

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

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held MONDAY, MARCH 15, 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 8:15 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, Parks and Recreation Director Michelle Grigore, Public Works Director Brian Craft, Utilities Director Kevin Maynard, and Acting Planning Director Heather Saylor.

Council President Zanfardino declared the minutes of the meeting held March 1, 2010 approved as distributed.

CORRESPONDENCE

Clerk noted that a listing of budget transfers for the month of March was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Frost moved, Kuhlman 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.

Clerk noted that copies of the Budget Summary Report for the month of March 2010 was distributed to Council prior to this evening's meeting.

OFFICIAL REPORTS

Mayor John Quinn commented on the importance of completing U.S. Census forms as it helps determine levels of funding the City will receive over the next ten years.

Mayor Quinn also noted that there will be two vacancies on the Planning Commission for representatives from the east side of town and asked Council Members to submit names to him if they have any suggestions.

Municipal Administrator John Fawcett requested an Executive Session of Council at the end of this evening's meeting to discuss land acquisition and upcoming labor negotiations.

Assistant Planning Director Heather Saylor had no report.

Parks and Recreation Director Michelle Grigore had no report.

City Attorney Michael Marsh had no report.

Council Member Hollenbaugh questioned City Attorney asking for him to clarify that the City has no liability concerns for the proposed bond issue for University housing legislation that will later be acted upon by Council. Marsh clarified that the City is in no way liable for bonds issued for that project.

Utilities Director Kevin Maynard had no report.

Public Works Director Brian Craft had no report.

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 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2010 and ending December 31, 2010.

Council Member Kuhlman, for the Parks and Recreation Committee, introduced an ordinance authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for the design and construction of a skate park to be located in Bowling Green City Park.

Council Member Hollenbaugh, for the Transportation and Safety Committee, introduced an ordinance amending and adopting Section 93.01, Section 93.14(A), Section 93.99 and Section 150.69 of the Codified Ordinances of the City of Bowling Green, Ohio, to delete reference to BOCA.

Council Member Aspacher, for the Public Utilities Committee, introduced a resolution confirming that Ordinance #7949 approves and ratifies Bowling Green Board of Public Utilities Resolution #11-2009-05.

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 and/or participate in State of Ohio purchase programs for the purchase of equipment as well as the trade-in, transfer, or sale of said equipment replaced by Utility Divisions.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to enter into a contract or contracts for the purchase and replacement of a Chemco lime feeder and slaker at the Water Treatment Plant, without advertising for competitive bids.

COUNCIL COMMITTEE REPORTS

Council Member Kuhlman moved, Dunn seconded, to approve the Parks and Recreation fees as submitted to Council on February 25, 2010. On unanimous voice vote, Council President Zanfardino declared motion carried.

LOBBY VISITATIONS

Wendy Stram, Executive Director of the Convention & Visitors Bureau, welcomed Council Member Dunn as a member of the CVB Board and announced upcoming events sponsored by the CVB.

Paul Suto, 3571 Lehman Avenue, Norwalk, Ohio, representing the Campbell Company, addressed Council regarding his company and offered his expertise in the area of energy savings.

READING OF LEGISLATION

Clerk read Resolution #3429 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Dunn seconded, to suspend the rules and give Resolution #3429 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 #3429 for second and third reading by number and title only.

Council Member McOmber moved, Aspacher seconded, to adopt Resolution #3429. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and Resolution #3429 adopted.

Clerk read Resolution #3430 confirming that Ordinance #7949 approves and ratifies Bowling Green Board of Public Utilities Resolution #11-2009-05, for first reading.

Council Member Aspacher moved, Dunn seconded, to suspend the rules and give Resolution #3430 its second and third 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 Resolution #3430 for second and third reading by number and title only.

Council Member Aspacher moved, Hollenbaugh seconded, to adopt Resolution #3430. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and Resolution #3430 adopted.

Clerk read Ordinance #8000 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2010 and ending December 31, 2010, for first reading.

Council Member McOmber moved, Frost seconded, to suspend the rules and give Ordinance #8000 its second and third reading. On roll call vote, Council Members McOmber, Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8000 for second and third reading by number and title only.

