

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held APRIL 18, 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 18, 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 Rick Williams, 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 & RECOGNITIONS

Mayor Wilkerson recognized the Bowling Green High School Basketball Team for its 14th District Championship for the fifth consecutive season and 4th Region Championship for the fourth year in a row and sixth out of the last nine seasons. On behalf of the Board of Commissioners, he proclaimed *2016 - 2017 The Season of Bowling Green Purples Basketball* acknowledging this outstanding accomplishment in the area of high school athletics and encouraging everyone to congratulate all the members of the team and coaching staff. Coach D. G. Sherrill thanked the Board for this recognition and introduced team members and other coaching staff in attendance.

PUBLIC HEARING

Grants Coordinator Nick Cook conducted a public hearing for the purpose of receiving comments about the Annual Action Plan draft for Year 14 and Neighborhood and Community Services Director Brent Childers presented proposed amendments to the Annual Action Plan for Years 8, 9, 10, 11, 12 and 13 of the Community Development Block Grant (CDBG) entitlement program. Mr. Cook provided an overview of the CDBG program, national objectives, planning and process as well as the approval deadlines. He reported the Year 14 funding was expected to be \$530,000 of which about 20% would be allocated for administration and fair housing, and 80% for neighborhood improvements. He also described Neighborhood Improvement Program (NIP) projects currently funded but not yet complete for Census Block 105.2 and the funding for United Way of Southern Kentucky 2-1-1.

Mr. Childers outlined the four main issues - lack of safe pedestrian facilities, lack of property maintenance, diverse/unconnected neighborhoods and parks not well used - to be addressed in Census Block 112, which was the next target area selected in the *BG Reinvestment Area*. He explained the planning process and approach used to identify NIP projects for this area. Mr. Childers summarized the proposed \$2.4 million of infrastructure projects and neighborhood improvements to be completed using three years of funding (13, 14 and 15) and the reallocation of underspending of approximately \$175,000 from other previous years. He also stated the proposed projects and improvements would take about three years to implement. Mr. Childers announced written comments would be received through April 28th regarding the Year 14 Plan draft and proposed amendments to the previous Plan years, and inquired if there was anyone in attendance who wished to comment at this time. With no one stepping forward to make comments, Mayor Wilkerson declared the public hearing closed.

CITY MANAGER

City Manager Kevin D. DeFebbo requested a closed session for the purpose of discussion which might lead to the discipline of an individual employee without restricting that employee's right to a public hearing if requested. Motion was made by Nash and seconded by Denning to convene in closed session following the regular meeting pursuant to KRS 61.810 (1) (f). Mayor Wilkerson called for roll call vote.

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

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

Mr. DeFebbo also requested two late-filed items related to CSX Transportation be added to the agenda for consideration. Motion was made by Parrigin and seconded by Williams to add Municipal Order No. 2017 – 60 and Ordinance No. BG2017 – 15 to the end of the regular agenda. With no other discussion, a roll call vote was taken.

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

Motion to add the two late-filed items to the end of the regular agenda was approved by unanimous vote.

CHARTER/SPECTRUM COMMUNICATIONS PRESENTATION ABOUT CABLE CHANGES

At the request of the City Manager, City Attorney Gene Harmon introduced Charter Communications Government Affairs Senior Director Jason Keller and Government Affairs Manager Carla Deaton. Mr. Keller started out by saying Time Warner Cable was now known as Charter Communications and/or Spectrum in the City of Bowling Green. He outlined the capabilities of the network under Charter including cable, internet and phone services as well as the ability to be an economic development partner with its fiber broadband speeds. He also went through the cable enhancements with the introduction of "Spectrum" packages, internet assist, new programming, network encryption and PEG (public education government) channels moving to the public affairs "neighborhood." Mr. Keller also identified some offers for existing customers who need cable boxes to access cable television now that the network is encrypted and provided customer service contact information for anyone who has questions or issues with the transition.

