

RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

MONDAY, NOVEMBER 7, 2016

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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, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zarfardino 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, Seeliger seconded, to approve the minutes of the regular meeting held October 17, 2016 as distributed. Council President Aspacher declared motion carried.

CORRESPONDENCE

Clerk Kay Scherreik reported that an application was received from the Ohio Division of Liquor Control for a transfer of a Class D5 liquor permit from Myles Pizza Pub, located at 516 E. Wooster Street to Pizza Pub 516 LLC doing business at the same location. A check of the records was received from the Police Division and no detrimental information was noted.

Clerk also noted that a listing of budget transfers for the month of November was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member McOmber moved, Rowland 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 the Financial Budget Summary report for the month of September 2016 was distributed to Council prior to the meeting.

OFFICIAL REPORTS

Mayor Dick Edwards invited the City's Water Pollution Control Superintendent, Doug Clark, to come forward and announced to Council that Doug was recently awarded the Ohio Water Environmental Association's Larry Moon Outstanding Service Award for being one of the best in his area of expertise regarding water quality. Mayor Edwards also presented a proclamation to Mary Hinkleman of Downtown Bowling Green proclaiming November 26 as Small Business Saturday in Bowling Green. Mayor Edwards also commented on several upcoming events in Bowling Green such as the NIOT sponsored Peace Parade on November 17, the annual tree lighting on November 18, and the annual holiday parade on November 19.

Municipal Administrator Lori Tretter reported that a joint meeting of City Council's Finance Committee and the Board of Public Utilities will be held on Monday, November 14, at 5:00 p.m. in the Council Chamber to discuss the 2017 utility budget. Tretter also reviewed upcoming street closures for the annual tree lighting and holiday parade. She also requested an Executive Session at the end of this evening's meeting to discuss a real estate matter.

Planning Director Heather Saylor had no report.

Parks and Recreation Director Kristin Otley updated Council on upcoming Parks & Recreation activities and announced that there would be a levy results watch party tomorrow evening at Sunset Bistro beginning at 7:00 p.m.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell explained that there is legislation on this evening's agenda granting an easement to Nexus Gas Transmission that will cross a 29 acre parcel of land owned by the City located three miles east of the Water Treatment Plant. O'Connell noted that the land was purchase last year in conjunction with the purchase of two other parcels closer to the Water Treatment Plan and is currently being rented by a local farmer. The land in question also has two Toledo Edison electric easements located on it. Nexus Gas Transmission has requested an easement for the installation of a large diameter gas pipeline which is proposed to cross Ohio into Canada. The length of the easement is just over 1300 feet encompassing approximately four acres. In return for the granting of the easement, the City will receive \$151,900 some of which is for repairs to drainage tiles. O'Connell further explained that as a utility, Nexus is able to acquire the easement by eminent domain. However, the City Attorney has recommended that the City avoid court proceedings. O'Connell noted that after the pipeline is installed, the land would go back to being farmed. Council Member Rowland indicated that she has received some emails and questions about the pipeline and its close proximity to the City's water supply wondering if the City's water is going to remain safe. O'Connell responded that any water from the Maumee River would not be affected by the pipeline and that he is not concerned with water quality issues from the City's water plant perspective and is located down river from the City's water intake. O'Connell further noted that the advice from the City Attorney is that Nexus would get the easement one way or another and that going through the court system could result in large financial costs to the City.

Public Works Director Brian Craft reported that curbside leaf collection begins today throughout the City. Craft also noted that there are two upcoming bid openings for Conneaut/Fairview Resurfacing project and the Poe/Fairview Signal Improvements project. Craft also reported that the Veteran's Memorial in City Park received a much needed facelift noting that the project was completed in time for Veteran's Day with the exception of the installation of the flags which have not been received yet.

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, 2016 and ending December 31, 2016.

Council Member McOmber for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to enter into a contract or contracts with a specified vendor for work that will exceed \$50,000 for calendar year 2016.

