

RECORD OF RESOLUTIONS

1st Reading: 5-21-12

2nd Reading: 5-21-12

3rd Reading: 5-21-12

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 3503 Passed May 21, 2012

RESOLUTION TRANSFERRING PREVIOUSLY APPROPRIATED FUNDS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, STATE OF OHIO:

SECTION 1. That the following transfers be made in the Finance Director's account:

Fund	Dept.	Account	Description	From	To
2024	545	73430	Community Development, CDBG Block Grant, Advertising	\$ 1,300.00	
2024	545	92200	Community Development, CDBG Block Grant, Transfer To Special Revenue		\$ 1,300.00

SECTION 2: This resolution shall take effect at the earliest time permitted by law.

Passed: May 21, 2012
Date

President of Council

JOHN ZANFARDINO

Attest: [Signature]
Clerk of Council

KAY D. SCHERREIK

Approved: May 22, 2012
Date

Mayor

RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Res. No. 3503 passed by the Council of the City of Bowling Green, Ohio.

May 21, 2012
[Signature]
Clerk of City Council

RECORD OF RESOLUTIONS

1st Reading: 5-21-12
2nd Reading: 5-21-12
3rd Reading: 5-21-12

Dayton Legal Blank, Inc., Form No. 36045

Resolution No. 3504 Passed May 21, 20 12

RESOLUTION HONORING RICHARD SCHMIDT, MEMBER OF THE BOARD OF PUBLIC UTILITIES FOR THE CITY OF BOWLING GREEN, OHIO

WHEREAS, Richard Schmidt honorably and faithfully served the citizens of the City of Bowling Green as a member of the Board of Public Utilities from January 1, 1998 until April 16, 2012 and served as Board Chair June 2002-May 2004 and June 2010-May 2012; and

WHEREAS, during his impressive tenure on the Board of Public Utilities, Mr. Schmidt demonstrated a strong commitment, persistent advocacy, and earnest concern relating to the City public utilities; and

WHEREAS, during his service on the Board, the City of Bowling Green made a significant investment in its public utility system and completed many noteworthy projects that enhanced the quality of the City's public utilities making Bowling Green a better place to live, work, and operate an industry; and

WHEREAS, numerous projects, improvements, and expansions were examined and authorized by the Board during Mr. Schmidt's time of service, including but not limited to: significant technology and capacity improvements at both the Water Pollution Control and the Water Treatment Plants, many water and sewer line upgrades throughout the City, and frequent electric enhancements to increase the diversity of the electric generation source and the reliability and affordability of the power supply to municipal utilities customers; and

WHEREAS, Mr. Schmidt utilized his legal expertise in guiding and counseling the Board in contractual and legal arrangements and, when making decisions, did his due diligence to consider the potential impacts for the long and short term, taking particular care to be sensitive to municipal utility customers; and

WHEREAS, the thoughtful, intelligent, and principled approach that Mr. Schmidt applied in dealing with challenging and complex governmental and community problems were greatly appreciated the Board, Council, Mayor, City staff, and the public-at-large; and

WHEREAS, this Council, along with the Mayor, wishes to publicly acknowledge and honor Mr. Schmidt for his significant contributions to civic betterment and community well-being and for his dedicated, faithful, and uncommon length of service to this City as a member of the Board of Public Utilities.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO:

Section 1: That the Council and the Mayor of the City of Bowling Green, on behalf of the government and the citizens of this municipality, does hereby thank and commend Mr. Richard Schmidt for his dedicated public service, distinctive achievements, and outstanding performance of civic responsibility while a member of the Board of Public Utilities.

Section 2: That the Clerk of Council is hereby authorized and instructed to forward a duly attested, signed, and framed copy of this resolution to Mr. Schmidt.