In addition, Mr. Keller responded to questions and concerns expressed by the Board of Commissioners regarding the transition, requests for a Louisville and/or Lexington network station and local customer service. Each of the elected officials noted they have heard from several people who are frustrated with and/or confused about the transition, have received poor customer service and are upset about the cost of cable services. Commissioners Williams and Nash each requested that Charter/Spectrum provide a clearly understood menu for existing and available cable packages for Bowling Green customers.

John Goessling, Thelma Baker and Austin McKay also expressed their frustration with customer service issues, receiving conflicting information and not being able to access the same cable channels as could before the transition. Diana Hunt asked about Charter's policy regarding LGBT employees.

Mr. DeFebbo suggested putting more people at the local cable office to assist customers more efficiently during this transition. Commissioner Williams emphasized there were some serious communication issues which needed to be addressed and a need to help people better understand their options. Mayor Wilkerson said he visited the local cable office last week and witnessed the local interaction and thought the local office did a good job.

At the conclusion of the discussion, Board members thanked Mr. Keller and Ms. Deaton for attending the meeting and listening to the local concerns. Mayor Wilkerson also reiterated the cable franchise was not exclusive and that the City had no control over rates or services.

APPROVAL OF MINUTES

Minutes of Regular Meeting April 4, 2017

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

Motion to approve the minutes of the regular meeting of April 4, 2017 was approved by unanimous vote.

REGULAR AGENDA

ORDINANCE NO. BG2017 - 9

(Second 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 Denning 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, Nash, Parrigia and Wilkerson
 Voting Nay: None

Ordinance No. BG2017 - 9 was adopted by unanimous vote.

ORDINANCE NO. BG2017 - 10

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

Ordinance No. BG2017 - 10 was adopted by unanimous vote.

ORDINANCE NO. BG2017 - 11

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

Ordinance No. BG2017 - 11 was adopted by unanimous vote.

ORDINANCE NO. BG2017 - 12

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

Ordinance No. BG2017 - 12 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 49

MUNICIPAL ORDER APPROVING THE PROMOTION OF JOSHUA C. HANCOCK TO THE POSITION OF PUBLIC WORKS TECHNICIAN IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2017 - 49 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Parrigin for consideration of said Municipal Order. DeFebbo mentioned a recent promotion created a vacancy. Public Works Director Greg Meredith reviewed the qualifications and recommended the promotion. After the discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 49 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 50

MUNICIPAL ORDER APPROVING THE PROMOTION OF AMELIA L. BOWEN TO THE POSITION OF COMMUNICATIONS CENTER MANAGER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2017 - 50 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. DeFebbo indicated a recent retirement created a vacancy. He also mentioned working in dispatch was one of the most difficult positions. Police Chief Doug Hawkins reviewed the qualifications and recommended the promotion. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2017 - 50 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 51

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF YVONNE D. EVANS, RICHARD E. HARRISON AND ERIN E. REID TO THE POSITION OF COMMUNICATIONS DISPATCHER IN THE POLICE DEPARTMENT

Summary of Municipal Order No. 2017 - 51 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Denning for consideration of said Municipal Order. DeFebbo said it takes a special person to fill the dispatch positions and he recommended the appointments. He also stated the City continually takes applications for Dispatcher year round. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 51 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 52

MUNICIPAL ORDER APPROVING THE APPOINTMENT OF BRIAN DINNING TO THE BOWLING GREEN AUDIT COMMITTEE

Summary of Municipal Order No. 2017 - 52 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Parrigin for consideration of said Municipal Order. Mayor Wilkerson reviewed and recommended the board appointment which required an audit professional. With no other discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 52 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 53

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-45 FOR THE FINANCE REPORT WRITER SOFTWARE FROM GOVERNMENT REPORTING SPECIALISTS OF MAGNOLIA, TEXAS IN THE AMOUNT OF \$32,000

Summary of Municipal Order No. 2017 - 53 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. DeFebbo explained it takes multiple staff and an inordinate amount of time to produce the City's Comprehensive Annual Financial Report (CAFR). He recommended the purchase of software which would make this process easier and more efficient. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2017 - 53 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 54

