

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held SEPTEMBER 17, 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 September 17, 2019. Mayor Bruce Wilkerson 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 Joe W. Denning, Commissioner Brian "Slim" Nash, Commissioner Sue Parrigin, Commissioner Dana Beasley-Brown and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

AWARDS AND RECOGNITIONS

Operation P.R.I.D.E. Graduate Fellow William Henderson presented the August Commercial P.R.I.D.E. Award to Kim and Sawyer Williams of Keller Williams First Choice Realty for improvements made to the property located at 1550 Western Street. Operation P.R.I.D.E. Executive Director Angie Alexieff acknowledged it was Mr. Henderson's last day and she presented him with a token of appreciation.

CITY MANAGER

City Manager Jeffery B. Meisel requested a closed session for the purpose of discussion about the sale of real property by the City as publicity would likely affect the value of the specific piece of property to be sold. Motion was made by Parrigin and seconded by Nash to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (b). Mayor Wilkerson called for roll call vote.

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

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

APPROVAL OF MINUTES

Minutes of Regular Meeting September 3, 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 Denning to approve said minutes as written. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the regular meeting of September 3, 2019 was approved by unanimous vote.

REGULAR AGENDA

MUNICIPAL ORDER NO. 2019 - 160

MUNICIPAL ORDER APPROVING THE PROMOTION OF JOSEPH SCHMIDT TO THE POSITION OF CODE ENFORCEMENT INSPECTOR IN THE NEIGHBORHOOD AND COMMUNITY SERVICES DEPARTMENT

Summary of Municipal Order No. 2019 - 160 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Human Resources Director Erin Hulsey reviewed and recommended the promotion. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 160 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 161

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING NEGOTIATIONS AFTER SEALED BIDDING FOR BID #2020-09 FOR THE PURCHASE OF TWO (2) FIRE APPARATUS FOR THE FIRE DEPARTMENT FROM FINLEY FIRE EQUIPMENT OF MCCONNELSVILLE, OHIO IN THE TOTAL AMOUNT OF \$1,531,517.62

Summary of Municipal Order No. 2019 - 161 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Meisel reviewed and recommended approval to purchase an aerial ladder truck and engine fire truck. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 161 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 162

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2020-17 FOR A VACUUM TRUCK FOR THE PUBLIC WORKS OPERATIONS DIVISION FROM WHAYNE SUPPLY COMPANY OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$438,530

Summary of Municipal Order No. 2019 - 162 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Meisel reviewed and recommended approval to purchase a vacuum truck for the Public Works Operations Division. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 162 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 163

MUNICIPAL ORDER ACCEPTING AND RATIFYING ACTIONS OF CITY OFFICIALS IN EXECUTING A GRANT AGREEMENT AMONG THE BOWLING GREEN-WARREN COUNTY REGIONAL AIRPORT BOARD, THE CITY OF BOWLING GREEN, WARREN COUNTY AND THE FEDERAL AVIATION ADMINISTRATION FOR THE CONSTRUCTION OF TAXIWAY A

Summary of Municipal Order No. 2019 - 163 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Meisel indicated the Airport Board received a grant from the FAA for the construction of Taxiway A and explained the City and County's share was 2.5% each in the amount of \$211,463.22. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 163 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 164

MUNICIPAL ORDER APPROVING PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT AMONG THE CITY OF BOWLING GREEN, THE COUNTY OF WARREN, THE BOARD OF EDUCATION OF WARREN COUNTY AND GEORGIA-PACIFIC CONSUMER OPERATIONS, LLC RELATED TO AN EXPANSION OF GEORGIA-PACIFIC

Summary of Municipal Order No. 2019 - 164 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Meisel explained Georgia-Pacific was expanding with the creation of fifty (50) new jobs over a three (3) year period and a capital investment of approximately \$110 million. He also said the County issued Industrial Revenue Bonds (IRB) for Georgia-Pacific and with the IRB, the property would be removed from the tax rolls and the Agreement establishes a prorated payment in lieu of taxes for the next 20 years on the expanded portion. Bowling Green Area Chamber of Commerce Chief Operating Officer Meredith Rozanski responded to questions about the project and type of jobs being created. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2019 - 164 was approved by unanimous vote.

