

RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

MONDAY, JULY 16, 2012

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

Council President Zanfardino declared the minutes of the meeting held June 18, 2012 approved as distributed.

CORRESPONDENCE

Clerk noted that a listing of budget transfers for the month of July 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.

Clerk noted for the record that copies of the Budget Summary Report for the month of June 2012 was distributed to Council prior to this evening's meeting.

OFFICIAL REPORTS

Mayor Dick Edwards announced that Justin White was recently promoted to Police Sergeant. Mayor Edwards invited White to come forward and performed the official swearing in of White to the rank of Police Sergeant.

Mayor Edwards introduced Human Relations Commission Chair Barbara Keller who presented the quarterly Honor Roll Award to Beth Rewalt of the Wood County Wheeled Meals Program.

Municipal Administrator John Fawcett reported to Council that the City has no plans for the former Junior High property other than to make it into green space for the foreseeable future. Fawcett noted that Public Works employees have been working on installing irrigation lines to help get the grow growing on the parcel.

Planning Director Heather Saylor reported that the issuance of zoning permits is up around 20% over last year with 233 permits issued in 2012 versus 193 in 2011 at this same point in the year. Saylor also announced that a sub-committee of the Planning Commission will meet on Tuesday, July 24, at 7:00 p.m. to begin discussions regarding backyard chickens.

Parks & Recreation Director Michelle Grigore announced that a final event will be held at the City Pool on August 19 from 6-8 p.m. called "Rock the Pool". Proceeds from the event will be used to fund a splash feature at the new pool. Grigore also reported that an alternative route for the trail to the Community Center has been given to the Board of Education for consideration.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell was not present.

Public Works Director Brian Craft updated Council on current Public Works projects and noted that the intersection of N. Main and W. Poe has been partially reopened.

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 Gordon, for the Transportation & Safety Committee, introduced an ordinance amending and adopting Section 73.60 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding operator to give full time and attention to driving.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the supplying of annual inventory requirements, underground and overhead lines insurance, and sale of scrap materials for calendar year 2013.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the leasing of municipal property for agricultural purposes.

COUNCIL COMMITTEE REPORTS

Council Member Robinette noted that a sub-committee of the Planning Commission has been appointed to consider changes to the City's Codified Ordinances to allow backyard chickens. Robinette stated that a meeting of that sub-committee has been scheduled for Tuesday, July 24, at 7:00 p.m. in the Council Chamber.

LOBBY VISITATIONS

Daniel Johnson, 480 Lehman Avenue, addressed Council regarding the proposed distracted driving ordinance that was introduced this evening. Johnson said that the ordinance uses vague terms and questions how a citizen can prove they were not distracted. He indicated that he feels that the law would create undue fear of the police. Johnson said that he feels that there needs to be more definition of what distracted driving entails.

Council Member Gordon said that he shared some of the same concerns, but noted that the proposal is not new and has been on the books in some places for years. Gordon disagreed with the need for more definition saying that it should be left up to the courts to decide when dealing with a citation.

Nathan Eberly, 907 Sand Ridge Road, also addressed Council regarding his opposition to the proposed distracted driving ordinance stating that he views the ordinance as another attempt to prohibit the use of cell phones in cars. He noted that Bowling Green voters turned down such a ban a few years ago and feels that the vote should be honored by City Council. Eberly indicated that he feels that the proposed law gives the police the authority to stop drivers who might be doing something police consider distracting even though the driver is not exhibiting any problem with their driving.

Council Members Gordon and McOmber engaged in discussion with Eberly on his particular views. Council Member Jeffers indicated that Bowling Green does have existing reckless operating laws on the books and the new proposal does seem vague and relies on the discretion of the officer. Jeffers noted that Police Chief Conner said it would be used as just another tool to provide safety on the roadways. Council Member Robinette said that the proposal was overly broad, unnecessary and too vague.

Michael Stickles, 1020 N. Grove Street, addressed Council regarding a recent letter of complaint he wrote to the Columbus office of the U.S. Department of Housing and Urban Development (HUD) regarding the use of grant money in the replacement of sidewalks. Stickles alleged that the City was hiding behind census tracts when determining which sidewalks were replaced.