Passed: May 21, 2012 Date Richard A. Edwards
Richard A. Edwards, Mayor

Attest: Kay D. Scherrek
Kay D. Scherrek, Clerk of Council John Zambardino
John Zambardino, President of Council

Council Members:
Michael Aspacher
Michael Aspacher

Bruce Jeffers
Bruce Jeffers

Robert McOmber
Robert McOmber

Daniel Gordon
Daniel Gordon

Sandy Rowland
Sandy Rowland

Gregory Robinette
Gregory Robinette

CERTIFICATION
This is to certify that the foregoing is a true copy of Res. No. 3504 passed by the Council of the City of Bowling Green, Ohio. May 21, 2012
Kay D. Scherrek
Clerk of City Council

MICHAEL J. MARSH
CITY ATTORNEY
kds

Ordinance No. 8181

Passed May 21, 2012

ORDINANCE AMENDING AND ADOPTING SECTIONS 150.03, 150.35, 150.37, 150.45, AND 150.59 OF THE CODIFIED ORDINANCES OF THE CITY OF BOWLING GREEN, OHIO BY ADDING "INDOOR SPORTS TRAINING FACILITY" PROVISIONS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That Sections 150.03 and 150.35 and 150.37 and 150.45 and 150.59 of the Codified Ordinances of the City of Bowling Green, Ohio are hereby amended and adopted in accordance with the exhibit attached hereto and made a part hereof, to establish "indoor sports training facility" definitions, rules and regulations with the Zoning Code of the City of Bowling Green, Ohio.

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: May 21, 2012
Date

President of Council
JOHN ZANFARDINO

Attest: [Signature]
Clerk of Council
KAY D. SCHERREIK

Approved: May 22, 2012
Date

[Signature]
Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Ord No. 8181 passed by the Council of the City of Bowling Green, Ohio.

May 21, 2012
[Signature]
Clerk of City Council

Proposed Ordinance Amendments

Section 150.03 Definitions

Add:

“Indoor Sports Training Facility”. A wholly enclosed facility devoted exclusively to advanced and/or professional instruction and training relating to specific physical sports activities including, but not limited to, baseball, basketball, batting cages, boxing, cheerleading, gymnastics, martial arts, soccer, and volleyball courts. The term “sports training facility” does not include uses catering to the general public, including health and fitness clubs, ice and roller skating rinks, bowling alleys, racquet and tennis clubs, yoga and dance classes, paintball arenas, billiard halls, archery, and shooting ranges.

§ 150.35 M-1 LIGHT INDUSTRIAL.

(A) *Purpose*. This district permits manufacture, assembly, storage, or transfer activities whose nature of operation produces a minimum of noise, odor, dust, and smoke. They are also associated with little outside storage or assembly, and typically are of a low-density usage.

(B) *Permitted uses*. A building or lot within the M-1 District may be used only for the following purposes:

(1) Manufacturing or assembly processes which by the nature of the materials, equipment, and process used are to a considerable measure clean, quiet, and free of objectionable or hazardous elements. Manufacturing activities shall consist of the following:

- (a) Jewelry;
 - (b) Drugs;
 - (c) Musical instruments;
 - (d) Sporting goods;
 - (e) Clothing;
 - (f) Small household appliances;
 - (g) Electronic components or equipment;
 - (h) Research and testing laboratories;
 - (i) Bakery, potato chip manufacturing.
- (2) Lumber storage and dealers;
 - (3) Contractors' yards and offices;
 - (4) Warehouses, including wholesale warehouses;
 - (5) Printing and publishing plants;
 - (6) Monument works and sales;
 - (7) Carting or hauling;
 - (8) Grain and feed dealers;
 - (9) Railroad yards and terminal facilities;

(10) Veterinarians, kennels, animal hospitals and burial grounds, provided that any outside runs or kennels are more than 200 feet from a residential district;

(11) Nurseries, greenhouses, truck gardens, or plant cultivation; and

(12) Automotive and other repair and temporary storage.

(C) *Compliance with state environmental protection agency.* Compliance with the state environmental protection agency with respect to discharges into the atmosphere and into any drainage system shall be a requirement for any light industry.

(D) *Conditional uses.*

(1) Airports and landing fields subject to the conditions set forth in the A-1 District.

