

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JULY 19, 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 July 19, 2016. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Commissioner Williams, and all present recited the Pledge of Allegiance led by Alec Duncan with Boy Scout Troop 710. 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 Sue Parrigin and Mayor Bruce Wilkerson. Absent: Commissioner Melinda M. Hill. There was a quorum of the Board of Commissioners.

CITY MANAGER

Since City Manager Kevin D. DeFebbo was not present at this time, Mayor Wilkerson inquired if a closed session was necessary. Ms. Schaller-Ward confirmed there was a need for a closed session for the purpose of discussion about proposed litigation on behalf of the City and pending litigation against the City. Motion was made by Denning 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: Williams, Denning, Parrigin 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 July 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 Parrigin and seconded by Williams 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, Parrigin and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of July 5, 2016 was approved by unanimous vote.

PUBLIC COMMENTS

Kenan Mujkanovic, founder and CEO of The Young Visionaries Foundation, stated he was writing a book and requested participation by the Board of Commissioners. He explained each of the members would have their own segment in the book. He provided a questionnaire to assist with gathering their opinions and words of wisdom, which he asked to be returned by July 30th. Mr. Mujkanovic further explained he envisioned this book to inspire youth in this city and around the world to pursue their dreams and make them realities. Commissioner Williams thanked Mr. Mujkanovic for his initiative. Mayor Wilkerson congratulated Mr. Mujkanovic for receiving the Jefferson Award in April.

Jennifer Morlan said she had done some research and found that Bowling Green had fewer DWI (Driving While Intoxicated) instances than Hardin County which was a dry county. She also indicated she received assistance from the Small Business Development Center and asked that the Board continue to fund them so people could fight for the American dream.

REGULAR AGENDA

MUNICIPAL ORDER NO. 2016 - 138

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF T. ERIC SCHROADER TO THE POSITION OF LANDSCAPE GARDENER IN THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2016 - 138 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 the position vacancy and recommended the appointment. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 138 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 139

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2016-52 FOR FISCAL YEAR 2016 SIDEWALK REHABILITATION PROJECT FROM GIST CONSTRUCTION, INC. OF COLUMBIA, KENTUCKY IN THE AMOUNT OF \$79,418

Summary of Municipal Order No. 2016 - 139 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 reviewed the program to rehabilitate existing sidewalks and recommended the bid award to reconstruct 1,900 linear feet of sidewalk. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 139 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 140

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2016-53 FOR CISCO SMARTNET ANNUAL RENEWAL FROM CDW GOVERNMENT, LLC OF VERNON HILLS, ILLINOIS IN THE AMOUNT OF \$49,252.91

Summary of Municipal Order No. 2016 - 140 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Parrigin for consideration of said Municipal

Order. DeFebbo reviewed and recommended the bid award to the lowest responsible and responsive bidder. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 140 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 141

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE PURCHASE TO UPGRADE THE NETWORK BACKUP SOFTWARE FROM CATALOGIC SOFTWARE OF WOODCLIFF LAKE, NEW JERSEY IN THE AMOUNT OF \$29,107.50

Summary of Municipal Order No. 2016 - 141 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 and recommended the sole source purchase. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 141 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 142

MUNICIPAL ORDER APPROVING CONTRACTS THROUGH COOPERATIVE PURCHASE WITH VARIOUS VENDORS UNDER THE KENTUCKY PRICING CONTRACT FOR CHEMICALS AND FERTILIZERS FOR THE PARKS AND RECREATION DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$108,100

Summary of Municipal Order No. 2016 - 142 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 purchases through state pricing contracts on an as needed basis throughout the year. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2016 - 142 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 143

MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH TASER INTERNATIONAL, INC. OF SCOTTSDALE, ARIZONA FOR THE TRADE-IN AND PURCHASE OF TASERS FOR THE POLICE DEPARTMENT IN THE NET AMOUNT OF \$31,958.76

Summary of Municipal Order No. 2016 - 143 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 recommended the trade-in of 35 older Tasers and purchase of 35 new Tasers. Police Chief Doug Hawkins confirmed the ability to trade older models in for a small credit to be applied to the purchase of the new Tasers. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2016 - 143 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 22
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 61.68
+/- ACRES FROM RM-3 AND RM-4 (MULTI-FAMILY
RESIDENTIAL) TO RS-1A (SINGLE FAMILY RESIDENTIAL)
LOCATED AT CROSSRIDGE SUBDIVISION WITH VARIOUS
OWNERS

Title and summary of Ordinance No. BG2016 - 22 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 indicated this zone change was a continuation of the effort to down zone certain neighborhoods to protect single-family characteristics. He noted it was unanimously approved by the City-County Planning Commission. With no additional discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 22 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 23
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 6.05
ACRES FROM GB (GENERAL BUSINESS) AND LI (LIGHT
INDUSTRIAL) TO HI (HEAVY INDUSTRIAL) LOCATED AT 140
WAFFLE COURT, PRESENTLY OWNED BY J. DAVID AND
DONNA FIELDS

Title and summary of Ordinance No. BG2016 - 23 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 stated this zone change was unanimously approved 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, Parrigin and Wilkerson
 Voting Nay: None

First reading of Ordinance No. BG2016 - 23 was approved by unanimous vote.

