

**MINUTES of REGULAR MEETING  
of the BOARD of COMMISSIONERS  
of the CITY of BOWLING GREEN, KENTUCKY  
held APRIL 4, 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 April 4, 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 Sue Parrigin, Commissioner Rick Williams, Commissioner Joe W. Denning and Mayor Bruce Wilkerson. Absent: Commissioner Brian "Slim" Nash. There was a quorum of the Board of Commissioners.

**CITY MANAGER**

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion on the future acquisition and sale of real property by the City as publicity would likely affect the value of the specific piece of property to be acquired for public use and sold by the City, and for pending litigation against the City. Motion was made by Denning and seconded by Parrigin to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b) and (c). Mayor Wilkerson called for roll call vote.

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

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

At the request of the City Manager, City Attorney Gene Harmon provided an update regarding the non-exclusive Cable Franchise Agreement and renewal with Charter/Spectrum Communications. He reported the Cable Franchise Agreement expired on December 31, 2016 and was now operating month to month as negotiations for a new Agreement take place. In addition, Mr. Harmon reported by April 18<sup>th</sup>, Spectrum would require all customers to have a cable box in order to continue to receive a signal for TV programming. He also noted the government access cable channels would be moved from Channels 3 for Warren County and 4 for City of Bowling Green to 195 and 196, respectively, effective April 18<sup>th</sup>. Mr. Harmon encouraged the public to contact Spectrum directly if they have any questions about the changes. Commissioner Williams provided further details about the box receivers to be required regardless if a television was digital ready or not. Mayor Wilkerson pointed out the City had no ability to regulate cable rates or any of these proposed changes. Mr. Harmon stated representatives from Spectrum would be attending the next Board meeting to provide more information about these changes.

**APPROVAL OF MINUTES**

Minutes of Regular Meeting March 21, 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: Parrigin, Williams, Denning and Wilkerson  
                          Voting Nay: None

Motion to approve the minutes of the regular meeting of March 21, 2017 was approved by unanimous vote.

**PUBLIC COMMENTS**

Jack LaSure, Celeste Jackson, Michael Browning, James Baugh, Brian Packard, Roanthor Jackson, Jennifer Thomas, Diana Hunt and Jennifer Morlan each spoke in favor of a fairness ordinance. Several spoke of being discriminated against as a member of the LGBTQ community or witness to discrimination and fears for safety. Mr. LaSure urged the Board to adopt a fairness ordinance. Celeste Jackson claimed the Board was not listening to its citizens and citizens were the most important business of the City. Mr. Browning asserted the Board of Commissioners bears responsibility for LGBTQ discrimination as the Board sets the tone in the community. Mr. Baugh requested to hear the reasons why members of the Board were resisting adoption of a fairness ordinance. Mr. Packard indicated it was an issue of human rights and that the LGBTQ should be afforded equal rights. Roanthor Jackson stated she lived in fear and asked the Board to think about the LGBTQs future and safety. Ms. Thomas said everyone is diminished when even one individual suffers. She urged the Board to provide a sense of safety and dignity for all that live in Bowling Green. Ms. Hunt spoke of her experiences as a transgender and fearing for her safety. Ms. Morlan indicated it was time to accept that people are born gay and deserve to be treated like everyone else.

Ms. Morlan also requested the Board consider special funding to help grow businesses like the City of Paducah offers.

**REGULAR AGENDA**

**ORDINANCE NO. BG2017 - 7**

**(Second 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 Denning 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: Parrigin, Williams, Denning and Wilkerson  
                          Voting Nay: None

Ordinance No. BG2017 - 7 was adopted by unanimous vote.

**ORDINANCE NO. BG2017 - 8**

**(Second 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 Denning for second reading of said Ordinance. Mayor Wilkerson opened the floor for public comments regarding this item. Laura Harper, Jennifer Morlan, Maria Davila, Anthony Survance, Denise Anderson, James Baugh, Brian Packard, Patricia Minter and Alex Rivera all spoke against moving the public comments section to the end of the agenda citing concerns about no longer having a designated start time for public comments and the difficulty with attending meetings due to arranging for child care or dealing with work schedules. There was also concern expressed that the timing of this change made it more difficult for people to engage the Board and that the citizens are not being recognized as important and made a priority.

Commissioner Denning advised the Board already had the ability to change the order of any agenda and periodically did so when needed. Mayor Wilkerson concurred and remarked the Board would complete its scheduled business first and then take public comments about items not on that night's agenda. Commissioner Williams also explained the change would provide for an orderly progression of business and still accept public comments.

As sponsor of the Ordinance, Commissioner Parrigin explained there were many ways constituents communicated with members of the Board of Commissioners, much of which was not at public meetings but through personal letters, emails, phone calls or in person at other events. She read a letter received by a constituent regarding support for this change and who even suggested eliminating the public comments section at meetings. Commissioner Parrigin thanked everyone for speaking. She reiterated the reason she wanted to change the order and move public comments to the end of the meeting was in relation to a recent work session where she thought that process worked very well. Once the discussion concluded, a roll call vote was taken.