(2) Driver training school subject to the following conditions:

(a) The classroom accommodates no more than 35 students;

(b) The number of vehicles used for training cannot exceed 15;

(c) The training school be licensed by the State of Ohio and proof of such license be filed with the city annually;

(d) The training school be inspected by the Ohio Highway Patrol annually;
and

(e) The building in which the training school is located be within 300 feet of a Residential District.

(3) Day care centers subject to the following conditions:

(a) The frontage for the parcel shall be on a major street;

(b) The entry drive shall be in compliance with the Access Management Policies and Guidelines;

(c) A four foot (minimum) solid fence shall be installed to screen adjacent uses from view of the play areas. However, this fencing shall not be installed within the front yard setback.

(d) A screen of evergreen plantings shall be placed inside the lot line to screen any adjacent off-street parking or loading areas from the day care and to help reduce noise. These evergreen plantings shall be outside the required screen fence. A four-foot tall earthen mound can be substituted for the evergreen plantings, but the required solid fence cannot be placed on the mound.

(4) Indoor Sports Training Facility, which may include an accessory retail shop for the sale of related equipment, subject to the following conditions:

(a) The construction required to accommodate the facility shall not permanently alter the building so that it cannot be reused for industrial, office or business purposes.

(b) The applicant must submit a report as part of the zoning permit application from an architect, engineer or contractor indicating the building is suitable for use as an Indoor Sports Training Facility and any building modifications required would not preclude the building's reuse for industrial, office or business purposes.

(c) Buildings and use subject to City inspections for zoning compliance.

(d) A change-in-use permit is required and approval based on compliance with City ordinances.

(E) *Prohibited uses.* No bars, taverns, dance halls, rental halls, bowling alleys, or similar commercial recreational activities shall be permitted in an M-1, Light Industrial zone.

§ 150.37 M-3 BUSINESS PARK.

(A) *Purpose.* This district is intended to provide for office and industrial uses having a minimal impact upon the surrounding environment in areas that are suitable for office and industrial development by reason of their location and the availability of adequate utility and transportation systems. Uses established in this district will be developed in a business park setting.

(B) *Permitted uses.* A building or lot within the M-3 District may be used only for the following purposes:

- (1) Bakeries and bottling plants;
- (2) Contractor's yards or offices;
- (3) Truck and motor freight terminals;
- (4) Moving and storage companies;
- (5) Compounding, processing, and packaging of meat, dairy and food products, exclusive of slaughtering;
- (6) Manufacturing and/or assembling of electrical and electronic products, components, and equipment;
- (7) Machine shops and tool die shops;
- (8) Electric substations, equipment buildings, electric transmission lines, and electric towers;
- (9) Gas regulator and gas meter stations;
- (10) Water filtration and pumping stations;
- (11) Sanitary sewer treatment plants and pumping stations;
- (12) Research and engineering laboratories;
- (13) Printing, binding, and typesetting plants;
- (14) Commercial radio and television transmitting stations and antenna towers;
- (15) Sign painting and manufacturing;
- (16) Stamping plants;
- (17) Manufacture of computers and manufacture, duplication, and/or shipping of computer software;
- (18) Manufacture of plastics;
- (19) Manufacture of cosmetics;
- (20) Other manufacturing, processing, assembling, or compounding operations possessing characteristics similar to those uses listed in this section;
- (21) Offices and corporate headquarters of 5,000 square feet or more;
- (22) Warehouses and wholesale warehouses; and
- (23) Such manufacturing uses may have a retail outlet provided the products offered for sale are manufactured on site. For example, a manufacturer of furniture may offer retail sales of tables manufactured on site, but not chairs manufactured at another site.

(C) *Conditional uses.*

(1) Day care centers subject to the same conditions spelled out in the M-1 District.

(2) Indoor Sports Training Facility, which may include an accessory retail shop for the sale of related equipment, subject to the following conditions:

(a) The construction required to accommodate the facility shall not permanently alter the building so that it cannot be reused for industrial, office or business purposes.

