

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held NOVEMBER 5, 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 November 5, 2019. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Pastor Laura Vincent of Broadway United Methodist Church 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 Sue Parrigin recognized it was Mayor Wilkerson's birthday, and further mentioned Neighborhood and Community Services Director Brent Childers was soon having a birthday as well.

CITY MANAGER

City Manager Jeffery B. Meisel requested the addition of a late-filed item to the agenda. Motion was made by Parrigin and seconded by Denning to add Municipal Order No. 2019 - 196 to the regular agenda. Mayor Wilkerson called for roll call vote.

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

Motion to add Municipal Order No. 2019 - 196 to the agenda was approved by unanimous vote.

APPROVAL OF MINUTES

Minutes of Regular Meeting October 15, 2019.

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for review. Motion was made by Denning 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 October 15, 2019 was approved by unanimous vote.

REGULAR AGENDA

MUNICIPAL ORDER NO. 2019 - 184

**MUNICIPAL ORDER APPROVING THE PROMOTIONS OF CHAD
DOUGHTY TO THE POSITION OF CIVIL ENGINEER II AND
NICHOLAS LAWHON TO THE POSITION OF ENVIRONMENTAL**

COMPLIANCE COORDINATOR IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2019 – 184 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Public Works Director Greg Meredith reviewed and recommended the promotions. 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 – 184 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 185

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF JUSTIN VINCENT TO THE POSITION OF PARKS FACILITY MAINTAINER IN THE CEMETERY DIVISION OF THE PARKS AND RECREATION DEPARTMENT

Summary of Municipal Order No. 2019 – 185 was read by the City Clerk. Motion was made by Nash and seconded by Beasley-Brown for consideration of said Municipal Order. Human Resources Director Erin Hulsey reviewed and recommended the appointment. 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 – 185 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 186

MUNICIPAL ORDER APPROVING THE REAPPOINTMENTS OF CHUCK GLASS AND CARDINE HARRISON AND APPOINTMENTS OF JULIO KABWEBWE AND DESTINY O'ROARKE TO THE WORKFORCE RECRUITMENT AND OUTREACH COMMITTEE

Summary of Municipal Order No. 2019 – 186 was read by the City Clerk. Motion was made by Parrigin and seconded by Denning for consideration of said Municipal Order. Mayor Wilkerson reviewed and recommended the reappointments and appointments. 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 – 186 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 187

MUNICIPAL ORDER AUTHORIZING THE PURCHASE OF TITLEIST GOLF PRODUCTS FOR CROSSWINDS, PAUL WALKER AND RIVERVIEW GOLF COURSES THROUGH

NONCOMPETITIVE NEGOTIATIONS WITH TITLEIST OF CHICAGO, ILLINOIS IN AN AMOUNT NOT TO EXCEED \$80,000

Summary of Municipal Order No. 2019 – 187 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Meisel reviewed and recommended approval to purchase golf products through noncompetitive negotiations with Titleist. 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 – 187 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 188

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING NEGOTIATIONS AFTER SEALED BIDDING FOR BID #2020-08 FOR THE CONSTRUCTION OF A NEW FIRE STATION FROM WEHR CONSTRUCTORS, INC. OF BOWLING GREEN, KENTUCKY IN THE TOTAL AMOUNT OF \$3,999,770

Summary of Municipal Order No. 2019 – 188 was read by the City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal Order. Meisel explained the bid for construction of the new fire station was over budget and later negotiated after the sealed bid. He stated the bid includes an additional parking lot and improvements to the driveway entrance of the park at Lovers Lane. Meisel further confirmed the City has funds available and recommended approval. In response to questions from Mayor Wilkerson, Fire Chief Jason Colson explained the fire station would be 10,642 square feet and the construction costs totaled about \$361 per square foot. He also explained the design initially included three (3) bay doors, but was reduced to two (2) bay doors in order to decrease the cost nearly \$500,000. Commissioner Nash asked about the increased pricing of about \$16,000 from the negotiated bids compared to the first bids, specifically related to the parking lot construction and driveway entrance improvements. Public Works Director Greg Meredith explained there were some overlooked details in the bid specifications related to asphalt, as well as the potential for general price increases. Staff did not have a specific explanation for the increased pricing, however Commissioner Nash stated he was troubled there was no answer. 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 – 188 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 189

