

RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

MONDAY, AUGUST 19, 2013

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 Zanfardino. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Aspacher, Gordon, Jeffers, McOmber, Piasecki, Rowland and Zanfardino responded. Also present were Mayor Richard Edwards, Municipal Administrator John Fawcett, City Attorney Michael Marsh, Public Works Director Brian Craft, and Parks and Recreation Director Michelle Grigore. Utilities Director Brian O'Connell and Planning Director Heather Saylor were not present.

Council President Zanfardino declared the minutes of the meeting held August 5, 2013 approved as distributed.

CORRESPONDENCE

Clerk Kay Scherreik reported that an application was received from the Ohio Division of Liquor Control for a transfer of a Class D1, D2, D3 and D3A liquor permit from Kamakazi's, Inc., located at 153 E. Wooster Street to Wooster Street Pub, LLC, dba Shots, Inc., at the same location. Clerk noted that a check of the records was received from the Police Division and no detrimental information was noted.

Clerk noted that a listing of budget transfers for the month of August was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Rowland moved, Piasecki 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 for the record that copies of the Budget Summary Report for the month of July 2013 was distributed to Council prior to this evening's meeting.

OFFICIAL REPORTS

Mayor Dick Edwards introduced Richard Torres, Adam Cox and Caleb Kusmierek, the three recently hired police officers who were sworn in last week.

Mayor Edwards reported that he is proceeding with the appointment of an Ad Hoc Historic Preservation Committee for the purpose of assessing the possibilities of Bowling Green becoming a certified city for historic preservation. Mayor Edwards explained that the committee will work with assistance from Planning Director Heather Saylor and with input from Nathan Bevil, Preservation Services Manager for the state's Office of Historic Preservation. Mayor Edwards asked for confirmation of the appointment of the following individuals to the committee:

| | |
|-------------------|-----------------------------|
| George Winters | Chair |
| Eric Honneffer | BGSU – University Libraries |
| Greg Hallamay | Downtown Bowling Green |
| Les Barber | East Side Representative |
| Mark Hollenbaugh | East Side Representative |
| Michael Sibbersen | East Side Representative |
| Joyce Kepke | West Side Representative |
| Larry Nader | West Side Representative |
| Heather Saylor | City of Bowling Green |
| Daniel Gordon | City Council Member |
| John Zanfardino | City Council Member |

Council Member Rowland moved, Jeffers seconded, to approve the appointments to the Ad Hoc Historic Preservation Committee as presented by the Mayor. On unanimous voice vote, Council President Zanfardino declared motion carried.

Mayor Edwards presented the quarterly Honor Roll Award to Sylvia Chandler who served three consecutive terms on the Human Relations Commission.

Mayor Edwards also asked for confirmation of the appointment of Eric Radabaugh to the Human Relations Commission to replace outgoing member Gary Keller. Council Member Rowland moved, Piasecki seconded, to approve the appointment as presented by the Mayor. On unanimous voice vote, Council President Zanfardino declared motion carried.

Municipal Administrator John Fawcett had no report.

Planning Director Heather Sayler was not present.

Parks and Recreation Director Michelle Grigore reported that the pool closed for the season yesterday. Grigore noted that initial reports show that income from the pool admissions was approximately \$204,000 this year versus \$100,000 during recent past seasons. Grigore further noted that the splash pad area will remain open for selected dates for a \$1.00 admission since there isn't a need for lifeguards for that area.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell was not present.

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 McOmer, 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 McOmer, for the Committee-of-the-Whole, introduced an ordinance creating and adopting Section 100.05 of the Codified Ordinances of the City of Bowling Green, Ohio, prohibiting drilling for oil, gas, or other minerals, not including water, by hydraulic fracturing, or the use of similar water pressured technology, and prohibiting deep well storage of waste brine from fracking operations, and declaring an emergency.

Council Member Zanfardino, for the Committee-of-the-Whole, introduced a resolution to place a proposed Charter amendment on the November 2013 ballot.

Council Member Piasecki, for the Planning, Zoning and Economic Development Committee, introduced a resolution authorizing the City Attorney to petition the Board of County Commissioners of Wood County, Ohio, to change township lines.

Council Member McOmer, for the Finance Committee, introduced a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor

COUNCIL COMMITTEE REPORTS

Council Member Jeffers scheduled a meeting of the Public Lands and Buildings Committee for Tuesday, September 3, at 6:30 p.m. to begin discussions of Oak Grove Cemetery as it is nearing its capacity and information gathered by previous committees regarding a new City building.

