

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

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held MONDAY, DECEMBER 21, 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 Dunn, Frost, McOmber, Newlove, Redfern, and Zanfardino responded. Council Member Sorrells 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, Utilities Director Kevin Maynard, and Acting Planning Director Heather Saylor.

Council President Newlove declared the minutes of the meeting held December 7, 2009 approved as distributed.

CORRESPONDENCE

Clerk noted that a listing of budget transfers for the month of December was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Redfern moved, McOmber seconded, to approve the transfers as presented. On unanimous voice vote, Council President Newlove declared motion carried. A copy of the transfers is attached and made a part of these minutes.

OFFICIAL REPORTS

Mayor John Quinn announced that Mike Smith from the Fire Division will be retiring effective December 29, 2009. Mayor Quinn also announced that Dave McDonald has been promoted to the Information Technology Manager replacing Chris Jackson who retired early this year.

Mayor Quinn also expressed his thanks to outgoing Council Members Newlove and Redfern for their service on City Council.

Municipal Administrator John Fawcett reviewed the City's ordinances regarding declared snow emergencies noting that although the laws have been on the books since December 1978, many citizens do not conform. Fawcett noted that in the past snow plows have worked around vehicles left on the street during snow emergencies and then gone back once the vehicles have been moved. This year for safety and budgetary reasons, the City is planning more strict enforcement of that ordinance this winter and will take a different approach. Fawcett stated that the first time a snow emergency is declared, vehicles left on snow streets will receive a warning. During the second declared snow emergency, citations will be placed on the offending vehicles. On the third and all subsequent snow emergencies, all vehicles in violation will receive a citation and will be towed. Fawcett emphasized that the enforcement will be based on the number of snow emergencies, not on how many times a vehicle is left on the street. Fawcett reiterated that a snow emergency is declared any time snowfall totals two or more inches or becomes automatic if two or more inches of snow is forecast, and can also be declared in cases of ice or sleet.

Fawcett reported to Council that members of the Administration met with school district officials regarding funding for school crossing guards and concluded that funding will be available to keep all eight school crossings through the end of the current academic year (May 2010). However, when classes resume in late August 2010, four of the eight crossings will be eliminated. The four crossings identified are located where the crossing is located in close proximity to a signal or a four-way stop or near a bus route that students can take to school. Those crossings slated to be eliminated are as follows:

- East Wooster Street at South Summit Street
- East Poe Road at North Summit Street
- South Main Street at Lehman Avenue
- Haskins Road at Gustin Avenue

Fawcett noted that the schools have indicated that they will re-educate parents and students about the changes in crossings and continue to work with the City to identify strategies to fund the program in the future.

Acting Planning Director Heather Saylor had no report.

Parks and Recreation Director Michelle Grigore noted that the survey conducted every five years regarding Parks & Recreation programs is available and should be returned by January 15, 2010. Grigore also reported to Council regarding a \$20,000 grant from Natureworks to be used for construction of a skateboard park and a \$12,000 grant to be used to construct a public restroom facility at Simpson Garden Park.

City Attorney Michael Marsh had no report.

Utilities Director Kevin Maynard had no report.

Public Works Director Brian Craft reported that heavy item pickup will be done the week of December 28.

NEW LEGISLATION

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

Council Member Redfern, for the Public Lands and Buildings Committee, introduced an ordinance amending and adopting Section 94.07(A) of the Codified Ordinances of the City of Bowling Green, Ohio, concerning tree clippings collected.

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

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 amending and adopting Section 33.27(N) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to vacations.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to accept utility easements for the East Wooster Street water main improvements and also for electric line extensions and maintenance.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to approve the form and execute a Wind Project II Schedule with American Municipal Power, Inc., and taking all other actions necessary in connection with said schedule regarding wind electric generation.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance declaring a real and present emergency and authorizing the Utilities Director to enter into a contract or contracts without advertising for bids in order to purchase and install a lime silo dust collection system from Northwest Custom Mechanical, LLC.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to enter into a contract or contracts for operation and maintenance agreements with Northwestern Water and Sewer District and the Wood County Solid Waste District.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to contract for design services and to solicit bids and enter into a contract or contracts for construction of the East Gypsy Lane Road Water Main Extension project, Phase 1.