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

Ordinance No. BG2017 - 8 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 44

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF  
LUCINDA ANDERSON AND KAREN FOLEY TO THE  
UNIVERSITY DISTRICT REVIEW COMMITTEE

Summary of Municipal Order No. 2017 - 44 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Williams for consideration of said Municipal Order. Mayor Wilkerson recommended the reappointments. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 44 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 45

MUNICIPAL ORDER AUTHORIZING A CHANGE ORDER TO THE  
CONTRACT WITH OXMOOR FORD LINCOLN OF LOUISVILLE,  
KENTUCKY FOR THE PURCHASE OF THREE TRUCKS WITH

DUMP BEDS FOR THE PUBLIC WORKS OPERATIONS DIVISION  
TO ADD SNOW PLOWS AND SALT SPREADERS IN THE  
AMOUNT OF \$30,327 RELATED TO BID #2017-17

Summary of Municipal Order No. 2017 - 45 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Parrigin for consideration of said Municipal Order. Public Works Director Greg Meredith explained the need for a change order to the original purchase and recommended its approval. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 45 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 46

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID  
#2017-40 FOR MUNICIPAL LANDFILL LEACHATE PUMP AND  
HAUL SERVICES FROM B & H ENVIRONMENTAL SERVICES,  
INC. OF LOUISVILLE, KENTUCKY IN AN AMOUNT NOT TO  
EXCEED \$120,000

Summary of Municipal Order No. 2017 - 46 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. Public Works Director Greg Meredith reviewed and recommended the bid award. Mayor Wilkerson confirmed that once additional equipment was put in place at the landfill, the need for this service would be reduced. When the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2017 - 46 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 9

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.40  
ACRE FROM RM-2 (TWO-FAMILY RESIDENTIAL) TO OP-C  
(OFFICE AND PROFESSIONAL-COMMERCIAL) LOCATED AT  
1339 MELROSE STREET, PRESENTLY OWNED BY BROADWAY  
UNITED METHODIST CHURCH, INC.

Title and summary of Ordinance No. BG2017 - 9 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Parrigin for first reading of said Ordinance. Mayor Wilkerson reported this recommendation received unanimous approval by the City-County Planning Commission. With no additional discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 9 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 10  
(First Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 1.1361 ACRES FROM RM-3 (MULTI-FAMILY RESIDENTIAL) AND HB (HIGHWAY BUSINESS) TO RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 1588, 1592 AND 1596 COLLEGEVIEW DRIVE, PRESENTLY OWNED BY WALTER AND DEBBIE YORK AND GROVES AND VOLKERT DEVELOPMENT COMPANY, LLC

Title and summary of Ordinance No. BG2017 - 10 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Parrigin for first reading of said Ordinance. Mayor Wilkerson reported this recommendation received unanimous approval by the City-County Planning Commission. With no additional discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 10 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 11  
(First Reading)  
ORDINANCE CLOSING A PUBLIC RIGHT-OF-WAY

ORDINANCE APPROVING THE CLOSING OF AN UNIMPROVED RIGHT-OF-WAY ON MELROSE STREET LOCATED BETWEEN 1313 AND 1329 MELROSE STREET

Title and summary of Ordinance No. BG2017 - 11 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Denning for first reading of said Ordinance. DeFebbo reviewed the request to close a "paper" street and reported there were no issues with the closing. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 11 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 12  
(First Reading)  
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 9.81 ACRES FROM AG (AGRICULTURE) AND RM-2 (TWO-FAMILY RESIDENTIAL) TO RS-1B (SINGLE FAMILY RESIDENTIAL) AND RM-3 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 0 AND 1314 FAIRVIEW AVENUE, PRESENTLY OWNED BY ROBERT AND DORIS BURR

Title and summary of Ordinance No. BG2017 - 12 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Williams for first reading of said Ordinance. Mayor Wilkerson reported this recommendation received unanimous approval by the City-County Planning Commission. With no additional discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 12 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2017 - 47**

**MUNICIPAL ORDER AUTHORIZING THE APPROVAL AND  
SUBMISSION OF FISCAL YEAR 2018 ANNUAL PLAN FOR THE  
HOUSING CHOICE VOUCHER PROGRAM**

Summary of Municipal Order No. 2017 - 47 was read by the Assistant City Manager/City Clerk. Motion was made by Williams and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the requirement for an annual plan and recommended its approval. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 47 was approved by unanimous vote.

**MUNICIPAL ORDER NO. 2017 - 48**

**MUNICIPAL ORDER AUTHORIZING AND APPROVING THE  
SUBMISSION OF AN APPLICATION THROUGH THE KENTUCKY  
FIRE COMMISSION TRAINING FACILITIES GRANT PROGRAM  
IN THE AMOUNT OF \$121,155 FOR THE PURCHASE OF  
TRAINING PROPS AND A MOBILE TRAILER FOR THE FIRE  
DEPARTMENT**

Summary of Municipal Order No. 2017 - 48 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. Grants Manager Nick Cook indicated grant funds were made available and the Fire Department wanted to apply for specialized training equipment and a trailer for hauling equipment from Fire Station to Fire Station as needed. He also noted there was no local match required. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 48 was approved by unanimous vote.

**CLOSED SESSION**

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 6:05 p.m. in closed session pursuant to KRS 61.810 (1) (b) and (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 6:35 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: April 18, 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*