

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

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

TUESDAY, SEPTEMBER 7, 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, and Zanfardino responded. Council Member McOmber 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 Planning Director Heather Saylor.

Council President Zanfardino declared the minutes of the meeting held September 7, 2010 approved as distributed.

CORRESPONDENCE

Clerk noted that a listing of budget transfers for the month of September was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Dunn moved, Frost 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 to Council that there is approximately a 17.4% apartment vacancy rate in Bowling Green which is down some compared to 20% a year ago. Mayor Quinn indicated that this based on information the Planning Director received from apartment owners.

Mayor Quinn also announced the retirement of the following City employees:

- Fire Captain Tim Genson – September 1, 2010
- Deputy Fire Chief – Jack Ninke – November 26, 2010
- Police Chief – Gary Spencer – March 18, 2011

Municipal Administrator John Fawcett reviewed street and parking lot closures for the Black Swamp Arts Festival which will be held in the downtown area of Bowling Green this coming weekend.

Fawcett also reported that the Traffic Commission will be meeting on Wednesday, September 22, at 7:00 p.m. in the Council Chamber to discuss the intersection of Clough and Troup Streets.

Planning Director Heather Saylor distributed statistics for construction permits issued by the Planning Department. Saylor noted that while the total amount of permits is down approximately 14%, the single-family housing starts are up 100% from 5 in 2009 to 10 in 2010.

Parks and Recreation Director Michelle Grigore reported that the contract for the construction of the skate park was awarded to AA Boos and Sons in the amount of \$111,213.20.

City Attorney Michael Marsh had no report.

Utilities Director Kevin Maynard had no report.

Public Works Director Brian Craft updated Council on the East Wooster Street project noting that currently the contractor is running a bit ahead of schedule and that some portions of the roadway have been reopened.

NEW LEGISLATION

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

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

Council Member Dunn, 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 Zanfardino, for the Community Improvement Committee, introduced a resolution approving the report of the Assessment Equalization Board on objections concerning the estimated assessments for the Plan of Services to be provided by the Bowling Green Central Business Special Improvement District, Inc.

Council Member Zanfardino, for the Community Improvement Committee, introduced an ordinance determining to proceed with the Plan of Services of Bowling Green Central Business Special Improvement District, Inc. and providing for the levy of assessments therefore, and declaring an emergency.

Council Member Hollenbaugh, for the Transportation and Safety Committee, introduced an ordinance authorizing the sale or disposal of miscellaneous transit service vehicles by the Municipal Administrator as no longer necessary for municipal purposes.

Council Member Aspacher, for the Transportation and Safety Committee, introduced an ordinance amending and adopting Section 152.20(G) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to biofuel burners.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to apply for and enter into a contract or contracts with the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Programs, and declaring an emergency.

Council Member Frost, for the Planning, Zoning and Economic Development Committee, introduced an ordinance amending and adopting Sections 150.16 and 150.32 and 150.66 of the Codified Ordinances of the City of Bowling Green, Ohio, concerning Recreational-Conservation Zoning District.

COUNCIL COMMITTEE REPORTS

Council President Zanfardino reminded Council Members of the Finance Committee meeting scheduled prior to the next Council meeting on Monday, September 20, at 7:00 p.m. in the Council Chamber to discuss the 2011 budget.

LOBBY VISITATIONS

There were no lobby visitations.

READING OF LEGISLATION

Clerk read Resolution #3443 transferring previously appropriated funds, for first reading.

Council Member Dunn moved, Frost seconded, to suspend the rules and give Resolution #3443 its second and third reading. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhman, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3443 for second and third reading by number and title only.

Council Member Dunn moved, Frost seconded, to adopt Resolution #3443. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and Resolution #3443 adopted.

Clerk read Resolution #3444 approving the report of the Assessment Equalization board on objections concerning the estimated assessments for the Plan of Services to be provided by the Bowling Green Central Business Special Improvement District, Inc., for first reading.

Council Member Zanfardino moved, Aspacher seconded, to suspend the rules and give Resolution #3444 its second and third reading. On roll call vote, Council Members Hollenbaugh, Kuhlman, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3444 for second and third reading by number and title only.

Council Member Zanfardino moved, Kuhlman seconded, to adopt Resolution #3444. On roll call vote, Council Members Kuhlman, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and Resolution #3444 adopted.

Clerk read Ordinance #8042 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 Dunn moved, Frost seconded, to suspend the rules and give Ordinance #8042 its second and third reading. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8042 for second and third reading by number and title only.

Council Member Dunn moved, Aspacher seconded, to adopt Ordinance #8042. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #8042 adopted.

