

RECORD OF PROCEEDINGS

Minutes of

CITY OF BOWLING GREEN CITY COUNCIL

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

MONDAY, APRIL 1, 2013

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 Zanfardino. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Aspacher, Gordon, Jeffers, McOmber, Robinette, Rowland and Zanfardino responded. Also present were Mayor Richard Edwards, Municipal Administrator John Fawcett, City Attorney Michael Marsh, Public Works Director Brian Craft, Utilities Director Brian O'Connell, Parks and Recreation Director Michelle Grigore, and Planning Director Heather Saylor.

Council President Zanfardino declared the minutes of the meeting held September 4, 2012 approved as distributed.

CORRESPONDENCE

There was no correspondence.

OFFICIAL REPORTS

Mayor Dick Edwards reminded Council Members that Nathan Bevil, the Preservation Services Manager for the Ohio Historical Society will be making a presentation this Wednesday, April 3, at 2:00 p.m. in the Council Chamber. Mayor Edwards noted that Bevil will be outlining the work of his office and ways in which he might be helpful to the City to further enhancement efforts at historic preservation.

Mayor Edwards presented a Proclamation to the City's Grants Administrator, Tina Bradley, and the Chair of the Human Relations Commission, Barbara Keller, proclaiming April as *Fair Housing Month* in the City of Bowling Green.

Lastly, Mayor Edwards addressed Council regarding plans by Verizon to construct a 155 ft. cell tower at the entrance to the City at the intersection of I-75 and E. Wooster Street. Mayor Edwards indicated that this issue dates back to 2008 when the Municipal Administrator notified officials in Columbus of the City's strong objections to any plans to construct a cell tower at that location. Since that time, the City was not made aware of any plans to proceed with construction until early October 2012 when the City learned that Verizon had contracted with a firm and was about to begin construction.

Mayor Edwards further noted that he and BGSU President Mazey wrote a joint letter which was hand-delivered to the District Deputy Director for ODOT in Bowling Green asking for an opportunity for discussion with ODOT and Verizon

The City and the University outlined a number of alternative sites in early December 2012 as a result of what was considered a productive meeting in Columbus with Verizon governmental representatives. It was thought that at least one site on campus was under active consideration and in fact the University did some prep work in anticipation of the site that Verizon had indicated would not be a problem.

Mayor Edwards continued by reporting that earlier this month the City heard again that Verizon was determined to construct the cell tower at the I-75/E. Wooster site. City Attorney Michael Marsh notified Verizon on March 8, 2013 that should they proceed with construction of the cell tower at that site, that the City would not provide electric service for either a temporary or permanent cell tower located in the public right-of-way within the City of Bowling Green. Mayor Edwards indicated that the City is determined to fight any attempts by Verizon to construct a tower at that strategic intersection, the gateway to the City and the University. The Mayor noted that he is pleased that both State Senator Randy Gardner and State Representative Tim Brown are both in the audience tonight to offer comment.

Senator Randy Gardner and Representative Tim Brown both addressed Council expressing concerns regarding the construction of the cell tower. They pledged to work together to bring the parties together and to encourage discussion to bring about a resolution to the problem.

Council Members asked City Attorney Michael Marsh to prepare a resolution for the next meeting expressing their concerns regarding the matter.

Municipal Administrator John Fawcett distributed a letter to Council addressing citizen comments heard at the Community Improvement Committee meeting held on March 18. Fawcett indicated that information promised regarding the former junior high property and the location of a new City building will be forthcoming soon.

Planning Director Heather Saylor had no report.

Parks and Recreation Director Michelle Grigore had no report.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell was pleased to report that the Electric Division has been recertified as RP III Reliable (reliable public power provider) for 2013-2015 by the American Public Power Association.

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, 2013 and ending December 31, 2013.

Council Member Aspacher, for the Public Utilities Committee, introduced a resolution in support of tax-exempt financing.

COUNCIL COMMITTEE REPORTS

Council Member Gordon announced that the Community Improvement Committee will meet on Monday, April 15, at 6:00 p.m. as a follow up to the meeting held March 18 regarding unspecified east side issues. Council Member Jeffers asked if perhaps the scope of the meeting could be narrowed to deal with specific issues. Gordon responded affirmatively and indicated he would discuss the matter with Jeffers.

