

**RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 30149

Held

MONDAY, AUGUST 3, 2009

20

The regular meeting of the Bowling Green City Council, held in the Council Chamber, 304 North Church Street, Bowling Green, Ohio was called to order at 8:00 p.m. by Council President Newlove. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Frost, McOmber, Newlove, Sorrells, and Zanfardino responded. Council Member Dunn was not present. Also present were Mayor John Quinn, Municipal Administrator John Fawcett, City Attorney Michael Marsh, Parks and Recreation Director Michelle Grigore, Public Works Director Brian Craft, and Utilities Director Kevin Maynard. Planning Director Rick Ketzenbarger was not present.

Council President Newlove announced that Council Member Gordy Heminger resigned his seat on Council effective July 31, 2009 and accepted a job out of state. Council President Newlove nominated Jacob Redfern to replace Heminger as the First Ward Council Member. Zanfardino seconded the nomination. Council Member Frost also nominated Mark Hollenbaugh as a replacement for Heminger. McOmber seconded the nomination.

Council President Newlove asked for a roll call vote on the nomination of Redfern. On roll call vote, Council Members Newlove, Sorrells, and Zanfardino voted yes. Council Members Frost and McOmber voted no. Council President Newlove declared motion defeated as at least four affirmative votes are needed in order for the motion to pass.

Council President Newlove asked for a roll call vote on the nomination of Hollenbaugh. Council Members Frost and McOmber voted yes. Council Members Newlove, Sorrells, and Zanfardino voted no. Council President Newlove declared motion defeated.

Council President Newlove declared the minutes of the meeting held October 2, 2009 approved as distributed.

CORRESPONDENCE

There was no correspondence.

OFFICIAL REPORTS

Mayor John Quinn informed Council that Cooper Standard filed Chapter 11 bankruptcy this morning. Quinn noted that he was aware that Cooper planned the filing and that he was informed that they intend to operate business as usual during the proceedings. Quinn also informed Council that on the brighter side, he has been made aware that some of the local factories have been able to call some employees back to work.

Mayor Quinn announced that the annual tractor pull event will be held the weekend of August 21. Quinn noted that he will be out of town during the event and asked if any of the Council Members were interested in representing the City and welcoming the event to town on opening night.

Mayor Quinn presented Certificates of Appreciation to Mark Leck and Les Barber for their service on the City's Planning Commission.

Municipal Administrator John Fawcett announced that the City received \$81,521 in additional CDBG funding as a result of the stimulus funds being made available from the Federal government. Fawcett noted that these funds can be used for housing rehabilitation, transit service and tree plantings. Fawcett also noted that a public hearing will be held on August 18 at 1:15 p.m. in the Council Chamber to receive public input into the use of the 2010 ODOT transit grant funds.

Planning Director Rick Ketzenbarger was not present.

Parks and Recreation Director Michelle Grigore had no report.

City Attorney Michael Marsh had no report.

Utilities Director Kevin Maynard had no report.

Public Works Director Brian Craft reported that street crews began the annual street striping program and that heavy item pickup will be performed the week of August 10.

NEW LEGISLATION

The following new legislation was recommended by the Administration and presented to Council for introduction:

Council Member Newlove, for the Finance Committee, introduced a resolution transferring previously appropriated funds.

Council Member Newlove, for the Finance Committee, introduced a resolution authorizing the Finance Director to establish a Special Revenue Fund entitled "Community Development Block Grant-Recovery Fund" for the City of Bowling Green, Wood County, Ohio.

Council Member Newlove, for the Finance Committee, introduced an ordinance providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2009 and ending December 31, 2009.

Council Member Newlove, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator and the Utilities Director to sell obsolete items no longer needed for municipal purposes by public auction, and declaring an emergency.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the rehabilitation and/or replacement of substandard sewers as determined by the City Engineer.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the construction of approximately 1,700 lineal feet of a 12-inch waterline on East Wooster Street.

COUNCIL COMMITTEE REPORTS

There were no Council committee reports.

LOBBY VISITATIONS

Wood County Health Commissioner Pam Butler gave Council the annual report on the Health Department's work for the City. Butler distributed an eight-year financial summary of how funds were expended for various services. Butler also distributed informational pamphlets and discussed services provided by the Health Department.

Lisa Lawson-LaPointe, a Bowling Green resident and Development and Public Relations Coordinator for Toledo Fair Housing Center, addressed Council indicating that her organization covers Lucas and Wood counties Fair Housing complaints. She indicated that she had heard that Council had been told that housing complaints are few and far between, even in Lucas County. However, she informed Council that that is not true and that the Toledo Fair Housing Center investigates hundreds of complaints based on the current seven federal protected classes in the two counties each year. Lawson-LaPointe noted that since the City receives Federal grant dollars for Fair Housing, the City must show that they are "affirmatively furthering Fair Housing". If municipalities are found that they are not affirmatively furthering Fair Housing based on the seven Federal protected classes, they can be faced with large monetary penalties. Lawson-LaPointe urged Council to go forward with the additional protected classes as she feels that it is very important.

Ben Vollmar, 1443 Cardinal Road, addressed Council for the second time and stated that he has now read the entire proposed legislation and wished to state his beliefs. Vollmar noted that he remains opposed to the proposed ordinances and that they have nothing to do with safety and they deal with primarily with employment, housing, use of public facilities, and education. Vollmar finished by saying that Bowling Green is about being a welcoming town and he would like to see everyone treat one another with respect and with care despite their different views on this issue. Vollmar also said that he intends to treat everyone with respect as a human being.

