

# RECORD OF PROCEEDINGS

Minutes of

CITY OF BOWLING GREEN CITY COUNCIL

Meeting

OPTIONAL FORM NO. 10148

Held

MONDAY, OCTOBER 5, 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 7:05 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 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 September 21, 2015 as distributed. Council President Aspacher declared motion carried.

## CORRESPONDENCE

Clerk Kay Scherreik 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 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.

## OFFICIAL REPORTS

Mayor Dick Edwards presented the National Disability Awareness Month Proclamation to Melanie Stretchbery, Superintendent of Wood County Board of Development Disabilities and to Ryan Sanner, Public Relations Assistant.

Mayor Edwards reported that on September 25, the City was honored by the Ohio Chapter of the American Planning Association and received the top award in the State for comprehensive planning by a small jurisdiction for the "Bowling Green Improvement Plan: Meeting the Needs of Today and Tomorrow." Mayor Edwards presented the award to co-chairs of the Land Use Planning Steering Committee, Council Member Jeffers and citizen representative, Judy Ennis and to Planning Director Heather Saylor.

Mayor Edwards requested confirmation of the appointment of Linda Kidd to the Bicycle Safety Commission. Council Member Rowland moved, Gordon seconded, to approve the appointment as presented by the Mayor. On unanimous voice vote, Council President Aspacher declared motion carried. The Mayor also noted that Kaci Abolt and Michael Oiler representing the graduate students and Richard Racette and Peter Hernandez representing the undergraduate students were recently appointed to serve on the City-University Relations Commission.

Mayor Edwards also commented on the following upcoming events:

- State Auditor Dave Yost will be in visiting the City on Wednesday, October, 7 to present the City and the Finance Director with a special "clean audit" award;
- Thursday, October 8, at 2:00 p.m. there will be a ribbon cutting at the new location of Art-A-Site owned by Becky Laabs;
- Project Connect will be held on October 14 beginning at 9:00 a.m. at St. Mark's Lutheran Church on S. College.

Municipal Administrator Lori Tretter reported that October is Fire Prevention Month and the Fire Division will be hosting an Open House evening on Saturday, October 10, from 10 a.m. until 2:00 p.m. at the Pearl Street Station.

Several Council Members posed questions to Income Tax Commissioner Rob Wright regarding the legislation on this evening's agenda making State-mandated changes to the City's tax code.

Planning Director Heather Saylor reported that she recently attended the APA (American Planning Association) Ohio Statewide Planning Conference in Toledo, Ohio. Saylor also noted that the City has applied for a Smart Growth Technical Assistance grant for the complete streets concept study.

Parks and Recreation Director Kristin Otley reminded Council Members of the ribbon cutting for Ridge Park that will be held on Monday, October 19, beginning at 4:00 p.m.

Utilities Director Brian O'Connell reported that work has begun to bring down the Marville water tower. He noted that the site would be left as green space until a decision has been made by the Board of Public Utilities regarding its disposition.

Public Works Director Brian Craft reported that curbside brush collection has moved into the second week. They are hoping to finish sometime this week and then begin leaf collection. Craft also reported that the City received a check for \$6,500 from the Attorney General's office as part of the settlement from a lawsuit brought against Cargill, Inc. and Morton Salt, Inc. over past rock salt prices.

### **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 a Resolution authorizing the Municipal Administrator to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the purpose of purchasing vehicles, machinery, materials, supplies, or other articles.

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 Chapter 95A of the Codified Ordinances of the City of Bowling Green, Ohio, regarding municipal income tax.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the lease of municipal property for agricultural purposes.

### **COUNCIL COMMITTEE REPORTS**

Council Member Gavarone reported that the Public Lands and Buildings Committee met earlier this evening to hear a report from the Green Space Task Force regarding the property that was the former site of the Junior High Building. Gavarone noted that following their presentation, the committee voted to recommend that the proposal be forward to the Planning Commission to start the approval process on an S-District Site Plan.

Council Member McOmber announced the following dates for upcoming budget meetings/hearings all being held in the Council Chamber:

- Monday, October 26, 2015 at 7:00 p.m. – Committee-of-the-Whole regarding the 2016 non-utility budget to provide input in the early stages of developing the budget;
- Monday, November 9, 2015, at 5:00 p.m. – joint meeting of Council and the Board of Public Utilities regarding the utility budget;
- Thursday, December 3, 2015 at 5:00 p.m. – Finance Committee budget hearing.

