

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

Minutes of

Meeting

BEAR GRAPHICS 800-595-8094 PDR # 10148

MONDAY, MARCH 7, 2022

Held

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 7:00 p.m. by Council President Hollenbaugh. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Dennis, Herald, Hollenbaugh, O'Dorizio, Phipps, Robinette, and Rubando were present. Also present were Mayor Mike Aspacher, Municipal Administrator Lori Tretter, City Attorney Michael Marsh, Public Services Bureau Director Joe Fawcett, Public Infrastructure Bureau Director Brian O'Connell, and Planning Director Heather Saylor.

Council Member Herald moved, Robinette seconded, to approve the minutes of the regular meeting held February 22, 2022 as distributed. On unanimous voice vote, Council President Hollenbaugh declared motion carried.

CORRESPONDENCE

There was no correspondence.

LOBBY VISITATIONS

There were no lobby visitations.

NEW LEGISLATION

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

Council Member Robinette, for the Finance Committee, introduced an ordinance amending and adopting Section 33.03(A) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to pay for school police, interns, and Civil Infractions Hearing Officer.

Council Member Phipps, for the Planning, Zoning and Economic Development Committee, introduced an ordinance accepting a deed from SP Woodstream Dr Bowling Green OH, LLC, for right-of-way on East Wooster Street.

Council Member Phipps, for the Planning, Zoning and Economic Development Committee, introduced a resolution approving revisions to the Parks and Recreation Department Section of the Comprehensive Master Plan of the City of Bowling Green, Ohio.

Council Member Phipps, for the Planning, Zoning and Economic Development Committee, introduced a resolution approving revisions to the Economic Development Section of the Comprehensive Master Plan of the City of Bowling Green, Ohio.

OFFICIAL REPORTS

Mayor Mike Aspacher thanked Council Members for their participation in Saturday's orientation and thanked City staff for their time given to enlighten Council on City operations.

Mayor Aspacher also extended sympathies to the family of former Police Chief Galen Ash who passed away this week.

Mayor Aspacher reported that the Historic Preservation Commission recently adopted a 3-year strategic plan. The Mayor noted that the plan is posted on the City's website. He also indicated that he appreciates the work of the Commission in moving forward.

Council Member Rubando commented that as a new Council Member he enjoyed the orientation and thanked everyone involved. He also recommends utilizing that type of program with future new Council Members.

Council President Hollenbaugh also noted that everyone he has talked to since Saturday has indicated that they enjoyed the experience and learned a lot about City operations. He asked that the Mayor extend a thank you on behalf of Council to staff that participated on Saturday.

Municipal Administrator Lori Tretter noted to Council that the groundbreaking ceremony for the new city building has been scheduled for Tuesday, April 5, 2022, and asked Council Members to mark their calendars for that date. More details will be forthcoming.

City Attorney Michael Marsh noted that Roger Vail recently passed away. Marsh noted that Vail was the President and owner of the former Uhlmans store in Bowling Green and was the person who spearheaded the development of the Downtown Parking Association that bought property, built parking lots located downtown and then conveyed the lots to the City.

Public Services Bureau Director Joe Fawcett introduced Chris Loveless, the recently hired IT Manager and Andy Snyder, the City's newest Network Administrator.

Public Infrastructure Bureau Director Brian O'Connell had no report.

COUNCIL COMMITTEE REPORTS

Council Member Herald announced that the Transportation & Safety Committee will be meeting on Monday, March 21, at 6:15 p.m. in the Council Chamber to discuss proposed Ordinance #8992 regarding commercial quadricycles.

Council Member Phipps noted that a public hearing was held regarding Ordinance #8988 prior to this evening's meeting. Phipps also scheduled a public hearing for Resolution #3819 and #3820 for Monday, May 2, at 6:00 p.m. in the Council Chamber.

Council President Hollenbaugh announced that a Committee-of-the-Whole meeting has been scheduled for Monday, April 4, at 6:30 p.m. in the Council Chamber to hear an update regarding the 5-year exterior maintenance survey.

READING OF LEGISLATION

Clerk read Resolution #3819 approving revisions to the Parks and Recreation Department Section of the Comprehensive Master Plan of the City of Bowling Green, Ohio, for first reading.

Clerk read Resolution #3820 approving revisions to the Economic Development Section of the Comprehensive Master Plan of the City of Bowling Green, Ohio, for first reading.