MUNICIPAL ORDER AUTHORIZING A CONTRACT THROUGH NONCOMPETITIVE NEGOTIATIONS WITH VAUGHN & MELTON CONSULTING ENGINEERS, INC. OF LEXINGTON, KENTUCKY FOR DOWNTOWN STREETScape IMPROVEMENTS, PHASE II IN THE AMOUNT OF \$264,972

Summary of Municipal Order No. 2019 – 189 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Meisel made remarks

about the progress of Phase I to the downtown streetscape improvements. He further reviewed and recommended approval of the bid for Phase II through noncompetitive negotiations with the same company, Vaughn & Melton Consulting Engineers, Inc., and confirmed the project was budgeted for Fiscal Year 2019. Commissioner Beasley-Brown asked for an explanation of the meaning of complete streets, and Public Works Director Greg Meredith explained the term complete streets is an all-inclusive way to think of various types of transportation such as, vehicles, pedestrian improvements, and walking and biking availabilities. 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 – 189 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 190

MUNICIPAL ORDER ACCEPTING THE CITY OF BOWLING GREEN, KENTUCKY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE PERIOD ENDED JUNE 30, 2019 AS PREPARED BY THE DEPARTMENT OF FINANCE AND AUDITED BY MOUNTJOY CHILTON MEDLEY CPAS & ADVISORS, LLP

Summary of Municipal Order No. 2019 – 190 was read by the City Clerk. Motion was made by Beasley-Brown and seconded by Nash for consideration of said Municipal Order. Meisel recognized the Finance Department, City Internal Auditor Deborah Jenkins and the Audit Committee for its work. Audit Committee Chair Jeff Stein explained there were no financial misstatements, no material weaknesses, fraud or illegal acts found in the CAFR, it was further noted the City received a clean report with no difficulties or disagreements with management. Assistant City Manager/Chief Financial Officer Katie Schaller-Ward acknowledged Assistant Chief Financial Officers Erin Ballou and Sean Weeks for preparing the report. 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 – 190 was approved by unanimous vote.

ORDINANCE NO. BG2019 – 47

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 1.1140 ACRE FROM RM-2 (TWO-FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS) LOCATED AT 0, 1024, 1028 AND 1032 KENTON STREET AND 1023, 1027, 1031 AND 1033 GREENWOOD ALLEY, PRESENTLY OWNED BY CSR BG INVESTMENTS, LLC C/O CHRIS ROBERTSON

Title and summary of Ordinance No. BG2019 – 47 was read by the City Clerk. Motion was made by Parrigin and seconded by Wilkerson for first reading of said Ordinance. Mayor Wilkerson stated this rezoning was unanimously recommended for approval by the City-County Planning Commission. As requested, City-County Planning Commission Executive Director Ben Peterson

