

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

Minutes of

Meeting

DAYTON LEGAL BLANK INC., FORM NO. 10149

Held

MONDAY, DECEMBER 6, 2010

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 Zanfardino. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino responded. Also present were Mayor John Quinn, Municipal Administrator John Fawcett, City Attorney Michael Marsh, and Public Works Director Brian Craft. Parks and Recreation Director Michelle Grigore, Utilities Director Kevin Maynard, and Acting Planning Director Ken Taylor were not present.

Council President Zanfardino declared the minutes of the meeting held November 15, 2010 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 Kuhlman moved, McOmber seconded, to approve the transfers as presented. On unanimous voice vote, Council President Zanfardino declared motion carried. A copy of the transfers is attached and made a part of these minutes.

OFFICIAL REPORTS

Mayor John Quinn reported that the annual Martin Luther King, Jr. celebration will be held on Friday, January 14, at 1:30 p.m. in the Atrium at the Wood County Library. Mayor Quinn noted that this celebration is sponsored by the Human Relations Commission.

Mayor Quinn introduced the Chair of the Human Relations Commission, Barbara Keller, who presented the quarterly *Honor Roll Award* to the Black Swamp Arts Festival Organizing Committee.

Municipal Administrator John Fawcett had no report.

Acting Planning Director Ken Taylor was not present.

Parks and Recreation Director Michelle Grigore was not present.

City Attorney Michael Marsh had no report.

Utilities Director Kevin Maynard was not present.

Public Works Director Brian Craft reported that curbside leaf collection is finishing up with one more pass thru the City. Craft also noted the work will begin this week on the Gypsy Lane waterline project.

NEW LEGISLATION

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

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

Council Member McOmber, for the Finance Committee introduced an ordinance to provide appropriations for the expenses and other expenditures of the City of Bowling Green, Ohio, for the fiscal year beginning January 1, 2011 and ending December 31, 2011.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts and/or participate in State of Ohio purchasing programs for the purchase of police vehicles as well as the trade-in or outright sale of vehicles being replaced, and declaring an emergency.

Council Member Zanfardino, for the Community Improvement Committee, introduced an ordinance amending Ordinance No. 7906 by amending and adopting Section 39.06(4) concerning certain exceptions, and declaring an emergency.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for Water Pollution Control facility concrete replacement improvements.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance declaring a real and present emergency and authorizing the Utilities Director to execute a contract or contracts for replacement diffusers for the Water Pollution Control facility's aeration tanks without advertising for competitive bids.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to enter into a contract or contracts with Kiemle-Hankins for repair of storm water holding basin #7 mixer.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance declaring a real and present emergency and authorizing the Utilities Director to execute an agreement with Ohio CAT for the purchase of emergency generators without advertising for competitive bids.

COUNCIL COMMITTEE REPORTS

There were no Council committee reports.

LOBBY VISITATIONS

Jackie Nowicki, 1005 Fort Drive, asked for clarification of legislation declaring a real and present emergency and does not advertise for competition bids. Municipal Administrator Fawcett explained that this is used primarily when there is only one vendor that can supply the necessary parts for repair or when there is a proprietary vendor who is the only one that carries a specific line of equipment needed.

READING OF LEGISLATION

Clerk read Resolution #3456 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Resolution #3456 its second and third reading. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3456 for second and third reading by number and title only.

Council Member McOmber moved, Kuhlman seconded, to adopt Resolution #3456. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and Resolution #3456 adopted.

Clerk read Ordinance #8064 to provide appropriations for the expenses and other expenditures of the City of Bowling Green, Ohio, for the fiscal year beginning January 1, 2011 and ending December 31, 2011, for first reading.

Council Member McOmber moved, Dunn seconded, to suspend the rules and give Ordinance #8064 its second reading. On roll call vote, Council Members Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8064 for second reading by number and title only.

Clerk read Ordinance #8065 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts and/or participate in State of Ohio purchasing programs for the purchase of police vehicles as well as the trade-in or outright sale of vehicles being replaced, and declaring an emergency, for first reading.

Clerk read Ordinance #8066 amending Ordinance No. 7906 by amending and adopting Section 39.06(4) concerning certain exceptions, and declaring an emergency, for first reading.

Council Member Zanfardino moved, Dunn seconded, to suspend the rules and give Ordinance #8066 its second and third reading. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and the rules suspended.

Clerk read Ordinance #8066 for second and third reading by number and title only.

Council Member Zanfardino moved, Dunn seconded, to adopt the emergency clause for Ordinance #8066. There was some discussion among Council Members regarding the use of the emergency clause on this ordinance. It was decided that if the emergency clause was enacted, it would allow this amendment to go into effect at the same time that the original ordinance takes effect. On roll call vote, Council Members McOmber, Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member Zanfardino moved, Dunn seconded, to adopt Ordinance #8066. Council Member Dunn noted that this amendment adds the words "nor shall it apply to the Bowling Green Christian Academy or St. Aloysius School" to the ordinance. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #8066 adopted.

Clerk read Ordinance #8067 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for Water Pollution Control facility concrete replacement improvements, for first reading.

Clerk read Ordinance #8068 declaring a real and present emergency and authorizing the Utilities Director to execute a contract or contracts for replacement diffusers for the Water Pollution Control facility's aeration tanks without advertising for competitive bids, for first reading.

Clerk read Ordinance #8069 authorizing the Utilities Director to enter into a contract or contracts with Kiemle-Hankins for repair of storm water holding basin #7 mixer, for first reading.

Clerk read Ordinance #8070 declaring a real and present emergency and authorizing the Utilities Director to execute an agreement with Ohio CAT for the purchase of emergency generators without advertising for competitive bids, for first reading.