ORDINANCE NO. BG2016 - 24
(First Reading)
ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE REPEALING THE EXISTING CHAPTER 21 (STREETS AND SIDEWALKS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES AND APPROVING A REVISED VERSION TITLED PUBLIC INFRASTRUCTURE, RIGHTS-OF-WAY AND STORMWATER, AND FURTHER AMENDING CHAPTER 27 (PROPERTY CODE) TO MAKE RELATED ADMINISTRATIVE REVISIONS

Title and summary of Ordinance No. BG2016 - 24 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for first reading of said Ordinance. DeFebbo stated it was right order to periodically review and update City ordinances as new laws or changes occurred. He confirmed the proposed revisions were vetted by various developers in the community as requested by the Mayor back in March when the initial draft Ordinance No. BG2016 - 11 was withdrawn from consideration.

City Engineer Melissa Cansler outlined some of the more significant revisions to Chapter 21, including: 1) changing various criminal penalties to civil violations, 2) removing redundant or outdated language, 3) increasing certain permit fees, 4) establishing more strict compliance and notification requirements for street cuts and other construction, repair and maintenance of infrastructure, 5) clarifying maintenance responsibilities for drainage easements/basins, and 6) updating the fine schedule in Chapter 27 for new and revised civil penalties contained in Chapter 21. She also explained the process used to obtain feedback from local developers and builders, and she confirmed all comments received had been addressed in this latest ordinance version. Ms. Cansler responded to questions about utility street cuts, the timeframe for permanent repairs and the inspection process. She confirmed that if this ordinance was approved, there would be new enforcement mechanisms available to assist with compliance requirements.

To further explain some revisions in Chapter 27 related to snow and ice removal, Neighborhood and Community Services Director Brent Childers confirmed the City was not responsible for clearing sidewalks and could not enforce others to clear sidewalks before any snow or ice melted. He further clarified the ordinance language prohibited anyone from adding to or placing snow on any right-of-way, such as streets or sidewalks.

Mayor Wilkerson expressed appreciation for how the proposed revisions were presented in the agenda materials provided to the Board which helped identify the specific changes to and reorganization of Chapter 21. He also appreciated that staff went back to the developers to seek feedback. Following the discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2016 - 24 was approved by unanimous vote.

REMOVE FROM TABLE

Motion was made by Williams and seconded by Denning to remove Municipal Order No. 2016 - 132 from the table for further discussion. With no discussion, a roll call vote was taken.

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

Motion to remove Municipal Order No. 2016 - 132 from the table for consideration at this time was approved by unanimous vote.

MUNICIPAL ORDER NO. 2016 - 132

MUNICIPAL ORDER AUTHORIZING A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND HOUSING AUTHORITY OF BOWLING GREEN (HABG) FOR YEAR 13 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDING IN THE AMOUNT OF \$40,400

Summary of Municipal Order No. 2016 - 132 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Parrigin for consideration of said Municipal Order. At the request of the City Manager, Neighborhood and Community Services Director Brent Childers explained the purpose of this program which was to make small business development more accessible to low to moderate income (LMI) individuals by being located at the HABG. He reviewed each of the places in the agreement where additional language had been added to better clarify the services to be offered at the HABG for residents and business located in the city limits as well as specified program performance targets.

Mayor Wilkerson thanked Mr. Childers for taking the time to clarify the language. Commissioner Williams concurred and said this was the language he was looking for. In response to questions from Commissioner Parrigin, Mr. Childers explained if an agency does not achieve its performance targets as outlined in its application those details would be shared with the Citizen Review Committee when the agency applies for another year of funding. He also indicated an agency must document expenses and provide a detailed report before any CDBG reimbursement would be provided. Mayor Wilkerson remarked about the need to exercise fiduciary responsibility by carefully looking at all agencies receiving funding. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2016 - 132 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:20 p.m. in closed session pursuant to KRS 61.810 (1) (c) as previously approved. Mr. 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 6:45 p.m., Mayor Wilkerson declared this meeting adjourned.

(Minutes-Board of Commissioners-July 19, 2016)

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

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