explained this rezoning would consist of tearing down the existing homes to construct approximately three (3) contractor garages. Commissioner Denning expressed concern with the type of construction being placed in the neighborhood and the proximity to a church, however he thanked the developer for removing the dilapidated houses. Commissioner Beasley-Brown asked about the Focus 2030 Category Review in the Zone Change Staff Report and requested clarification on why the rezoning proposal did not comply with various goals, objectives and/or actions. Mr. Peterson confirmed the applicant may not respond by the time the Staff Report was completed, therefore resulting in a failure to comply with no answer, and some answers to questions may be provided at the time of the hearing. He also explained the category review process, such as compatibility, preservation, natural and historic features and access points are at the discretion of the City-County Planning Commission staff. It was said the Planning Commission makes decisions based on three (3) parts: what is the applicant asking for, what items are applicable and meet requirements, and public testimony. Mr. Peterson said the Planning Commission decided based on the development plan conditions, layout plan and compatibility, and it was clarified the rezoning recommendation was to go from a residential to a business character. Commissioner Nash inquired about developers not responding to all questions in the application, and Mr. Peterson explained if the application meets Planning Commission standards he has the discretion to put the item on the Planning Commission agenda. Mr. Peterson clarified there were no individuals who opposed the rezoning at the public hearing. Commissioner Beasley-Brown explained she would be voting no on the rezoning based on the testimony and documents presented at the public hearing, and it was her opinion the proposed rezoning was not consistent with the adopted Focus 2030 Comprehensive Plan as demonstrated by its noncompliance with the objectives and action items presented in the staff report as follows: the proposal was not compatible with the area and did not comply with LU-1.1.3; the proposal did not protect the nearby neighborhoods and therefore did not comply with LU-2.5; the proposal did not comply with LU-2.5.2 and HN-1.2 because the proposed infill development was not compatible with the surrounding area; the proposal did not comply with NCR-2.5 or NCR-2.5.3, as the applicant was proposing to demolish the historic homes located on the properties; the proposal did not comply with HN-1 and HN-1.3 because the proposal was not a suitable infill project nor would it maintain or improve the existing character and pattern of development within the area nor strengthen the nearby neighborhoods, and the proposal did not comply with HN-2.3, as the applicant planned to demolish the existing historic homes and was not building housing for low to moderate income families. Therefore the proposed rezoning in Commissioner Beasley-Brown's opinion was not in agreement with the adopted Comprehensive Plan. Commissioner Denning stated he agreed with Commissioner Beasley-Brown's statement. Once discussion ended, Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Parrigin and Wilkerson
 Voting Nay: Beasley-Brown, Denning and Nash
First reading of Ordinance No. BG2019 - 47 failed by majority vote.

ORDINANCE NO. BG2019 - 48
(First Reading)
ORDINANCE REZONING REAL ESTATE

**ORDINANCE REZONING TWO TRACTS OF LAND CONTAINING
0.35 ACRE FROM RM-3 (TOWNHOUSE/MULTI-FAMILY
RESIDENTIAL) TO RM-4 (MULTI-FAMILY RESIDENTIAL)
LOCATED AT 0 AND 1640 CURD DRIVE, PRESENTLY OWNED
BY FRITZ REAL ESTATE HOLDINGS, LLC**

Title and summary of Ordinance No. BG2019 – 48 was read by the City Clerk. Motion was made by Parrigin and seconded by Wilkerson for first reading of said Ordinance. Mayor Wilkerson stated this rezoning was unanimously recommended for approval by the City-County Planning Commission. Comments were made about variances and Mr. Peterson explained a variance meant requesting relief of certain standards in the Zoning Ordinance and final action requires Planning Commission approval. He also confirmed three (3) variances were approved and stated the development was limited to two-story units. After discussion concluded, a roll call vote was taken.

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

First reading of Ordinance No. BG2019 - 48 was approved by majority vote.

ORDINANCE NO. BG2019 – 49

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 11.24 ACRES FROM HB (HIGHWAY BUSINESS) AND F (FLOODPLAIN) TO RM-4 (MULTI-FAMILY RESIDENTIAL) AND F (FLOODPLAIN) LOCATED AT 0 CAVE MILL STATION BOULEVARD, PRESENTLY OWNED BY CAVE MILL STATION, LLC WITH CAVE MILL II, LLC AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2019 – 49 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for first reading of said Ordinance. Mayor Wilkerson stated this rezoning was unanimously recommended for approval by the City-County Planning Commission. 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 - 49 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 – 191

MUNICIPAL ORDER APPROVING AN AMENDMENT TO A GRANT AGREEMENT FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS IN THE AMOUNT OF \$70,226

Summary of Municipal Order No. 2019 – 191 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Meisel reviewed and recommended approval of the amendment to a grant agreement with the Kentucky Transportation Cabinet for the construction of a greenways path near Moss Middle School from the path on school property to the existing greenway on Creekwood Avenue. 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 – 191 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 192

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT THROUGH THE KENTUCKY FIRE COMMISSION TRAINING FACILITY GRANT PROGRAM IN THE AMOUNT OF \$67,000 FOR THE PURCHASE OF A FIRE VENT TRAINING PROP FOR THE FIRE DEPARTMENT

Summary of Municipal Order No. 2019 - 192 was read by the City Clerk. Motion was made by Parrigin and seconded by Beasley-Brown for consideration of said Municipal Order. Meisel reviewed and recommended approval of the grant for a fire vent training prop through the Kentucky Fire Commission. 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 - 192 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 193

