

RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

DAYTON LOGAN, BLANK, INC. FORM NO. 10148

Held

MONDAY, MAY 18, 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 7:15 p.m. by Council President Aspacher. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Aspacher, Gavarone, Gordon, Jeffers, McOmber, 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 Interim Parks and Recreation Director Robert Callecod.

Council Member Jeffers moved, Zanfardino seconded, to approve the minutes of the regular meeting held February 3, 2014 as distributed. Council President Aspacher declared motion carried.

CORRESPONDENCE

Clerk Kay Scherreik 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, Gavarone seconded, to approve the transfers as presented. On unanimous voice vote, Council President Aspacher declared motion carried. A copy of the transfers is attached and made a part of these minutes.

Clerk noted for the record that copies of the Budget Summary Report for the month of April 2015 was distributed to Council prior to this evening's meeting.

Clerk reported that correspondence was received from Deborah Hendricks, 311 W. Evers Avenue, requesting vacation of the alley located next to her property. Council referred the request to the Planning Commission.

OFFICIAL REPORTS

Mayor Dick Edwards requested confirmation of the following appointments to City Boards and Commissions:

NEW APPOINTMENTS:

Board/Commission	Name of Appointee	Term Length	Term Exp.
Board of Public Utilities	Megan Newlove	5 Years	5/31/20
Parks and Recreation Board	Karen Rippey	5 Years	5/31/20
Zoning Board of Appeals	Sandy Milligan	4 Years	5/31/19
Human Relations Commission	Emily Monago	3 Years	5/31/18
	Marcy St. John	3 Years	5/31/18
Planning Commission	Ryan Holley	6 Years	5/31/21
	Richard Michel	6 Years	5/31/21
Records Commission	Barbara Ford	3 Years	5/31/18
Traffic Commission	Linda Gray	4 Years	5/31/19
Human Relations Commission	Alyson Baker	1 Year	5/31/16
Tree Commission	Joe Baker	3 Years	5/31/18

REAPPOINTMENTS:

Board/Commission	Name of Appointee	Term Length	Term Exp.
Reinvestment Council	Sue Clark	3 Years	5/31/18
	Michael Marsh	3 Years	5/31/18

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

Municipal Administrator John Fawcett had no report.

Planning Director Heather Saylor had no report.

Interim Parks and Recreation Director Robert Callecod reported that 120 season employees started training over the weekend. He also invited interest volunteers to come out to Simpson Garden Park to plant the annuals on the park property.

City Attorney Michael Marsh had no report.

Utilities Director Brian O' Connell reported that the Electric Division received APPA's RP3 award which recognizes high proficiency in four areas: reliability, safety, work force development and system improvement.

O'Connell also reported that the contractor on the water tower construction project will be coming back to town to complete the final stages on the water tower noting that the contract completion date is July 31, 2015.

Public Works Director Brian Craft updated Council Members on current projects. Craft also informed Council that due to the rapid deterioration and potential danger of the brick pavement located at the "Four Corners" intersection in the center of downtown, the bricks are going to be removed and replaced with asphalt as a temporary measure. Craft explained that Main Street and Wooster Street in the downtown area are slated to be repaved in 2018-2019 as part of TMACOG's TIP program, and there is a potential that if the bricks are replaced now, they could be damaged by that project and need to be laid again. So to alleviate that possibility, asphalt will be put down in the intersection until the paving occurs in 2018-2019.

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 McOmber, for the Finance Committee, introduced an ordinance amending and adopting Section 33.01 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding salary schedule established.

Council Member Gordon, for the Community Improvement Committee, introduced a resolution adopting and authorizing an amended B. G. Transit Drug and Alcohol Testing Policy.

Council Member Zanfardino, for the Transportation & Safety Committee, introduced a resolution adopting the Bowling Green Fire Division Standards of Cover for 2015.

COUNCIL COMMITTEE REPORTS

Council Member Jeffers reported that the Planning, Zoning and Economic Development Committee met earlier this evening to hold a public hearing regarding Ordinance #8413.

Council Member Zanfardino announced that the Transportation & Safety Committee will meet at 6:30 p.m. on June 1, 2015 to continue discussion regarding the complete street concept.

LOBBY VISITATIONS

Roger Shope, 817 Wallace, addressed Council asking them to adopt a resolution to encourage the passage of a multi-year Federal transportation bill. He noted that supports legislation presented by the U.S. Department of Transportation titled the Grow America Act and feels strongly that it be passed by Congress this summer.

READING OF LEGISLATION

Clerk read Resolution #3587 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Rowland seconded, to suspend the rules and give Resolution #3587 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.

Clerk read Resolution #3587 for second and third reading by number and title only.

Council Member McOmber moved, Gavarone seconded, to adopt Resolution #3587. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gavarone voted yes. Council President Aspacher declared motion carried, and Resolution #3587 adopted.

Clerk read Resolution #3588 adopting and authorizing an amended B. G. Transit Drug and Alcohol Testing Policy, for first reading.

Clerk read Resolution #3589 adopting the Bowling Green Fire Division Standards of Cover for 2015, for first reading.

Clerk read Ordinance #8421 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, Rowland seconded, to suspend the rules and give Ordinance #8421 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.

Clerk read Ordinance #8421 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8421. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8421 adopted.

Clerk read Ordinance #8422 amending and adopting Section 33.01 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding salary schedule established, for first reading.

Clerk read Resolution #3586 authorizing the City Attorney to petition the Board of County Commissioners of Wood County, Ohio, to change township lines, for second reading.

