

RECORD OF PROCEEDINGS

Minutes of

CITY OF BOWLING GREEN CITY COUNCIL

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

TUESDAY, JANUARY 22, 2013

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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, Rowland and Zanfardino responded. Council Member Robinette was not present. Also present were Mayor Richard Edwards, Municipal Administrator John Fawcett, City Attorney Michael Marsh, Public Works Director Brian Craft, Utilities Director Brian O'Connell, and Planning Director Heather Saylor. Parks and Recreation Director Michelle Grigore was not present.

Council President Zanfardino declared the minutes of the meeting held January 7, 2013 approved as distributed.

CORRESPONDENCE

Clerk noted that a listing of budget transfers for the month of January was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Rowland moved, Jeffers 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 Dick Edwards welcomed members of Boy Scout Troup 358 who were in attendance at this evening's meeting working on their Citizenship in Community badges.

Mayor Edwards requested confirmation of the appointment of Frank McLaughlin to serve on the Wood County Board of Health for the following terms:

- To fill the unexpired term of Alice Davis until February 28, 2013;
- For a five-year term that will begin on March 1, 2013 and end on February 28, 2018.

Council Member McOmber moved, Gordon 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 Saylor gave the following summary of permits issued and construction projects for 2012:

Permits:

15 Single-Family homes (compared to 4 in 2012)
355 Total Permits (compared to 335 in 2012)

Commercial Construction Permits:

Glass City Federal Credit Union – built and opened
Thayer Honda – new construction
Thayer Toyota – new construction
Thayer Chevrolet – addition

Commercial Opened in 2012 (started in 2011):

First Federal Bank
Buffalo Wild Wings
Verizon Wireless

Industrial Construction Permits:

Absorbent Products - addition
Rosenboom - addition
Vehtek – addition
DOWA - addition

Parks and Recreation Director Michelle Grigore was not present.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell reported that Mike Fields was recently appointed as the Assistant Water Superintendent and John Stewart as the Assistant Electric Superintendent.

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 an ordinance authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for tree plantings & tree maintenance for trees located within the public right-of-way of the City of Bowling Green.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for sidewalk improvements, pavement striping, deicing salt, and improving streets, alleys, and other public ways in the City of Bowling Green, Ohio.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing an agreement between the City of Bowling Green, Ohio, and the Wood County Regional Airport Authority.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to participate in the State of Ohio Department of Transportation sodium chloride (rock salt) purchase agreement for the 2013-2014 winter season.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator and the Utilities Director to advertise for bids and enter into a contract or contracts for the supplying and cleaning of uniforms for the Public Works Department and the Utilities Department.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator and the Utilities Director to advertise for bids and enter into a contract or contracts and/or participate in State of Ohio purchasing programs for the purchase of vehicles and equipment as well as the trade-in or outright sale of vehicles and equipment being replaced and/or no longer needed for municipal purposes.

Council Member Gordon, for the Transportation & Safety Committee, introduced a resolution authorizing the Mayor of the City of Bowling Green, Ohio, to file a four year capital and operating plan for the years 2014 through 2017 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.

Council Member Gordon, for the Transportation & Safety Committee, introduced an ordinance amending and adopting section 70.35 of the Codified Ordinances of the City of Bowling Green, Ohio, concerning eligibility for police tow list and establishment of tow charge rates.

COUNCIL COMMITTEE REPORTS

Council Member Jeffers reported that the Planning, Zoning and Economic Development Committee held a public hearing earlier this evening regarding proposed Ordinance #8218. Jeffers noted that the committee recommends that Section C of 150.48 be amended to include vehicle fueling stations and automobile sales and/or service. Jeffers further noted that the ordinance was amended by the Clerk prior to the meeting and copies distributed to members of Council.

LOBBY VISITATIONS

William Feeman, 640 S. Wintergarden Road, addressed Council regarding placing legislation on the ballot that would "ban weapons of mass destruction" in the City. Feeman indicated that he feels that the people have a right to speak on the issue and would like to see a ballot issue banning these types of weapons.

Council Member Jeffers responded to Mr. Feeman that several members of Council share his concerns and pointed out that council introduced a resolution at the last meeting encouraging action by the state and federal governments to reduce gun violence in the United States. Council President John Zanfardino said Council took the route of a resolution with the belief that is where action would have the most benefit.

Jan Veitch, 115 Williams Street, addressed Council regarding the Green's proposed development suggesting that the green house at 225 E. Wooster be left in place, to run the development along Prospect Street rather than E. Wooster, move a driveway that is located near a residential house, have 7 apartment units rather than 8, and to take down the blue house.