READING OF LEGISLATION

Clerk read Resolution #3401 transferring previously appropriated funds, for first reading.

Clerk read Resolution #3402 authorizing the Finance Director to establish a Special Revenue Fund entitled "Community Development Block Grant-Recovery Fund" for the City of Bowling Green, Wood County, Ohio, for first reading.

Clerk read Ordinance #7918 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2009 and ending December 31, 2009, for first reading.

Clerk read Ordinance #7919 authorizing the Municipal Administrator and the Utilities Director to sell obsolete items no longer needed for municipal purposes by public auction, and declaring an emergency, for first reading.

Clerk read Ordinance #7920 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the rehabilitation and/or replacement of substandard sewers as determined by the City Engineer, for first reading.

Clerk read Ordinance #7921 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the construction of approximately 1,700 lineal feet of a 12-inch waterline on East Wooster Street, for first reading.

Clerk read Resolution #3400 authorizing the filing of (a) proposal(s) and/or (an) application(s) with the Ohio Department of Transportation for grants through the U.S. Department of Transportation Federal Transit Administration (FTA), as authorized under Federal Transit Laws, as codified, 49 USC Section 5311 financial assistance for other than urbanized areas and funds available from the Ohio Public Transportation Grant Program, executing a contract/grant for the FY 2010 Ohio Elderly and Disabled Transit Fare Assistance Program, and executing a contract with the Ohio Department of Transportation upon grant proposal and/or application approval, for second reading.

Clerk read Ordinance #7913 amending and adopting Section 33.01(Q) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to employment policies, for second reading.

Clerk read Ordinance #7914 amending and adopting Section 75.01 and Section 75.10 of the Codified Ordinances of the City of Bowling Green, Ohio, concerning bicycles, motorcycles and snowmobiles, for second reading.

Clerk read Ordinance #7915 amending and adopting Section 98.03 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding snow and ice covered sidewalks declared a nuisance, for second reading.

Clerk read Ordinance #7916 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the supplying of annual inventory requirements, vehicle fuel, underground and overhead lines insurance, and sale of scrap materials for calendar year 2010, for second reading.

Clerk read Ordinance #7917 authorizing the Utilities Director to execute an amendment to the agreement with Corpro Companies for installation of additional sacrificial anodes on the 36-inch water transmission main, for second reading.

Clerk read Ordinance #7904 enacting Section 33.22(A)(4) & (9) and Section 33.22(B)(4) & (9) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to sick leave, for third reading.

Council Member Newlove moved, Zanfardino seconded, to adopt Ordinance #7904. On roll call vote, Council Members Newlove, Sorrells, Zanfardino, Frost, and McOmber voted yes. Council President Newlove declared motion carried, and Ordinance #7904 adopted.

Clerk read Ordinance #7907 authorizing the Utilities Director to execute Amendment #1 to the owner-engineer agreement with Reiss Engineering, and to advertise for bids for additional items connected with the Water Treatment Plant membrane technology expansion project, for third reading.

Council Member McOmber moved, Frost seconded, to adopt Ordinance #7907. On roll call vote, Council Members Sorrells, Zanfardino, Frost, McOmber, and Newlove voted yes. Council President Newlove declared motion carried, and Ordinance #7907 adopted.

Clerk read Ordinance #7908 adopting Section 150.101(E) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to requirement of financial guarantees for work in the public right-of-way, for third reading.

Council Member Frost moved, McOmber seconded, to table Ordinance #7908 until August 17, 2009. On roll call vote, Council Members Sorrells, Zanfardino, Frost, McOmber, and Newlove voted yes. Council President Newlove declared motion carried.

Clerk read Ordinance #7909 amending and adopting Section 150.03 of the Codified Ordinances of the City of Bowling Green, Ohio, relating to definitions for electronic message boards, for third reading.

Council Member Frost moved, McOmber seconded, to table Ordinance #7909 until August 17, 2009. On roll call vote, Council Members Zanfardino, Frost, McOmber, Newlove, and Sorrells voted yes. Council President Newlove declared motion carried.

Clerk read Ordinance #7910 amending the Zoning District Map of the City of Bowling Green, Ohio, for 0.100 acres located behind 507 Harvest Lane from M-1 Light Industrial to R-2 Single Family Residential zoning, for third reading.

Council Member Frost moved, McOmber seconded, to table Ordinance #7910 until August 17, 2009. On roll call vote, Council Members Frost, McOmber, Newlove, Sorrells, and Zanfardino voted yes. Council President Newlove declared motion carried.

Clerk read Ordinance #7911 approving the S-District Site Plan for four (4) rooming houses on the north side of Fourth Street at the intersection of South College Drive, as petitioned for by Kelen Properties, for third reading.

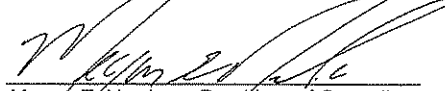
Council Member Frost moved, McOmber seconded, to table Ordinance #7911 until August 17, 2009. On roll call vote, Council Members McOmber, Newlove, Sorrells, Zanfardino, and Frost voted yes. Council President Newlove declared motion carried.

Council Member Sorrells moved, McOmber seconded, to excuse Council Member Dunn from this evening's meeting. On unanimous voice vote, Council President Newlove declared motion carried.

Council Member McOmber moved, Zanfardino seconded, to adjourn. On unanimous voice vote, Council President Newlove adjourned the August 3, 2009 regular meeting of the City Council at 8:37 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Megan E. Newlove, President of Council