENTS PRESENTATION

At the request of the City Manager, Neighborhood and Community Services Director Brent Childers and Parks and Recreation Director Brent Belcher provided an overview of a proposed plan to make improvements to the riverfront area from RiverWalk Park to Weldon Peete Park through a multi-phased approach. Mr. Childers explained the need to make improvements to an existing boat ramp for public safety purposes and the ability to apply for a 50/50 grant through the Land and Water Conservation Fund Outdoor Recreation Legacy Partnership Program to assist with the cost for the first phase of development which was estimated at about \$1.5 million. Mr. Belcher described some of the

elements to be included in Phase 1 of the proposed improvement plan, such as a new boat ramp, urban fishing piers, greenways trail connection of the two parks, disc golf course and other habitat and infrastructure improvements.

APPROVAL OF MINUTES

Minutes of Regular Meeting April 5, 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 April 5, 2016 was approved by unanimous vote.

PUBLIC COMMENTS

Garrett Greenwell asked the Board to pass a fairness law in Bowling Green. He said this community would experience a 'braindrain' because younger people are not choosing to stay or return to this City for fear they could arbitrarily be fired or evicted based on their sexual orientation.

REGULAR AGENDA

ORDINANCE NO. BG2016 - 12

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 3.29 ACRES FROM AG (AGRICULTURE) TO GB (GENERAL BUSINESS) LOCATED ON RUSSELLVILLE ROAD, PRESENTLY OWNED BY JOHN P. TARTER, TRUSTEE FOR AMY TARTER, AND DAVID TARTER, TRUSTEE FOR MOLLY TARTER

Title and summary of Ordinance No. BG2016 - 12 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: Parrigin, Williams, Denning, Hill and Wilkerson

Voting Nay: None

Ordinance No. BG2016 - 12 was adopted by unanimous vote.

ORDINANCE NO. BG2016 - 13

(Second Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 25 (CODE OF ETHICS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO AMEND SUBCHAPTER 25-11 RELATED TO NEPOTISM AS RECOMMENDED BY THE BOARD OF ETHICS

Title and summary of Ordinance No. BG2016 - 13 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, Denning, Hill and Wilkerson
Voting Nay: None

Ordinance No. BG2016 - 13 was adopted by unanimous vote.

ORDINANCE NO. BG2016 - 14

(Second Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

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

Title and summary of Ordinance No. BG2016 - 14 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, Denning, Hill and Wilkerson
Voting Nay: None

Ordinance No. BG2016 - 14 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 65

MUNICIPAL ORDER APPROVING THE PROMOTION OF JASON
T. SOWDERS TO THE POSITION OF DEPUTY FIRE CHIEF IN
THE FIRE DEPARTMENT

Summary of Municipal Order No. 2016 - 65 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. Fire Chief Jason Colson reviewed the qualifications and recommended the 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 - 65 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 66

MUNICIPAL ORDER APPROVING THE PROMOTION OF JASON
W. HOPKINS TO THE POSITION OF IRRIGATION/SPRAY
TECHNICIAN IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2016 - 66 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. After summarizing the qualifications, Parks and Recreation Director Brent Belcher recommended the 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 - 66 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 67

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
JEFFREY STEIN AND REAPPOINTMENT OF TONY WITTY TO
THE BOWLING GREEN AUDIT COMMITTEE

Summary of Municipal Order No. 2016 - 67 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for consideration of said Municipal Order. Mayor Wilkerson recommended the appointment and reappointment. With no other discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Williams, Denning, Hill and Wilkerson
 Voting Nay: None
Municipal Order No. 2016 - 67 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 68

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
HEATHER ROGERS TO THE UNIVERSITY DISTRICT REVIEW
COMMITTEE

Summary of Municipal Order No. 2016 - 68 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. Mayor Wilkerson recommended the appointment. With no additional discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Williams, Denning, Hill and Wilkerson
 Voting Nay: None
Municipal Order No. 2016 - 68 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 69

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2016-42 FOR PUBLIC WORKS OPERATIONS DIVISION PARKING
LOT PAVING FROM SCOTTY'S CONTRACTING & STONE, LLC
OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF
\$51,987.45

Summary of Municipal Order No. 2016 - 69 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 project 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, Denning, Hill and Wilkerson
 Voting Nay: None
Municipal Order No. 2016 - 69 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 70

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2016-11 FOR FAIRVIEW CEMETERY MAINTENANCE BUILDING CONSTRUCTION PROJECT FROM CARTER DOUGLAS COMPANY, LLC OF RUSSELLVILLE, KENTUCKY IN THE AMOUNT OF \$415,000

Summary of Municipal Order No. 2016 - 70 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 the existing maintenance facility was the most inadequate building in the City's inventory. He reviewed the project to construct a new maintenance building in the back corner of Fairview Cemetery No. 2 which would be aesthetically pleasing to the neighbors. Although the bid amount exceeded the initial project estimate, he indicated funds were available 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, Denning, Hill and Wilkerson
Voting Nay: None

Municipal Order No. 2016 - 70 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 15