(b) The applicant must submit a report as part of the zoning permit application from an architect, engineer or contractor indicating the building is suitable for use as an Indoor Sports Training Facility and any building modifications required would not preclude the building's reuse for industrial, office or business purposes

(c) Buildings and use subject to City inspections for zoning compliance.

(d) A change-in-use permit is required and approval based on compliance with City ordinances.

(D) *Prohibited uses.* All the following uses are expressly prohibited in the M-3 District:

- (1) Fertilizer manufacture and animal rendering;
- (2) Stockyards;
- (3) Petroleum refineries and storage areas;
- (4) Nuclear power plants;
- (5) Paper mills;
- (6) Hay mills;
- (7) All retail sales unless such sales are of products manufactured on site; and
- (8) All residential uses.

(E) *Compliance with state environmental protection agency.* Compliance with the state environmental protection agency with respect to discharges into the atmosphere and into any drainage system shall be a requirement for any permitted use.

§ 150.45 S-4 PLANNED BUSINESS PARK.

(A) *Purpose.* This district is intended to provide for office and industrial uses having a minimal impact upon the surrounding environment in areas that are suitable for office and industrial development by reason of their location and the availability of adequate utility and transportation systems. Uses established in this district will be developed in a business park setting.

(B) *Permitted uses.*

- (1) Bakeries and bottling plants;
- (2) Truck and motor freight terminals;
- (3) Moving and storage companies;
- (4) Compounding, processing, and packaging of meat, dairy and food products, exclusive of slaughtering;
- (5) Manufacturing and/or assembling of electrical and electronic products, components, and equipment;
- (6) Machine shops and tool die shops;
- (7) Electric substations, equipment buildings, electric transmission lines, and electric towers;

- (8) Gas regulator and gas meter stations;
- (9) Water filtration and pumping stations;
- (10) Sanitary sewer treatment plants and pumping stations;
- (11) Printing, binding, and typesetting plants;
- (12) Research and engineering laboratories;
- (13) Commercial radio and television transmitting stations and antenna towers;
- (14) Sign painting and manufacturing;
- (15) Stamping plants;
- (16) Manufacture of computers and manufacture, duplication, and/or shipping of computer software;
- (17) Manufacture of plastics;
- (18) Manufacture of cosmetics;
- (19) Other manufacturing, processing, assembling, or compounding operations processing characteristics similar to those uses listed in this section;
- (20) Offices and corporate headquarters;
- (21) Warehouses and wholesale warehouses; and
- (22) Such manufacturing uses may have a retail outlet provided the products offered for sale are manufactured on site. For example, a manufacturer of furniture may offer retail sales of tables manufactured on site, but not chairs manufactured at another site.

(C) *Conditional uses.* ~~None.~~

(1) Indoor Sports Training Facility, which may include an accessory retail shop for the sale of related equipment, subject to the following conditions:

(a) The construction required to accommodate the facility shall not permanently alter the building so that it cannot be reused for industrial, office or business purposes.

(b) The applicant must submit a report as part of the zoning permit application from an architect, engineer or contractor indicating the building is suitable for use as an Indoor Sports Training Facility and any building modifications required would not preclude the building's reuse for industrial, office or business purposes.

(c) Buildings and use subject to City inspections for zoning compliance.

(d) A change-in-use permit is required and approval based on compliance with City ordinances.

(D) *Prohibited uses.* All the following uses are expressly prohibited in the S-4 District:

- (1) Fertilizer manufacture and animal rendering;
- (2) Stockyards;
- (3) Petroleum refineries and storage areas;
- (4) Nuclear power plants;
- (5) Paper mills;
- (6) Hay mills;
- (7) All retail sales unless such sales are of products manufactured on site; and
- (8) All residential uses.

(E) *Compliance.* Compliance with the state environmental protection agency with respect to discharges into the atmosphere and into any drainage system shall be a requirement for any permitted use.