Council Member McOmber, for the Finance Committee, introduced an ordinance amending and adopting Section 95A.03 and Section 95A.05(A) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding Income Tax Regulations Effective Beginning January 1, 2016, and declaring an emergency.

Council Member Jeffers, for the Planning, Zoning and Economic Development Committee, introduced an ordinance accepting an easement for right-of-way purposes from CECW2, LLC, for certain property on South Main Street.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to execute and grant an easement on City-owned property located on King Road for the construction and maintenance of a gas transmission line by Nexus Gas Transmission, LLC.

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 supplying annual inventory requirements, underground and overhead lines insurance, sale of scrap materials, and participation in the AMP Joint Purchasing Program in 2017.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to execute lease agreements with Amplex Electric, Inc., for the lease of dark fiber and also for the use of City water towers to mount network service antennas.

Council Member Gordon, for the Community Improvement Committee, introduced a resolution approving the draft adopted amended Wood County Solid Waste Management Plan.

Council Member Zanfardino, for the Transportation & Safety Committee, introduced an ordinance amending and adopting Section 76.28(D) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding parking prohibitions.

COUNCIL COMMITTEE REPORTS

Council Member McOmber reported that the Committee-of-the-Whole met earlier this evening to have a preliminary discussion regarding the 2017 budget. McOmber noted that the Finance Committee will hold the annual budget hearing either the first or second week of December. McOmber also suggested scheduling a meeting of the Committee-of-the-Whole to discuss the complete street process in order to avoid a repeat of the manner in which the Conneaut/Fairview project was handled. The meeting was scheduled for Monday, December 5, at 6:00 p.m.

Council Member Zanfardino reported that the Transportation & Safety Committee met on November 2 and started discussions regarding the process. They also discussed plans for the YAY Bikes tour that took place this afternoon.

Council Member McOmber also discussed a decision made at a previous meeting to ask the Traffic Commission to determine if parking would be removed on Conneaut in places where it is now permitted in order to accommodate bike lanes, and more particularly the block between Grove and Fairview. McOmber indicated that there is a problem in that request because no individual Council committee has the standing to ask the Traffic Commission to act on that request. McOmber noted that he had spoken with the City Attorney and learned that only the whole Council, by a majority vote, can make such a request. He further explained that Council committees exist to gather information and make recommendations to Council as a whole for further action. McOmber stated that personally he is not in favor of removing parking along that stretch of Conneaut indicating that he feels it would be a considerable hardship to the people that live in that area with very little benefit to bicyclists. He also indicated that he is only in favor of asking the Traffic Commission to remove parking west of Fairview. McOmber noted that until something regarding bike lanes is done on Grove Street, he sees little value to removing the parking on that portion of Conneaut between Fairview and Grove. Council Member Rowland indicated that she feels that the Committee-of-the-Whole should hold the December 5 meeting to discuss this and other issues and not plan to go before the Traffic Commission in December. Council Member Zanfardino agreed with Rowland. Council Member Jeffers commented that if Council wants to have complete streets move forward, then Council must bring these issues into the budgetary process so that Council can discuss how much it's going to cost and what the City can afford.

Council President Aspacher thanked McOmber for his suggestion to meet as a Committee-of-the-Whole to discuss the complete streets decision making process. Aspacher stated that he feels that it is important for Council to hone in on a process that results in a timely clear path forward in order to communicate those issues to the Administration in order not to repeat what happened with Conneaut/Fairview. He suggested that the process be started sooner with the Transportation & Safety Committee vetting the projects and then come before the Committee-of-the-Whole to weigh in on the project and ultimately making the recommendations to the Administration.

LOBBY VISITATIONS

Mary Hinkleman, Director of Downtown Bowling Green, addressed City Council about upcoming events for the holidays being held in downtown Bowling Green. She also announced that a fundraising evening for holiday lights and decorations will be held on Wednesday, November 16, at Stones Throw.

