

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held SEPTEMBER 18, 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 18, 2012. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Commissioner Brian "Slim" Nash, and all present recited the Pledge of Allegiance. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Brian "Slim" Nash, Commissioner Bill Waltrip, Commissioner Joe W. Denning, Commissioner Melinda M. Hill and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

CITY OF BOWLING GREEN BICENTENNIAL CELEBRATION

Executive Assistant/Public Information Officer Kim Lancaster provided a brief overview of the week's activities to celebrate the City's 200th Anniversary from the date of its incorporation. She indicated that the week will start off with a proclamation at tonight's meeting and end with family fun entertainment from 10:00 a.m. to 2:00 p.m. on Saturday, September 22nd at Circus Square Park. She also announced that several local radio stations would be giving away tickets to tour some of Bowling Green's historical venues, such as Lost River Cave, the L&N Depot and Train Museum, and the Kentucky Museum. In addition, Ms. Lancaster announced that a youth writing contest was held and winners would be announced during the City Hall Open House from 4-6 p.m. on Friday, September 21st. She invited the public to participate in any and all of the events during the week to help celebrate the City's heritage.

Mayor Wilkerson proclaimed the week of September 18-22, 2012 as City of Bowling Green Bicentennial Celebration Week and encouraged residents to participate in the planned activities, get involved in local community organizations and to research the history of our great City.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion which might lead to the discipline or dismissal of an individual employee without restricting that employee's right to a public hearing if requested. Motion was made by Waltrip and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (f). Mayor Wilkerson called for roll call vote.

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

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

BROADWAY CURVE MEDIAN LANDSCAPE

At the request of the City Manager, Landscape Division Manager Jay Dougherty presented a proposed plan to make landscape improvements to the median on Broadway Curve. Mr. Dougherty

explained that the existing landscape was not suitable for its location and required a great deal of effort to properly and safely maintain. He proposed to clean out the median and plant new vegetation that would not require much maintenance and would give a better overall appearance. He also mentioned that the adjacent vacant lot owned by the City would not be feasible for the once proposed passive park to the entrance of the Downtown District. Mr. Dougherty indicated that there was not a safe way to enter or exit the lot based on its proximity in the curve. Mr. DeFebbo suggested that the City consider selling the property as surplus since its location no longer provided a useful public purpose.

APPROVAL OF MINUTES

Minutes of Regular Meeting September 4, 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 Nash 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, Waltrip, Denning, Hill and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of September 4, 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 - 32

(Second 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 Manager/City Clerk. Motion was made by Waltrip and seconded by Hill for second reading of said Ordinance. Dana Beasley-Brown of 1325 Indianola Street made a statement as a concerned citizen of the community regarding the potential impact of signing off on a tax break that had too many unknowns. After having completed a great deal of research on the topic, Ms. Brown indicated that she was still confused about the issue and the potential impact this change might have on the revenues for the City. She proposed that the Board table the ordinance to allow for a public forum on the issue and to have a fiscal impact statement completed.

Mayor Wilkerson asked if there was any desire of the other Board members to table the ordinance at this time, and there was none. He explained that there had been a great deal of discussion at several public meetings over the past year or more about this topic. He indicated that the

purpose of the ordinance was to return to the original interpretation the City previously followed prior to 2008 for calculating a tax on capital gains and losses. With no other discussion, a roll call vote was taken.

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

Voting Nay: Denning

Ordinance No. BG2012 - 32 was adopted by majority vote.

ORDINANCE NO. BG2012 - 33

(Second 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 Manager/City Clerk. Motion was made by Waltrip 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: Nash, Waltrip, Denning, Hill and Wilkerson

Voting Nay: None

Ordinance No. BG2012 - 33 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 173

MUNICIPAL ORDER APPROVING THE CAREER PATH ADVANCEMENT OF BRENT D. BRAWNER TO THE POSITION OF CREW LEADER IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2012 - 173 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for consideration of said Municipal Order. DeFebbo indicated that a career path program was previously adopted which provided for promotional opportunities within Public Works Operations Division. He reviewed the requirements for advancement and the qualifications of the recommended promotion. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Voting Nay: None

Municipal Order No. 2012 - 173 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 174

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF C. SHANE O'BANION TO THE POSITION OF FIREFIGHTER/EMT IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2012 - 174 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 mentioned there was an entry level opening following a recent resignation and

recommended the appointment to fill the vacancy. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 174 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 175

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF MARILYN W. PARRIGIN TO THE POSITION OF PURCHASING AGENT IN THE OFFICE OF CITY MANAGER

