

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held JULY 2, 2019**

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 2, 2019. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Police Chaplain Andy Toopes, and all present recited the Pledge of Allegiance. City Clerk Ashley Jackson called the roll, and the following members were present: Commissioner Dana Beasley-Brown, Commissioner Joe W. Denning, Commissioner Brian "Slim" Nash, Commissioner Sue Parrigin and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS AND RECOGNITIONS

Commissioner Dana Beasley-Brown introduced and welcomed Camryn Hightower a Sophomore at Greenwood High School and explained she was being shadowed today.

CITY MANAGER

City Manager Jeffery B. Meisel had no comments at this time.

APPROVAL OF MINUTES

Minutes of Regular Meeting June 18, 2019.

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for review. Motion was made by Parrigin 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: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Motion to approve the minutes of the regular meeting of June 18, 2019 was approved by unanimous vote.

REGULAR AGENDA

ORDINANCE NO. BG2019 - 29

(Second Reading)

**ORDINANCE GRANTING FRANCHISE RELATED TO
TELECOMMUNICATIONS SYSTEM**

ORDINANCE GRANTING A NON-EXCLUSIVE
TELECOMMUNICATIONS (OR RELATED NON-CABLE)
FRANCHISE TO NORTH CENTRAL COMMUNICATIONS, INC.
FOR THE USE OF RIGHTS-OF-WAY FOR THE OPERATION AND
MAINTENANCE OF A TELECOMMUNICATIONS (OR RELATED
NON-CABLE) SYSTEM WITHIN THE CITY OF BOWLING GREEN,
KENTUCKY

Title and summary of Ordinance No. BG2019 – 29 was read by the City Clerk. Motion was made by Parrigin 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: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Ordinance No. BG2019 – 29 was adopted by unanimous vote.

ORDINANCE NO. BG2019 – 30

(Second Reading)

ORDINANCE ANNEXING PROPERTY BY CONSENT

ORDINANCE ANNEXING 11.75 ACRES OF PROPERTY LOCATED ON THE U.S. 31-W CONNECTOR ROAD FROM KELLY ROAD TO THE CSX RAILROAD OWNED BY THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET, AND 20.53 ACRES OF RIGHT-OF-WAY FOR A TOTAL OF 32.28 ACRES WITH SAID TERRITORY BEING CONTIGUOUS TO EXISTING CITY LIMITS

Title and summary of Ordinance No. BG2019 – 30 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for second reading of said Ordinance. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Ordinance No. BG2019 – 30 was adopted by unanimous vote.

ORDINANCE NO. BG2019 – 31

(Second Reading)

ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER THREE TO THE CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2019

Title and summary of Ordinance No. BG2019 – 31 was read by the City Clerk. Motion was made by Parrigin 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: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Ordinance No. BG2019 – 31 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 108

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF MIRZANA MUJANOVIC AND MEGAN SUNDELL TO THE POSITION OF COMMUNICATIONS DISPATCHER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2019 – 108 was read by the City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal Order. Human Resources Director Erin Hulseley explained the Police Department was down five (5) dispatchers and additional dispatcher appointments are expected to follow later in the year. She further reviewed and recommended the two (2) appointments to Communications Dispatcher. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 – 108 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 109

**MUNICIPAL ORDER APPROVING THE APPOINTMENT OF
FREIDA EGGLETON TO THE BOWLING GREEN CODE
ENFORCEMENT AND NUISANCE BOARD**

Summary of Municipal Order No. 2019 – 109 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Mayor Wilkerson made mention of the passing of board member Dr. Jerry Wilder and expressed sympathy to the family. He further reviewed and recommended the appointment. He asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 – 109 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 110

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2019-65 FOR A NETAPP E-SERIES UPGRADE FOR THE POLICE
DEPARTMENT FROM JBK NETWORK CONSULTING, LTD OF
BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$141,805.50**

Summary of Municipal Order No. 2019 – 110 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Meisel recommended approval of the bid. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 – 110 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 111

**MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2019-05 FOR THE FISCAL YEAR 2019 SIDEWALK
CONSTRUCTION PROGRAM FROM INFINITY PIPELINE, INC. OF
BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$357,792.70**

Summary of Municipal Order No. 2019 – 111 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Meisel recommended approval of the bid for sidewalk construction at Kenton Street, Park Street, Magnolia Street, North Lee Drive, Sandra Street and Potter Avenue. Public Works Director Greg Meredith confirmed Infinity Pipeline performed work for the City before as a subcontractor, and further clarified the concrete used for the sidewalks is included in the bid amount and separate from the City's recent concrete bid. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 – 111 was approved by unanimous vote.

ORDINANCE NO. BG2019 – 32

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

**ORDINANCE AMENDING CHAPTER 23 (WATER AND SEWER),
SUBCHAPTER 23-3 (SEWER SYSTEM) OF THE CITY OF
BOWLING GREEN CODE OF ORDINANCES AS PROPOSED BY
BOWLING GREEN MUNICIPAL UTILITIES (BGMU)**

Title and summary of Ordinance No. BG2019 - 32 was read by the City Clerk. Motion was made by Nash and seconded by Denning for first reading of said Ordinance. Meisel recommended approval of the amendment to Chapter 23 (Water and Sewer) related to limitations on wastewater discharges. In response to questions from Commissioner Beasley-Brown, Water/Wastewater Systems Manager Mike Gardner explained this is part of the ongoing permitting process from the Environmental Protection Agency (EPA) and Kentucky Energy and Environment Cabinet, Division of Water, and these reviews are completed approximately every five (5) years. He also said revisions are necessary due to changes in water quality and the water system in order to protect the waste water treatment plant and the receiving water. Mr. Gardner further reviewed the proposed local limits and confirmed there is minimal, if any, impact to local industries and all permitted industries have been made aware of the proposed changes. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

First reading of Ordinance No. BG2019 – 32 was approved by unanimous vote.