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-06 FOR THE CHERRY DRIVE REALIGNMENT AT 10TH AVENUE PROJECT FROM JC BREWER CONSTRUCTION OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$53,856.65

Summary of Municipal Order No. 2017 - 54 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. DeFebbo recommended the bid award to fix an intersection as part of the comprehensive Neighborhood Improvements Program underway in Census Block 105.2. Neighborhood and Community Services Director Brent Childers reviewed the need for this project, the development of a design solution and the anticipated benefits to increase motorists and pedestrian safety. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 54 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 55

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-20 FOR EMMETT AVENUE/CREASON STREET INTERSECTION IMPROVEMENTS FROM SCOTTY'S CONTRACTING & STONE, LLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$118,631.52

Summary of Municipal Order No. 2017 - 55 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. DeFebbo explained how this project came about and the ability to develop a proposal for improvements. Public Works Director Greg Meredith described the project and responded to a question about the inability to add a turnaround for Creason Street motorists to make a safe U-turn. When the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2017 - 55 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 56

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-48 FOR THE CITY HALL WINDOW IMPROVEMENT PROJECT FROM DIXIE RESTORATION & BUILDING MAINTENANCE, LLC OF GREENSBURG, KENTUCKY IN THE AMOUNT OF \$86,950

Summary of Municipal Order No. 2017 - 56 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal Order. DeFebbo stated City Hall was built in 1907 and had historic value. He indicated that over the last couple of years improvements to the facility were steadily occurring to maintain the asset and balance its historical value with energy efficiency and safety. He recommended the bid award. Public Works Director Greg Meredith indicated the main focus of the bid was the replacement of the five windows in the Commission Chamber, but would also include the restoration/repair of the other windows in the building. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2017 - 56 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 57

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2017-52 FOR FISCAL YEAR 2017 MID-YEAR STREET OVERLAY FROM SCOTTY'S CONTRACTING & STONE, LLC OF BOWLING GREEN, KENTUCKY IN THE AMOUNT OF \$791,661.53

Summary of Municipal Order No. 2017 - 57 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Nash for consideration of said Municipal Order. As a priority of the Board, DeFebbo indicated a greater importance has been placed on paving

in the last couple of years. He recommended the bid award to add another 8.31 miles of street resurfacing including nine handicap ramp replacements for FY2017. Public Works Director Greg Meredith confirmed the list of streets for this project would be made available on the City's website. Following the discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 57 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 13
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING
0.2296 ACRE FROM RM-3 (MULTI-FAMILY RESIDENTIAL) TO
RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED AT 1412
MAGNOLIA STREET, PRESENTLY OWNED BY SIEROB, LLC

Title and summary of Ordinance No. BG2017 - 13 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for first reading of said Ordinance. Mayor Wilkerson noted this rezoning received unanimous approval by the City-County Planning Commission. City-County Planning Commission Director Ben Peterson clarified the difference between RM-3 and RM-4, and confirmed the Future Land Use Map (FLUM) was not amended for this rezoning. With no other discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 13 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 14
(First Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING
0.5682 ACRE FROM CB (CENTRAL BUSINESS) AND GB
(GENERAL BUSINESS) TO CB (CENTRAL BUSINESS) LOCATED
AT 701 CHESTNUT STREET AND 517 EAST 7TH AVENUE,
PRESENTLY OWNED BY FLORA TEMPLETON STUART

Title and summary of Ordinance No. BG2017 - 14 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for first reading of said Ordinance. Mayor Wilkerson noted this rezoning received unanimous approval by the City-County Planning Commission. At the request of Commissioner Nash, City-County Planning Commission Director Ben Peterson confirmed the Future Land Use Map (FLUM) was not amended for this rezoning. With no additional discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 14 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 58

MUNICIPAL ORDER AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION FOR FEDERAL FISCAL YEAR 2015 TRANSPORTATION ASSISTANCE UNDER THE SECTION 5310 PROGRAM

