

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held SEPTEMBER 4, 2012**

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 7:00 p.m. on September 4, 2012. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Rev. Carlton Hatcher of Little Muddy Cumberland Presbyterian Church, and all present recited the Pledge of Allegiance. Assistant City Clerk Ashley Jackson called the roll, and the following members were present: Commissioner Melinda M. Hill, Commissioner Brian "Slim" Nash, Commissioner Bill Waltrip, 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 the recent retirements of Firefighter/EMT II Damon Carlock and Company Commander/EMT Jim Mullen of the Bowling Green Fire Department each with 21 years of service.

CITY MANAGER COMMENTS

Acting City Manager Katie Schaller requested a closed session for the purpose of discussion concerning a specific proposal, as open discussions would jeopardize the siting, retention, expansion or upgrading of the business. Motion was made by Nash and seconded by Waltrip to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (g). Mayor Wilkerson called for roll call vote.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

Motion to convene in closed session pursuant to KRS 61.810 (1) (g) was approved by unanimous vote. Ms. Schaller indicated that action by the Board of Commissioners was anticipated to follow the closed session.

APPROVAL OF MINUTES

Minutes of Regular Meeting August 21, 2012

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 Waltrip 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, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of August 21, 2012 was approved by unanimous vote.

PUBLIC COMMENTS

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

REGULAR AGENDA

ORDINANCE NO. BG2012 - 27

(Second Reading-As Amended)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE AMENDING ARTICLES 1, 2, 3, 4, 5, 6 AND 8 AND APPENDIXES OF THE ZONING ORDINANCE FOR THE CITY OF BOWLING GREEN, KENTUCKY AS RECOMMENDED BY THE CITY-COUNTY PLANNING COMMISSION, WITH ADDITIONAL REVISIONS BY WARREN COUNTY FISCAL COURT AND BOWLING GREEN BOARD OF COMMISSIONERS

Title and summary of Ordinance No. BG2012 - 27 was read by the Assistant 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, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

Ordinance No. BG2012 - 27 was adopted by unanimous vote.

ORDINANCE NO. BG2012 - 31

(Second Reading-As Amended)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE AMENDING ARTICLES 2 AND 5 OF THE ZONING ORDINANCE FOR THE CITY OF BOWLING GREEN, KENTUCKY AS RECOMMENDED BY THE CITY-COUNTY PLANNING COMMISSION AND AS PREVIOUSLY REMOVED FROM ORDINANCE NO. BG2012-27, WITH ADDITIONAL REVISIONS BY THE BOWLING GREEN BOARD OF COMMISSIONERS

Title and summary of Ordinance No. BG2012 - 31 was read by the Assistant City Clerk. Motion was made by Hill 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: Hill, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

Ordinance No. BG2012 - 31 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 168

MUNICIPAL ORDER APPROVING THE PROMOTIONS OF J. CHRISTOPHER GRAY TO THE POSITION OF COMPANY COMMANDER/EMT AND BRIAN K. HOPE TO THE POSITION OF FIRE APPARATUS OPERATOR/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2012 - 168 was read by the Assistant City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal Order. Schaller

indicated that a recent retirement opened up the positions for promotion. Fire Chief Greg Johnson spoke about retiree Jim Mullen and his service to the Department and recommended the two promotions. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip, Denning and Wilkerson
Voting Nay: None

Municipal Order No. 2012 - 168 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 169

MUNICIPAL ORDER APPROVING THE CAREER PATH
ADVANCEMENT OF DERRICK L. SIGDESTAD TO THE
POSITION OF OPERATIONS TECHNICIAN II IN THE PUBLIC
WORKS DEPARTMENT

Summary of Municipal Order No. 2012 - 169 was read by the Assistant City Clerk. Motion was made by Nash and seconded by Hill for consideration of said Municipal Order. Schaller reviewed the career path program that was established in 2006. Public Works Director Jeff Lashlee reviewed and recommended the promotion. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip, Denning and Wilkerson
Voting Nay: None

Municipal Order No. 2012 - 169 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 32