Council Member McOmber moved, Dunn seconded, to adopt Ordinance #8000. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #8000 adopted.

Clerk read Ordinance #8001 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for the design and construction of a skate park to be located in Bowling Green City Park, for first reading.

Clerk read Ordinance #8002 amending and adopting Section 93.01, Section 93.14(A), Section 93.99 and Section 150.69 of the Codified Ordinances of the City of Bowling Green, Ohio, to delete reference to BOCA, for first reading.

Clerk read Ordinance #8003 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts and/or participate in State of Ohio purchase programs for the purchase of equipment as well as the trade-in, transfer, or sale of said equipment replaced by Utility Divisions, for first reading.

Clerk read Ordinance #8004 authorizing the Utilities Director to enter into a contract or contracts for the purchase and replacement of a Chemco lime feeder and slaker at the Water Treatment Plant, without advertising for competitive bids, for first reading.

Clerk read Ordinance #7994 certifying unpaid cost of snow removal to the County Auditor for placement on the tax duplicate, for second reading.

Clerk read Ordinance #7995 authorizing the issuance of not to exceed \$90,000,000 Housing Revenue Bonds and the loan of the proceeds of the bonds to CFP I LLC for the purpose of paying costs of student housing facilities to be developed on the campus of the Bowling Green State University; authorizing a trust indenture and loan agreement providing for the payment of the bonds and a bond purchase agreement for the sale of the bonds; and authorizing certain other related documents and actions, and declaring an emergency, for second reading.

Council Member McOmber moved, Frost seconded, to suspend the rules and give Ordinance #7995 its third reading. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #7995 for third reading by number and title only.

Council Member McOmber moved, Kuhlman seconded, to adopt the emergency clause for Ordinance #7995. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Dunn seconded, to adopt Ordinance #7995. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and Ordinance #7995 adopted.

Clerk read Ordinance #7996 authorizing the commencement of legal proceedings to appropriate various permanent and temporary interests in certain property for the purpose of widening North Main Street within the City of Bowling Green, Ohio; authorizing the deposit of funds with the court, for second reading.

Clerk read Ordinance #7997 authorizing the Municipal Administrator to request proposals and enter into a contract for the purchase of transportation service for the Bowling Green Transit Program, for second reading.

Clerk read Ordinance #7998 authorizing the Municipal Administrator to participate in the State of Ohio Department of Transportation sodium chloride (rock salt) purchase agreement for the 2010-2011 winter season, and declaring an emergency, for second reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Ordinance #7998 its third 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 #7998 for third reading by number and title only.

Council Member McOmber moved, Frost seconded, to adopt the emergency clause for Ordinance #7998. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Frost seconded, to adopt Ordinance #7998. On roll call vote, Council Members McOmber, Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and Ordinance #7998 adopted.

Clerk read Ordinance #7999 abolishing Section 30.117 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding the Outdoor Advertising Commission, for second reading.

Clerk read Resolution #3428 authorizing the Mayor of the City of Bowling Green, Ohio, to file an application and enter into an agreement with the Ohio Department of Natural Resources for the purposes of acquiring funds through the Division of Forestry's Urban Forestry Assistance Program, for third reading.

Council Member Dunn moved, McOmber seconded, to adopt Resolution #3428. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and McOmber voted yes. Council President Zanfardino declared motion carried, and Resolution #3428 adopted.

Clerk read Ordinance #7982 amending and adopting Section 33.04(C) of the Codified Ordinances of the City of Bowling Green, Ohio, relative to pay scales, for third reading.

Council Member McOmber moved, Frost seconded, to adopt Ordinance #7982. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #7982 adopted.

Clerk read Ordinance #7983 amending and adopting Section 99.11 and Section 99.12 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding trees, for third reading.

Council Member McOmber moved, Aspacher seconded, to adopt Ordinance #7983. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #7983 adopted.

Clerk read Ordinance #7984 authorizing the Utilities Director to enter into an agreement with AMP, Inc., for participation in the EfficiencySmart Power Plant Program, for third reading.

Council Member Aspacher moved, Frost seconded, to adopt Ordinance #7984. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and Ordinance #7984 adopted.

