

RECORD OF PROCEEDINGS

Minutes of

CITY OF BOWLING GREEN CITY COUNCIL

Meeting

DE-707 LEGAL BLANK, INC., FORM NO. 10148

Held

MONDAY, SEPTEMBER 21, 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.

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 Jeffers moved, Zanfardino seconded, to approve the minutes of the regular meeting held February 3, 2015 as distributed. Council President Aspacher declared motion carried.

CORRESPONDENCE

Clerk Kay Scherreik reported that the following applications for transfer of liquor permits were received from the Ohio Division of Liquor Control:

- Class D1, D2, D3, D3A and D6 from Court & Main Ventures, Ltd, dba Uptown Downtown, located at 160-62 N. Main Street, Bowling Green, Ohio, to DT Sports Bar, LLC, dba Uptown Downtown, at the same location;
- Class D5 from Bingenometry, LLC, dba Bar 149, located at 149 N. Main Street, Bowling Green, Ohio, to North Main Entertainment, Inc. at the same location;
- Class D5i from Sodexo Operations, LLC, dba Ice Arena, Perry Stadium Bars 1 & 2, Sebo and Stroh Centers, located at 1609 & 1535 E. Wooster Street, 417 Mercer Road, 1610 Stadium Drive, Bowling Green, Ohio, to AVI Food Systems, Inc., at the same locations.

Clerk noted that a check of the records has been received from the Police Division and no pertinent detrimental information was noted.

OFFICIAL REPORTS

Mayor Dick Edwards thanked City Council for its support of WBGU-TV. He noted that on Friday, the BGSU Board of Trustees voted to participate in the FCC's spectrum auction, but in a manner that keeps the station operating. Mayor Edwards indicated that action taken a few weeks ago by City Council to adopt a Resolution in support of the station was appreciated by community residents and those around the region.

Mayor Edwards reported that he is very pleased with the progress being made along West Wooster Street. He noted that Columbia Gas has informed the City that they plan to make a donation to the City's Tree Commission to replace trees that have had to be removed due to the work being done along that roadway.

Mayor Edwards also reported that although he was unable to participate in morning portion of last Saturday's public forum on the City's Land Use Plan, he heard that it was extremely informative and helpful. He noted that he did attend the afternoon session and enjoyed the role as an observer in an exercise led by guest speaker, Kirby Date, on setting priorities for implementing and funding land use projects.

Mayor Edwards announced that October 19 at 4:00 p.m. has been set for the official opening of Ridge Park. He noted that the program will feature some brief remarks, a ribbon cutting ceremony and the unveiling of a plaque to mark the historical significance of the site. Mayor Edwards invited Council Members to attend the event.

Mayor Edwards requested confirmation of the appointment of Kerica Bucks as the high school representative 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.

Municipal Administrator Lori Tretter noted that she attended the Saturday Land Use Plan session and thought it was well-attended and very informative as well. Tretter indicated that the session included discussion of implementation of steps and priorities for the City and was definitely worth the time spent.

Tretter also reported that the internal group regarding the complete streets concept has met and would like to meet with Council's Transportation & Safety Committee in the near future in order to develop a list of priorities in the development of policy.

Planning Director Heather Saylor reported that 70 people attended Saturday's Land Use seminar. She indicated that this seminar sets the stage for the development of land use policies. Saylor noted that Kirby Date's presentation is available to view on the City's website.

Parks and Recreation Director Kristin Otley noted that the 20th Annual Wine & Cheese fundraising event will be held on Friday, September 25, at Simpson Garden Center. Proceeds from the fundraiser will go to "Building on Nature" project.

Otley announced that the required public hearing for Phase 1 of the construction of a storage/maintenance building at Wintergarden/St. John's Nature Preserve will be held on Wednesday, September 30, at 5:30 p.m.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell reported that he will be attending the AMP Annual Conference in Columbus next week from September 28 through October 1.

Public Works Director Brian Craft noted that curbside brush pickup will be done the week of September 28. Craft also noted that work has begun on the construction of the new salt shed with an expected completion date of October 31. Craft also updated Council on the sidewalk construction work along West Wooster Street noting that Columbia Gas intends to make sure the roads and sidewalks affected by their work receive permanent repairs before winter.

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 accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to enter into a contract or contracts for the construction of a storage building for use by Parks & Recreation at Wintergarden/St. John's Nature Preserve.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance 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.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director or Mayor to execute a revised loan agreement and promissory note to incorporate the Ohio Market Access Program for bond anticipation notes issued by American Municipal Power, Inc., and declaring an emergency.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance 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.