Clerk noted that a public hearing has been scheduled for the two previous resolutions for Monday, May 2, 2022, at 6:00 p.m. in the Council Chamber.

Clerk read Ordinance #8993 amending and adopting Section 33.03(A) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to pay for school police, interns, and Civil Infractions Hearing Officer, for first reading.

Clerk read Ordinance #8994 accepting a deed from SP Woodstream Dr Bowling Green OH, LLC, for right-of-way on East Wooster Street, for first reading.

Clerk read Ordinance #8990 authorizing the Utilities Director to enter into a contract or contracts with Toray Membrane, USA, Inc., for the purchase of replacement reverse osmosis membranes and to advertise for bids and enter into a contract or contracts for the installation of reverse osmosis membranes at the Water Treatment Plant, and declaring an emergency, for second reading.

Council President Hollenbaugh moved, Herald seconded, to suspend the rules and give Ordinance #8990 its third reading. On roll call vote, Council Members Herald, Hollenbaugh, O'Dorisio, Phipps, Robinette, Rubando, and Dennis voted yes. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Ordinance #8990 for third reading by number and title only.

Council President Hollenbaugh moved, Herald seconded, to adopt the emergency clause for Ordinance #8990. On roll call vote, Council Members Hollenbaugh, O'Dorisio, Phipps, Robinette, Rubando, Dennis, and Herald voted yes. Council President Hollenbaugh declared motion carried, and the emergency clause adopted.

Council President Hollenbaugh moved, Herald seconded, to adopt Ordinance #8990. On roll call vote, Council Members O'Dorisio, Phipps, Robinette, Rubando, Dennis, Herald, and Hollenbaugh voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #8990 adopted.

Clerk read Ordinance #8991 authorizing the Utilities Director to enter into an agreement with Invoice Cloud, Inc., for electronic bill presentation and payment services, and declaring an emergency, for second reading.

Council President Hollenbaugh moved, Herald seconded, to suspend the rules and give Ordinance #8991 its third reading. On roll call vote, Council Members Phipps, Robinette, Rubando, Dennis, Herald, Hollenbaugh, and O'Dorisio voted yes. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Ordinance #8991 for third reading by number and title only.

Council President Hollenbaugh moved, Herald seconded, to adopt the emergency clause adopted for Ordinance #8991. On roll call vote, Council Members Robinette, Rubando, Dennis, Herald, Hollenbaugh, O'Dorisio, and Phipps voted yes. Council President Hollenbaugh declared motion carried, and the emergency clause adopted.

Council President Hollenbaugh moved, Herald seconded, to adopt Ordinance #8991. On roll call vote, Council Members Rubando, Dennis, Herald, Hollenbaugh, O'Dorisio, Phipps, and Robinette voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #8991 adopted.

Clerk read Ordinance #8992 creating and adopting Chapter 121 of the Codified Ordinances of the City of Bowling Green, Ohio, regulating commercial quadricycles, for second reading.

Clerk read Resolution #3817 authorizing the Mayor of the City of Bowling Green, Ohio, to file a capital and operating plan for the years 2022 through 2025 with the Ohio Department of Transportation for grants through the U.S. Department of Transportation, as authorized under federal transit laws, as codified, 49 USC Section 5311, Financial Assistance for Other Than Urbanized Areas, for third reading.

Council Member Herald moved, Rubando seconded, to adopt Resolution #3817. On roll call vote, Council Members Dennis, Herald, Hollenbaugh, O'Dorisio, Phipps, Robinette, and Rubando voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3817 adopted.

Clerk read Resolution #3818 authorizing the file of an application(s) with the Ohio Department of Transportation for grants through the U.S. DOT Federal Transit Administration (FTA), as authorized under federal transit laws, as codified, 49 USC Section 5311, formula grants for rural areas, Ohio's Rural Transportation Program and/or the Ohio Transit Partnership Program and executing a contract for the FY 2023 Ohio Elderly and Disabled Transit Fare Assistance Program, and 5339 and/or 5311 funding for capital and/or operating assistance, and the Ohio Transit Partnership Program and executing a contract with the Ohio Department of Transportation upon project approval, for third reading.

Council Member Herald moved, Dennis seconded, to adopt Resolution #3818. On roll call vote, Council Members Herald, Hollenbaugh, O'Dorisio, Phipps, Robinette, Rubando, and Dennis voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3818 adopted.