LOBBY VISITATIONS

Michael Stickles, 1020 N. Grove Street, addressed Council regarding an incident that occurred with his wheelchair along N. Main Street and regarding the need for more crosswalks on N. Main Street and Wooster Street in order to provide for safe crossing for pedestrians.

READING OF LEGISLATION

Clerk read Resolution #3537 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Resolution #3537 its second and third reading. On roll call vote, Council Members Gordon, Jeffers, McOmber, Robinette, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3537 for second and third reading by number and title only.

Council Member McOmber moved, Robinette seconded, to adopt Resolution #3537. On roll call vote, Council Members Jeffers, McOmber, Robinette, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and Resolution #3537 adopted.

Clerk read Resolution #3538 in support of tax-exempt financing, for first reading.

Council Member Aspacher moved, Rowland seconded, to suspend the rules and give Resolution #3538 its second and third reading. On roll call vote, Council Members McOmber, Robinette, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3538 for second and third reading by number and title only.

Council Member Aspacher moved Rowland seconded, to adopt Resolution #3538. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and Resolution #3538 adopted.

Clerk read Ordinance #8241 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2013 and ending December 31, 2013, for first reading.

Council Member McOmber moved, Robinette seconded, to suspend the rules and give Ordinance #8241 its second and third reading. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Robinette voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8241 for second and third reading by number and title only.

Council Member McOmber moved, Jeffers seconded, to adopt Ordinance #8241. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, Robinette, and Rowland voted yes. Council President Zanfardino declared motion carried, and Ordinance #8241 adopted.

Clerk read Resolution #3534 adopting amendments to the Community Development Block Grant Citizen Participation Plan for the City of Bowling Green, Ohio, for second reading.

Clerk read Resolution #3535 authorizing the Mayor of the City of Bowling Green, Ohio, to file a grant application and enter into an agreement with the Toledo Metropolitan Area Council of Governments for the purpose of acquiring financial assistance through the Transportation Alternatives Program, for second reading.

Council Member Zanfardino moved, Gordon seconded, to suspend the rules and give Resolution #3535 its third reading. ON roll call vote, Council Members McOmber, Robinette, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3535 for third reading by number and title only.

Council Member Zanfardino moved, Rowland seconded, to adopt Resolution #3235. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Robinette voted yes. Council President Zanfardino declared motion carried, and Resolution #3235 adopted.

Clerk read Resolution #3536 adopting the Bowling Green Fire Division Standards of Cover for 2013, for second reading.

Clerk read Resolution #3533 authorizing the Mayor of the City of Bowling Green, Ohio, to file an annual application and execute a contract upon grant application approval under the Community Development Block Grant: Entitlement Program as authorized by the Housing and Community Development Act of 1974, as amended, for third reading.

Council Member Zanfardino moved, Gordon seconded, to adopt Resolution #3533. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Robinette, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Resolution #3533 adopted.

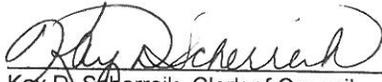
Clerk read Ordinance #8239 authorizing the Utilities Director to execute an amendment to the Master Service Agreement with American Municipal Power, Inc., for the Ecosmart Choice Program as amended to include the sustainability grant program, for third reading.

Council Member Aspacher moved, Robinette seconded, to adopt Ordinance #8239. On roll call vote, Council Members Gordon, Jeffers, McOmber, Robinette, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #8239 adopted.

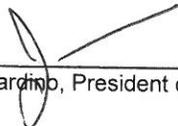
Clerk read Ordinance #8240 authorizing the Utilities Director to execute an amendment to the 2008 agreement with Reiss Engineering, Inc., for engineering and construction services for a reservoir pump station for the integrated membrane system at the Water Treatment Plant, for third reading.

Council Member Aspacher moved, Rowland seconded, to adopt Ordinance #8240. On roll call vote, Council Members Jeffers, McOmber, Robinette, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and Ordinance #8240 adopted.

Council Member Rowland moved, Robinette seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the April 1, 2013 regular meeting of the City Council at 8:04 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



John Zanfardino, President of Council