

OPTIONAL LEGAL BLANK, INC., PFRM NO. 10148

Held

TUESDAY, SEPTEMBER 8, 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. Clerk of Council Kay Scherreik was not present.

Council Member Rowland moved, Jeffers seconded, to approve the minutes of the regular meeting held August 17, 2015 as distributed. Council President Aspacher declared motion carried.

CORRESPONDENCE

Acting Clerk Michelle Fitzgerald noted that a listing of budget transfers for the month of September was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member McOmber moved, Jeffers 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.

Acting Clerk read a Fiscal Officer's Certificate relating to the issuance and sale of \$600,000 of notes in anticipation of the issuance of bonds for purchase of paying costs of acquiring property and improving the property for park & recreational purposes.

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

OFFICIAL REPORTS

Mayor Dick Edwards began his report with the swearing-in ceremony for newly appointed Police Chief Tony Hetrick. The Mayor noted that Tony has worked with the Police Division since August 1996 and that he has been serving as Acting Police Chief since June 8, 2015. Mayor Edwards invited Tony and members of his family to come forward for the swearing-in.

Mayor Edwards introduced Dr. Eric Meyers, Chair of the Green Space Task Force, who gave a report to Council regarding the work and recommendations of the Task Force. A meeting of the Public Lands and Buildings Committee of Council, chaired by Council Member Gavarone, is scheduled for 6:00 p.m. on Monday, October 5, at which time a full report will be heard as well as an opportunity for public input.

Mayor Edwards commented that at the August 17 Council meeting, he outlined the history of Bowling Green as a Tree City USA award recipient for 35 consecutive years and as receiving the "Growth Award" for a consecutive 21 years. He also highlighted the work of the City's Tree Commission and the outstanding efforts of the City's Arborist, David Bienemann. Mayor Edwards noted that the cutting down of trees even when diseased or in a compromised state is a painful process and the cutting down of trees on the north side of W. Wooster Street in the public right-of-way has been an especially painful and highly emotional process. Despite all of the extensive efforts to let residents know why certain actions have been taken, many residents are disturbed, emotional and invariably the City has been blamed. Therefore, the Mayor wished to offer the following points for consideration and as reminders about the current situation:

- In the interest of personal health and safety, Columbia Gas initiated the gas line replacement project and will be held accountable for all work performed including sidewalk replacement;

- In terms of sidewalks on the north side of W. Wooster Street, all sidewalks from Church Street to Haskins Road will be graded and replaced by October 1 or soon thereafter;
- Each and every tree that had to be cut down was either diseased, in a fragile state or had a compromised root system and in each instances the particular factors were documented by the City Arborist;
- Every homeowner or landlord who lost a tree has been notified in person or by mail with a written statement and offered the planting of a new tree or trees on private property and not in the City right-of-way;
- New trees will be replanted in October or in the Spring under the direction of the City Arborist.

Mayor Edwards called upon Public Works Director Brian Craft and the City's Arborist, David Bienemann to further comment and answer questions.

Public Works Director Brian Craft explained that there are seventeen trees scheduled for removal on West Wooster and thirteen have been removed so far. The removal was necessary because the trees were diseased, had fragile root systems which put drivers and the public at risk, or had outgrown their portion of the right-of-way, causing uneven sidewalks and trip hazards. Arborist David Bienemann explained that before a tree is removed, two outside experts are brought in to assess the damage and that trees have to be cut down before they are fully dead. Responding to a question from Council Member Zanfardino, Bienemann said that there are some other trees scheduled to come down in the city as the result of open cutting that had taken place during the Columbia Gas work. However, he noted that the company has been cooperative even to the point of rerouting their work to avoid affecting big oaks at City Park. In response to a question from Council Member Jeffers, Bienemann said that the replacement trees to be planted will be smaller or medium-growing trees, depending on what the particular property can support.

Mayor Edwards commended Downtown BG Director, Barbara Ruland, the members of the Downtown BG Board, and others who assisted in the Special Improvement District (SID) renewal process and securing a 69.01% authorization from property owners.

Municipal Administrator Lori Tretter reported that there will be several road closures and parking restrictions for the Black Swamp Arts Festival this coming weekend and reminded citizens to be patient when traveling. She also advised that contingent plans are in place in the event of an I-75 road closure to reroute traffic. Handicapped parking has been moved to make it closer to the festival.

Parks & Recreation Director Kristin Otley reported that Ridge Park excavation is complete and construction on the playground is beginning. The expected completion date is early to mid October. Otley also reported that the pool is now closed for the season.

Utilities Director Brian O'Connell reported that a meeting for residents of Pheasant Farms was held on August 29 to discuss drainage issues. O'Connell indicated that he plans to forward the presentation material to members of council for informational purposes.

Public Works Director Brian Craft reported that large item pick up begins the week of September 14. This is for items too big for regular trash and not for household chemicals. Craft also noted that brush collection will begin September 28.