Nancy Lenhart, 216 E. Court Street, concurred with Ms. Veitch regarding taking down the blue house.

READING OF LEGISLATION

Clerk read Resolution #3528 authorizing the Mayor of the City of Bowling Green, Ohio, to file a four year capital and operating plan for the years 2014 through 2017 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 first reading.

Clerk read Ordinance #8228 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for tree plantings & tree maintenance for trees located within the public right-of-way of the City of Bowling Green, for first reading.

Clerk read Ordinance #8229 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for sidewalk improvements, pavement striping, deicing salt, and improving streets, alleys, and other public ways in the City of Bowling Green, Ohio, for first reading.

Clerk read Ordinance #8230 authorizing an agreement between the City of Bowling Green, Ohio, and the Wood County Regional Airport Authority, for first reading.

Clerk read Ordinance #8231 authorizing the Municipal Administrator to participate in the State of Ohio Department of Transportation sodium chloride (rock salt) purchase agreement for the 2013-2014 winter season, for first reading.

Clerk read Ordinance #8232 authorizing the Municipal Administrator and the Utilities Director to advertise for bids and enter into a contract or contracts for the supplying and cleaning of uniforms for the Public Works Department and the Utilities Department, for first reading.

Clerk read Ordinance #8233 authorizing the Municipal Administrator and the Utilities Director to advertise for bids and enter into a contract or contracts and/or participate in State of Ohio purchasing programs for the purchase of vehicles and equipment as well as the trade-in or outright sale of vehicles and equipment being replaced and/or no longer needed for municipal purposes, for first reading.

Clerk read Ordinance #8234 amending and adopting section 70.35 of the Codified Ordinances of the City of Bowling Green, Ohio, concerning eligibility for police tow list and establishment of tow charge rates, for first reading.

Clerk read Resolution #3525 adopting a B.G. Transit Citizen Participation Plan for the City of Bowling Green, for second reading.

Clerk read Resolution #3526 expressing the support of the Bowling Green City Council for the findings and recommendations of the Toledo/Northwest Ohio Transportation Coalition for the Transportation Legislative Agenda for 2013 and 2014, for second reading.

Clerk read Resolution #3527 encouraging action by state and federal governments to reduce gun violence in the United States, for second reading.

Clerk read Ordinance #8226 approving the S-District Site Plan for the 2300 square foot radiation and oncology addition to the Wood County Hospital, for second reading.

Clerk read Ordinance #8227 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for HVAC maintenance for City-owned facilities, and declaring an emergency, for second reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Ordinance #8227 its second and third reading. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8227 for third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8227. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Aspacher seconded, to adopt Ordinance #8227. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and Ordinance #8227 adopted.

Clerk read Ordinance #8219 to provide for the issuance and sale of bonds in the maximum principal amount of \$3,000,000 for the purpose of refunding at a lower interest cost certain of the City's outstanding various purpose improvement bonds, Series 2004, dated as of May 6, 2004, and declaring an emergency, for third reading.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8219. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Jeffers seconded, to adopt Ordinance #8219. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Zanfardino declared motion carried, and Ordinance #8219 adopted.

Clerk read Ordinance #8220 to provide for the issuance and sale of bonds in the maximum principle of \$4,250,000 for the purpose of paying costs of constructing, reconstructing, renovating, enlarging, furnishing, equipping and otherwise improving the municipal swimming pool and related recreational facilities and improving incidental appurtenances and such other costs of those improvements as are permitted by Revised Code Section 133.15 to be funded from the proceeds of securities, and declaring an emergency, for third reading.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8220. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Aspacher seconded, to adopt Ordinance #8220. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #8220 adopted.

Clerk read Ordinance #8221 to provide for the issuance and sale of bonds in the maximum principal amount of \$1,795,000 for the purpose of paying costs of improving North Main Street and the North Main Street/Poe Road intersection by constructing, reconstructing, widening, paving, resurfacing, grading, draining, constructing curbs, sidewalks, access ramps, driveway approaches, gutters and related drainage improvements, installing signalization and lighting, and acquiring the necessary real estate and interests therein, together with necessary and incidental appurtenances and such other costs of those improvements as are permitted by Revised Code Section

133.15 to be funded from the proceeds of securities, and declaring an emergency, for third reading.

Council Member McOmber moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8221. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8221. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and Ordinance #8221 adopted.

Clerk read Ordinance #8223 authorizing the Utilities Director to enter into a contract or contracts with FCS Performance, Inc., for the repairs to the Water Treatment Plant reservoir pumps, and declaring an emergency, for third reading.

Council Member Aspacher moved, Rowland seconded, to adopt the emergency clause for Ordinance #8223. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member Aspacher moved, Gordon seconded, to adopt Ordinance #8223. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Zanfardino declared motion carried, and Ordinance #8223 adopted.

Clerk read Ordinance #8224 accepting annexation of approximately 0.948 acres of land in Plain Township, Wood County, Ohio, from John A. Jones, Trustee, petitioner, for third reading.

Council Member Jeffers moved, Aspacher seconded, to adopt Ordinance #8224. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #8224 adopted.

Clerk read Ordinance #8225 establishing interim zoning of B-2 General Commercial zoning for the approximately 0.948 acres of land generally known as 17379 North Main Street, and recently annexed to the City as petitioned for by John A. Jones, Trustee, for third reading.

Council Member Jeffers moved, McOmber seconded, to table Ordinance #8225 until February 4, 2013 at which time a public hearing will be held regarding this ordinance. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #8225 tabled until February 4, 2013.

Council Member Jeffers moved, McOmber seconded, to remove from the table Ordinance #8218 creating and adopting Section 150.48 of the Codified Ordinances of the City of Bowling Green, Ohio, creating the Zoning District B-5 Transitional Central Business District Zoning Classification. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried.

Council Member Gordon moved, Rowland seconded, to amend Ordinance #8218 by substitution to include several modifications made to the original ordinance introduced back in December. Gordon read the modifications to Council and noted that the revised ordinance was distributed to Council prior to the meeting. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and Ordinance #8218 amended by substitution.

Council Member Jeffers moved, Gordon seconded, to adopt Ordinance #8218 as amended. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #8218 adopted as amended.

Council Member Jeffers moved, Rowland seconded, to amend by substitution Ordinance #8213 amending the Zoning District Map of the Bowling Green, Ohio, for approximately 1.493 acres at the southeast corner of East Wooster Street and South Prospect Street, and including the properties generally known as 212 & 218 East Wooster Street and 117 & 123 South Prospect Street from B-2 General Commercial and R-2 Single Family Residential zoning to B-3 Central Business District zoning, to give the property the newly created B-5 Transitional Central Business District zoning classification. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Zanfardino declared motion carried, and Ordinance #8213 amended by substitution.

Council Member Jeffers moved, Rowland seconded, to adopt Ordinance #8213 as amended. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #8213 adopted as amended.

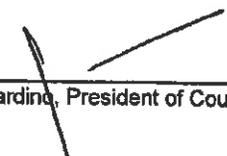
Council Member McOmber asked the Planning Director and the Administration to provide Council with buffering recommendations at the February 4 meeting for the tabled ordinances #8207, #8208, and #8209.

Council Member Jeffers moved, Aspacher seconded, to excuse Council Member Robinette from this evening's meeting. On unanimous voice vote, Council President Zanfardino declared motion carried.

Council Member McOmber moved, Aspacher seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the January 22, 2013 regular meeting of the City Council at 7:55 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



John Zanfardino, President of Council



January 22, 2013

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of January include:

From	Dept.	Account	Description	From	To
2024	545	92200	Community Development, CDBG Block Grant, Transfer To Special Revenue	\$ 44,000.00	
2021	000	69420	ODOT Transportation Grant (Taxi), Revenue, Transfer From Special Revenue		\$ 44,000.00
4052	810	92300	Community Center, Capital Improvement, Transfer To Debt Service	\$ 104,568.00	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 104,568.00
2033	920	92100	Unclaimed Money , Unclaimed Money, Transfer To General	\$ 13,338.00	
1010	000	92100	General, Revenue, Transfer To General		\$ 13,338.00
4010	810	92100	Facility Capital Reserve, Capital Improvement, Transfer To General	\$ 62,906.00	
1010	000	69440	General, Revenue, Transfer From Capital Projects		\$ 62,906.00
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 3,366.38	
2021	000	69410	ODOT Transportation Grant (Taxi), Revenue, Transfer From General		\$ 3,366.38
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 3,333.37	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 3,333.37
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 4,166.74	
2007	000	69410	Payroll Stabilization, Revenue, Transfer From General		\$ 4,166.74
2078	170	92300	Municipal Court Special Projects, Municipal Court, Transfer To Debt Service	\$ 6,833.37	
3025	000	69420	Debt Service, Revenue, Transfer From Special Revenue		\$ 6,833.37

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	\$ 13,433.37	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 13,433.37
4029	423	92400	Street Repair, Street Repair, Transfer To Capital Projects	\$ 10,416.74	
4015	000	69440	Roadway Capital Reserve, Revenue, Transfer From Capital Projects		\$ 10,416.74
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				\$ 604,243.86	\$ 604,243.86