

RECORD OF PROCEEDINGS

Minutes of

CITY OF BOWLING GREEN CITY COUNCIL

Meeting

OPTIONAL LEGAL BLANK, INC., FORM NO. 10148

Held

MONDAY, DECEMBER 28, 2015

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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 Aspacher. The meeting began with the Pledge of Allegiance. Council President Aspacher noted that Lisa Evans was sworn in prior to the meeting by City Attorney Michael Marsh as Acting Clerk for the evening in the absence of Clerk of Council Kay Scherreik.

On roll call, Council Members Aspacher, Gavarone, Gordon, Jeffers, McOmber, Rowland and Zanfardino responded. Also present were Mayor Richard Edwards, Municipal Administrator Lori Tretter, City Attorney Michael Marsh, Public Works Director Brian Craft, Utilities Director Brian O'Connell, Planning Director Heather Saylor, and Parks and Recreation Director Kristin Otley.

Council Member Rowland moved, Gavarone seconded, to approve the minutes of the regular meeting held December 7, 2015 as distributed. Council President Aspacher declared motion carried.

CORRESPONDENCE

There was no correspondence.

OFFICIAL REPORTS

Prior to the beginning of the Official Reports, Judge Mark Reddin performed the swearing in of Mayor Dick Edwards for his second term and recently re-elected Council Members Aspacher, Gavarone, Gordon, Jeffers, and Zanfardino.

Mayor Edwards swore in Scott Kleiber who was recently promoted to the rank of Sergeant at the Police Division.

Mayor Edwards report invited State Senator Randy Gardner to discuss the State Capital Budget. Senator Gardner addressed Council and members of the audience regarding the State Capital Budget process and noted support for two local issues, WBGU and the Cocoon Shelter.

Mayor Edwards acknowledged that he was on the losing end of a wager with the Mayor of Statesboro, Georgia, over the GoDaddy Bowl game in Mobile, Alabama between BGSU and Georgia Southern University. Mayor Edwards displayed the Georgia Southern University t-shirt and indicated he would be happy to re-gift the shirt to any willing taker.

Mayor Edwards expressed his thanks to Municipal Court Judge Reddin for administering the Oath of Office not only to himself but to the five re-elected Council Members. He also expressed his admiration to the Council Members for their willingness to serve the citizens of Bowling Green. He indicated that he has come to appreciate the strengths of the Mayor-Administrator-Council form of government that has served the City so well since 1972.

Mayor Edwards noted that he has had ample opportunities to study other communities and their process of government, especially in his role as a member of the Executive Committee for TMACOG. His appreciation has deepened for two other aspects of BG government, namely the wisdom of a politically independent Board of Public Utilities as well as a stand-alone economic development arm, the Bowling Green Community Development Foundation. The Mayor noted that the budget that Council will be adopting this evening is a direct reflection of the successes of both agencies.

Regarding the 2016 budget, Mayor indicated that as a result of the in-depth and dedicated efforts of the City's Municipal Administrator Lori Tretter, and the department heads, the budget is not only balanced but does an effective job of incorporation modest growth of 2.5% in income tax and addressing some of the City's pressing needs.

Municipal Administrator Lori Tretter introduced the new Assistant Municipal Administrator, Joseph Fawcett, who began on December 21. Tretter also noted a large public attendance at the December 10 East Wooster Street Open House and thanked City Council Members who attended and helped at the event. She noted that the public survey, available on-line through the City's website, would be available until the end of January.

Planning Director Heather Saylor reported that an application was received for an 8,000 square foot addition to Dollar Tree at 1040 N. Main St. to accommodate two to three specialty tenants. At this time, the one known tenant is Anytime Fitness.

Parks and Recreation Director Kristin Otley had no report.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell reported that Mike Marsh, Alice Wolfe (AMP), and he attended the Center Township Trustees meeting on Monday, December 21 to discuss the proposed solar project. Township Trustees requested that the City provide additional setback from Carter Road and the City is trying to accommodate that request into the site layout. O'Connell also reported that the Wastewater Treatment Plant was operating at full treatment capacity with the rain events occurring on December 28.

