

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held OCTOBER 1, 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 October 1, 2019. Mayor Bruce Wilkerson called the meeting to order. An invocation was given by Mayor Wilkerson and all present recited the Pledge of Allegiance. City Clerk Ashley Jackson called the roll, and the following members were present: Commissioner Brian "Slim" Nash, Commissioner Sue Parrigin, Commissioner Dana Beasley-Brown, Commissioner Joe W. Denning and Mayor Bruce Wilkerson. Absent: none. There was a full quorum of the Board of Commissioners.

CITY MANAGER

City Manager Jeffery B. Meisel withdrew item number 1, Municipal Order No. 2019 - 165, from the agenda with no objections.

Meisel requested a closed session for the purpose of discussion which might lead to the discipline or dismissal of an individual employee without restricting that employee's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret. Motion was made by Nash and seconded by Parrigin 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: Nash, Parrigin, Beasley-Brown, Denning and Wilkerson
 Voting Nay: None

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

APPROVAL OF MINUTES

Minutes of Special Work Session/Fall Retreat September 16, 2019 and Regular Meeting September 17, 2019.

Minutes of the above-referenced meetings were distributed to the Board of Commissioners with the Agenda for review. Motion was made by Parrigin and seconded by Beasley-Brown to approve said minutes as written. Mayor Wilkerson asked for discussion, and with none, a roll call vote was taken.

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

Motion to approve the minutes of the Special Work Session/Fall Retreat of September 16, 2019 and regular meeting of September 17, 2019 was approved by unanimous vote.

REGULAR AGENDA

Municipal Order No. 2019 - 165 was previously withdrawn from the agenda.

MUNICIPAL ORDER NO. 2019 - 166

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENTS OF MATTHEW BARROW, MARTELL DUNN AND CHRISTOPHER HOUSE TO THE POSITION OF LABORER II IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2019 - 166 was read by the City Clerk. Motion was made by Nash and seconded by Parrigin for consideration of said Municipal Order. Human Resources Director Erin Hulseley reviewed and recommended the appointments. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 166 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 167

MUNICIPAL ORDER APPROVING THE TRANSFER OF CALEB HULSEY TO THE POSITION OF FIRE APPARATUS OPERATOR IN THE FIRE DEPARTMENT

Summary of Municipal Order No. 2019 - 167 was read by the City Clerk. Motion was made by Parrigin and seconded by Denning for consideration of said Municipal Order. Meisel explained this was a request by the employee to transfer from a Company Commander/Captain to a Fire Apparatus Operator, and the vacancy of Company Commander/Captain would be filled at a later date. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 167 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 168

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID #2019-67 FOR DISHMAN LANE TRAFFIC SIGNAL IMPROVEMENT FROM ARROW ELECTRIC COMPANY, INC. OF LOUISVILLE, KENTUCKY IN THE AMOUNT OF \$164,983.60

Summary of Municipal Order No. 2019 - 168 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 to accept the bid for the Dishman Lane traffic signal improvement project. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 168 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 169

MUNICIPAL ORDER APPROVING FISCAL YEARS 2019/2020
THROUGH 2022/2023 CAPITAL IMPROVEMENT PROGRAM (CIP)
FOR THE CITY OF BOWLING GREEN, KENTUCKY

Summary of Municipal Order No. 2019 - 169 was read by the City Clerk. Motion was made by Parrigin and seconded by Beasley-Brown for consideration of said Municipal Order. Meisel explained the preparation and approval of the CIP was completed annually and a recommended practice by the Government Finance Officers Association (GFOA). He also indicated although there are multi-years included in the document, projects would be evaluated each budget year. Commissioner Beasley-Brown asked about the Pascoe Boulevard Park Development and Hillview Mills Park land acquisition in the Parks and Recreation Department CIP and recommended a higher prioritization of parks development in the Pascoe Boulevard area. Parks and Recreation Director Brent Belcher stated the Parks Master Plan mentioned service radius of City residents and he recognizes the need in the area. There was further discussion about the Roland Bland Park restroom and Mr. Belcher explained it is in need of a remodel. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 169 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 170

MUNICIPAL ORDER APPROVING THE CONSTRUCTION OF A
LEACHATE COLLECTION FORCE-MAIN SYSTEM AT THE
BUTLER COUNTY LANDFILL AND APPROVING AND
AUTHORIZING THE EXECUTION OF A MEMORANDUM OF
AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY,
ENERGY AND ENVIRONMENTAL CABINET, DIVISION OF
WASTE MANAGEMENT TO PROVIDE UP TO \$450,000 TO
REIMBURSE THE CITY OF BOWLING GREEN FOR THE COSTS
OF THE LEACHATE COLLECTION SYSTEM

Summary of Municipal Order No. 2019 - 170 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 construction of a leachate collection force-main system at the Butler County Landfill, including a Memorandum of Agreement with the State to provide reimbursement for the project up to \$450,000. In response to a question, Environmental Manager Matt Powell confirmed the project should be completed next summer. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

Municipal Order No. 2019 - 170 was approved by unanimous vote.