Summary of Municipal Order No. 2017 - 58 was read by the Assistant City Manager/City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. DeFebbo recommended approval and acceptance of the grant to replace two ADA-accessible transit buses and to add an automated annunciator system to all public transit vehicles. Grants Coordinator Nick Cook summarized the available funding and permitted use to enhance the mobility of seniors and individuals with disabilities. He also confirmed no local match was required since the City was approved to receive toll credits. After the discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 58 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 59

MUNICIPAL ORDER APPROVING COST OF LIVING ADJUSTMENT AND INCREASE IN ANNUAL LEASE PAYMENT RELATED TO LEASE AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND THE BOWLING GREEN-WARREN COUNTY REGIONAL AIRPORT

Summary of Municipal Order No. 2017 - 59 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash for consideration of said Municipal Order. DeFebbo recapped that the City leases 53 acres from the Airport for the CrossWinds Golf Course. City Attorney Gene Harmon explained the ability for the Airport to increase the annual lease payment by a rate based on the average cost of living from the preceding five years. He noted this new payment amount would be set for the next five years beginning with Fiscal Year 2018 through 2022. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2017 - 59 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2017 - 60

MUNICIPAL ORDER APPROVING AGREEMENT BETWEEN THE CITY OF BOWLING GREEN AND CSX TRANSPORTATION, INC. TO RESCIND THE CROSSING CLOSURE AGREEMENT DATED MAY 3, 2016, RELATED TO THE CLOSURE OF THE HIGHWAY-RAIL AT-GRADE CROSSING ON ROBINSON AVENUE

Summary of Municipal Order No. 2017 - 60 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Williams for consideration of said Municipal

Order. DeFebbo indicated this item and the next culminated with a neighborhood meeting held the night before where residents were able to discuss the issues. Attorney Hamp Moore outlined the proposal to keep Robinson Avenue open and the concession by the City to repeal the ordinance limiting the speed of trains and the amount of time a rail crossing could be block. He further explained this was not really a concession as this ordinance was not enforceable since it was pre-empted by Federal regulations. Mayor Wilkerson noted this Municipal Order and the following Ordinance No. BG2017 - 15 had the same explanation.

Commissioner Nash stated he fully supported these items, but was disappointed in seeing them added to this agenda. He said late-files can be tricky and he thought based on the discussion at the neighborhood meeting the consensus was to wait until the next meeting. With no additional discussion, a roll call vote was taken.

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

Municipal Order No. 2017 - 60 was approved by unanimous vote.

ORDINANCE NO. BG2017 - 15

(First Reading)

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 22 (TRAFFIC AND MOTOR VEHICLES), SUBCHAPTER 22-3 (OPERATION) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO RESCIND LANGUAGE RELATED TO TRAINS

Title and summary of Ordinance No. BG2017 - 15 was read by the Assistant City Manager/City Clerk. Motion was made by Parrigin and seconded by Nash for first reading of said Ordinance. Attorney Hamp Moore reiterated Federal regulations pre-empted this ordinance language making it unenforceable. Commissioner Williams pointed out two attorneys and a Court of Appeals Judge all agreed with that assessment. Mr. DeFebbo thanked Mr. Moore for all of his services on this issue. Following the discussion, a roll call vote was taken.

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

First reading of Ordinance No. BG2017 - 15 was approved by unanimous vote.

PUBLIC COMMENTS

Following the conclusion of the regular agenda, Mayor Wilkerson opened the floor for any public comments about items not included on the agenda. Jason Brown, Forrest Decon and Jennifer Morlan each expressed their support for a fairness ordinance. Mr. Brown stated all persons are entitled to have human and civil rights ensured. Mr. Deacon said he was a victim of discrimination as a transgender and a fairness ordinance must be enacted to protect the rights of all of the LGBTQ community. Ms. Morlan questioned why the legitimacy of research conducted through the Harvard Medical School about the gay brain was not being accepted.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 7:25 p.m. in closed session pursuant to KRS 61.810 (1) (f) 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 8:50 p.m., Mayor Wilkerson declared this meeting adjourned.

ADOPTED: May 2, 2017

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Johnson
Assistant City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller-Ward