ORDINANCE NO. BG2019 – 33

(First Reading)

ORDINANCE REZONING REAL ESTATE

**ORDINANCE REZONING A TRACT OF LAND CONTAINING
26.95 ACRES FROM AG (AGRICULTURE) TO PUD (PLANNED
UNIT DEVELOPMENT) LOCATED AT 4031 OLD SCOTTSVILLE
ROAD, PRESENTLY OWNED BY THE CLUB AT OLDE STONE,
LLC C/O JAMES SCOTT**

Title and summary of Ordinance No. BG2019 - 33 was read by the City Clerk. Motion was made by Parrigin 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: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

First reading of Ordinance No. BG2019 - 33 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 112

MUNICIPAL ORDER CONSENTING TO THE DISSOLUTION OF THE CONVENTION CENTER CORPORATION, A NON-PROFIT, NON-STOCK KENTUCKY PUBLIC CORPORATION, AND AFTER THE PAYMENT OF ANY OBLIGATIONS CONSENTING TO THE DISTRIBUTION OF ITS REMAINING ASSETS TO THE CITY OF BOWLING GREEN

Summary of Municipal Order No. 2019 - 112 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 - 112 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 113

MUNICIPAL ORDER AUTHORIZING THE CREATION OF A BANK ACCOUNT AT U.S. BANK FOR CONVENTION CENTER FUNDS

Summary of Municipal Order No. 2019 - 113 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Meisel explained the creation of a bank account was necessary following the dissolution of The Convention Center Corporation. He also said the Corporation had its own tax identification number (TIN), but all financial assets will be placed under the City's TIN, and the City's Financial Policies and Procedures requires approval to open a new bank account. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Beasley-Brown, Denning, Nash, Parrigin and Wilkerson
 Voting Nay: None

Municipal Order No. 2019 - 113 was approved by unanimous vote.

WORK SESSION

The work session was held to discuss the Fiscal Year 2020 Sidewalk Program projects. Assistant City Engineer Kyle Hunt provided an update of the program and indicated the program was designed to improve pedestrian access and walkability throughout the City, and since Fiscal Year 2008 the City has committed to constructing a total of 82,210 linear feet or 15.6 miles of sidewalks. He further mentioned the addition of public involvement which began in 2013 and significant revisions to the scoring criteria which was approved in 2018. Mr. Hunt reviewed the Fiscal Year 2020 Sidewalk

Program, including the program criteria, the public involvement component for neighborhood outreach and input, and the funds available for the proposed projects. With a projected budget of around \$500,000, he identified and described each of the different project locations selected for a total of 4,298 linear feet or 0.81 miles of new sidewalk construction. The five (5) locations include:

- Loving Way from 31-W Bypass to Rodes Drive
- Holly Drive from Dennis Way to 1745 Holly Drive
- Holly Drive from 1745 Holly Drive to Catherine Drive
- North Lee Drive from Old Barren River Road to Trent Way
- Highland Way from Smallhouse Road to Westen Street

Neighborhood Services Coordinator Karen Foley provided more details about the neighborhood outreach process and the request for feedback about each of the proposed projects. She reported that notices with comment cards were mailed, as well as access to an electronic survey, and an open house was held. Ms. Foley also reported the outcome for each project's response rate, and explained the meaning of assumed consent which is a strategy developed for residents that do not respond whereby the City assumes consent to the project. The Highland Way neighborhood input included concerns about drainage, driveway issues, connectivity, privacy and devalued property, as well as some positive comments about the sidewalks. In response to a question, Mr. Hunt confirmed curb and gutter will not be included on Highland Way, it will be a sidewalk flush with the ground to minimize drainage impacts. There was further discussion about the responses from the Highland Way neighborhood, and of the responses received, 25% were in support and 75% were in opposition. However, once the assumed consent was included, 60% were in support and 40% were in opposition. Ms. Foley clarified there was not one concentrated area in support or against the sidewalk construction. Mr. Hunt responded to a question and confirmed based on the scoring criteria the current proposed sidewalk location ranked first, and the opposite side of the street ranked third, out of approximately 180 locations throughout the City. There was consensus of the Board of Commissioners to proceed with four (4) of the sidewalk project locations, with the exception of Highland Way from Smallhouse Road to Westen Street, until more information has been reviewed.

PUBLIC COMMENTS

Following the conclusion of the regular agenda at approximately 5:40 p.m., Mayor Wilkerson opened the floor for any public comments about items not included on the agenda. Representative Patti Minter, 20th District Kentucky House of Representatives, reported the City of Henderson recently became the 11th city in Kentucky to adopt the fairness ordinance and she expressed her desire for the City of Bowling Green to also adopt the ordinance.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 5:45 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: July 16, 2019

APPROVED: Brian Williams
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

Minutes prepared by City Clerk Ashley Jackson