

RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

MONDAY, OCTOBER 21, 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 7:00 p.m. by Council President Zanfardino. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Aspacher, Gordon, Jeffers, McOmber, Piasecki, Rowland and Zanfardino responded. 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 October 7, 2013 approved as distributed.

CORRESPONDENCE

Clerk noted that a listing of budget transfers for the month of October was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Rowland moved, Piasecki 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 thanked all who were involved in the recent Project Homeless Connect event that was held last week at St. Mark's Lutheran Church. Mayor Edwards also noted that the new CVS store held its grand opening on October 20.

Municipal Administrator John Fawcett noted that the physical agility test for the position of firefighter is being administered this week at Carter Park. Fawcett also reported on behalf of the Parks and Recreation Director that the 19th annual Wine & Cheese Benefit raised \$22,500 towards the goal of \$250,000 needed to upgrade the Nature Center at Wintergarden Park.

Planning Director Heather Saylor had no report.

Parks and Recreation Director Michelle Grigore was not present.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell updated Council regarding a recent sewer collapse on North Main Street and related lane closures in the area.

Public Works Director Brian Craft reported that curbside leaf collection throughout the City began today. They currently plan to make four complete passes through the City throughout the fall season to collect leaves.

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 the following new legislation:

- 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.
- Ordinance amending and enacting Section 33.04 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to pay scales for seasonal employees.
- Ordinance amending and adopting Section 33.09(F) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding Fire Division Composition, and declaring an emergency.
- Ordinance 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.
- Ordinance authorizing the Municipal Administrator to enter into a contract or contracts with Rutter & Dudley for street cut repairs, and declaring an emergency.

COUNCIL COMMITTEE REPORTS

Council Member Gordon announced that meeting of the Transportation & Safety Committee will be held on Monday, November 18, at 6:00 p.m. as a follow up to the presentation heard on October 7 concerning transportation.

LOBBY VISITATIONS

The following individuals addressed Council expressing their thanks for the purchase of the Ridge School property and the enhancement it will be to their neighborhood being utilized as green space:

- Clayton Rosati – 205 Ridge Street;
- Geoffrey Howes – 438 N. Prospect Street;
- Les Barber – 303 N. Prospect Street spoke on behalf of 22 other residents;
- Neocles Leontis – 119 N. Summit Street, wondered if there were any options to repurpose the use of the building.

Vic Gable, 705 W. Newton Road, addressed Council regarding the upcoming levy on the ballot for Wood Lane. Gable requested support from City Council and members of the community for renewal of the levy.

Jo Sipes, 807 Parker Street, also addressed Council in support of the upcoming Wood Lane levy on the November ballot.

Colleen Smith, 1126 Clark Street, praised Council for its unanimous support of an ordinance banning fracking in the City and indicated that she was not surprised that Council would take that action. Smith indicated that while she attended the candidates forum recently held by the League of Women Voters, she felt that she was unable to determine whether or not Council Members were in support of the proposed Charter Amendment and the Citizen's Bill of Rights contained in that document. Smith asked Council Members to respond as to whether or not they supported the proposed Charter Amendment. In response to her question, Council Members Gordon, Jeffers, McOmber, Piasecki and Aspacher all indicated that they did not support the amendment and planned to vote against it. Council Member Zanfardino indicated that he supported the amendment and Rowland stated that she sees both sides of the issue and did not indicate whether or not she supported it.

Terry Lodge, attorney representing the group promoting the Charter Amendment, addressed Council regarding what they feel is a "disinformation campaign" against the amendment that has been taken on by the City. Lodge urged the City to get an opinion of independent counsel rather than its own City Attorney and Public Utilities Director.

Laura Sanchez, 202 W. Reed, addressed Council indicating that she is pleased that she has already had the opportunity to exercise her right to vote and voted in favor of the proposed Charter Amendment.

Jackie Nowicki, 1005 Fort Drive, expressed her concern over the recent spending that Council has undertaken with the purchase of Ridge School and the athletic fields near the Community Center.

READING OF LEGISLATION

Clerk read Ordinance #8286 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, Aspacher seconded, to suspend the rules and give Ordinance #8286 its second and third reading. On roll call vote, Council Members Gordon, Jeffers, McOmber, Piasecki, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8286 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8286. On roll call vote, Council Members Jeffers, McOmber, Piasecki, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and Ordinance #8286 adopted.

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 first reading.

Clerk read Ordinance #8288 amending and adopting Section 33.09(F) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding Fire Division Composition, and declaring an emergency, first reading.

Council Member McOmber moved, Jeffers seconded, to suspend the rules and give Ordinance #8288 its second and third reading. On roll call vote, Council Members McOmber, Piasecki, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8288 for second and third reading by number and title only.

Council Member McOmber moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8288. On roll call vote, Council Members Piasecki, Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Piasecki seconded to adopt Ordinance #8288. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Piasecki voted yes. Council President Zanfardino declared motion carried, and Ordinance #8288 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 first reading.

Clerk read Ordinance #8290 authorizing the Municipal Administrator to enter into a contract or contracts with Rutter & Dudley for street cut repairs, and declaring an emergency, for first reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Ordinance #8290 its second and third reading. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, Piasecki, and Rowland voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #8290 for second and third reading by number and title only.

Council Member McOmber moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8290. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Piasecki, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Gordon seconded, to adopt Ordinance #8290. On roll call vote, Council Members Gordon, Jeffers, McOmber, Piasecki, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #8290 adopted.