Public Works Director Brian Craft reported that public meetings will be held by Columbia Gas regarding their upcoming projects on January 13 from 10-11 a.m. and 7-8 p.m. at the Wood County Public Library. Also, in response to questions from Council Members, Craft responded Columbia Gas was able to restore all that was torn up and even though the City extended the time for pouring concrete in City right-of-way by 3 weeks to December 11, the contractors still ran out of time as parts of W. Evers and N. Grove still had missing sidewalks and dirt restoration remaining. Any areas needing restoration would be completed in the spring.

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, 2015 and ending December 31, 2015.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Chairperson of the Board of Public Utilities to apply for a grant and authorizing the Utilities Director to accept a grant from the Ohio Department of Health Fluoridation Assistance Program.

Council Member Zanfardino, for the Transportation & Safety Committee, introduced an ordinance authorizing the Municipal Administrator to execute the Ohio Department of Transportation's Preliminary Legislation for the resurfacing of State Route 105 from Bowling Green east corporation line to State Route 199, a portion of which is in the City limits.

COUNCIL COMMITTEE REPORTS

There were no Council Committee reports.

LOBBY VISITATIONS

Barbara Ruland, Downtown Bowling Green, addressed Council thanking the City for their support of the downtown holiday events and all events throughout the year.

Beverly Elwazani, 1210 Bourgogne Avenue, addressed Council regarding an article she read in the newspaper about requiring residents to keep their trash bins at the side or rear of their residences. She indicated that she feels that this would be a serious hardship on a lot of homeowners because in her case she would have to lay concrete in order to provide a pathway from the rear of her residence to the curb. She said that before laws are passed due to a problems with a few citizens, she would like to find a way to compromise and not create a hardship on residents. Council Member Zanfardino indicated that he has been the major proponent of this issue and he assured Elwazani that at no point does he expect people to put down concrete to accommodate this request. He indicated that there are probably about 100 places in town that are very slovenly and that legislation can be written that can address the disregard of neighborhoods.

READING OF LEGISLATION

Acting Clerk read Resolution #3613 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Jeffers seconded, to suspend the rules and give Resolution #3613 its second and third reading. On roll call vote, Council Members Gavarone, Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and rules suspended.

Acting Clerk read Resolution #3613 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Resolution #3613. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gavarone voted yes. Council President Aspacher declared motion carried, and Resolution #3613 adopted.

Acting Clerk read Ordinance #8478 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2015 and ending December 31, 2015, for first reading.

Council Member McOmber moved, Gavarone seconded, to suspend the rules and give Ordinance #8478 its second and third reading. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, Gavarone, and Gordon voted yes. Council President Aspacher declared motion carried, and rules suspended.

Council Member McOmber moved, Gavarone seconded, to adopt Ordinance #8478. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8478 adopted.

Acting Clerk read Ordinance #8479 authorizing the Chairperson of the Board of Public Utilities to apply for a grant and authorizing the Utilities Director to accept a grant from the Ohio Department of Health Fluoridation Assistance Program, for first reading.

Acting Clerk read Ordinance #8480 authorizing the Municipal Administrator to execute the Ohio Department of Transportation's Preliminary Legislation for the resurfacing of State Route 105 from Bowling Green east corporation line to State Route 199, a portion of which is in the City limits, for first reading.

Acting Clerk read Ordinance #8476 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for supplying annual inventory requirements, underground and overhead lines insurance, sale of scrap materials, and participation in the AMP Joint Purchasing Program in 2016, for second reading.

Acting Clerk read Ordinance #8477 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the purchase and installation of one 15.0 MVA transformer for Substation #7 and associated work, for second reading.

Acting Clerk read Resolution #3612 authorizing the Municipal Administrator to enter into a renewal of the agreement with the Wood County Public Defender, for third reading.

Council Member McOmber moved, Zanfardino seconded, to adopt Resolution #3612. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Resolution #3612 adopted.