LOBBY VISITATIONS

John Schlagheck, Executive Secretary of the Northwest Ohio Building Trades Council, addressed Council asking Council to not pass legislation banning hydraulic fracturing and to not pass a resolution allowing the Charter amendment Community Bill

of Rights to be placed on the ballot. Schlagheck stated that hydraulic fracturing has been used safely in Ohio for over 60 years and brings much needed jobs to organized labor. Schlagheck further noted that recently the Athens County Board of Elections refused to place a similar issue on the ballot for the City of Athens and indicated that that was an issue for the City Attorney to address.

Lisa Kohiser, 1045 Varsity West, addressed Council on how the proposed Community Bill of Rights Charter Amendment would affect businesses in Bowling Green. Ms. Kohiser indicated that contrary to what the oil and gas industry would have people believe, she believes it would only affect only those businesses that are trying to introduce new oil and gas activity; responsible businesses will not object.

Jennifer Gephart, Executive Director for Habitat for Humanity, informed City Council of an upcoming event called Project Homeless Connect being held on October 16 from 9 a.m. till 3:00 p.m. at St. Mark's Lutheran Church. Gephart explained that this is a one-day, one-stop event with free goods and services for at-risk, low-income Wood County families, elderly, veterans and singles.

Scott Lopez, representing the Plumbers & Steamfitters of Northwest Ohio, expressed his concern regarding the banning of fracking as it would have an adverse affect on jobs in Northwest Ohio. Lopez indicated that the oil and gas exploration in eastern Ohio is providing much-needed jobs and also benefits Northwest Ohio residents who find jobs in that area.

Lee Hakel, 1435 Cedar Lane, announced that September 6 will be Bobcat Day at the Bowling Green High School home football game and invited citizens to attend the first game of the season and support the team.

Terry Lodge, the attorney representing the organization that is placing the Charter Amendment on the November ballot, indicated that the only responsibility of City Council at this point regarding the proposed Charter Amendment is to pass the resolution that allows for the issue to be placed on the ballot. He noted that it is an administrative duty rather than legislative because the Board of Elections has certified the petition. Lodge said that it was admirable that Council was introducing legislation to ban fracking within the City limits and proceeded to point out the issues with the legislation versus the Charter Amendment.

Justin Marks, 507 S. Main Street, addressed Council regarding the need for sidewalks and crosswalks in the vicinity of S. Main Street and Sand Ridge Road.

READING OF LEGISLATION

Clerk read Resolution #3546 accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, for first reading.

Clerk read Resolution #3547 authorizing the City Attorney to petition the Board of County Commissioners of Wood County, Ohio, to change township lines, for first reading.

Clerk read Resolution #3548 to place a proposed Charter amendment on the November 2013 ballot, for first reading.

Council Member Zanfardino moved, Jeffers seconded, to suspend the rules and give Resolution #3548 its second and third reading. On roll call vote, Council Members Gordon, Jeffers, McOmber, Piasecki, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3548 for second and third reading by number and title only.

Council Member Zanfardino moved, Gordon seconded, to adopt Resolution #3548. On roll call vote, Council Members Jeffers, McOmber, Piasecki, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and Resolution #3548 adopted.

Clerk read Ordinance #8264 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, Aspacher seconded, to suspend the rules and give Ordinance #8264 its second and third reading. On roll call vote, Council Members McOmber, Piasecki, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8264 for second and third reading by number and title only.

Council Member McOmber moved, Piasecki seconded, to adopt Ordinance #8264. On roll call vote, Council Members Piasecki, Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #8264 adopted.

Clerk read Ordinance #8265 creating and adopting Section 100.05 of the Codified Ordinances of the City of Bowling Green, Ohio, prohibiting drilling for oil, gas, or other minerals, not including water, by hydraulic fracturing, or the use of similar water pressured technology, and prohibiting deep well storage of waste brine from fracking operations, and declaring an emergency, for first reading.

Clerk read Ordinance #8262 authorizing a lump sum payment for non-bargaining personnel, and declaring an emergency, for second reading.