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 16.11 +/- ACRES FROM RM-2 (TWO-FAMILY RESIDENTIAL) TO RS-1D (SINGLE FAMILY RESIDENTIAL) LOCATED AT FAIRGROUND ADDITION SUBDIVISION AND COLLETT ADDITION SUBDIVISION WITH VARIOUS OWNERS

Title and summary of Ordinance No. BG2016 - 15 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 noted this was another instance of a down zoning to keep the single family character of the neighborhood. With no other discussion, 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 - 15 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 16

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 1.21 ACRES FROM GB (GENERAL BUSINESS) AND P (PUBLIC) TO HB (HIGHWAY BUSINESS) LOCATED AT 1473 KENTUCKY STREET, PRESENTLY OWNED BY KENTUCKY AND ADAMS, LLC

Title and summary of Ordinance No. BG2016 - 16 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 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

First reading of Ordinance No. BG2016 - 16 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 71

MUNICIPAL ORDER APPROVING PAYMENT OF INVOICE FROM THE KENTUCKY AUDITOR OF PUBLIC ACCOUNTS IN THE AMOUNT OF \$50,000 RELATED TO THE WKU GATEWAY TO DOWNTOWN BOWLING GREEN TAX INCREMENT FINANCING (TIF) BLOCK 6 WRAP PROJECT EXAMINATION

Summary of Municipal Order No. 2016 - 71 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 the City and County would equally share the total cost for the audit and this was the City's portion. Mayor Wilkerson pointed out the actual cost was more, but the State Auditor agreed to honor the previously established amount. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2016 - 71 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 72

MUNICIPAL ORDER APPROVING CROSSING CLOSURE AGREEMENT WITH CSX TRANSPORTATION, INC.

Summary of Municipal Order No. 2016 - 72 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for consideration of said Municipal Order. Civil Engineer II Mark Absher provided an overview of the proposal from CSX to remove the crossing on Robinson Avenue in lieu of impacting the Old Morgantown Road crossing. In exchange for no longer receiving access to CSX right-of-way, he reported the City would receive \$50,000 for reimbursement of costs associated with discontinuing thru traffic between Creason Street and Russellville Road at this junction. In response to questions, Mr. Absher indicated the City would be required to have its portion completed by August 31st, which would include, but not be limited to installing additional signage, a turn around and appropriate barriers at both approaches. Commissioner Williams indicated this was the best location for a closure to occur since it was one of the more dangerous crossings. DeFebbo stated this was the best alternative for the City. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2016 - 72 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 73

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U. S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE PURCHASE OF BULLETPROOF VESTS FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$15,263

Summary of Municipal Order No. 2016 - 73 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 and recommended the application to request grant funds to provide 50% of the match to purchase up to 37 bulletproof vests. 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 - 73 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 74

MUNICIPAL ORDER AUTHORIZING SUBMISSION OF A LAND AND WATER CONSERVATION FUND OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM GRANT APPLICATION TO THE NATIONAL PARK SERVICE IN THE AMOUNT OF \$750,000 FOR BOWLING GREEN RIVERFRONT AREA IMPROVEMENTS

Summary of Municipal Order No. 2016 - 74 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. Since the proposed plans for the riverfront were discussed in more detail at the beginning of the meeting, DeFebbo recommended submission of the grant application to receive up to 50% of the money needed to complete Phase I. 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 - 74 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 75

MUNICIPAL ORDER APPROVING THE YEAR 13 ANNUAL ACTION PLAN AND AMENDMENTS TO THE CONSOLIDATED PLAN AND YEARS 11 AND 12 ANNUAL ACTION PLANS OF THE 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 - 75 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. Neighborhood and Community Services Director Brent Childers explained the requirement to make

amendments to the Consolidated Plan and two subsequent Annual Action Plans, as well as approve the Year 13 Action Plan. He indicated that with the inclusion of a Neighborhood Revitalization Strategy Area, there was greater flexibility with spending funds for the Neighborhood Improvements Program. In response to a question from the Mayor, Mr. Childers confirmed the Board was not locked into accepting the recommendation from the Citizen Committee for the Year 13 funding allocations. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2016 - 75 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 76

MUNICIPAL ORDER AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS ON BEHALF OF THE GREENWAYS COMMISSION OF BOWLING GREEN AND WARREN COUNTY IN THE AMOUNT OF \$177,474

Summary of Municipal Order No. 2016 - 76 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 acceptance of the grant funds to extend the greenways near Moss Middle School. 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 - 76 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 77

MUNICIPAL ORDER AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE U. S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION FOR ASSISTANCE UNDER THE SECTION 5339(B) PROGRAM IN AN AMOUNT NOT TO EXCEED \$3,310,000

Summary of Municipal Order No. 2016 - 77 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 submission of the grant application for the purchase of buses, rehabilitation of existing transit facilities and purchase of related equipment, as well as construction of a new transit shelter. He also explained that if the grant is awarded, toll credits would be used to waive the 20% match requirement. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2016 - 77 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:30 p.m. in closed session pursuant to KRS 61.810 (1) (c) as previously approved. DeFebbo 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 6:15 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: May 17, 2016

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