

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held SEPTEMBER 1, 2015**

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 September 1, 2015. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Commissioner Rick Williams, 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 Rick Williams, Commissioner Joe W. Denning, Commissioner Melinda M. Hill, Commissioner Sue Parrigin and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS & RECOGNITIONS

Mayor Wilkerson announced the retirement of City Central Coordinator Bobbi Jo Sexton with 27 years of service.

At another point during the meeting following the arrival of some guests, Mayor Wilkerson asked Tyler Peterson to come forward for a special presentation. Commissioner Parrigin congratulated Tyler for being the first competitor from Kentucky to ever achieve a first place finish in the World Championship Rally Super Stock Division of the All-American Soap Box Derby, and she presented him with a Certificate of Celebration.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion of proposed and pending litigation against the City. Motion was made by Hill and seconded by Williams 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, Hill, 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 August 18, 2015

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 Parrigin 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, Hill, Parrigin and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of August 18, 2015 was approved by unanimous vote.

PUBLIC COMMENTS

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

REGULAR AGENDA

ORDINANCE NO. BG2015 - 26

(Second Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 2.70 ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) TO RS-1D (SINGLE-FAMILY RESIDENTIAL) LOCATED AT CHIPPEWA DRIVE, PRESENTLY OWNED BY D & D CONTRACTING GROUP, INC.

Title and summary of Ordinance No. BG2015 - 26 was read by the Assistant City Manager/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: Williams, Denning, Hill, Parrigin and Wilkerson
Voting Nay: None

Ordinance No. BG2015 - 26 was adopted by unanimous vote.

ORDINANCE NO. BG2015 - 27

(Second Reading)

ORDINANCE NAMING STREET

ORDINANCE APPROVING THE NAMING OF AN UNNAMED ALLEY CONNECTING EAST 7TH AVENUE TO EAST 8TH AVENUE BETWEEN CHESTNUT STREET AND PARK STREET TO BG262 ALLEY

Title and summary of Ordinance No. BG2015 - 27 was read by the Assistant City Manager/City Clerk. Motion was made by Hill 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: Williams, Denning, Hill, Parrigin and Wilkerson
Voting Nay: None

Ordinance No. BG2015 - 27 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 155

MUNICIPAL ORDER APPROVING THE CAREER PATH ADVANCEMENT OF D. CAMERON CARVER TO THE POSITION OF OPERATIONS TECHNICIAN I IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2015 - 155 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order.

DeFebbo reviewed the career path program and recommended the promotion since all criteria had been met. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2015 - 155 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 156

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING THE PURCHASE OF IN-CAR CAMERAS FOR THE POLICE DEPARTMENT FROM COBAN TECHNOLOGIES, INC. OF HOUSTON, TEXAS AND THE PURCHASE OF RELATED EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$157,500

Summary of Municipal Order No. 2015 - 156 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo reiterated the ongoing commitment by the Police Department to utilize in-car cameras and the need to continue transitioning the old cameras to the new system. He recommended the sole source purchase of up to 35 in-car cameras. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2015 - 156 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 157

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2016-02 FOR COBAN IN-CAR CAMERA EXPANSION PROJECT FROM CORNERSTONE INFORMATION SYSTEMS OF HOPKINSVILLE, KENTUCKY IN THE AMOUNT OF \$26,922.70

Summary of Municipal Order No. 2015 - 157 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo indicated this bid went along with the previous item related to the purchase of in-car cameras. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2015 - 157 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 158

MUNICIPAL ORDER APPROVING THE CONTINUATION OF AN AGREEMENT WITH WESTERN KENTUCKY UNIVERSITY FOR PROVIDING A LEAF COMPOSTING SYSTEM FOR THE CITY OF BOWLING GREEN, KENTUCKY

Summary of Municipal Order No. 2015 - 158 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. DeFebbo recommended approval of the annual agreement for composting services which coincided with the City's annual leaf pick-up program. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2015 - 158 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 159

**MUNICIPAL ORDER APPROVING THE SUBMISSION OF THE
FISCAL YEAR 2015 SECTION EIGHT MANAGEMENT
ASSESSMENT PROGRAM (SEMAP) CERTIFICATION FOR THE
HOUSING CHOICE VOUCHER (HCV) PROGRAM**