Acting Clerk read Ordinance #8473 amending and adopting Sections 30.46 and 30.47 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding the Board of Public Utilities Members, and declaring an emergency, for third reading.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8473. On roll call vote, Council Members Zanfardino, Aspacher, Gavarone, Gordon, McOmber, and Rowland voted yes. Council Member Jeffers voted no. Council President Aspacher declared motion carried.

Council Member McOmber moved, Zanfardino seconded, to adopt Ordinance #8473. Council Member Jeffers commented that although he understands the reasoning behind discontinuing payment to the Board of Public Utilities members with regards to OPERS retirees and the changes to OPERS health care, he feels that it sends a message to prospective candidates to the Board that this may not be as valued as it used to be. He feels that this particular Board requires some expertise. Jeffers indicated that he plans to vote against the change.

City Attorney Michael Marsh noted that if an OPERS retiree returns to paid public employment under the new rules, their healthcare reimbursement account (HRA) through the pension fund would be frozen and not further allowances from OPERS will be deposited into it. The retiree would not have access to those funds until he/she is no longer employed, though they would have access to a different health insurance plan. He also indicated that a retiree cannot waive compensation.

Utilities Director Brian O'Connell indicated that the current Board members were okay with losing the payment; there was no official Board action taken on the issue, but they were all asked.

On roll call vote, Council Members Aspacher, Gavarone, Gordon, McOmber, Rowland, and Zanfardino voted yes. Council Member Jeffers voted no.

Acting Clerk read Ordinance #8475 to provide appropriations for the expenses and other expenditures of the City of Bowling Green, Ohio, for the fiscal year beginning January 1, 2016 and ending December 31, 2016, for third reading.

Council Member McOmber moved, Gordon seconded, to adopt Ordinance #8475. On roll call vote, Council Members Gavarone, Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8475 adopted.

Council President Aspacher indicated that the 2016 Election of Officers for City Council would occur at this time and asked for nominations.

Council Member Jeffers moved, Zanfardino seconded, to nominate Council Member Aspacher as President of City Council. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, Gavarone, and Gordon voted yes. Council President Aspacher declared motion carried.

Council Member McOmber moved, Gavarone seconded, to nominate Council Member Jeffers as President Pro Tem of City Council. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried.

Council President Aspacher announced that City Council will not meet on January 4, 2016 and that the next regular meeting will be held on Tuesday, January 19, 2016 at 7:00 p.m.

Council Member Rowland moved, Jeffers seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the December 28, 2015 regular meeting of the City Council at 8:05 p.m., subject to call.

Council Member McOmber moved, Zanfardino seconded, to adopt Resolution #3612. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Resolution #3612 adopted.

Acting Clerk read Ordinance #8473 amending and adopting Sections 30.46 and 30.47 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding the Board of Public Utilities Members, and declaring an emergency, for third reading.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8473. On roll call vote, Council Members Zanfardino, Aspacher, Gavarone, Gordon, McOmber, and Rowland voted yes. Council Member Jeffers voted no. Council President Aspacher declared motion carried.

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Utilities Director Brian O'Connell indicated that the current Board members were okay with losing the payment; there was no official Board action taken on the issue, but they were all asked.

On roll call vote, Council Members Aspacher, Gavarone, Gordon, McOmber, Rowland, and Zanfardino voted yes. Council Member Jeffers voted no.

Acting Clerk read Ordinance #8475 to provide appropriations for the expenses and other expenditures of the City of Bowling Green, Ohio, for the fiscal year beginning January 1, 2016 and ending December 31, 2016, for third reading.

Council Member McOmber moved, Gordon seconded, to adopt Ordinance #8475. On roll call vote, Council Members Gavarone, Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8475 adopted.

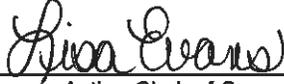
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Council Member McOmber moved, Gavarone seconded, to nominate Council Member Jeffers as President Pro Tem of City Council. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried.

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Lisa Evans, Acting Clerk of Council



Michael Aspacher, President of Council