

RECORD OF PROCEEDINGS

Minutes of

CITY OF BOWLING GREEN CITY COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

MONDAY, NOVEMBER 18, 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 Piasecki 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 November 4, 2013 approved as distributed.

CORRESPONDENCE

Clerk noted for the record that copies of the Budget Summary Report for the month of October 2013 was distributed to Council prior to this evening's meeting.

OFFICIAL REPORTS

Mayor Dick Edwards invited Council Members and the community to attend a "Not in Our Town" (NIOT) event being held tomorrow evening at 7:00 p.m. in the Bowling Green High School Performing Arts Center. Mayor Edwards noted that the City and University are joining together to reaffirm their commitment to social justice, equality, and inclusion as well as embrace and celebrate diversity.

Municipal Administrator John Fawcett reviewed recent storm damage to trees on City property and noted that the City has offered to lend assistance to neighboring communities that were harder hit by the storm.

Fawcett also noted that the City's Arborist and Tax Commissioner are both present in tonight's meeting to address separate issues with City Council.

Income Tax Commissioner Rob Wright updated Council on Ohio House Bill 5 which would standardize local income tax laws across the state and potentially affect city revenues and costs to collect city taxes.

Planning Director Heather Saylor had no report.

Parks & Recreation Director Michelle Grigore had no report.

City Attorney Michael Marsh had not report.

Utilities Director Brian O'Connell reviewed minor electric outages as a result of the recent storm and updated Council on the new water tower construction project.

Public Works Director Brian Craft reported that curbside leaf collection is still being done and that one last pass through the City is planned in the next week or two. Craft also reviewed the changes in the refuse pickup for the week of Thanksgiving.

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 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 McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator and the Utilities Director to seek qualifications and/or advertise for bids and enter into a contract or contracts for design, engineering, right-of-way acquisition, construction, and other services relating to the resurfacing of West Poe Road.

Council Member Rowland, for the Planning, Zoning & Economic Development Committee, introduced an ordinance accepting annexation of approximately 2.409 acres of land in Plain Township, Wood County, Ohio, from David A. Knauss, et al, petitioners.

Council Member Rowland, for the Planning, Zoning & Economic Development Committee, introduced an ordinance establishing interim zoning of B-2 General Commercial zoning for the property located at the northwest corner of North Main Street and Newton Road and recently annexed to the City.

Council Member Jeffers, for the Public Lands & Buildings Committee, introduced an ordinance dedicating certain property recently acquired from Robert W. Maurer, et al, for right-of-way purposes.

Council Member Gordon, for the Transportation & Safety Committee, introduced a resolution adopting the Bowling Green Fire Division 5-Year Strategic Plan.

COUNCIL COMMITTEE REPORTS

Council President Zanfardino reminded Council Members and citizens that the regularly scheduled meeting for December 2 has been canceled and Council will meet on December 16 and December 30 at 7:00 p.m. for the month of December.

LOBBY VISITATIONS

Barbara Ruland, Downtown BG, thanked the City for their support in getting the holiday decorations put up in the downtown area and encouraged everyone to support Small Business Saturday on November 30 and shop at local small businesses.

Earlene Kilpatrick, BG Chamber of Commerce, reminded citizens of the upcoming holiday parade on November 23 and thanked the City for their support and help before, during and after the parade. Ms. Kilpatrick also noted that the Ohio State Tax Commissioner will be speaking at 9:00 a.m. at Kellermeier on Tuesday, November 26.

Sandy Milligan, 737 Champaign Drive, addressed Council indicating that as a small business owner in Bowling Green she supports Ohio House Bill 5.

READING OF LEGISLATION

Clerk read Resolution #3554 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Resolution #3554 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 #3554 for second and third reading by number and title only.

Council Member McOmber moved, Gordon seconded, to adopt Resolution #3554. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and Resolution #3554 adopted.

Clerk read Resolution #3555 adopting the Bowling Green Fire Division 5-Year Strategic Plan, for first reading.

Clerk read Ordinance #8292 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, Jeffers seconded, to suspend the rules and give Ordinance #8292 its second and third reading. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8292 for second and third reading by number and title only.

Council Member McOmber moved, Jeffers seconded, to adopt Ordinance #8292. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #8292 adopted.

Clerk read Ordinance #8293 authorizing the Municipal Administrator and the Utilities Director to seek qualifications and/or advertise for bids and enter into a contract or contracts for design, engineering, right-of-way acquisition, construction, and other services relating to the resurfacing of West Poe Road, for first reading.

Clerk read Ordinance #8294 dedicating certain property recently acquired from Robert W. Maurer, et al, for right-of-way purposes, for first reading.

Clerk read Ordinance #8295 accepting annexation of approximately 2.409 acres of land in Plain Township, Wood County, Ohio, from David A. Knauss, et al, petitioners, for first reading.

Clerk read Ordinance #8296 establishing interim zoning of B-2 General Commercial zoning for the property located at the northwest corner of North Main Street and Newton Road and recently annexed to the City, for first reading.

Council Member Rowland announced that a public hearing will be held for Ordinance #8296 on Tuesday, January 21, 2014, at 6:45 p.m. in the Council Chamber.

Clerk read Ordinance #8287 amending and enacting Section 33.04 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to pay scales for seasonal employees, for third reading.

Council Member McOmber moved, Aspacher seconded, to adopt Ordinance #8287. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Zanfardino declared motion carried, and Ordinance #8287 adopted.

Clerk read Ordinance #8289 amending and adopting Sections 30.15, 30.52(I) & (J) and 30.53(F) of the Codified Ordinances of the City of Bowling Green, Ohio, for an increase from \$25,000 to \$50,000 for contracting without the necessity of advertising to comply with the Ohio Revised Code, for third reading.

Council Member McOmber moved, Jeffers seconded, to adopt Ordinance #8289. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #8289 adopted.

Council President Zanfardino asked the City's Arborist, Dave Bienemann to come forward to discuss the current ordinances that the City has regarding the care of trees on private property as it relates to the proposed ordinance that Council is considering. Zanfardino noted that Ordinance #8263 was tabled early in September and that ordinance would amend and adopt Section 99.11 of the Codified Ordinances with respect to trimming of trees on private property.

Zanfardino indicated that he recently road around with Mr. Bienemann and was amazed at the work that is done by the Arborist and indicated that he had no idea the extent of his work.

Bienemann discussed with Council that he already becomes involved with property owners who contact him about trees on private property and indicated that in the nine and half years that he has been on staff with the City he hasn't had a dispute that eventually wasn't resolved without anyone taking legal action. Bienemann reassured Council that the current ordinances that the City has in place are adequate for taking care of tree related problems on private property.

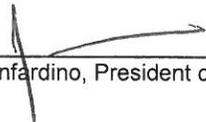
Council Member McOmber moved, Jeffers seconded, to remove from the table Ordinance #8263 amending and adopting Section 99.11 of the Codified Ordinances of the City of Bowling Green, Ohio, with respect to trimming trees on private property. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried.

Council Member Zanfardino moved, Jeffers seconded, to adopt Ordinance #8263. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gordon voted no. Council President Zanfardino declared motion defeated, and Ordinance #8263 was not adopted.

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

Council Member Rowland moved, Aspacher seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the November 18, 2013 regular meeting of the City Council at 8:15 p.m., subject to call.



Kay D. Scherrek, Clerk of Council

John Zanfardino, President of Council