ORDINANCE NO. BG2019 - 43

(First Reading)

ORDINANCE AMENDING ZONING ORDINANCE

ORDINANCE AMENDING ARTICLES 1, 3, 4 AND 5 OF THE ZONING ORDINANCE FOR THE CITY OF BOWLING GREEN, KENTUCKY AS RECOMMENDED BY THE CITY-COUNTY PLANNING COMMISSION

Title and summary of Ordinance No. BG2019 - 43 was read by the City Clerk. Motion was made by Parrigin and seconded by Denning for first reading of said Ordinance. Meisel stated the amendment to the zoning ordinance was 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: Nash, Parrigin, Beasley-Brown, Denning and Wilkerson
Voting Nay: None

First reading of Ordinance No. BG2019 - 43 was approved by unanimous vote.

ORDINANCE NO. BG2019 - 44

(First Reading)

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A PORTION OF TWO TRACTS OF LAND CONTAINING 1.053 ACRE FROM RS-1A (SINGLE FAMILY RESIDENTIAL) TO RS-1D (SINGLE FAMILY RESIDENTIAL) LOCATED AT 2929 SMALLHOUSE ROAD, PRESENTLY OWNED BY JAMES AND SALLY BROWN

Title and summary of Ordinance No. BG2019 - 44 was read by the City Clerk. Motion was made by Parrigin and seconded by Nash for first reading of said Ordinance. Mayor Wilkerson stated this rezoning was unanimously recommended for approval by the City-County Planning Commission. City-County Planning Commission Director Ben Peterson responded to a question and explained the difference between RS-1A and RS-1D includes the amount of land coverage in a development, allowing for more density on smaller lots. Mayor Wilkerson asked for additional discussion, and with none, a roll call vote was taken.

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

First reading of Ordinance No. BG2019 - 44 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2019 - 171

MUNICIPAL ORDER AUTHORIZING SUBMISSION OF APPLICATIONS TO THE KENTUCKY DEPARTMENT OF CRIMINAL JUSTICE TRAINING, THE KENTUCKY LAW ENFORCEMENT COUNCIL, TO ESTABLISH AND OPERATE A POLICE OFFICER BASIC TRAINING ACADEMY AND TELECOMMUNICATOR BASIC ACADEMY, AND FURTHER TAKE ALL NECESSARY ACTIONS TO ESTABLISH THE ACADEMIES

Summary of Municipal Order No. 2019 - 171 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 the approval to submit applications for the Police Officer Basic Training Academy and Telecommunicator Basic Academy. Following questions by Commissioner Denning, Chief Hawkins explained the approval process through the Kentucky Law Enforcement Council (KLEC) which includes submission of the applications, inspection of facilities to confirm the City could adequately host trainings, followed by approval of the curriculum. Chief Hawkins further explained how the basic training academies could reduce the time it takes to train and have a new hire ready to begin the job, as well as eliminate the waiting process to attend academy in Richmond, Kentucky. It was also reiterated the City Police Department has adequate training staff to efficiently offer the basic training academies. Once the discussion ended, a roll call vote was taken.

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

Municipal Order No. 2019 - 171 was approved by unanimous vote.

ORDINANCE NO. BG2019 - 40

(Second 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 second reading of said Ordinance. Commissioner Nash explained he visited the property and said in his opinion the rezoning is non-compliant due to the amount of traffic that already exists and the difficulty to safely accommodate traffic that would be generated by a commercial business. He further said the commercial business will be 17 ½ feet from the adjoining residence and it was mentioned the property owner may be selling the residential home, but the renter previously made remarks to the Board of Commissioners opposing the project. There was additional comments about the commercial structure being approximately five (5) feet higher than the residence, additional traffic into Whispering Hills Subdivision, and Commissioner Nash believes the lot was designed to be a residential lot. Commissioner Denning asked about the possibility of an apartment complex on the property and City-County Planning Commission Director Ben Peterson stated based on the lot size two (2) units would be allowed and parking would be determined on the number of bedrooms. Additionally, the ingress and egress would be determined the same way as the proposed project by the City Public Works Department and/or the Kentucky Transportation Cabinet. Commissioner Parrigin agreed there are traffic concerns in this area, particularly exiting at Whispering Hills onto Russellville Road, and in order to help solve some of the problem she asked the City Public Works Director to assist in the efforts to recommend improvements such as restriping with right and left turning lanes. She also confirmed the neighborhood residence would be consulted and involved. Alaa Tlais made some remarks about the adjoining property he now owns, confirmed he followed all rules and regulations and considered safety of the neighbors. Once the discussion ended, a roll call vote was taken.

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

Ordinance No. BG2019 - 40 was adopted by a majority vote.

ORDINANCE NO. BG2019 - 41

(Second 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 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: Nash, Parrigin, Beasley-Brown, Denning and Wilkerson
 Voting Nay: None

Ordinance No. BG2019 - 41 was adopted by unanimous vote.

ORDINANCE NO. BG2019 - 42

(Second 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 Parrigin 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: Nash, Parrigin, Beasley-Brown, Denning and Wilkerson
 Voting Nay: None

Ordinance No. BG2019 - 42 was adopted by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met at approximately 5:45 p.m. in closed session pursuant to KRS 61.810 (1) (f) as previously approved.

ADJOURNMENT

There being no further business to come before the Board of Commissioners, at approximately 6:20 p.m., Mayor Wilkerson declared this meeting adjourned.

(Minutes-Board of Commissioners-October 1, 2019)

ADOPTED: October 15, 2019

APPROVED: Bruce Williams
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

Minutes prepared by City Clerk Ashley Jackson