Summary of Municipal Order No. 2015 - 159 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for consideration of said Municipal Order. DeFebbo indicated a self-evaluation was completed per U.S. Department of Housing and Urban Development regulations and requires the blessing of the Board before being submitted. He also indicated it was believed the City's HCV Program will again be labeled a High Performer. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2015 - 159 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 160

**MUNICIPAL ORDER AUTHORIZING THE SALE OF
APPROXIMATELY 0.99 ACRE OF CITY-OWNED SURPLUS
PROPERTY LOCATED AT 707 E. MAIN AVENUE AND THE
ADJACENT PROPERTY LOCATED ON 10TH AVENUE, AND
APPROVING AN AMENDED AND RESTATED REAL ESTATE
SALE AND PURCHASE AGREEMENT WITH GEMINI HOMES,
INC.**

Summary of Municipal Order No. 2015 - 160 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. DeFebbo recounted the City had extra property next to the Neighborhood and Community Services building which was not needed for municipal purposes and a request for proposals was issued earlier in the year for private development of the land. He also recounted the Board had previously approved the sale of 0.91 acre of land to Gemini Homes for development of five single-family detached homes. Upon further consideration, he explained Gemini Homes now proposes to include a sixth home with the purchase of an additional 0.08 acre of land. DeFebbo recommended the amendment to the agreement to allow for this additional sale of surplus property. With no other discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Williams, Denning, Hill, Parrigin and Wilkerson
Voting Nay: None
Municipal Order No. 2015 - 160 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2015 - 161

MUNICIPAL ORDER AUTHORIZING AND APPROVING
REVISIONS TO THE HOUSING CHOICE VOUCHER (HCV)
ADMINISTRATIVE PLAN FOR THE CITY'S HOUSING CHOICE
VOUCHER PROGRAM

Summary of Municipal Order No. 2015 - 161 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for consideration of said Municipal Order. DeFebbo explained the requirement to submit revisions to the HCV Administrative Plan for approval. Neighborhood and Community Services Director Brent Childers outlined the proposed local option revision to allow tenants to apply for a change in household size with the addition of an adult child and/or a boyfriend, girlfriend or fiancé. He explained this new policy would make the program consistent with other public housing programs and be consistent with what individuals seeking assistance could include in their application. Mr. Childers noted any person being added to the household would still have to be eligible under the program rules and any income they receive would be counted toward the overall household income. With no other discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Williams, Denning, Hill and Parrigin
Voting Nay: Wilkerson
Municipal Order No. 2015 - 161 was approved by majority vote.

ORDINANCE NO. BG2015 - 28

(First Reading)

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING ~~0.99~~ 4.28 ACRES OF PROPERTY
LOCATED AT 5609 SCOTTSVILLE ROAD WITH PROPERTY
PRESENTLY OWNED BY TRUSTEES OF BROADWAY UNITED
METHODIST CHURCH, INC. AND SAID TERRITORY BEING
CONTIGUOUS TO EXISTING CITY LIMITS

Title and summary of Ordinance No. BG2015 - 28 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Denning for first reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2015 - 28 was approved by unanimous vote. *(Following adoption of this ordinance a correction was made to the total acreage to match the acreage identified on the property description and map.)*

MUNICIPAL ORDER NO. 2015 - 162

MUNICIPAL ORDER APPROVING AN AMENDMENT TO THE
ON-CALL WRECKER ROTATION SERVICE AGREEMENT FOR
THE BOWLING GREEN POLICE DEPARTMENT

Summary of Municipal Order No. 2015 - 162 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for consideration of said Municipal Order. DeFebbo reported the Police Department needs towing services from time to time and an agreement, including guidelines and a fee structure, was revised to help aid in this process. Police Chief Doug Hawkins outlined some changes to the agreement and the updated fee structure being recommended which coincides with the fee limits in the ordinance for towing from private parking lots. He also noted some of the wrecker services wanted a higher storage fee than proposed. Both Chief Hawkins and City Attorney Gene Harmon responded to questions about the fees. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2015 - 162 was approved by unanimous vote.