MUNICIPAL ORDER APPROVING REVISIONS TO THE EMPLOYEE MEDICAL BENEFIT PLAN FOR EMPLOYEES OF THE CITY OF BOWLING GREEN

Summary of Municipal Order No. 2019 - 193 was read by the City Clerk. Motion was made by Beasley-Brown and seconded by Nash for consideration of said Municipal Order. Meisel reviewed and recommended approval of the medical benefit plan effective January 1, 2020. Commissioner Nash asked about the access limit on the HRA account of \$150 or more with the new Reference Base Plan (RBP) and Human Resources Director Erin Hulsey explained it was a recommendation from the consultant as the RBP plan includes a low copayment option, and the HRA money would be available for larger co-payments. Commissioner Parrigin expressed appreciation for offering an optional plan and establishing reasonable and quality plans for City employees. Commissioner Beasley-Brown explained she was abstaining due to a request for additional information. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 193 was approved by majority vote.

MUNICIPAL ORDER NO. 2019 - 194

MUNICIPAL ORDER APPROVING AND AUTHORIZING OUT-OF-TOWN TRAVEL EXPENSES FOR CITY MANAGER JEFFERY MEISEL TO ATTEND THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION CONFERENCE IN NASHVILLE, TENNESSEE

Summary of Municipal Order No. 2019 – 194 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. 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 – 194 was approved by unanimous vote.

ORDINANCE NO. BG2019 – 50

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 15 (BUSINESS AND GENERAL REGULATIONS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO ADD SUBCHAPTER 15-8 (REGULATION OF MOBILE FOOD VENDORS AND PUSHCARTS ON PUBLIC RIGHTS-OF-WAY) AND CHAPTER 27 (PROPERTY CODE), SUBCHAPTER 27-8 (PENALTIES) RELATED TO MOBILE FOOD UNITS AND PUSHCARTS

Title and summary of Ordinance No. BG2019 – 50 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for second reading of said Ordinance. Meisel explained a group of employees from various departments obtained samples of other cities ordinances, received input from mobile food vendors and prepared the amendments to Chapters 15 and 27 in order to regulate mobile food vendors and push carts on City rights-of-way. He said the amendments were presented and discussed at the recent Board of Commissioners Work Session/Fall Retreat. Commissioner Nash requested during high traffic times, the City assist food trucks to get into designated spots at the ends of Fountain Square Park. Meisel reiterated the ordinance language was designed for the everyday use on public rights-of-way and confirmed he would look into Commissioner Nash's request. There was further mention of the mobile food unit generator decibel level and it was confirmed the ordinance indicates the generator should be at 80 decibels or below. Following a question from resident Jonathan Bryant about how the generator decibel level would be monitored, Meisel indicated the Police Department would provide enforcement and also stated the ordinance restricts any amplified music. 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 – 50 was approved by unanimous vote.

ORDINANCE NO. BG2019 – 45

(Second Reading)

ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF A PORTION OF BEAUTY AVENUE TO MAINTENANCE AVENUE

Title and summary of Ordinance No. BG2019 – 45 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 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
Ordinance No. BG2019 – 45 was adopted by unanimous vote.

ORDINANCE NO. BG2019 – 46
(Second Reading)
ORDINANCE RELATING TO BUDGET AMENDMENT

ORDINANCE APPROVING AMENDMENT NUMBER ONE TO THE
CITY OF BOWLING GREEN, KENTUCKY ANNUAL OPERATING
BUDGET FOR FISCAL YEAR 2020

Title and summary of Ordinance No. BG2019 – 46 was read by the City Clerk. Motion was made by Nash and seconded by Denning for second reading of said Ordinance. 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
Ordinance No. BG2019 – 46 was adopted by unanimous vote.

CHANGE ORDER OF AGENDA

With no objections, Mayor Wilkerson changed the order of the agenda to consider Municipal Order No. 2019 – 196 at this time.