Summary of Municipal Order No. 2012 - 175 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for consideration of said Municipal Order. DeFebbo reviewed Ms. Parrigin's qualifications and recommended her for appointment. Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2012 - 175 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 34

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 4.07 ACRES FROM HI (HEAVY INDUSTRIAL) AND HB (HIGHWAY BUSINESS) TO HI (HEAVY INDUSTRIAL) LOCATED ON SCOTTY'S WAY, PRESENTLY OWNED BY SCOTTY'S DEVELOPMENT, LLC

Title and summary of Ordinance No. BG2012 - 34 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 34 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 35

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 6.3153 ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) AND GB (GENERAL BUSINESS) TO RM-4 (MULTI-FAMILY RESIDENTIAL) AND RS-1B (SINGLE FAMILY RESIDENTIAL) LOCATED AT 306 MIDDLE BRIDGE STUB ROAD, PRESENTLY OWNED BY GVV DEVELOPMENT, LLC

Title and summary of Ordinance No. BG2012 - 35 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Nash for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 35 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 36
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING
0.141 ACRE FROM RM-2 (MULTI-FAMILY RESIDENTIAL) TO RS-
1D (SINGLE FAMILY RESIDENTIAL) LOCATED AT 1710
GLENDALE DRIVE, PRESENTLY OWNED BY PAULA AND
THOMAS MEEK

Title and summary of Ordinance No. BG2012 - 36 was read by the Assistant City Manager/City Clerk. Motion was made by Waltrip and seconded by Nash for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2012 - 36 was approved by unanimous vote.

ORDINANCE NO. BG2012 - 37
(First Reading)
ORDINANCE RELATING TO PROPERTY TAX RATES

ORDINANCE SETTING 2012 PROPERTY TAX RATES,
FRANCHISE TAX RATES AND IMPROVEMENT ASSESSMENT
RATES, AND SETTING FORTH GUIDELINES FOR PAYMENT,
PENALTY AND INTEREST

Title and summary of Ordinance No. BG2012 - 37 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Waltrip for first reading of said Ordinance. DeFebbo recommended keeping the real estate property tax rate at \$0.206 and the personal property tax rate at \$0.260 (per \$100 of assessed value) for the fifth year in a row. Based on the total assessed value, Chief Financial Officer Jeff Meisel reported that new real estate property grew at a rate of 1.3% and existing real estate property grew at a rate of 1.9% over the previous year, for a combined growth rate of 3.2%. He stated that property tax bills would be going out in October with payments due by December 31st, and be assessed a 10% penalty if late. Mayor Wilkerson reminded everyone that the City did not have any say over the Bowling Green Independent School District property tax rate (which remained unchanged for 2012), but simply collected the taxes for the school system. Mr. Meisel also responded to a question about the time frame left on several of the improvement assessment bonds tied to property taxes. Once discussion ended, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Waltrip, Denning, Hill and Wilkerson
 Voting Nay: None
First reading of Ordinance No. BG2012 - 37 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 176

MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE
MAYOR TO EXECUTE THE UPDATE OF AREA DESIGNATION
FORM TO BE INCLUDED IN THE WARREN COUNTY SOLID
WASTE MANAGEMENT PLAN 2013-2017

Summary of Municipal Order No. 2012 - 176 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed the City's participation in the Warren County Solid Waste Plan. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Waltrip, Denning, Hill and Wilkerson
 Voting Nay: None
Municipal Order No. 2012 - 176 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2012 - 177

MUNICIPAL ORDER APPROVING CONSTRUCTION AND
ACCEPTING MAINTENANCE OF GREYSTONE SUBDIVISION,
SECTION VIII

Summary of Municipal Order No. 2012 - 177 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Waltrip for consideration of said Municipal Order. DeFebbo reviewed the protocol for acceptance of street maintenance, and recommended adding a total of 0.44 mile to the City's maintenance schedule. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Nash, Waltrip, Denning, Hill and Wilkerson
 Voting Nay: None
Municipal Order No. 2012 - 177 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:40 p.m. in closed session pursuant to KRS 61.810 (1) (f) as previously approved. Mayor Wilkerson mentioned that there might be action 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 9:20 p.m., Mayor Wilkerson declared this meeting adjourned.

WORK SESSION

Prior to the regular meeting and with no action taken, the Board of Commissioners convened at 4:00 p.m. in the Commission Chamber of City Hall for a regular work session to discuss the following subjects: 1) a presentation of *Bowling Green – Then and Now* depicting changes in population, diversity, income, economic status, and homeownership from 1990 to 2010; and, 2) the proposed City of Bowling Green Economic Development Annexation Incentive Policy.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller