

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held MARCH 21, 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 21, 2017. 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 Brian "Slim" Nash, Commissioner Sue Parrigin, Commissioner Rick Williams, Commissioner Joe W. Denning and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

City Manager Kevin DeFebbo announced the City received its 11th consecutive Certificate of Excellence in Financial Reporting for the FY2016 annual audit (also known as the Comprehensive Annual Financial Report or CAFR) from the Government Finance Officers Association (GFOA). He congratulated Chief Financial Officer Jeff Meisel and his staff for once again receiving this achievement.

Mayor Wilkerson congratulated Don Gerard, Jr, President/CEO of Land Shark Shredding, who was selected as the 2017 Kentucky Veteran-owned Small Businessperson of the Year.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion of pending litigation against the City. Motion was made by Williams and seconded by Denning 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: Nash, Parrigin, Williams, Denning and Wilkerson
 Voting Nay: None

Motion to convene in closed session pursuant to KRS 61.810 (1) (c) was approved by unanimous vote.

At the City Manager's request, Neighborhood and Community Services Director Brent Childers presented information about some potential surplus City property located at the base of Reservoir Hill Park. He said he had been contacted by a local developer who was interested in the property. As the City has done before, he explained a request for proposals (RFP) could be issued for the public to bid on the property with a plan for development. Mr. Childers said the land has the opportunity to support single family construction and any submissions to the RFP would be evaluated to confirm the proposal would fit within the neighborhood. He confirmed the City has no need to use the property as it was divided off from the rest of the Park by Cherry Drive. There was general consensus provided by the Board to proceed with the RFP process.

APPROVAL OF MINUTES

Minutes of Regular Meeting March 7, 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 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: Nash, Parrigin, Williams, Denning and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of March 7, 2017 was approved by unanimous vote.

PUBLIC COMMENTS

Carol Jordan, Lauren McClain, Celeste Jackson, Jeremy McFarland, Jennifer Morlan and Anna Sue Heller each spoke in favor of a fairness ordinance. Ms. Jordan asserted that LGBT discrimination existed and Bowling Green should be better than this. Ms. McClain urged the Board to open their minds and hearts to do the right thing. Ms. Jackson said her children had been discriminated against and the Board needed to suspend its internal bias and make the decision for fairness. Mr. McFarland described personal experiences as a transgender and said passing a fairness law would mean the world for kids like him. Ms. Morlan urged the Board of Commissioners to give a voice to the people who signed the petitions. Ms. Heller disagreed with any negative impact a fairness ordinance would have on religion and asked the Board if they wanted their legacy to be of leaders who define Bowling Green as a lesser place to live.

Ms. Morlan also asked the Board to consider special funding for small business development.

REGULAR AGENDA

ORDINANCE NO. BG2017 - 6
(Second 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 Denning 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: Nash, Parrigin, Williams, Denning and Wilkerson
 Voting Nay: None

Ordinance No. BG2017 - 6 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 37

**MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF
RUSSELL BROWN, JOHN P. WILLIAMS AND LAURA
SOUTHARD TO THE URBAN GROWTH DESIGN REVIEW BOARD**

Summary of Municipal Order No. 2017 - 37 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. Mayor Wilkerson recommended the reappointments and with no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 37 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 38

**MUNICIPAL ORDER APPROVING THE APPOINTMENT OF JIM
MEYER AND REAPPOINTMENT OF HARRY FORD TO THE
HOBSON HOUSE COMMISSION**

Summary of Municipal Order No. 2017 - 38 was read by the Assistant City Manager/City Clerk. Motion was made by Nash 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: Nash, Parrigin, Williams, Denning and Wilkerson
 Voting Nay: None

Municipal Order No. 2017 - 38 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 39

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2017-43 FOR PLAYGROUND EQUIPMENT AND BENCHES AT
KEREIAKES PARK FROM MIRACLE OF KY & TN OF
LEITCHFIELD, KENTUCKY IN THE AMOUNT OF \$99,849 AND
AT PEDIGO PARK FROM GREAT SOUTHERN RECREATION OF
MURFREESBORO, TENNESSEE IN THE AMOUNT OF \$72,510**

Summary of Municipal Order No. 2017 - 39 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. DeFebbo recommended the playground replacements/upgrades at the two Parks. Parks and Recreation Director Brent Belcher showed renderings of the new play structures and outlined the timeline for installation. He also responded to questions about the disposal of the old structures and the requirement for ADA accessibility of the new structures. Following the discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 39 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 40

MUNICIPAL ORDER APPROVING CONTRACTS THROUGH COOPERATIVE PURCHASE WITH VARIOUS VENDORS UNDER KENTUCKY STATE PRICING CONTRACT FOR THE PURCHASE OF BRIDGESTONE, FIRESTONE AND GOODYEAR TIRES FOR THE PUBLIC WORKS DEPARTMENT, FLEET DIVISION IN AN AMOUNT NOT TO EXCEED \$76,000

Summary of Municipal Order No. 2017 - 40 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed and recommended the use of state pricing contracts for the purchase of tires from local vendors as needed. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 40 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 7

