

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held April 20, 2021**

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 April 20, 2021. Mayor Todd Alcott called the meeting to order. An invocation was given by Commissioner Sue Parrigin and all present recited the Pledge of Allegiance. City Clerk Ashley Jackson called the roll, and the following members were present: Commissioner Sue Parrigin, Commissioner Carlos Bailey, Commissioner Dana Beasley-Brown, Commissioner Melinda Hill and Mayor Todd Alcott. Absent: none. There was a full quorum of the Board of Commissioners.

APPROVAL OF MINUTES

Minutes of Special Meeting April 1, 2021.

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for review. Motion was made by Hill and seconded by Beasley-Brown to approve said minutes. Mayor Alcott asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
 Voting Nay: None

Motion to approve the minutes of the special meeting of April 1, 2021 was approved by unanimous vote.

REGULAR AGENDA

MUNICIPAL ORDER NO. 2021 – 46

MUNICIPAL ORDER APPROVING THE CAREER PATH
ADVANCEMENT OF BARRY BASHAM TO THE POSITION OF
OPERATIONS TECHNICIAN III IN THE PUBLIC WORKS
DEPARTMENT

Summary of Municipal Order No. 2021 – 46 was read by the City Clerk. Motion was made by Parrigin and seconded by Hill for consideration of said Municipal Order. Public Works Director Greg Meredith reviewed and recommended the Career Path Advancement of Barry Basham to the position of Operations Technician III. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
 Voting Nay: None

Municipal Order No. 2021 – 46 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2021 – 47

MUNICIPAL ORDER APPROVING THE CAREER PATH
ADVANCEMENT OF CHRISTOPHER TAYLOR TO THE POSITION
OF OPERATIONS TECHNICIAN I IN THE PUBLIC WORKS
DEPARTMENT

Summary of Municipal Order No. 2021 – 47 was read by the City Clerk. Motion was made by Hill and seconded by Beasley-Brown for consideration of said Municipal Order. Public Works Director Greg Meredith reviewed and recommended the Career Path Advancement of Christopher Taylor to the position of Operations Technician I. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
 Voting Nay: None

Municipal Order No. 2021 – 47 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2021 – 48

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF HARRY DEPP, JESSE JAMES AND JOHN LYONS TO THE POSITION OF LABORER II IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2021 – 48 was read by the City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. Human Resources Director Erin Hulseley reviewed and recommended the appointments of Harry Depp, Jesse James and John Lyons to the position of Laborer II in the Public Works Operations Division. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
 Voting Nay: None

Municipal Order No. 2021 – 48 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2021 – 49

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF BRIAN DINNING AND VIVIAN GRISE TO THE BOWLING GREEN AUDIT COMMITTEE

Summary of Municipal Order No. 2021 – 49 was read by the City Clerk. Motion was made by Beasley-Brown and seconded by Parrigin for consideration of said Municipal Order. Mayor Alcott reviewed and recommended the reappointments of Brian Dinning and Vivian Grise to the Bowling Green Audit Committee. He asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
 Voting Nay: None

Municipal Order No. 2021 – 49 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2021 – 50

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2021-24 FOR BOWLING GREEN DOWNTOWN IMPROVEMENTS PHASE II FROM SCOTT & MURPHY, INC. OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$1,589,544

Summary of Municipal Order No. 2021 – 50 was read by the City Clerk. Motion was made by Parrigin and seconded by Hill for consideration of said Municipal Order. City Manager Jeff Meisel explained the Downtown Improvements Phase I was completed in 2019 and the Phase II project would

include sidewalk improvements, landscaping, storm sewer modifications, asphalt paving and roadway striping on State Street and College Street from Main Avenue down to 6th Avenue. As well as improvements on Main Avenue from State Street to Chestnut Street, and College Street to Center Street. Meisel continued by stating one (1) bid was received and within budget, and the project was expected to be completed by the end of the Calendar Year 2021. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
Voting Nay: None

Municipal Order No. 2021 – 50 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2021 – 51

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR HOMELAND SECURITY GRANT FUNDS RELATED TO THE CBRNE EQUIPMENT PROJECT THROUGH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE PURCHASE OF HAZARDOUS MATERIALS EQUIPMENT FOR THE FIRE DEPARTMENT IN AN AMOUNT UP TO \$16,796.38