COUNCIL COMMITTEE REPORTS

There were no Council committee reports.

LOBBY VISITATIONS

Bill Herald, 1030 Conneaut Avenue, thanked outgoing Council Members Redfern, Newlove, and Sorrells for their service to the City on Council. Herald also suggested that the incoming Council arrange their seating in alphabetical order with the President remaining in the middle. Herald indicated that he thought this might alleviate any confusion experienced by the audience on the voting order of Council.

READING OF LEGISLATION

Clerk read Resolution #3419 resolution transferring previously appropriated funds, for first reading.

Council Member Newlove moved, Redfern seconded, to suspend the rules and give Resolution #3419 its second and third reading. On roll call vote, Council Members Frost, McOmber, Newlove, Redfern, Zanfardino, and Dunn voted yes. Council President Newlove declared motion carried, and rules suspended.

Clerk read Resolution #3419 for second and third reading by number and title only.

Council Member Newlove moved, Dunn seconded, to adopt Resolution #3419. On roll call vote, Council Members McOmber, Newlove, Redfern, Zanfardino, Dunn, and Frost voted yes. Council President Newlove declared motion carried, and Resolution #3419 adopted.

Clerk read Ordinance #7952 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.

Council Member Newlove moved, Zanfardino seconded, to suspend the rules and give Ordinance #7952 its second and third reading. On roll call vote, Council Members Newlove, Redfern, Zanfardino, Dunn, Frost, McOmber voted yes. Council President Newlove declared motion carried, and rules suspended.

Clerk read Ordinance #7952 for second and third reading by number and title only.

Council Member Newlove moved, Redfern seconded, to adopt Ordinance #7952. On roll call vote, Council Members Redfern, Sorrells, Zanfardino, Dunn, Frost, McOmber, and Newlove voted yes. Council President Newlove declared motion carried, and Ordinance #7952 adopted.

Clerk read Ordinance #7953 amending and adopting Section 33.27(N) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to vacations, for first reading.

Clerk read Ordinance #7954 amending and adopting Section 94.07(A) of the Codified Ordinances of the City of Bowling Green, Ohio, concerning tree clippings collected, for first reading.

Clerk read Ordinance #7955 authorizing the Utilities Director to accept utility easements for the East Wooster Street water main improvements and also for electric line extensions and maintenance, for first reading.

Clerk read Ordinance #7956 authorizing the Utilities Director to approve the form and execute a Wind Project II Schedule with American Municipal Power, Inc., and taking all other actions necessary in connection with said schedule regarding wind electric generation, for first reading.

Clerk read Ordinance #7957 declaring a real and present emergency and authorizing the Utilities Director to enter into a contract or contracts without advertising for bids in order to purchase and install a lime silo dust collection system from Northwest Custom Mechanical, LLC, for first reading.

Council Member McOmber moved, Dunn seconded, to suspend the rules and give Ordinance #7957 its second and third reading. On roll call vote, Council Members Zanfardino, Dunn, Frost, McOmber, Newlove, and Redfern voted yes. Council President Newlove declared motion carried, and rules suspended.

Clerk read Ordinance #7957 for second and third reading by number and title only.

Council Member McOmber moved, Redfern seconded, to adopt the emergency clause for Ordinance #7957. On roll call vote, Council Members Dunn, Frost, McOmber, Newlove, Redfern, and Zanfardino voted yes. Council President Newlove declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Dunn seconded, to adopt Ordinance #7957. On roll call vote, Council Members Frost, McOmber, Newlove, Redfern, Zanfardino, and Dunn voted yes. Council President Newlove declared motion carried, and Ordinance #7957 adopted.