(First Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER TWO TO THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2017

Title and summary of Ordinance No. BG2017 - 7 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash for first reading of said Ordinance. DeFebbo reviewed the requirement to periodically amend the budget. Chief Financial Officer Jeff Meisel summarized the changes which were mostly related to new money coming in to the City. With no additional discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 7 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 41

MUNICIPAL ORDER AUTHORIZING SUBMISSION OF A RECREATIONAL TRAILS PROGRAM GRANT APPLICATION TO THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT IN THE AMOUNT OF \$96,000 FOR GREENWAYS COMMISSION OF BOWLING GREEN AND WARREN COUNTY

Summary of Municipal Order No. 2017 - 41 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. DeFebbo reviewed and recommended the request from the Greenways Commission to apply for funds to construct a portion of the Dishman/Foundry Loop located within the Habitat for Humanity Durbin Estates development. He reported the City would be responsible for the 20% match

of about \$24,000. Grants Manager Nick Cook further described the location for the new asphalt path and explained this application was for funding of just a portion of the overall project. Mayor Wilkerson noted a letter of support for the project was provided by Habitat for Humanity. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2017 - 41 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 42

**MUNICIPAL ORDER APPROVING AN AGREEMENT BETWEEN
THE CITY OF BOWLING GREEN AND WARREN COUNTY
FISCAL COURT FOR LITTER ABATEMENT ACTIVITIES**

Summary of Municipal Order No. 2017 - 42 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 recommended an agreement to partner with Warren County for the use of litter abatement funds received by the City. Neighborhood and Community Services Director Brent Childers stated litter was a community problem that did not follow jurisdictional boundaries. He explained the City would provide the funds to continue the litter pickup program already established by Warren County. He also said the City would not apply for the litter abatement funds in the future to allow the money to go directly to Warren County after this year. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 42 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 43

**MUNICIPAL ORDER APPROVING CONSTRUCTION AND
ACCEPTING MAINTENANCE OF GREYSTONE SUBDIVISION
SECTION IX**

Summary of Municipal Order No. 2017 - 43 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed the process for the City to accept streets into its inventory for maintenance. Public Works Director Greg Meredith summarized the inspection requirements and standards to be met before a street would be accepted. He indicated this section of Greystone Subdivision passed all inspections and was recommended for acceptance. When the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2017 - 43 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 8

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION),
SUBCHAPTER 2-2 (BOARD OF COMMISSIONERS) OF THE CITY
OF BOWLING GREEN CODE OF ORDINANCES TO REVISE THE
ORDER OF BUSINESS AT REGULAR MEETINGS

Title and summary of Ordinance No. BG2017 - 8 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for first reading of said Ordinance. As the sponsor of the Ordinance, Commissioner Parrigin explained in light of the last meeting, it seemed sensible to move the public comments to the end of the agenda. She said having the Board move through the agenda items would allow those who come for City business to leave once their item is done, which in turn would free up more seating space for when there are large crowds. Commissioner Parrigin said the process seemed to work much better at the last work session.

Commissioner Nash disagreed and said he believed that by moving the public comments to the end of the meeting it creates an inconsistent start time for those public comments depending on how long the meeting lasts. He said the goal of public comments is to receive feedback from the citizens and not just for the Board to provide direction to the citizens. He also believed it was a good exercise for employees and potential new hires, as public servants, to hear the public comments. Commissioner Nash also expressed concern that this move may drive down voter participation and feared this was a way to reduce the number of public comments received.

Commissioner Williams stated no one on the Board wanted to do away with public comments, however felt it was important to do the business of the City first. He also explained that public comments are to be about items not on the agenda, but would be taken into consideration after items on the agenda were handled. Commissioner Williams stated it was his opinion that when items are scheduled on the agenda those items should come first and items not scheduled should come last.

Commissioner Nash reiterated he believed public comments were also the business of the City and that they, as elected officials, were responsible to serve the public and the citizens voice should come first. In addition, he explained that many times people do not attend a meeting for items on the agenda but to address the Board about other issues, and creating an inconsistent time for public comments to take place might discourage participation, which he did not support.

Mayor Wilkerson stated he does not want people to come away from this discussion thinking the Board was discouraging public comments by changing the order of the meeting. He indicated he respected those who attended the meetings and would continue to do so.

Following the discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Williams, Denning and Wilkerson
 Voting Nay: Nash

First reading of Ordinance No. BG2017 - 8 was approved by majority vote.

Commissioner Denning commented about hearing from many of the same individuals during the public comments section on the meeting agenda. For logistical purposes, he inquired if the Board should ask for representatives of specific issues to speak on particular nights. He explained this process might allow the Board to hear from new people versus the same individuals saying the same thing. Mayor Wilkerson indicated that could be something to consider at a later date.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:40 p.m. in closed session pursuant to KRS 61.810 (1) (c) as previously approved.

ADJOURNMENT

Once all discussion concluded in closed session and there being no further business to come before the Board of Commissioners, at approximately 6:40 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: April 4, 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