Municipal Administrator John Fawcett responded to Stickles and said that the sidewalks were built in accordance with federal guidelines in place at the time of construction and that a letter has been received from HUD indicating that Bowling Green made proper use of funds and the matter is considered closed. Fawcett defended the City's Grants Administrator and the fair and ethical manner in which grant funds were administered.

READING OF LEGISLATION

Clerk read Resolution #3509 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Gordon seconded, to suspend the rules and give Resolution #3509 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 #3509 for second and third reading by number and title only.

Clerk read Ordinance #8194 amending and adopting Section 73.60 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding operator to give full time and attention to driving, for first reading.

Clerk read Ordinance #8195 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the supplying of annual inventory requirements, underground and overhead lines insurance, and sale of scrap materials for calendar year 2013, for first reading.

Clerk read Ordinance #8196 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the leasing of municipal property for agricultural purposes, for first reading.

Clerk read Resolution #3506 adopting the Estimate of Revenues for the year 2013, for second reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Resolution #3506 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 #3506 for third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Resolution #3506. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President declared motion carried, and Resolution #3506 adopted.

Clerk read Resolution #3508 authorizing the filing of (a) proposal(s) and/or (an) application(s) with the Ohio Department of Transportation for grants through the U.S. Department of Transportation Federal Transit Administration (FTA), as authorized under Federal Transit Laws, as codified, 49 USC Section 5311 financial assistance for other than urbanized areas and funds available from the Ohio Public Transportation Grant Program, executing a contract/grant for the FY 2013 Ohio Elderly and Disabled Transit Fare Assistance Program, and executing a contract with the Ohio Department of Transportation upon grant proposal and/or application approval, for second reading.

Clerk read Ordinance #8192 for cleaning of streets by special assessment, for second reading.

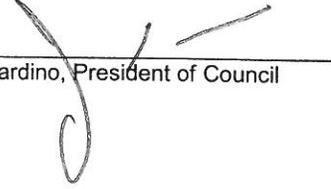
Clerk read Ordinance #8189 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for the cleaning of uniforms for the Department of Safety, for third reading.

Council Member McOmber moved, Gordon seconded, to adopt Ordinance #8189. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Robinette voted yes. Council President Zanfardino declared motion carried, and Ordinance #8189 adopted.

Council Member Jeffers moved, Rowland seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the July 16, 2012 regular meeting of the City Council at 8:20 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



John Zanfardino, President of Council



July 16, 2012

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of July include:

Fund	Dept.	Account	Description	From	To
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 3,400.00	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 3,400.00
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 4,166.66	
2007	000	69410	Payroll Stabilization, Revenue, Transfer From General		\$ 4,166.66
2016	710	92100	Park, Playground and Recreation, Recreation Department, Transfer To General	\$ 4,829.17	
1010	000	69420	General, Revenue, Transfer From Special Revenue		\$ 4,829.17
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	92400	Capital Improvement, Capital Improvement, Transfer To Capital Projects	\$ 8,333.33	
4005	000	69440	Equipment Capital Reserve, Revenue, Transfer From Capital Projects		\$ 8,333.33
4018	810	92300	Capital Improvement, Capital Improvement, Transfer To Debt Service	\$ 26,179.16	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 26,179.16
4029	423	92300	Street Repair, Street Repair, Transfer To Debt Service	\$ 13,917.75	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 13,917.75
4052	810	92300	Community Center, Capital Improvement, Transfer To Debt Service	\$ 23,014.58	

3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 23,014.58
5111	651	92500	Electric Revenue, Administrative and General, Transfer To Enterprise	\$ 208,256.50	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 208,256.50
5221	651	92500	Water Revenue, Administrative and General, Transfer To Enterprise	\$ 33,216.67	
5222	000	69450	Water Capital Reserve, Revenue, Transfer From Enterprise		\$ 33,216.67
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 16,258.33	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 16,258.33
Total				\$ 349,072.15	\$ 349,072.15