Clerk read Ordinance #7958 authorizing the Utilities Director to enter into a contract or contracts for operation and maintenance agreements with Northwestern Water and Sewer District and the Wood County Solid Waste District, for first reading.

Clerk read Ordinance #7959 authorizing the Utilities Director to contract for design services and to solicit bids and enter into a contract or contracts for construction of the East Gypsy Lane Road Water Main Extension project, Phase 1, for first reading.

Clerk read Resolution #3418 amending and adopting the Procurement Manual for the B.G. Transit Program as recommended by the Transit Advisory Committee, for second reading.

Clerk read Ordinance #7949 approving the form and authorizing the Utilities Director to execute a power sales contract with American Municipal Power, Inc., and taking other actions in connection therewith regarding Meldahl and Greenup hydro electric participation, for second reading.

Clerk read Ordinance #7951 amending and adopting Section 150.03, Section 150.10(F), Section 150.16 and Section 150.28(A) & (C) of the Codified Ordinances of the City of Bowling Green, Ohio, changing the B-1 Neighborhood Commercial zoning classification to B-1 Limited Commercial, for second reading.

Clerk read Ordinance #7946 authorizing the Utilities Director to execute an agreement with American Municipal Power, Inc., for the EcoSmart Choice Program, for third reading.

Council Member McOmber moved, Zanfardino seconded, to adopt Ordinance #7946. On roll call vote, Council Members McOmber, Newlove, Redfern, Zanfardino, Dunn, and Frost voted yes. Council President Newlove declared motion carried, and Ordinance #7946 adopted.

Clerk read Ordinance #7947 amending and adopting Section 150.03 and Section 150.59(A) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to off-street parking requirements, for third reading.

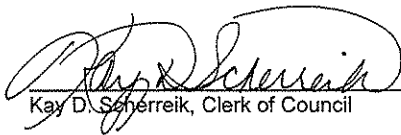
Council Member Frost moved, Redfern seconded, to adopt Ordinance #7947. On roll call vote, Council Members Newlove, Redfern, Zanfardino, Dunn, Frost, McOmber voted yes. Council President Newlove declared motion carried, and Ordinance #7947 adopted.

Clerk read Ordinance #7948 to provide appropriations for the expenses and other expenditures of the City of Bowling Green, Ohio, for the fiscal year beginning January 1, 2010 and ending December 31, 2010, for third reading.

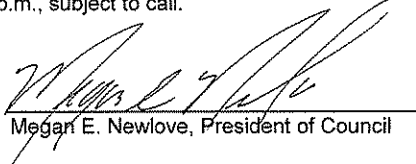
Council Member Newlove moved, Frost seconded, to adopt Ordinance #7948. On roll call vote, Council Members Redfern, Zanfardino, Dunn, Frost, McOmber, and Newlove voted yes. Council President Newlove declared motion carried, and Ordinance #7948 adopted.

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

Council Member Redfern moved, Zanfardino seconded, to adjourn. On unanimous voice vote, Council President Newlove adjourned the December 21, 2009 regular meeting of the City Council at 8:40 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Megan E. Newlove, President of Council



December 21, 2009

TO: Bowling Green City Council
 FROM: Brian Bushong, Finance Director

Transfers requested for the month of December include:

Fund	Dept.	Account	Description	From	To
2020	545	92200	CDBG - Recovery, CDBG Block Grant, Transfer To Special Revenue	\$ 12,228.00	
2021	000	69420	ODOT Transportation Grant (Taxi), Revenue, Transfer From Special Revenue		\$ 12,228.00
2007	190	92600	Payroll Stabilization, Miscellaneous, Transfer To Internal Service	\$ 200.00	
6036	000	69420	Engineering, Revenue, Transfer From Special Revenue		\$ 200.00
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 1,127.00	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 1,127.00