Clerk read Ordinance #7987 accepting annexation of approximately 1.413 acres of land in Center Township, Wood County, Ohio, from Wood Lane Residential Properties, petitioners, for third reading.

Council Member Frost moved, McOmber seconded, to adopt Ordinance #7987. On roll call vote, Council Members Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and Ordinance #7987 adopted.

Clerk read Ordinance #7988 accepting annexation of approximately 20 acres of land in Center Township, Wood County, Ohio, from Robert & Patricia Maurer, petitioners, for third reading.

Council Member Frost moved, Aspacher seconded, to adopt Ordinance #7988. On roll call vote Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and Ordinance #7988 adopted.

Clerk read Ordinance #7989 establishing interim zoning of M-1 Light Industrial zoning for the approximately 1.413 acres of land generally known as 10500 Bowling Green Road East, and recently annexed to the City by Wood Lane Residential Properties, Inc., for third reading.

Council Member Frost moved, Dunn seconded, to table Ordinance #7989 until April 5, 2010. On roll call vote, Council Members McOmber, Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and Ordinance #7989 tabled until April 5, 2010.

Clerk read Ordinance #7990 establishing interim zoning of M-1 Light Industrial zoning for the approximately 20 acres of land on Bowling Green Road East, and recently annexed to the City by Robert & Patricia Maurer, for third reading.

Council Member Frost moved, McOmber seconded, to table Ordinance #7990 until April 5, 2010. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #7990 tabled until April 5, 2010.

Clerk read Ordinance #7991 establishing interim zoning of M-1 Light Industrial zoning for the approximately 5 acres of land generally known as 10444 Bowling Green Road East, and recently annexed to the City by Bowling Green Congregation of Jehovah's Witnesses, for third reading.

Council Member Frost moved, Aspacher seconded, to table Ordinance #7991 until April 5, 2010. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #7991 adopted.

Clerk read Ordinance #7992 amending the Zoning District Map of the City of Bowling Green, Ohio, for approximately .6465 acres of land on Gorrell Avenue now owned by the Bowling Green Board of Education from S-3 Planned Institutional to M-1 Light Industrial zoning, for third reading.

Council Member Frost moved, Dunn seconded, to table Ordinance #7992 until April 5, 2010. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #7992 tabled until April 5, 2010.

Council Member Frost moved, Kuhlman seconded, to adopt Ordinance #7979 establishing interim zoning of R-2 Single Family Residential for the Smith property recently annexed to the City of Bowling Green. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and Ordinance #7979 adopted.

Council Member Kuhlman moved, Aspacher seconded, to remove from the table Ordinance #7976 authorizing the Municipal Administrator to enter into a lease agreement with the Bowling Green Pee Wee League to provide for recreational activities on City property in Carter Park. On roll call vote, Council Members Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried.

Clerk read Ordinance #7976 for third reading by number and title only.

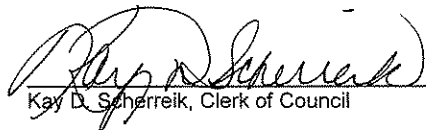
Council Member Kuhlman moved McOmber seconded, to adopt Ordinance #7976. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried.

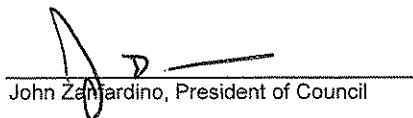
Council Member Aspacher commented that he believes the adoption of Ordinance #7976 to enter into a lease agreement with the Pee Wee League is an excellent example of cooperation between the City and a private entity and a good opportunity for the citizens.

Council Member Dunn moved, Aspacher seconded, to move Council into Executive Session at 8:45 p.m. for the purpose of discussing a land acquisition issue and labor contract negotiations. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried.

Council Member Dunn moved, Hollenbaugh seconded, to move Council out of Executive Session at 9:35 p.m. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes.

Council Member Dunn moved, Kuhlman seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the March 15, 2010 regular meeting of the City Council at 9:36 p.m., subject to call.


Kay D. Scherrek, Clerk of Council


John Zanfardino, President of Council



March 15, 2010

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of March 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	\$ 142,033.33	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 142,033.33
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 1,833.33	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 1,833.33
Total				\$ 231,233.98	\$ 231,233.98