MUNICIPAL ORDER NO. 2019 – 196

MUNICIPAL ORDER AUTHORIZING THE PURCHASE OF
PROPERTIES NECESSARY FOR THE CONSTRUCTION OF THE
CONNECTOR ROAD RELATED TO THE SOUTHWEST PARKWAY
PROJECT, INCLUDING THE TRADING OF PROPERTIES WITH
WESTEN APARTMENTS, LLC

Summary of Municipal Order No. 2019 – 196 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. Meisel explained the original design of the Southwest Parkway connector now requires a redesign, in which it shifted the roadway, and resulted in the need to purchase additional property and designate some property as surplus. 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 – 196 was approved by unanimous vote.

Following a recess at 6:35 p.m., the regular meeting resumed at 6:45 p.m.

MUNICIPAL ORDER NO. 2019 – 195

MUNICIPAL ORDER ACKNOWLEDGING RECEIPT OF THE
INVESTIGATION REPORT AND SETTLEMENT AGREEMENT
AND FURTHER ACKNOWLEDGING THE SETTLEMENT

AGREEMENT RESOLVES AND CONCLUDES THE ETHICS
INVESTIGATION INVOLVING COMMISSIONER BRIAN "SLIM"
NASH

Summary of Municipal Order No. 2019 – 195 was read by the City Clerk. Motion was made by Wilkerson and seconded by Parrigin for consideration of said Municipal Order. Commissioner Nash stated in accordance with Chapter 2 (Administration), Section 2-2.19 (Action by the Board of Commissioners) of the City of Bowling Green Code of Ordinances, he disclosed he had a conflict of interest and would not be participating in the open discussion regarding the agenda item and would be leaving the Commission Chamber. Board of Ethics Chairman Barry Pruitt stated the mission of the Board of Ethics was to aid in the governing standards of integrity in the City government and to support the officials and employees of the City of Bowling Green in maintaining these standards. He further said it was expectant everyone would conduct themselves in a manner that preserves public confidence in City government and respect for the office or the position represented. Mr. Pruitt explained the duties of the Board of Ethics was to investigate complaints, issue orders, advisory opinions, control and maintain Financial Interests Statements and enforce the City's Code of Ethics. He recognized the Board of Ethics members and explained how they took on the task of investigating the complaints received against Commissioner Nash, and now requests the Board of Commissioners acknowledge the Settlement Agreement. Furthermore, he remarked the Board of Ethics work was not finished, during the process of the investigation the Board of Ethics identified some necessary revisions to the Code of Ethics and Policies for Complaint Procedures. Mr. Pruitt continued by thanking the Board of Ethics members, City Clerk Ashley Jackson and Special Counsel Stacey Blankenship for the help in upholding the standard of integrity. Mayor Wilkerson asked if Commissioner Nash was provided due process during the investigation and settlement and Special Counsel Stacey Blankenship stated Commissioner Nash was given the opportunity to respond to the investigation report and he was involved and agreed to the terms of the Settlement Agreement. Each Commissioner thanked the Board of Ethics for its hard work and dedication. Commissioner Beasley-Brown said to the citizens of Bowling Green the Board of Ethics policies declare people have a right to expect that every public official and employee will conduct himself/herself in a manner that will tend to preserve public confidence in and respect for the government he/she represents, and she believed the situation had caused citizens to lose confidence in and respect for government. She further read a bible scripture from Micah 6:8, and concluded her statement by saying, with a humble hope of restoring justice while offering mercy during this difficult situation, she would be voting to accept the settlement. Commissioner Parrigin discussed negativity in actions, public perception and she assured the public there were no special privileges or different set of rules for public officials. She also expressed interest in finding ways to avoid spending taxpayer's money on future ethics investigations. Mayor Wilkerson shared his disappointment in this type of behavior and recognized the amount of hours the Board of Ethics and City staff had to dedicate to the investigation. He also believed the situation was demoralizing to City staff and the community, and recognized Commissioner Nash was one of the most vocal supporters of the previous amendment to the Code of Ethics related to violations of local, state and federal laws. In conclusion, the Mayor shared a biblical story written by Paul about two (2) individuals with very serious differences, but were able to put those differences aside and come back together again. With no further discussion, a roll call vote was taken.

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

Municipal Order No. 2019 – 195 was approved by unanimous vote.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 7:05 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: November 19, 2019

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

Minutes prepared by City Clerk Ashley Jackson