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 18 (OCCUPATIONAL
LICENSE FEES AND TAXES) OF THE CITY OF BOWLING
GREEN CODE OF ORDINANCES TO REVISE LANGUAGE
RELATED TO THE TAXATION OF INCOME CLASSIFIED AS
CAPITAL GAINS AND LOSSES

Title and summary of Ordinance No. BG2012 - 32 was read by the Assistant City Clerk. Motion was made by Waltrip and seconded by Hill for first reading of said Ordinance. Mayor Wilkerson indicated that this topic had been discussed at previous work sessions, and Schaller confirmed that the effective date would be January 1, 2013. Comm. Nash commented that he continued to struggle with the topic of capital gains and losses. Through his research, he determined that if there was a choice between raising taxes and approving this amendment, he would support the amendment. Although, he acknowledged that someday the City may need to raise taxes to cover the costs of providing services. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip and Wilkerson
Voting Nay: Denning

First reading of Ordinance No. BG2012 - 32 was approved by majority vote.

ORDINANCE NO. BG2012 - 33
(First Reading)
ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF CENTRAL
COURT IN THE SOUTH CENTRAL INDUSTRIAL PARK TO KOBE
WAY

Title and summary of Ordinance No. BG2012 - 33 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Waltrip for first reading of said Ordinance. Schaller explained that the Bowling Green Area Chamber of Commerce requested the renaming of Central Court on behalf of Kobe Aluminum Automotive Products, LLC. Since there were no objections to the renaming, she recommended its approval. It was also clarified that Kawanishi Way would not be affected. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

First reading of Ordinance No. BG2012 - 33 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 170

MUNICIPAL ORDER APPROVING AND AUTHORIZING
EXECUTION OF AN AGREEMENT WITH THE
COMMONWEALTH OF KENTUCKY, DEPARTMENT OF
HOUSING, BUILDINGS AND CONSTRUCTION RELATED TO THE
GRANTING OF ADDITIONAL RESPONSIBILITY FOR BUILDING
AND ELECTRICAL PERMITS, PLAN REVIEW, INSPECTIONS
AND ENFORCEMENT

Summary of Municipal Order No. 2012 - 170 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. Schaller stated that the agreement with the Commonwealth of Kentucky was originally approved in 1984 and was part of the expanded jurisdiction program to be approved every 3 years. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

Municipal Order No. 2012 - 170 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 171

MUNICIPAL ORDER AUTHORIZING THE MAYOR TO EXECUTE
A LEASE AGREEMENT WITH BOWLING GREEN
INTERNATIONAL FESTIVAL, INC. TO LEASE CIRCUS SQUARE
PARK ON SEPTEMBER 29, 2012

Summary of Municipal Order No. 2012 - 171 was read by the Assistant City Clerk. Motion was made by Waltrip and seconded by Nash for consideration of said Municipal Order. Schaller described that the International Festival, Inc. requested the lease of Circus Square Park for September

29, 2012 in the amount of \$1.00. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

Municipal Order No. 2012 - 171 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:20 p.m. in closed session pursuant to KRS 61.810 (1) (g) as previously approved.

RECONVENE IN OPEN SESSION

Once all discussion concluded in closed session, the Board of Commissioners reconvened in open session at approximately 7:25 p.m. to consider action. Motion was made by Denning and seconded by Hill to add Municipal Order No. 2012 - 172 to the agenda for consideration. With no discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

Motion to add Municipal Order No. 2012 - 172 to the agenda was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 172

MUNICIPAL ORDER APPROVING A JOB DEVELOPMENT INCENTIVE FUND EMPLOYEE WITHHOLDINGS CREDIT AGREEMENT WITH DAVERT USA, LLC

Summary of Municipal Order No. 2012 - 172 was read by the Assistant City Clerk. Motion was made by Hill and seconded by Nash for consideration of said Municipal Order. Schaller provided an overview of the Job Development Incentive Fund (JDIF) Agreement and the ten-year incentive to provide a credit of 1% of gross wages from employee withholdings fees for 20 new jobs related to the startup of a new operation. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Hill, Nash, Waltrip, Denning and Wilkerson
 Voting Nay: None

Municipal Order No. 2012 - 172 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 7:30 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Clerk Ashley Jackson