Clerk noted that Ordinance #8988 amending the Zoning District Map of the City of Bowling Green, Ohio, for approximately 20.71 acres located just north of 525 South Dunbridge Road from A-1 Agricultural to R-4 Multiple Family Residential, High Density zoning comes off the table automatically this evening.

Council Member Phipps moved, Rubando seconded, to adopt Ordinance #8988.

Council Member Rubando commented that he agrees with this rezoning request. He stated that it has been recognized that there is a need for housing in Bowling Green and he has no reservations that this would end up a slum property based on the recommendation Council received from the Mayor of Dundee, Michigan and others.

Council Member Robinette indicated that he supports the rezoning request, however, he expressed concerns that it conflicts with the 2014 Land Use Map and the current process for making changes. He noted that the process requires that the plan be adjusted prior to making a zoning change which is a relatively easy process for Council to do by passing a resolution to change the 2014 Land Use Map. Robinette moved, Phipps seconded, to postpone Ordinance #8988 until April 18 to allow time to update the planning documents.

City Attorney Michael Marsh suggested that Council amend Ordinance #8988 and accomplish the rezoning of the property along with making a change to the 2014 Land Use Map to allow for residential type zoning in that area. Council Member Robinette stated that in light of the opinion set forth by the City Attorney, he withdrew his motion to postpone.

Council President Hollenbaugh stated that he understands the importance of housing, but he has reservations about changing the zoning in the middle of rewriting the City's zoning code especially when this particular zoning change is to a classification that will no longer exist once the new code is adopted.

Council Member Dennis commented that after sitting through the public hearing and learning that there is a hotel adjacent to this property, housing across the street from the property and senior living/nursing home next door which are all high-density uses for the surrounding properties. He said that to him it seems as though Council is getting caught up in semantics and what will happen is that the City ends up with high-density in this area anyway. He wonders if the consultant could be told that the City wants this area to be R-3 at this stage of the zoning code development.

Planning Director Heather Saylor responded that she thinks that Council needs to make a decision based on their thoughts and feelings of this particular rezoning request. Once the decision is made, then proceed with the zoning code update and make any tweaks that are necessary.

Dennis proceeded to say that Council has heard that there is a need for housing and that the City has between 6-8% apartment vacancy rate. He indicated that if the City waits for the perfect opportunity, that historically those have not materialized, so he is hesitant to turn away someone who wants to invest money and create jobs here in the community. He also views it as an opportunity to market Bowling Green to people who will like the cost of living in Bowling Green and choose to commute to other nearby communities to work.

Council Member Herald noted that during the public hearing it was mentioned that in other areas the rezoning was contingent on an acceptable site plan. Herald stated that Council cannot do that, but asked if the developer would be willing to make a commitment to work closely with the City in the development of an acceptable site plan. Nathan Waggner, Cash Waggner & Associates, came to the microphone and confirmed that they would work with the City on the development. Herald also stated that the approval of the senior health care facility has changed the complexion of the area so having additional apartment housing in that area seems to make more sense than the possibility of light industrial.

Council Member Robinette moved, Herald seconded, to amend Ordinance #8988 by adding the words "and the 2014 Land Use Plan" after the words "City of Bowling Green, Ohio." On roll call vote, Council Members O'Doriso, Phipps, Robinette, Rubando, Dennis, and Herald voted yes. Council President Hollenbaugh voted no. Council President Hollenbaugh declared motion carried, and Ordinance #8988 amended.


Council President Hollenbaugh indicated that Council will now go back to the original motion made by Council Member Phipps to adopt Ordinance #8988.

Hollenbaugh stated that while he agrees that we do need more housing in town, the City development plan calls for more housing density in a walkable downtown vicinity and he feels that this could have a deleterious effect on the City's development plans. He indicated that he hopes he is wrong, but that is why he will be voting no on this ordinance.

On roll call vote, Council Members O'Dorisio, Phipps, Robinette, Rubando, Dennis, and Herald voted yes. Council President Hollenbaugh voted no. Council President Hollenbaugh declared motion carried, and Ordinance #8988 adopted as amended.

Council Member Herald moved, Dennis seconded, to adjourn. On unanimous voice vote, Council President Hollenbaugh adjourned the March 7, 2022 regular meeting of the City Council at 7:48 p.m., subject to call.



Kay D. Scherreik, Clerk of Council

Mark Hollenbaugh, President of Council