Summary of Municipal Order No. 2021 – 51 was read by the City Clerk. Motion was made by Beasley-Brown and seconded by Hill for consideration of said Municipal Order. Meisel recommended approval to submit a grant application for the Fire Department to purchase hazardous materials equipment. He further added there was no local match required. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
Voting Nay: None

Municipal Order No. 2021 – 51 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2021 – 52

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR HOMELAND SECURITY GRANT FUNDS RELATED TO THE CBRNE EQUIPMENT PROJECT THROUGH THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE PURCHASE OF AN UNINTERRUPTIBLE POWER SUPPLY FOR THE POLICE DEPARTMENT IN AN AMOUNT UP TO \$62,860

Summary of Municipal Order No. 2021 – 52 was read by the City Clerk. Motion was made by Parrigin and seconded by Beasley-Brown for consideration of said Municipal Order. Meisel recommended approval to submit a grant application for the Police Department to purchase an uninterruptible power supply. He further added there was no local match required. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
Voting Nay: None

Municipal Order No. 2021 – 52 was approved by unanimous vote.

ORDINANCE NO. BG2021 – 13

(Second Reading – Binding)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 4.3658 ACRES FROM R-E (RESIDENTIAL ESTATE) AND F (FLOODPLAIN) TO RM-4 (MULTI-FAMILY RESIDENTIAL) AND F (FLOODPLAIN) LOCATED ON OLD SCOTTSVILLE ROAD, PRESENTLY OWNED BY MFG BOWLING GREEN LAND, LLC

Title and summary of Ordinance No. BG2021 – 13 was read by the City Clerk. Motion was made by Hill and seconded by Parrigin for the second and binding reading of said Ordinance. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Hill and Alcott
 Voting Nay: Bailey and Beasley-Brown

Ordinance No. BG2021 – 13 was adopted by majority vote.

ORDINANCE NO. BG2021 – 14
(First Reading – Non-Binding)
ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 5 (ANIMALS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES

Title and summary of Ordinance No. BG2021 – 14 was read by the City Clerk. Motion was made by Parrigin and seconded by Hill for the first and non-binding reading of said Ordinance. At the City Manager's request, Neighborhood and Community Services Director Brent Childers highlighted the main revisions to Chapter 5 (Animals) of the City of Bowling Green Code of Ordinances. He explained the amendments included adopting the same standards for tethering dogs as those allowed for kennels; proposal to cap the maximum number of chickens to five (5) and not allow roosters or crowing fowl; removal of the references to cruelty, as Kentucky State Law protects animal cruelty and the cases shall be prosecuted by either the Warren County Attorney or Commonwealth Attorney; and, redefine the language associated with animal nuisance, as the current language was too restrictive and the goal was to identify the distinction from when a dog barks to when a dog barking becomes a nuisance to the neighborhood. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
 Voting Nay: None

First Reading of Ordinance No. BG2021 – 14 was approved by unanimous vote.

ORDINANCE NO. BG2021 – 15
(First Reading – Non-Binding)
ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE REPEALING EXISTING CHAPTER 12 AND APPROVING REVISED VERSION OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES CHAPTER 12 (FIRE PREVENTION) TO MAKE VARIOUS CHANGES

Title and summary of Ordinance No. BG2021 – 15 was read by the City Clerk. Motion was made by Hill and seconded by Parrigin for the first and non-binding reading of said Ordinance. Meisel recognized Fire Chief Jason Colson as it would be his last Board of Commissioners meeting prior to his retirement. He commended Chief Colson for all of his hard work and dedication to the City and Fire Department, as well as his determination to amend and rewrite Chapter 12 (Fire Prevention) of the City

of Bowling Green Code of Ordinances. At the request of the City Manager, Chief Colson explained the Chapter had not undergone major revisions since its original adoption in 1980, however minor amendments were made in the 1990's and 2003. In summary, Chief Colson explained the Chapter was completely repealed and rewritten to include: identifying the duty and authority of the Fire Chief; adopting the Kentucky Standards of Safety as the basis of the Fire Department (FD) to conduct fire safety inspections and allows the FD the ability to enforce applicable fire codes; adopts various chapters and sections of the National Fire Protection Association (NFPA) 1, Fire Code, 2012 Edition; implementation of a firefighter safety building marking system; updates to open burning regulations to align with the Kentucky's Open Burning Regulations, language regarding hazardous materials response, false alarms and mutual aid, as well as language and processes related to the FD Burn Victims Fund. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott

Voting Nay: None

First Reading of Ordinance No. BG2021 – 15 was approved by unanimous vote.