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 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.

Council Member Jeffers, for the Planning, Zoning and Economic Development Committee, introduced a resolution 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.

Council Member Jeffers, for the Planning, Zoning and Economic Development Committee, introduced a resolution 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.

Council Member Jeffers, for the Planning, Zoning and Economic Development Committee, introduced an ordinance 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.

Council Member Jeffers, for the Planning, Zoning and Economic Development Committee, introduced an ordinance 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.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to execute a purchase agreement for the purchase of Lot Number 1 in Greenwood Gardens for utility purposes, and declaring an emergency.

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

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 construction of the grit handling system for the Water Pollution Control Facility.

COUNCIL COMMITTEE REPORTS

There were no Council Committee reports.

LOBBY VISITATIONS

Rodrigo Patterson and Alyssa Barwinski, students at BGSU, discussed their organization, Tom's Campus Club, and announced a upcoming charity event that is scheduled for 9/25/2015.

Barbara Toth, 607 W. Wooster Street, expressed concern about the noise and potential decreased property values from the tree removal on W. Wooster Street. Also stated that she feels another traffic study needs to be done to determine the need for a traffic signal at Wooster and Haskins. She indicated that she would like to have had some dialog with residents before trees are cut down.

Steve Doyle, 1070 Lindenwood Drive, discussed a tragedy in California that occurred four years ago in which a gas line exploded and killed several people in a residential area. Doyle expressed his support of the work being done on W. Wooster to prevent a tragedy like that one.

Charles Hallowell, 16862 Haskins Road, indicated that he lives next door to the fairgrounds and is unhappy with barricades and lights that are left up year round after the annual tractor pull. Council Member Jeffers assured him that the action being taken tonight to detach additional property for the Tractor Pullers Association has no affect the concerns he is bringing forward to Council. City Attorney Mike Marsh advised him to address his concerns directly with the Tractor Pullers Association.

READING OF LEGISLATION

Acting Clerk read Resolution #3601 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Gordon seconded, to suspend the rules and give Resolution #3601 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 #3601 for second and third reading by number and title only.

Council Member McOmber moved, Jeffers seconded, to adopt Resolution #3601. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Zanfardino, Aspacher, and Gavarone voted yes. Council President Aspacher declared motion carried, and Resolution #3601 adopted.

Acting 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 first reading.

Acting 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 first reading.

Acting Clerk read Ordinance #8451 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, Gordon seconded, to suspend the rules for Ordinance #8451. 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.

Acting Clerk read Ordinance #8451 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8451. On roll call vote, Council Members McOmber, Rowland, Zanfardino, Aspacher, Gavarone, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8451 adopted.

Acting 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 first reading.

Acting 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 first reading.

Council Member Jeffers announced that a public hearing will be held regarding Ordinance #8453 on Monday, October 19, 2015, at 6:45 p.m. in the Council Chamber.

Acting 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 first reading.

Council Member Jeffers announced that a public hearing will be held regarding Ordinance #8454 on Monday, October 19, 2015, at 6:45 p.m. in the Council Chamber.

Acting Clerk read Ordinance #8455 authorizing the Utilities Director to execute a purchase agreement for the purchase of Lot Number 1 in Greenwood Gardens for utility purposes, and declaring an emergency, for first reading.

Acting 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 first reading.

Acting 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 first reading.

Acting 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 second reading.

Acting 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 second reading.

Acting 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 second reading.

Acting Clerk read Resolution #3598 authorizing the Mayor of the City of Bowling Green, Ohio, to file an application and execute a contract upon grant application approval under the Great Lakes Restoration Initiative Grant: EAB Restoration Planting Program as authorized by the USDA Forest Service, for third reading.

Council Member Gordon moved, Gavarone seconded, to adopt Resolution #3598. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Resolution #3598 adopted.

Acting Clerk read Ordinance #8445 authorizing the Utilities Director to enter into a contract or contracts with United Precast, LLC, without competitive bidding, for repairs to the Colony Lane Pump Station, for third reading.

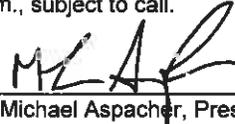
Council Member Aspacher moved, Gordon seconded, to adopt Ordinance #8445. On roll call vote, Council Members Zanfardino, Aspacher, Gavarone, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and Ordinance #8445 adopted.

Council Member Jeffers moved, Gordon seconded, to adopt Ordinance #8440 assenting to the detachment of property owned by the Northwest Ohio Tractor Pullers Association from the City of Bowling Green to Plain Township. On roll call vote, Council Members Aspacher, Gavarone, Gordon, Jeffers, McOmber, Rowland, and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8440 adopted.

Council Member Aspacher moved, McOmber seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the September 8, 2015 regular meeting of the City Council at 9:12 p.m., subject to call.



Michelle Fitzgerald, Acting Clerk of Council



Michael Aspacher, President of Council



September 8, 2015

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of September 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