(F) *Property retaining permitted and conditional uses.* The 74.01 acres of property located at the southwest corner of State Route 105 and South Dunbridge Road, presently zoned S-4 Planned Industrial, shall retain the permitted and conditional uses, and bulk and density requirements applicable to such property under the terms of the S-4 Planned Industrial District, zoning regulations in effect as of June 1, 1993 and shall not be affected by any revisions to the zoning regulations regarding the permitted and conditional uses, and the bulk and density regulation requirements, of the S-4 Planned Industrial District, enacted after June 1, 1993. The intent of this division (F) is to continue the permitted and conditional uses, and bulk and density regulation requirements, of the S-4 Planned Industrial District with respect to such property, which has been zoned S-4 Planned Industrial since September 15, 1980.

OFF-STREET PARKING

Table 150.59(A)

Use	Required Parking Spaces
<i>Public/Recreational</i>	
Arena, auditorium, stadium, theater	1 for each 4 seats or seating spaces - bench seating equals 1 per 24 lineal inches
Assembly or exhibit hall or adult entertainment	15 for the first 1,000 square feet plus 1 per 100 square feet over 1,000 square feet
Bowling alley	5 for each lane plus 1 for each 150 square feet of floor area in a restaurant or bar area within the structure
Community center, library, museum	10 spaces plus 1 for each 300 square feet of floor area in excess of 2,000 square feet, excluding floor area for stacks and book processing functions in libraries
Dance hall, lodges, private clubs, and the like	15 for the first 1,000 square feet plus 1 per 100 square feet over 1,000 square feet
Golf or country clubs	5 per hole, plus 1 for each 150 square feet of floor area in restaurant, bar or banquet meeting area within the structure
Indoor sports training facility	1 for each 300 square feet of floor area
Recreational facility	10 spaces plus 1 for each 300 square feet of floor area in excess of 2,000 square feet

RECORD OF ORDINANCES
EMERGENCY CLAUSE ADOPTED

1st Reading: 5-7-12
2nd Reading: 5-21-12
3rd Reading: 5-21-12

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8183

Passed May 21, 2012

ORDINANCE AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO PARTICIPATE IN THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION SODIUM CHLORIDE (ROCK SALT) PURCHASE AGREEMENT FOR THE 2012-2013 WINTER SEASON, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That the Municipal Administrator is hereby authorized to participate in the State of Ohio Department of Transportation sodium chloride (rock salt) purchase agreement for the 2012-2013 winter season, including participation in contract or contracts with respect thereto, including binding the City to all terms and conditions created thereby.

SECTION 2: This ordinance shall take effect as an emergency measure. The reason for the emergency is to facilitate the City's success in obtaining the lowest possible bid price for salt for the 2012-2013 winter season through the Ohio Department of Transportation's purchasing program, thereby protecting the public health, safety, and well-being of our citizens.

Passed: May 21, 2012
Date

President of Council

JOHN ZANFARDINO

Attest: Kay D. Scherreik
Clerk of Council

KAY D. SCHERREIK

Approved: May 22, 2012
Date

Mayor

RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Ord No. 8183 passed by the Council of the City of Bowling Green, Ohio.

May 21, 2012
Kay D. Scherreik
Clerk of City Council

Ordinance No. 8188 Passed May 21, 20 12

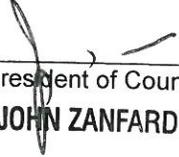
ORDINANCE AUTHORIZING THE UTILITIES DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT OR CONTRACTS FOR THE EAST WOOSTER STREET SANITARY SEWER REPLACEMENT PROJECT

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That the Utilities Director is hereby authorized to advertise for bids and enter into a contract or contracts for the East Wooster Street sanitary sewer replacement project.

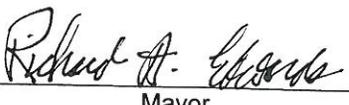
SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: May 21, 2012
Date

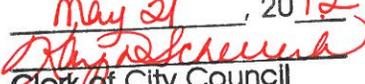

President of Council
JOHN ZANFARDINO

Attest: 
Clerk of Council
KAY D. SCHERREIK

Approved: May 22, 2012
Date


Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8188 passed by the Council of the City of Bowling Green, Ohio.
May 21, 20 12

Clerk of City Council