ORDINANCE NO. BG2021 – 16

(First Reading – Non-Binding)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER THREE TO
THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL
OPERATING BUDGET FOR FISCAL YEAR 2021

Title and summary of Ordinance No. BG2021 – 16 was read by the City Clerk. Motion was made by Bailey and seconded by Hill for the first and non-binding reading of said Ordinance. Meisel briefly reviewed and recommended approval of Budget Amendment Number Three. Following a clarification question about the CARES Act funding, Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott

Voting Nay: None

First Reading of Ordinance No. BG2021 – 16 was approved by unanimous vote.

ORDINANCE NO. BG2021 – 17

(First Reading – Non-Binding)

ORDINANCE AMENDING AGREEMENT RELATED TO THE CITY-COUNTY PLANNING
COMMISSION

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE
AMENDED AND RESTATED AGREEMENT FOR THE
ESTABLISHMENT OF THE JOINT CITY-COUNTY PLANNING
COMMISSION OF WARREN COUNTY AND THE JOINT CITY-
COUNTY BOARD OF ADJUSTMENTS

Title and summary of Ordinance No. BG2021 – 17 was read by the City Clerk. Motion was made by Parrigin and seconded by Hill for the first and non-binding reading of said Ordinance. Meisel remarked the amended agreement with the City-County Planning Commission was being recommended for approval to revise the voting makeup and incorporated City limits of Smiths Grove, Oakland, Plum Springs or Woodburn within a ¾ mile of the City limits boundary, which was recently amended to ¼

mile. Mayor Alcott said he did work with surrounding cities on the proposal and believed it was the best solution for equity. He asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
Voting Nay: None

First Reading of Ordinance No. BG2021 – 17 was approved by unanimous vote.

ORDINANCE NO. BG2021 – 18

(First Reading – Non-Binding)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 6.2686 ACRES FROM AG (AGRICULTURE) TO RS-1D (SINGLE FAMILY RESIDENTIAL) LOCATED AT 0 MARLIN DRIVE, PRESENTLY OWNED BY JAVA PROPERTIES, LLC

Title and summary of Ordinance No. BG2021 – 18 was read by the City Clerk. Motion was made by Hill and seconded by Parrigin for the first and non-binding reading of said Ordinance. Following a question from Commissioner Bailey, City-County Planning Commission Director Ben Peterson explained sinkholes may not be identified at the time of the rezoning hearing and/or recommendation, however it would be required to be mitigated according to the subdivision regulations and inspected by the City-County Planning Commission and City's Public Works Department. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
Voting Nay: None

First Reading of Ordinance No. BG2021 – 18 was approved by unanimous vote.

ORDINANCE NO. BG2021 – 19

(First Reading – Non-Binding)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.22 ACRE FROM RM-3 (TOWNHOUSE/MULTI-FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS) LOCATED AT 228 RIVERWOOD AVENUE, PRESENTLY OWNED BY JEFFREY HARRISON, WITH TOM HOLMES AS THE APPLICANT

Title and summary of Ordinance No. BG2021 – 19 was read by the City Clerk. Motion was made by Parrigin and seconded by Hill for the first and non-binding reading of said Ordinance. Commissioner Beasley-Brown made remarks about the existing land use, proposed fence which would be used as a buffer for the expanding parking lot, and speaker for the drive-thru which would be facing away from the neighborhood. Mayor Alcott asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott
Voting Nay: None

First Reading of Ordinance No. BG2021 – 19 was approved by unanimous vote.