COUNCIL COMMITTEE REPORTS

Council Member Jeffers commented that three public hearings were held this evening regarding Ordinance #8448, #8449, and #8450. He noted that no detrimental information was heard and that the items will be voted upon in this evening's meeting.

LOBBY VISITATIONS

Russ Veitch, 115 Williams Street, addressed Council regarding the session held on Saturday regarding the Land Use Plan. Veitch indicated that he was encouraged by the discussion he heard at the session, but was disappointed that there were only four Council Members and five Planning Commission members present. He also noted that the media did not attend the afternoon session.

Council Members Aspacher and McOmber responded that they missed the Saturday seminar due to family obligations that were planned long before the session was scheduled. Council Member Gordon indicated that he had a family emergency that kept him attending.

Linda Barber, 608 W. Wooster Street, suggested to Council that when discussing the complete streets concept, the City should consider making the West Wooster Street area safe for pedestrians and bicyclists and noted her support for a crosswalk somewhere along that section of the roadway that would allow for traffic to slow down for pedestrian traffic.

READING OF LEGISLATION

Clerk read Resolution #3604 accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, for first reading.

Council Member McOmber moved, Jeffers seconded, to suspend the rules and give Resolution #3604 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 #3604 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Resolution #3604. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gavarone voted yes. Council President Aspacher declared motion carried, and Resolution #3604 adopted.

Clerk read Ordinance #8458 authorizing the Municipal Administrator to enter into a contract or contracts for the construction of a storage building for use by Parks & Recreation at Wintergarden/St. John's Nature Preserve, for first reading.

Council Member McOmber moved, Gavarone seconded, to suspend the rules and give Ordinance #8458 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 #8458 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8458. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8458 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 first reading.

Clerk read Ordinance #8460 authorizing the Utilities Director or Mayor to execute a revised loan agreement and promissory note to incorporate the Ohio Market Access Program for bond anticipation notes issued by American Municipal Power, Inc., and declaring an emergency, for first reading.

Council Member Aspacher moved, Jeffers seconded, to suspend the rules and give Ordinance #8460 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 #8460 for second and third reading by number and title only.

Council Member Aspacher moved, McOmber seconded, to adopt the emergency clause for Ordinance #8460. On roll call vote, Council Member Aspacher declared motion carried, and the emergency clause adopted.

Council Member Aspacher moved, Gavarone seconded, to adopt Ordinance #8460. On roll call vote, Council Members Aspacher, Gavarone, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8460 adopted.

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 first reading.

Clerk read Resolution #3602 implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of the Bowling Green Community Reinvestment Area Number 5 in the City of Bowling Green, and designating a Housing Officer to administer this program, for second reading.

Council Member Jeffers moved, Zanfardino seconded, to suspend the rules and give Resolution #3602 its 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 #3602 for third reading by number and title only.

Council Member Jeffers moved, Rowland seconded, to adopt Resolution #3602. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gavarone voted yes. Council President Aspacher declared motion carried, and Resolution #3602 adopted.

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, for second reading.

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 second reading.

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 second reading.

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 second reading.

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 second reading.

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 second reading.

Clerk read Ordinance #8448 amending the Zoning District Map of the City of Bowling Green for the property generally known as 307 East Wooster Street from B-2 General Commercial to B-5 Transitional Central Business District zoning, for third reading.

Council Member Jeffers moved, Rowland seconded, to adopt Ordinance #8448. On roll call vote Council Members Jeffers, McOmber, Rowland, Zanfardino, Aspacher, Gavarone, and Gordon voted yes. Council President Aspacher declared motion carried, and Ordinance #8448 adopted.

Clerk read Ordinance #8449 amending the Zoning District Map of the City of Bowling Green for the property generally known as 415 East Wooster Street from B-2 General Commercial to B-5 Transitional Central Business District zoning, for third reading.

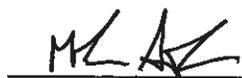
Council Member Jeffers moved, Rowland seconded, to adopt Ordinance #8449. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8449 adopted.

Clerk read Ordinance #8450 vacating so much of a certain north/south alley located south of West Evers Avenue between Fairview Avenue and North Grove Street, for third reading.

Council Member Jeffers moved, Gavarone seconded, to adopt Ordinance #8450. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Ordinance #8450 adopted.

Council Member Gavarone moved, Rowland seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the September 21, 2015 regular meeting of the City Council at 7:50 p.m., subject to call.



Kay D. Scherrek, Clerk of Council

Michael Aspacher, President of Council