Council Member Jeffers indicated that before Council continues to move forward with the plans for the green space that there ought to be a discussion about what the intentions are regarding a new City building.

Council President Aspacher responded that he felt that that is a relevant point and indicated that this is a good time to discuss the information heard at the public hearing regarding the green space. He added that he was impressed with the vision brought forward by the Green Space Task Force and feels that now is the time to weigh in whether or not Council thinks this project should proceed into the fundraising efforts that are planned.

Council Member Rowland applauded the efforts of the small group of people who stepped forward to let City Council know of their desire to keep the area as green space. Rowland further commented that she recognizes the need for a new City building, but indicated that as long as there are other buildings in town that are vacant that she would not support a new construction. She indicated that she doesn't feel that the City needs a grand, huge building and that she doesn't think the citizens want to pay for a grand, huge building.

Jeffers responded that he disagreed fundamentally with Council Member Rowland on the building idea. He indicated that he thinks a nice City building is a great thing and means a lot to people. He said that it is a good symbol of a City that cares about itself. He noted that if a building is constructed on the property on Grove Street, then the plan for the green space makes perfect sense. It would make a nice pathway/entrance to a new City building. Jeffers also indicated that he's not opposed to utilizing existing space if something suitable was available.

Council Member Zanfardino commented that if Council makes that space a green space, he feels that Council owes it to the task force to make the decision as permanent and binding as possible. Zanfardino agreed that the green space design leads very well into the Grove Street property and that the Grove Street property is actually a bigger space and is better suited for a potential City building location. He indicated that his worst fear is that the Grove Street property would just become a big parking lot rather than being used for some other better purpose.

Council Member Gavarone agreed that if the money is invested in creating the green space plan as presented by the task force then it should remain the public green space that the community wants; especially if the community is raising the funds to make it happen. She indicated that understands and shares the concerns of Council Member Jeffers regarding a new City building and feels that it's time to begin exploring the options and other possibilities of existing buildings and building from scratch.

Council Member McOmber commented that he looks at the former junior high property as a great location for a municipal building, but it is also a great location for a green space. However, he stated that he does not feel that it can be both. He said that Council eventually has to choose one or the other and that public sentiment is clear that it should remain as green space and he is comfortable going with that public sentiment. McOmber further noted that he hopes Grove Street property would be a viable site for a future City building someday.

Council Member Gordon agreed with McOmber's position and agreed that a new City building is needed. He indicated that the staff deserves better working accommodations than they currently have at the present building. Gordon also noted that he is interested in seeing there are any viable options where a building could be retrofitted to meet the needs of the Administration. He would like to see a City building that is more accessible to the citizens.

Council President Aspacher summed up the discussion saying that he feels it is going to be important for Council to continue the discussion on a new City Building, but feels as though the majority of Council is comfortable with the green space design concept and is in favor of moving it forward in the process.

### LOBBY VISITATIONS

William Herald, 1030 Conneaut Avenue, offered some historical perspective to the discussion regarding a new City building indicating that he was part of an ad hoc committee assembled by former Mayor John Quinn to study the issue. The committee recommended at that time that the Junior High Building be retrofitted as a new City building. Herald felt that it is important that Council at least know that there was another

committee that met and discussed it, however the landscape has changed since that time so the recommendation that ad hoc committee would make now may very well be different. Herald noted that perhaps it would be a good time for the current Mayor to reconvene the former ad hoc committee with the specific task of what to do about the City building given the changed complexion of the issue.

Matthew Cunningham, 244 N. Prospect Street, and Lily Mernen, 836 Scott Hamilton Drive, addressed Council regarding their involvement in the Environmental Action and Service Club noting that they are starting a new campaign to expand public recycling off campus. They asked the Administration why there is no recycling service in the downtown area.

Municipal Administrator Lori Tretter responded that the City does not provide refuse pickup to the downtown and that business must contract for that service.

#### READING OF LEGISLATION

Clerk read Resolution #3605 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Jeffers seconded, to suspend the rules and give Resolution #3605 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 #3605 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Resolution #3605. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gavarone voted yes. Council President Aspacher declared motion carried, and Resolution #3605 adopted.

Clerk READ Resolution #3606 authorizing the Municipal Administrator to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the purpose of purchasing vehicles, machinery, materials, supplies, or other articles, for first reading.

Clerk read Ordinance #8462 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 #8462 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 #8462 for second and third reading by number and title only.

