

RECORD OF PROCEEDINGS

Minutes of

CITY OF BOWLING GREEN CITY COUNCIL

Meeting

DA: TOM LEGAL BLANK, INC., FORM NO. 10142

Held

MONDAY, MAY 20, 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 7:05 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, Planning Director Heather Saylor and Parks and Recreation Director Michelle Grigore.

Council President Zanfardino declared the minutes of the meeting held May 3, 2013 approved as distributed.

CORRESPONDENCE

Clerk noted that a listing of budget transfers for the month of May was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member McOmber moved, Rowland 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 introduced the Chair of the Human Relations Commission, Barbara Keller, and together they presented the quarterly Honor Roll Award to Maxine Miller for her tireless work on behalf of others in the community.

Mayor Edwards asked for confirmation of the following appointments to City Boards and Commissions:

Board/Commission	Name of Appointee	Term Length	Term Exp.
Parks and Recreation	Cale Hoover	5 Years	5/31/18
Human Relations Comm.	Cameron Stewart	1 Year	5/31/15
Transportation Advisory Committee	Aaron Kane	3 Years	5/31/16
	Allen Cohen	Fill unexpired Term	5/31/15

Council Member Rowland moved, Gordon seconded, to approve the appointments as presented by the Mayor. On unanimous voice vote, Council President Zanfardino declared motion carried.

Municipal Administrator John Fawcett had no report.

Parks & Recreation Director Michelle Grigore invited Council Members to attend the rededication and ribbon cutting for Needle Hall on June 9 at 6:00 p.m. Grigore also reported to Council that the new City Pool is scheduled to open on Saturday, June 15.

City Attorney Michael Marsh reported to Council regarding Council Member Robinette's current leave of absence. Marsh explained that Robinette serves in the Army National Guard and was recently put on active duty. Marsh further explained that a leave of absence is allowed under the Ohio Revised Code which takes precedence because the City's Charter does not address the issue. Marsh also said that Robinette originally expected to be away for up to a year, but has come to hope that his deployment might be shorter because of the announced drawdown of troops in Afghanistan. Marsh pointed out that Robinette's Council salary has been suspended while he is on this leave of absence and that there is no vacancy on Council because Robinette has not resigned from his 4th Ward seat.

Utilities Director Brian O'Connell reported that the Board of Public Utilities voted earlier tonight to award a contract in the amount of \$3,255,000 to Landmark Structures of Fort Worth, Texas for the construction of a new 1.5 million gallon water tower and a demolition contract in the amount of \$88,900 to Iseler Demolition of Romeo, Michigan. O'Connell indicated that construction is set to begin later this year with a completion date of July 31, 2015.

Public Works Director Brian Craft discussed with Council the restoration of light poles and other decorative items that were installed as part of the Heritage 2000 project. Craft reported that Seaway Painting from Livonia, Michigan refurbished 17 light poles recently as a test project to see if they were able to restore them to near original condition. Craft indicated that the test was successful and that Council has legislation before them tonight to enter into a contract with that company to complete the restoration project. Craft indicated that this will allow for uniformity of color and finish throughout the entire project.

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 authorizing the Municipal Administrator and the Utilities Director to sell obsolete items no longer needed for municipal purposes by public auction, and declaring an emergency.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator and the Utilities Director to enter into a contract or contracts with Seaway Painting for restoration services for the decorative light poles and other selected items located in the downtown area and installed as part of the Heritage 2000 project, and declaring an emergency.

Council Member McOmber, for the Finance Committee, introduced an ordinance providing supplemental appropriations for the current expenses and other expenditures for the City of Bowling Green, Ohio, for the year beginning January 1, 2013 and ending December 31, 2013.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to execute an agreement or agreements with Meldrum Mechanical Service to repair two screw pumps for the Water Pollution Control facility.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to participate in the AMP Joint Purchasing Alliance Program, and declaring an emergency.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to enter into a contract or contracts with Richard P. Van Vorhis, et al, for the acquisition of property on Newton Road for construction of a water tower, and authorizing the Utilities Director to complete the purchase in accordance with said contract, and declaring an emergency.

COUNCIL COMMITTEE REPORTS

Council President Zanfardino reported that the Community Improvement Committee met earlier this evening to continue discussions of east side issues. Zanfardino indicated that another meeting is needed and will be held on Monday, June 3, 2013, at 6:00 p.m.

LOBBY VISITATIONS

Jennifer Karches, North Main Street resident, and Laura Sanchez, W. Reed Street, both addressed Council as 4th Ward residents and their shared concern regarding the absence of Council Member Robinette. They both indicated that effectively the 4th Ward residents do not have representation on the current Council.

They also felt that the media needs to let people know about the situation as most people aren't even aware.

Council Member Aspacher pointed out that any of the three at-large Council Members would be glad to address any issues of the 4th Ward residents as they are voted in to represent all citizens of the City.