Clerk read Resolution #3454 authorizing the Municipal Administrator and the Utilities Director to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the purpose of purchasing machinery, materials, supplies, or other articles, for second reading.

Clerk read Resolution #3455 approving the adopted revised draft of the Wood County Solid Waste Management Plan, for second reading.

Clerk read Ordinance #8057 amending and adopting Section 33.04 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to pay scales for seasonal employees, and declaring an emergency, for second reading.

Clerk read Ordinance #8058 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for street, sidewalk and curb ramp improvements and other services relating to the improvements on East Poe Road, for second reading.



December 6, 2010

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

Transfers requested for the month of December include:

| Fund | Dept. | Account | Description | From | To |
|--------------|-------|---------|---|---------------|---------------|
| 1010 | 190 | 92200 | General, Miscellaneous, Transfer To Special Revenue | \$ 1,770.00 | |
| 2021 | 000 | 69410 | ODOT Transportation Grant (Taxi), Revenue, Transfer From General | | \$ 1,770.00 |
| 1010 | 190 | 92400 | General, Miscellaneous, Transfer To Capital Projects | \$ 2,898.33 | |
| 4030 | 000 | 69410 | Green Space Acquisition Fund, Revenue, Transfer From General | | \$ 2,898.33 |
| 2078 | 170 | 92300 | Municipal Court Special Projects, Municipal Court, Transfer To Debt Service | \$ 7,500.00 | |
| 3025 | 000 | 69420 | Debt Service, Revenue, Transfer From Special Revenue | | \$ 7,500.00 |
| 4018 | 810 | 92300 | Capital Improvement, Capital Improvement, Transfer To Debt Service | \$ 35,427.08 | |
| 3025 | 000 | 69440 | Debt Service, Revenue, Transfer From Capital Projects | | \$ 35,427.08 |
| 4018 | 810 | 92400 | Capital Improvement, Capital Improvement, Transfer To Capital Projects | \$ 2,083.33 | |
| 4010 | 000 | 69440 | Facility Capital Reserve, Revenue, Transfer From Capital Projects | | \$ 2,083.33 |
| 4029 | 423 | 92300 | Street Repair, Street Repair, Transfer To Debt Service | \$ 14,789.58 | |
| 3025 | 000 | 69440 | Debt Service, Revenue, Transfer From Capital Projects | | \$ 14,789.58 |
| 4052 | 810 | 92300 | Community Center, Capital Improvement, Transfer To Debt Service | \$ 22,899.00 | |
| 3025 | 000 | 69440 | Debt Service, Revenue, Transfer From Capital Projects | | \$ 22,899.00 |
| 5111 | 651 | 92500 | Electric Revenue, Administrative and General, Transfer To Enterprise | \$ 142,033.37 | |
| 5112 | 000 | 69450 | Electric Capital Reserve, Revenue, Transfer From Enterprise | | \$ 142,033.37 |
| 5331 | 651 | 92500 | Sewer Revenue, Administrative and General, Transfer To Enterprise | \$ 1,833.37 | |
| 5332 | 000 | 69450 | Sewer Capital Reserve, Revenue, Transfer From Enterprise | | \$ 1,833.37 |
| Total | | | | \$ 231,234.06 | \$ 231,234.06 |

Clerk read Ordinance #8061 accepting a deed from American Title Agency, Inc. for certain property on Mitchell Road and dedicating said property for all right-of-way purposes, for second reading.

Clerk read Ordinance #8062 accepting annexation of approximately 28 acres of land in Plain Township, Wood County, Ohio, from Robert W. Maurer, et al, petitioners, for second reading.

Clerk read Ordinance #8063 establishing interim zoning for approximately 28 acres of land on Bishop Road recently annexed by Robert w. Maurer, et al, for second reading.

Council Member Frost commented that due to the changes in Council's meeting schedule for the month of December, the Public Hearing for Ordinance #8063 will now be held on Wednesday, December 29, at 7:45 p.m. in the Council Chamber.

Clerk read Resolution #3451 authorizing the City of Bowling Green to join Buckeye Ohio Risk Management Association (BORMA) for the furnishing and administration of employee health care benefits, for third reading.

Council Member McOmber moved, Kuhlman seconded, to adopt Resolution #3451. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Resolution #3451 adopted.

Clerk read Resolution #3452 appointing the representative and alternate to serve on the Board of Directors of the Buckeye Ohio Risk Management Agency (BORMA), for third reading.

Council Member McOmber moved, Dunn seconded, to adopt Resolution #3452. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Resolution #3452 adopted.

Clerk read Ordinance #8060 authorizing the Municipal Administrator to seek proposals and enter into a contract or contracts for professional cleaning services for the City Administrative Services Building and the Municipal Court Building, for third reading.

Council Member McOmber moved, Aspacher seconded, to adopt Ordinance #8060. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and Ordinance #8060 adopted.

Council President Zanfardino announced the following changes to the upcoming City Council meeting schedule:

December 20 meeting – canceled

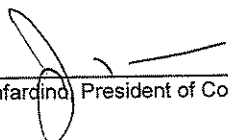
December 29 – Special Meeting of Council will be held at 8:00 p.m. for the purpose of conducting Council's regular business as published on the agenda

January 3 meeting – canceled

January 18 meeting – meeting time will be changed to 7:00 p.m.

Council Member Frost moved, Dunn seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the December 6, 2010 regular meeting of the City Council at 8:34 p.m., subject to call.


Kay D. Scherrek, Clerk of Council


John Zanfardino, President of Council