Clerk read Ordinance #8417 authorizing the Municipal Administrator to sell and/or otherwise dispose of a Fire Division vehicle & miscellaneous equipment not needed for municipal purposes, for third reading.

Council Member McOmber moved, Jeffers seconded, to adopt Ordinance #8417. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Ordinance #8417 adopted.

Clerk read Ordinance #8418 authorizing the Utilities Director to approve and execute short-term power purchases and sales with American Municipal Power, Inc.; and execute the "Energy Purchase Power Supply Schedule" to the Master Service Agreement with American Municipal Power, Inc. for medium-term power purchases for a term not to exceed five years for the Water Treatment Plant and Wastewater Treatment Plant, for third reading.

Council Member Aspacher moved, Gordon seconded, to adopt Ordinance 8418. On roll call vote, Council Members Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and Ordinance #8418 adopted.

Clerk read Ordinance #8419 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for lime sludge disposal services for the Water Treatment Plant, for third reading.

Council Member Aspacher moved, Zanfardino seconded, to adopt Ordinance #8419. On roll call vote, Council Members Aspacher, Gavarone, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8419 adopted.

Council Member Jeffers moved, McOmber seconded, to adopt Ordinance #8413 amending the Zoning District Map of the City of Bowling Green, Ohio, for the approximately 8.41 acres of land located on South Main Street from B-2 General Commercial and M-1 Light Industrial to R-3 Multiple Family Residential, Moderate Density zoning classification.

Council Member Jeffers noted that the Planning Commission gave a positive recommendation to this zoning classification change. Jeffers further noted that, firstly, consideration must be given to the property owner and his rights concerning the property. He noted that Council has heard from the property owner regarding what they intend to do with the property as far as development is concerned. Jeffers said that secondly, there are the concerns brought forward by surrounding property owners and the affects it may have on their properties. And thirdly, Jeffers said that the third entity to be considered is the city as a whole and how it is affected by the development of apartments on the property. Jeffers indicated that after the public hearing and hearing from the property owner/developer and the adjoining property owners, he feels that the property owner has legitimate ideas for use of his property and doesn't see where their request is out of line with the surrounding area and will vote in favor of the rezoning request.

Council Member Gavarone agreed with Jeffers and indicated that she liked the way in which he framed his comments with the three different interests involved. Gavarone pointed out that the current zoning of B-2 General Commercial and M-1 Light Industrial leaves the property open for many different uses, where the R-3 limits it to the moderate density residential use and is adjacent to other R-3 properties. Gavarone noted that when you look at R-3 in terms of the recently updated land use plan, the proposed housing would be near a park, walkable to shopping, near schools and seems to be consistent with the land use update.

Council President Aspacher commented that he felt the adjoining property owners did a good job at presenting their concerns during the public hearing. However, Aspacher indicated that he supports the rezoning request because it is privately owned property and feels that one of the roles of City Council is to work with developers in the hopes of coming up with projects that meet the criteria of the Future Land Use Plan. Aspacher said that he feels this development does meet that criteria and proves to be a better alternative to some of the other uses under the current zoning.

Council Member McOmber noted that if you look at this strictly from the viewpoint of the adjoining property owners, they would be better off if there was no development there, but the obligation of City Council is not only to those residents but also to the rights of the property owner and to allow the owner to be in the position to develop the property. McOmber noted that he doesn't see R-3 as incompatible with the surrounding properties and is inclined to think the greater equity is to rezone the property.

Council Member Rowland addressed a concern from one resident regarding the notification requirements regarding zoning changes. Rowland indicated that the City's policy is to notify adjoining property owners and also those across the street from the subject property and that is policy that was followed in this case. Rowland also noted that Bowling Green is in need of apartments for young married couples who want to live in quiet areas away from student housing and that the City has very little of that type of housing for them.

Council Member Gordon commented that the dominant question in his mind regarding this rezoning issue is what is the better zoning category to have for a property that is going to have an impact on a neighborhood. Gordon indicated that he feels that the R-3 zoning will have a more positive impact in that area versus industrial and/or commercial.

On roll call vote, Council Members Gavarone, Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8413 adopted.

Council Member Rowland moved, Gavarone seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the May 18, 2015 regular meeting of the City Council at 8:16 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Michael Aspacher, President of Council



May 20, 2015

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	92300	General, Miscellaneous, Transfer To Debt Service	\$ 16,765.17	
3025	000	69410	Debt Service, Revenue, Transfer From General		\$ 16,765.17
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 2,665.00	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 2,665.00
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 3,569.50	
2021	000	69410	ODOT Transportation Grant (Taxi), Revenue, Transfer From General		\$ 3,569.50
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	\$ 8,333.33	
4005	000	69440	Equipment Capital Reserve, Revenue, Transfer From Capital Projects		\$ 8,333.33
4018	810	92300	Capital Improvement, Capital Improvement, Transfer To Debt Service	\$ 42,111.50	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 42,111.50
4029	423	92300	Street Repair, Street Repair, Transfer To Debt Service	\$ 17,745.83	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 17,745.83
4055	710	92300	Aquatic Facility Capital Improvement, Recreation Department, Transfer To Debt Service	\$ 22,774.50	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 22,774.50

5111	651	92500	Electric Revenue, Administrative and General, Transfer To Enterprise	\$ 101,830.67	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 101,830.67
5221	651	92500	Water Revenue, Administrative and General, Transfer To Enterprise	\$ 51,144.17	
5222	000	69450	Water Capital Reserve, Revenue, Transfer From Enterprise		\$ 51,144.17
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 18,394.17	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 18,394.17
Total				\$ 292,167.17	\$ 292,167.17