Council Member McOmber moved, Jeffers seconded, to suspend the rules and give Ordinance #8262 its third reading. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Piasecki voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8262 for third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8262. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, Piasecki, and Rowland voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

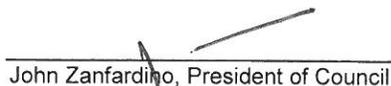
Council Member McOmber moved, Aspacher seconded, to adopt Ordinance #8262. McOmber commented that the 2013 budget that Council approved last fall included a 1% raise for all City employees. McOmber noted that this 1% one-time lump sum payment is more prudent because it does not affect the salary base into the future. McOmber explained that City finances are better than projected due to a larger than anticipated estate tax payment and a one-time refund from the state's workers' compensation fund. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Piasecki, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #8262 adopted.

Clerk read Ordinance #8263 amending and adopting Section 99.11 of the Codified Ordinances of the City of Bowling Green, Ohio, with respect to trimming trees on private property, for second reading.

Council Member Jeffers moved, Rowland seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the August 19, 2013 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



August 19, 2013

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of August include:

| Fund | Dept. | Account | Description | From | To |
|------|-------|---------|---|--------------|--------------|
| 1010 | 190 | 92200 | General, Miscellaneous, Transfer To Special Revenue | \$ 3,366.42 | |
| 2021 | 000 | 69410 | ODOT Transportation Grant (Taxi), Revenue, Transfer From General | | \$ 3,366.42 |
| 1010 | 190 | 92400 | General, Miscellaneous, Transfer To Capital Projects | \$ 3,333.33 | |
| 4030 | 000 | 69410 | Green Space Acquisition Fund, Revenue, Transfer From General | | \$ 3,333.33 |
| 1010 | 190 | 92200 | General, Miscellaneous, Transfer To Special Revenue | \$ 4,166.66 | |
| 2007 | 000 | 69410 | Payroll Stabilization, Revenue, Transfer From General | | \$ 4,166.66 |
| 2078 | 170 | 92300 | Municipal Court Special Projects, Municipal Court, Transfer To Debt Service | \$ 6,833.33 | |
| 3025 | 000 | 69420 | Debt Service, Revenue, Transfer From Special Revenue | | \$ 6,833.33 |
| 4018 | 810 | 92400 | Capital Improvement, Capital Improvement, Transfer To Capital Projects | \$ 3,125.00 | |
| 4005 | 000 | 69440 | Equipment Capital Reserve, Revenue, Transfer From Capital Projects | | \$ 3,125.00 |
| 4018 | 810 | 92300 | Capital Improvement, Capital Improvement, Transfer To Debt Service | \$ 37,543.75 | |
| 3025 | 000 | 69440 | Debt Service, Revenue, Transfer From Capital Projects | | \$ 37,543.75 |
| 4029 | 423 | 92300 | Street Repair, Street Repair, Transfer To Debt Service | \$ 13,433.33 | |
| 3025 | 000 | 69440 | Debt Service, Revenue, Transfer From Capital Projects | | \$ 13,433.33 |
| 4029 | 423 | 92400 | Street Repair, Street Repair, Transfer To Capital Projects | \$ 10,416.66 | |
| 4015 | 000 | 69440 | Roadway Capital Reserve, Revenue, Transfer From Capital Projects | | \$ 10,416.66 |

| | | | | | |
|--------------|-----|-------|--|---------------|---------------|
| 2024 | 545 | 92200 | Community Development, CDBG Block Grant, Transfer To Special Revenue | \$ 10,000.00 | |
| 2021 | 000 | 69420 | ODOT Transportation Grant (Taxi), Revenue, Transfer From Special Revenue | | \$ 10,000.00 |
| 5111 | 651 | 92500 | Electric Revenue, Administrative and General, Transfer To Enterprise | \$ 263,231.50 | |
| 5112 | 000 | 69450 | Electric Capital Reserve, Revenue, Transfer From Enterprise | | \$ 263,231.50 |
| 5221 | 651 | 92500 | Water Revenue, Administrative and General, Transfer To Enterprise | \$ 26,241.67 | |
| 5222 | 000 | 69450 | Water Capital Reserve, Revenue, Transfer From Enterprise | | \$ 26,241.67 |
| 5331 | 651 | 92500 | Sewer Revenue, Administrative and General, Transfer To Enterprise | \$ 7,741.67 | |
| 5332 | 000 | 69450 | Sewer Capital Reserve, Revenue, Transfer From Enterprise | | \$ 7,741.67 |
| Total | | | | \$ 389,433.32 | \$ 389,433.32 |