ORDINANCE NO. BG2021 – 20

(First Reading – Non-Binding)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 13.50 ACRES FROM RS-1A (SINGLE FAMILY RESIDENTIAL) TO RM-3 (TOWNHOUSE/MULTI-FAMILY RESIDENTIAL) AND GB (GENERAL BUSINESS) LOCATED AT 603 AND 611 HIGHLAND WAY AND 2310 NASHVILLE ROAD, PRESENTLY OWNED BY SAM POTTER JR. AND JEFFREY AND BETSY HARNED

Title and summary of Ordinance No. BG2021 – 20 was read by the City Clerk. Motion was made by Hill and seconded by Parrigin for the first and non-binding reading of said Ordinance. Mayor Alcott explained the Board of Commissioners is a quasi-judicial board and it is the Board of Commissioners job to review the record provided by the City-County Planning Commission and determine, solely on the record, whether to accept or reject the recommendation. He added, based on procedures, the attorneys present representing the property owners and opposition would be allotted 15 minutes each to provide comments. Tad Pardue of Bell, Orr, Ayers & Moore was present on behalf of the property owners, Sam Potter Jr. and Jeffrey and Betsy Harned, and Frank Stainback of Sullivan Mountjoy, PSC was present on behalf of the neighbors who oppose the rezoning. Mr. Stainback reported on the history of the properties which dated back to 1946 and includes a total of 161 acres with 127 lots, which are wooded and include an average size of 1.2 acres per lot. He believed the City-County Planning Commission voted incorrectly and the Board of Commissioners should reject the recommendation as it was not compatible with the Comprehensive Plan, did not preserve the character of the neighborhood and it was believed there was no need for additional economic development in that area. Mr. Pardue argued the City-County Planning Commission held a fair and thorough hearing, allowed all individuals present to speak, and noted it was almost unanimously approved, with one (1) no vote. He added the rezoning was in compliance with the Future Land Use Map (FLUM) and generally complied with the Comprehensive Plan, and Judge Potter had previously made revisions to the development plan to address some questions since the first application was submitted to the City-County Planning Commission.

Commissioner Bailey asked about sinkholes on the property and Mr. Pardue reiterated if there were any sinkholes those would be addressed during the engineer's final development plan and a developer could not develop a plan that would negatively impact neighbors. Commissioner Beasley-Brown requested promoting a restful and peaceful area, and a win-win for the neighbors and property owners/developers, and asked if the property owners would consider removing the entrance on Highland Way or possibly establishing a more restrictive qualification to the first business on the corner, for example by not allowing late night hours. Commissioner Parrigin agreed with the idea of closing the entrance to Highland Way or suggested making it a part of the Greenways.

A brief recess was taken at 6:15 p.m. for Mr. Pardue to discuss the suggestions on the table with his clients, Mr. Harned and Judge Potter.

Once the Board of Commissioners reconvened at 6:20 p.m., Mr. Harned and Judge Potter proposed to amend the Development Plan Conditions based on the Commissioners requests, and the Mayor clarified it would not require an amendment to the ordinance, only revisions to the Development Plan Conditions.

Commissioners Beasley-Brown and Bailey expressed desire to preserve the natural vegetation in the neighborhood, specifically along the Heller property. After some further discussion, Mr. Harned and Judge Potter agreed to the terms, and Mr. Pardue summarized the additional amendments to the Development Plan Conditions would include preserving as much of the natural vegetation as possible

along the Heller property, however some brush may need to be cleared to install the fence, and they further agreed to not remove the Ash or Elm tree on Judge Potter's property. Following some concluding comments, Mayor Alcott asked for a roll call vote.

ROLL CALL: Voting Yea: Parrigin, Bailey, Beasley-Brown, Hill and Alcott

Voting Nay: None

First Reading of Ordinance No. BG2021 – 20 was approved by unanimous vote.

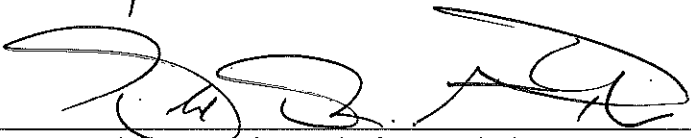
PUBLIC COMMENTS

Following the regular agenda, Mayor Alcott opened the floor for any public comments about items not included on the agenda. Laura Harper Knight expressed interest in the Board of Commissioners having an open discussion regarding housing. Nick Heller spoke about service and ego. Anna Sue Heller made remarks about leaving a legacy and asked the Board of Commissioners to always remain honorable and thoughtful in its decision making.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 7:15 p.m., Mayor Alcott declared this meeting adjourned.

ADOPTED: May 4, 2021

APPROVED: 
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

Minutes prepared by City Clerk Ashley Jackson