ORDINANCE NO. BG2015 - 29

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 17 (PERSONNEL POLICIES)
OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO
CREATE A NEW SUBCHAPTER RELATING TO A WORKFORCE
RECRUITMENT AND OUTREACH COMMITTEE

Title and summary of Ordinance No. BG2015 - 29 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for first reading of said Ordinance. DeFebbo indicated it was the City's goal to have a workforce that represents the demographic minority and majority makeup of the community. In a preemptive response to the incentives provided by the U.S. Department of Justice, he explained one of the first steps to address this challenge would be to ask the community to engage with the City through a new Workforce Recruitment and Outreach Committee. DeFebbo outlined the Committee would essentially serve three purposes to 1) help with requirement efforts, 2) provide a dual level of communication between the City and the minority community and vice versa, primarily with Police and Fire departments, and 3) provide assistance to the City with oral boards and assessments when deemed necessary. Mayor Wilkerson remarked this was the first in a long line of steps the City will be taking. Following the discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2015 - 29 was approved by unanimous vote.

ORDINANCE NO. BG2015 - 30

(First Reading)

ORDINANCE APPROVING AMENDED INTERLOCAL COOPERATION AGREEMENT

ORDINANCE APPROVING AMENDED INTERLOCAL COOPERATION AGREEMENT WITH WARREN COUNTY AND WARREN COUNTY DOWNTOWN ECONOMIC DEVELOPMENT AUTHORITY, INC. RELATED TO THE WKU GATEWAY TO DOWNTOWN BOWLING GREEN DEVELOPMENT AREA TAX INCREMENT FINANCING (TIF) DISTRICT (BLOCK 6 WRAP)

Title and summary of Ordinance No. BG2015 - 30 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Williams for first reading of said Ordinance. With the TIF back on track, DeFebbo indicated the City would continue its partnership with Warren County and the Authority with a modification to the previously approved interlocal agreement. City Attorney Gene Harmon reviewed the proposed changes to the agreement which would address the concern of having Warren County leasing the same garage twice. He explained Weldon Peete Park would be substituted as the guarantee by which Warren County would be responsible for backstopping the City regarding any shortfall in debt payments for the Block 6 Wrap bond issue. Attorney Scott Bachert, representing the Authority, confirmed this was the funding mechanism for the City to remain assured of the County's commitment to cover any shortfall covered by the City. Once the discussion ended, a roll call vote was taken.

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

First reading of Ordinance No. BG2015 - 30 was approved by unanimous vote.

ORDINANCE NO. BG2015 - 31
(First Reading)

ORDINANCE RELATING TO PROPERTY TAX RATES

ORDINANCE SETTING 2015 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. BG2015 - 31 was read by the Assistant City Manager/City Clerk. Motion was made by Hill and seconded by Parrigin for first reading of said Ordinance. DeFebbo indicated a public hearing would be held at 7:00 p.m. regarding the proposed property tax rates for 2015. Chief Financial Officer Jeff Meisel recommended keeping the 2015 property tax rates the same as 2014, and which have remained the same since 2008 at \$0.206 for real estate and \$0.260 for personal property. He explained the requirement to hold a public hearing since the recommended rate, albeit unchanged, was slightly higher than the calculated compensating rate of \$0.202. Mr. Meisel reported total property growth was 3.2%, with existing property growing by 1.7% and new property growth at 1.5%. He also said property tax bills would be mailed out by mid-October and payment was due December 31, 2015 with a 10% penalty to be applied if not paid by that date. In addition, Mr. Meisel pointed out the Bowling Green Independent School District's property taxes would be included on the City's tax bills for those properties located within the boundaries of the school district. However, he clarified the City had no control over the property tax rate imposed by the School District and the City simply collected the payment on their behalf.

Mayor Wilkerson commented about the last time the property tax rate was changed which was when it was lowered in 2008 because of existing growth exceeding 4% and due to a separate library

tax being implemented that year. Mr. Meisel advised the City will be required to lower its rate each time existing real estate growth exceeds 4% in a given year, and the City would need to be watchful of that. With no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2015 - 31 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:15 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 5:40 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: September 15, 2015

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