Clerk read Ordinance #8043 determining to proceed with the Plan of Services of Bowling Green Central Business Special Improvement District, Inc. and providing for the levy of assessments therefore, and declaring an emergency, for first reading.

Council Member Zanfardino moved, Frost seconded, to suspend the rules and give Ordinance #8043 its second and third reading. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8043 for second and third reading by number and title only.

Council Member Zanfardino moved, Dunn seconded, to adopt the emergency clause for Ordinance #8043. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member Zanfardino moved, Kuhlman seconded, to adopt Ordinance #8043. On roll call vote, Council Members Hollenbaugh, Kuhlman, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and Ordinance #8043 adopted.

Clerk read Ordinance #8044 authorizing the sale or disposal of miscellaneous transit service vehicles by the Municipal Administrator as no longer necessary for municipal purposes, for first reading.

Clerk read Ordinance #8045 amending and adopting Section 152.20(G) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to biofuel burners, for first reading.

Clerk read Ordinance #8046 authorizing the Utilities Director to apply for and enter into a contract or contracts with the Ohio Public Works Commission (OPWC) State Capital Improvement and/or Local Transportation Improvement Programs, for first reading.

Council Member Aspacher moved, Dunn seconded, to suspend the rules and give Ordinance #8046 its second and third reading. On roll call vote, Council Members Kuhlman, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8046 for second and third reading by number and title only.

Council Member Aspacher moved, Frost seconded, to adopt the emergency clause for Ordinance #8046. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member Aspacher moved, Kuhlman seconded, to adopt Ordinance #8046. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #8046 adopted.

Clerk read Ordinance #8047 amending and adopting Sections 150.16 and 150.32 and 150.66 of the Codified Ordinances of the City of Bowling Green, Ohio, concerning Recreational-Conservation Zoning District, for first reading.

Council Member Frost announced that a public hearing will be held for Ordinance #8047 on October 18, 2010 at 7:45 p.m. in the Council Chamber.

Clerk read Resolution #3442 transferring previously appropriated funds, for second reading.

Council Member Dunn moved, Aspacher seconded, to suspend the rules and give Resolution #3442 its third reading. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3442 for third reading by number and title only.

Council Member Dunn moved, Kuhlman seconded, to adopt Resolution #3442. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and Resolution #3442 adopted.

Clerk read Ordinance #8039 providing supplemental appropriations for 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 second reading.

Council Member Dunn moved, Kuhlman seconded, to suspend the rules and give Ordinance #8039 its third reading. On roll call vote, Council Members Hollenbaugh, Kuhlman, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8039 for third reading by number and title only.

Council Member Dunn moved, Aspacher seconded, to adopt Ordinance #8039. On roll call vote, Council Members Kuhlman, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and Ordinance #8039 adopted.

Clerk read Ordinance #8040 amending Section 38.02(A) of the Codified Ordinances of the City of Bowling Green, Ohio, by inclusion of 70.15 Obeying Traffic Control Devices as a Class A Civil Offense, for second reading.

Clerk read Ordinance #8041 approving the S-District Site Plan for the Heritage Corner Health Care Campus new building & parking lot, for second reading.

Clerk read Resolution #3441 approving a revision to the Transportation Section of the Comprehensive Master Plan to include a revised bicycle route map, for third reading.

Council Member Hollenbaugh moved, Aspacher seconded, to adopt Resolution #3441. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and Resolution #3441 adopted.

Clerk read Ordinance #8037 authorizing the Utilities Director to accept the electric and utility easements from Valleywood Investors and John J. Newlove & Lydia J. Newlove for the East Wooster Street Improvement project, for third reading.

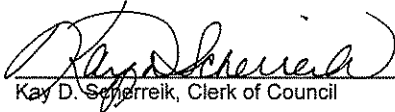
Council Member Aspacher moved, Frost seconded, to adopt Ordinance #8037. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #8037 adopted.

Clerk read Ordinance #8038 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 2011.

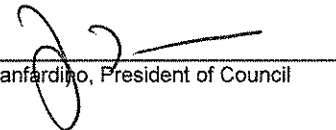
Council Member Aspacher moved, Hollenbaugh seconded, to adopt Ordinance #8038. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #8038 adopted.

Council Member Dunn moved, Kuhlman seconded, to excuse Council Member McOmer from this evening's meeting. On unanimous voice vote, Council President Zanfardino declared motion carried.

Council Member Hollenbaugh moved, Aspacher seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the September 7, 2010 regular meeting of the City Council at 8:35 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



John Zanfardino, President of Council



September 7, 2010

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of September 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