Council Member McOmber moved, Gavarone seconded, to adopt Ordinance #8462. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8462 adopted.

Clerk read Ordinance #8463 amending and adopting Chapter 85A of the Codified Ordinances of the City of Bowling Green, Ohio, regarding municipal income tax, for first reading.

Clerk read Ordinance #8464 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the lease of municipal property for agricultural purposes, for first reading.

Council Member Aspacher moved, Jeffers seconded, to suspend the rules and give Ordinance #8464 its second and third reading. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8464 for second and third reading by number and title only.

Council Member Aspacher moved, Gavarone seconded, to adopt the emergency clause for Ordinance #8464. On roll call vote, Council Members Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member Aspacher moved, Rowland seconded, to adopt Ordinance #8464. On roll call vote, Council Members Aspacher, Gavarone, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8464 adopted.

Clerk read Ordinance #8459 authorizing the Utilities Director to accept the assignment and assumption of the Telecommunications Network Lease Agreement with Wood County Internet Council to include Addendum #1 in said agreement to Buckeye Telesystems, Inc., for second reading.

Clerk read Ordinance #8461 authorizing the Utilities Director to apply for and execute an agreement for an Ohio EPA Harmful Algal Bloom Grant for the purchase of testing equipment, for second reading.

Clerk read Resolution #3603 to approve agreements and authorize the Municipal Administrator to sign the agreements between the City of Bowling Green and the Kroger Co. to provide incentives available for project development in the Bowling Green Community Reinvestment Area Number 5.

As requested by the Administration, Council Member Jeffers moved, McOmber seconded, to table Resolution #3603 until the Agreement is finalized. On roll call vote, Council Members Gavarone, Gordon, Jeffers, McOmber, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Resolution #3603 tabled indefinitely.

Clerk read Ordinance #8452 to provide for the issuance and sale of \$600,000 of notes in anticipation of the issuance of bonds for the purpose of paying costs of (i) acquiring real and personal property in the City and improving the same by performing site clearance, improvement and preparation and placing the site in a condition for use and operation for park, recreational and other public purposes and (ii) acquiring real and personal property in the City and improving the same to create sports fields and for other park, recreational and public purposes, and declaring an emergency, for third reading.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8452. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gavarone voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Zanfardino seconded, to adopt Ordinance #8452. On roll call vote, Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, Gavarone, and Gordon voted yes. Council President Aspacher declared motion carried, and Ordinance #8452 adopted.

Clerk read Ordinance #8453 amending the Zoning District Map of the City of Bowling Green, Ohio, for the property generally known as 524 E. Wooster Street from B-2 General Commercial to B-5 Transitional Central Business District zoning, for third reading.

Council Member Jeffers moved, Gavarone seconded, to table Ordinance #8453 until October 19, 2015, at which time a public hearing will be held regarding this ordinance. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8453 tabled until October 19, 2015.

Clerk read Ordinance #8454 amending the Zoning District Map of the City of Bowling Green, Ohio, for the property generally known as 111 N. Enterprise Street and 315, 319, 325 and 329 E. Wooster Street from B-2 General Commercial to B-5 Transitional Central Business District zoning, for third reading.

Council Member Jeffers moved, Gavarone seconded, to table Ordinance #8454 until October 19, 2015, at which time a public hearing will be held regarding this ordinance. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8454 tabled until October 19, 2015.

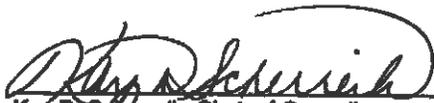
Clerk read Ordinance #8456 authorizing the Utilities Director to apply for a loan and execute an agreement with the Ohio EPA/Ohio Water Development Authority for Water Pollution Control Loan Fund funding for the design, equipment and construction of the grit handling system for the Water Pollution Control Facility, for third reading.

Council Member Aspacher moved, Gavarone seconded, to adopt Ordinance #8456. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Ordinance #8456 adopted.

Clerk read Ordinance #8457 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the construction of the grit handling system for the Water Pollution Control Facility, for third reading.

Council Member Aspacher moved, Gordon seconded, to adopt Ordinance #8457. On roll call vote, Council Members Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and Ordinance #8457 adopted.

Council Member Rowland moved, Zanfardino seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the October 5, 2015 regular meeting of the City Council at 8:30 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Michael Aspacher, President of Council



October 5, 2015

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	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
				\$ 292,167.17	\$ 292,167.17