Clerk read Resolution #3551 adopting amendments to the Community Development Block Grant Citizen Participation Plan for the City of Bowling Green, for second reading.

Clerk read Resolution #3552 adopting and authorizing an amended B. G. Transit Drug and Alcohol Testing Policy, for second reading.

Clerk read Ordinance #8280 authorizing the Municipal Administrator to enter into a contract with the Bowling Green Convention & Visitors Bureau for the promotion and publicizing of the City of Bowling Green, Ohio, to bring the patronage and business of cultural, educational, religious, professional and sports organizations into the City for the benefit of the citizens of the City and the business community thereof, and authorizing the payment of 60% of the revenue generated by the hotel-motel tax for said purpose, for second reading.

Clerk read Ordinance #8282 authorizing the Municipal Administrator to accept an easement from Alan Kramer and Mary Ellen Pratt for placement and maintenance of a sign and related plantings and decorations, for second reading.

Clerk read Ordinance #8283 Ordinance amending and adopting Sections. 75.09(D), 75.07(A)(1) & (A)(2) and 75.07(B) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding bicycles, for second reading.

Clerk read Ordinance #8284 dedicating the western most twenty (20) feet of the City-owned property recently acquired from the Board of Education of the Bowling Green Area Schools, and legally known as Lot Number 326, less the north 30 feet thereof, for right-of-way purposes as an alley and for utility construction and maintenance purposes, for second reading.

Clerk read Ordinance #8285 authorizing the Utilities Director to execute an agreement with AMP, Inc., for participation in the Efficiency Smart Program (formerly known as Efficiency Smart Power Plant Program), for second reading.

Clerk read Ordinance #8270 authorizing the Municipal Administrator to execute the Ohio Department of Transportation's (ODOT) preliminary legislation to participate in the ODOT project to upgrade traffic signals by adding back-plates, battery backups, and LED street name signs to signalized intersections on State Route 64 & State Route 25 at Newton Road in the City of Bowling Green, and declaring an emergency, for third reading.

Council Member McOmber moved, Aspacher seconded, to adopt the emergency clause for Ordinance #8270. On roll call vote, Council Members Jeffers, McOmber, Piasecki, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Jeffers seconded, to adopt Ordinance #8270. On roll call vote, Council Members McOmber, Piasecki, Rowland, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Zanfardino declared motion carried, and Ordinance #8270 adopted.

Clerk read Ordinance #8271 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for Buttonwood Avenue sewer improvements, for third reading.

Council Member Aspacher moved, Gordon seconded, to adopt Ordinance #8271. On roll call vote, Council Members Piasecki, Rowland, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #8271 adopted.

Clerk read Ordinance #8272 authorizing the Utilities Director to seek qualifications and enter into a contract or contracts for engineering services for the grit removal system improvements at the Water Pollution Control facility, for third reading.

Council Member Aspacher moved, Gordon seconded, to adopt Ordinance #8272. On roll call vote, Council Members. Rowland, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Piasecki voted yes. Council President Zanfardino declared motion carried, and Ordinance #8272 adopted.

Clerk read Ordinance #8273 approving the S-District Site Plan for a garage at Falcon's Pointe, located at 912 Klotz Road, for third reading.

Council Member Piasecki commented that the developer has asked Council to include an emergency clause on this ordinance in order for them to begin construction during the current season. Piasecki moved, Jeffers seconded, to amend Ordinance #8273 to include an emergency clause. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, Piasecki, and Rowland voted yes. Council President Zanfardino declared motion carried, and Ordinance #8273 amended.

Council Member Piasecki moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8273 as amended. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Piasecki, Rowland, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member Piasecki moved, McOmber seconded, to adopt Ordinance #8273 as amended. On roll call vote, Council Members Gordon, Jeffers, McOmber, Piasecki, Rowland, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #8273 adopted as amended.

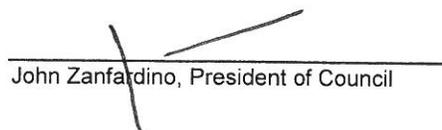
Clerk read Ordinance #8274 amending and adopting Section 150.132(E)(5) of the Codified Ordinances of the City of Bowling Green, Ohio, concerning Zoning Board of Appeals authority to grant variances for driveways, for third reading.

Council Member Piasecki moved, McOmber seconded, to adopt Ordinance #8274. On roll call vote, Council Members Jeffers, McOmber, Piasecki, Rowland, Zanfardino, Aspacher, and Gordon voted yes. Council President Zanfardino declared motion carried, and Ordinance #8274 adopted.

Council Member McOmber noted that he had the opportunity along with the Mayor and Council Member Jeffers to tour the Ridge Street school building last week. McOmber asked Council Members if they still felt that the City should move forward with the demolition of the Ridge School building at this time. Council Member Gordon responded that the decision to demolish the building has already been made and saw no reason to delay. Council Members Aspacher and Piasecki concurred. Jeffers indicated that he thought the building was in better shape than he expected but with no clear plan to keep it viable, he felt there was no need to delay. Council Member Zanfardino and Council Member Rowland also felt that there was no need to delay the demolition of the building.

Council Member Piasecki moved, Gordon seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the October 21, 2013 regular meeting of the City Council at 8:50 p.m., subject to call.


Kay D. Scherrek, Clerk of Council


John Zanfardino, President of Council



October 21, 2013

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of October 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				\$ 379,433.32	\$ 379,433.32