Council Member McOmber noted that Robinette's absence presents several issues for Council. He said that basically there is no one representative that will be as sensitive to 4th ward issues as the ward representative would have been; that a 3-3 vote on a issue would mean it would fail because nothing can pass without at least four votes; and it could be impossible for Council to suspend the rules for extra readings if another member of Council is absent for a vacation, illness or other reasons since that motion takes six votes to pass. McOmber encouraged the other members of Council and Robinette to find a workable solution realizing that it was a moot point until Robinette actually resigns his position.

Ross Hess, 216 Baldwin, asked to have the information discussed at the earlier Community Improvement meeting emailed to her. The Administration acknowledged her request and indicated the information would be emailed the following day.

Bill Herald, 1030 Conneaut Avenue, also addressed Council regarding Robinette's absence and suggested that if Robinette resigned, that Council should consider asking current at-large Council Member Rowland, who lost by 12 votes to Robinette in the November 2011 election, to move to the 4th Ward seat and to appoint former 1st Ward Council Member Mark Hollenbaugh to fill the vacant at-large seat.

Leslie Harper, 23767 W. River Road, Grand Rapids, addressed Council regarding her concerns about the dangers of fracking and the possibility of it moving into Northwest Ohio.

READING OF LEGISLATION

Clerk read Resolution #3539 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Resolution #3539 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 Resolution #3539 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Resolution #3539. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and Resolution #3539 adopted.

Clerk read Ordinance #8246 authorizing the Municipal Administrator and the Utilities Director to sell obsolete items no longer needed for municipal purposes by public auction, and declaring an emergency, for first reading.

Clerk read Ordinance #8247 authorizing the Municipal Administrator and the Utilities Director to enter into a contract or contracts with Seaway Painting for restoration services for the decorative light poles and other selected items located in the downtown area and installed as part of the Heritage 2000 project, and declaring an emergency, for first reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Ordinance #8247 its second and third readings. On roll call voted, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Council Member McOmber moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8247. On roll call voted, 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, Aspacher seconded, to adopt Ordinance #8247. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Zanfardino declared motion carried, and Ordinance #8247 adopted.

Clerk read Ordinance #8248 authorizing the Utilities Director to execute an agreement or agreements with Meldrum Mechanical Service to repair two screw pumps for the Water Pollution Control facility, for first reading.

Council Member Aspacher moved, Rowland seconded, to suspend the rules and give Ordinance #8248 its second and third reading. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried and rules suspended.

Clerk read Ordinance #8248 for second and third reading by number and title only.

Council Member Aspacher moved, Rowland seconded, to adopt Ordinance #8248. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #8248 adopted.

Clerk read Ordinance #8249 authorizing the Utilities Director to participate in the AMP Joint Purchasing Alliance Program, and declaring an emergency, for first reading.

Council Member Aspacher moved, Rowland seconded, to suspend the rules and give Ordinance #8249 its second and third reading. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8249 for second and third reading by number and title only.

Council Member Aspacher moved, Rowland seconded, to adopt the emergency clause for Ordinance #8249. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member Aspacher moved, Gordon seconded, to adopt Ordinance #8249. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #8249 adopted.

Clerk read Ordinance #8250 authorizing the Utilities Director to enter into a contract or contracts with Richard P. Van Vorhis, et al, for the acquisition of property on Newton Road for construction of a water tower, and authorizing the Utilities Director to complete the purchase in accordance with said contract, and declaring an emergency, for first reading.

Council Member Aspacher moved, Rowland seconded, to suspend the rules and give Ordinance #8250 its second and third reading. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8250 for second and third reading by number and title only.

Council Member Aspacher moved, Rowland seconded, to adopt the emergency clause for Ordinance #8250. 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 Aspacher moved, Jeffers seconded, to adopt Ordinance #8250. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #8250 adopted.

Clerk read Ordinance #8251 providing supplemental appropriations for the current expenses and other expenditures for the City of Bowling Green, Ohio, for the 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 #8251 its second and third reading. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8251 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8251. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and Ordinance #8251 adopted.

Clerk read Ordinance #8244 amending and adopting Section 31.01 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding regular meetings of City Council, for second reading.

Clerk read Ordinance #8245 authorizing an expansion of the Water Service Area and a 100,000 gallon per day increase in the Wholesale Water Supply Contract capacity with the Northwestern Water & Sewer District, for second reading.

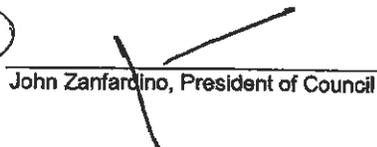
Clerk read Ordinance #8242 amending and adopting Section 33.12 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding Parking Services Technicians, for third reading.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8242. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #8242 adopted.

Council Member Rowland moved, Jeffers seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the May 20, 2013 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



May 20, 2013

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of May 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

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				\$ 379,458.32	\$ 379,458.32