ORDINANCE NO. BG2019 - 40

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.2397 ACRE FROM RM-3 (TOWNHOUSE/MULTI-FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS) LOCATED AT 0

WHISPERING HILLS AND RUSSELLVILLE ROAD, PRESENTLY OWNED BY ELITE PROPERTIES, LLC C/O ALAA TLAIS

Title and summary of Ordinance No. BG2019 - 40 was read by the City Clerk. Motion was made by Parrigin and seconded by Wilkerson for first reading of said Ordinance. Mayor Wilkerson explained this was a recommendation of the City-County Planning Commission, and this rezoning was voted on twice, the first time included a tie vote and the second vote passed. He also reminded anyone wanting to speak about this rezoning would be allowed to do so, but it would be restricted to only those who commented at the hearing and the remarks should be a summary of the Planning Commissions record. The property owner Mr. Tlais explained he intends to have a drive-thru pharmacy, and he assured he took into consideration all the regulations, including safety and traffic. Whispering Hills Subdivision residents James Williams, Barry Rutledge and Wilson Wilkerham spoke in opposition of the rezoning due to traffic and safety, as well as the possibility of decreasing the value of nearby homes. There was clarification by Mr. Tlais there would be no speaker device in the drive thru window, it would only consist of a sliding window to alleviate any disturbance and protect the privacy of others, and he further said safety was a consideration in his application. There was further discussion about an 8 foot wooden fence with landscape that Mr. Tlais agreed to in the plan. Commissioner Beasley-Brown explained she was impressed by his entrepreneurship and excited for his future, however she was concerned about the location and protecting families in the neighborhood and based on the Comprehensive Plan principles she would be voting no. Commissioner Nash agreed with Commissioner Beasley-Brown's comments and said he does not think the site is compatible and he would also be voting no. Commissioner Parrigin expressed her appreciation to the neighborhood and Mr. Tlais, and explained she supports and has confidence in the City-County Planning Commissions decision. Once the discussion ended, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Parrigin and Wilkerson
Voting Nay: Nash and Beasley-Brown

First reading of Ordinance No. BG2019 - 40 was approved by a majority vote.

ORDINANCE NO. BG2019 - 41

(First Reading)

ORDINANCE CLOSING PUBLIC RIGHTS-OF-WAY

ORDINANCE APPROVING THE CLOSING OF A PORTION OF AN UNIMPROVED RIGHT-OF-WAY BOUNDED BY PARK STREET, HIGH STREET, CABELL DRIVE AND EAST 14TH AVENUE AND FURTHER CLOSING AN UNIMPROVED RIGHT-OF-WAY ON A PORTION OF EAST 15TH AVENUE OFF HIGH STREET

Title and summary of Ordinance No. BG2019 - 41 was read by the City Clerk. Motion was made by Parrigin and seconded by Denning for first reading of said Ordinance. Meisel recommended approval to close the public rights-of-way related to the new parking lot constructed by Western Kentucky University. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2019 - 41 was approved by unanimous vote.

ORDINANCE NO. BG2019 - 42

(First Reading)

ORDINANCE GRANTING FRANCHISE RELATED TO TELECOMMUNICATIONS SYSTEM

ORDINANCE GRANTING A NON-EXCLUSIVE TELECOMMUNICATIONS (OR RELATED NON-CABLE) FRANCHISE TO WINDSTREAM KENTUCKY EAST, LLC 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 - 42 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 second non-exclusive telecommunications franchise, non-cable related, for use of rights-of-ways for the operations and maintenance of a system within the City. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2019 - 42 was approved by unanimous vote.

PUBLIC COMMENTS

Following the regular agenda, Mayor Wilkerson opened the floor for any public comments about items not included on the agenda. Jennifer Morlan spoke in support of a City established mortgage assistance program. Teresa Christmas, Michael Gramling, David Coverdale, Cathy Severns and Francisco Sarano spoke about panhandling and homelessness, and Jay Wells spoke in support of a fairness ordinance. City Manager Meisel explained City staff and the local Homeless Coalition were working together to help with homelessness. He further said there was a difference between panhandling and homelessness and statistics show 20% or less of the homeless were not panhandling, however those that were panhandling go to homes and the panhandling signs were not intended for the homeless. Mayor Wilkerson clarified the City does not prohibit panhandling, but the panhandling signs suggest it is unsafe to be approached in vehicles or step into public rights-of-way.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 6:20 p.m. in closed session pursuant to KRS 61.810 (1) (b) as previously approved.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 6:40 p.m., Mayor Wilkerson declared this meeting adjourned.

(Minutes-Board of Commissioners-September 17, 2019)

ADOPTED: October 1, 2019

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

Minutes prepared by City Clerk Ashley Jackson