Earline Kilpatrick, Director of BG Chamber of Commerce, discussed the upcoming tree lighting ceremony on November 18 and the holiday parade on November 19. Kilpatrick indicated that many volunteers are still needed for the parade.

Lisa Kohiser, 1045 Varsity West, addressed Council regarding her concerns with the easement for the Nexus Gas Transmission pipeline. She indicated that this pipeline is very large and could possibly do damage to the City's water supply. She also indicated that even though Nexus has threatened to use eminent domain, but does not yet have that authority. She asked Council to consider consulting with a local geologist regarding a fault line in that area and to show solidarity with the citizens of Waterville who have been fighting this issue for a long time.

Laura Sanchez, 202 W. Reed Street, also expressed her opposition to the proposed easement for Nexus Gas Transmission and asked if any geological studies or impact studies have been done regarding the pipeline.

Matthew Cunningham, 1470 Clough Street, noted that this pipeline will come very close to the Water Treatment Plant and asked on behalf of the students at BGSU to reconsider the decision to grant the easement for the pipeline.

Vaseliki Leontis, 119 N. Summit Street, indicated that she thought the idea of granting the pipeline easement to Nexus was incompatible with construction of a solar field on City-owned property and wondered if the City could explain.

Joseph DeMare, 517 S. Main Street, also Green Party U.S. Senate candidate, expressed his opposition to the proposed pipeline indicating that the amount of carbon put into the air must be stopped in order to preserve the planet.

Justin Marks, 123 N. Grove Street, noted that he was a small business owner in Bowling Green and asked Council to consider why any business would consider locating in Bowling Green if the City's water supply was in jeopardy.

Council Member Rowland asked Utilities Director Brian O'Connell to send information to Council explaining the benefits to the City for granting the proposed easement to Nexus Gas Transmission.

Council Member Jeffers asked City Attorney Michael Marsh to see if he could get a copy of the Resolution adopted by the Wood County Commissioners regarding this issue.

READING OF LEGISLATION

Clerk read Resolution #3645 transferring previously appropriated funds, for first reading.

Council Member McOmber moved, Zanfardino seconded, to suspend the rules and give Resolution #3645 its second and third reading. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Seeliger, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Resolution #3645 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Resolution #3645. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and Resolution #3645 adopted.

Clerk read Resolution #3646 approving the draft adopted amended Wood County Solid Waste Management Plan, for first reading.

Clerk read Ordinance #8540 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2016 and ending December 31, 2016, for first reading.

Council Member McOmber moved, Seeliger seconded, to suspend the rules and give Ordinance #8540 its second and third reading. On roll call vote, Council Members McOmber, Rowland, Seeliger, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8540 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8540. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Ordinance #8540 adopted.

Clerk read Ordinance #8541 authorizing the Municipal Administrator to enter into a contract or contracts with a specified vendor for work that will exceed \$50,000 for calendar year 2016, for first reading.

Clerk read Ordinance #8542 amending and adopting Section 95A.03 and Section 95A.05(A) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding Income Tax Regulations Effective Beginning January 1, 2016, and declaring an emergency, for first reading.

Clerk read Ordinance #8543 accepting an easement for right-of-way purposes from CECW2, LLC, for certain property on South Main Street, for first reading.

Clerk read Ordinance #8544 authorizing the Utilities Director to execute and grant an easement on City-owned property located on King Road for the construction and maintenance of a gas transmission line by Nexus Gas Transmission, LLC, for first reading.

Clerk read Ordinance #8545 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 2017, for first reading.

Clerk read Ordinance #8546 authorizing the Utilities Director to execute lease agreements with Amplex Electric, Inc., for the lease of dark fiber and also for the use of City water towers to mount network service antennas, for first reading.

Clerk read Ordinance #8547 amending and adopting Section 76.28(D) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding parking prohibitions, for first reading.

Clerk read Resolution #3644 designating financial institutions as public depositories, for second reading.

Clerk read Ordinance #8537 amending and adopting Section 33.23 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding medical and dental insurance, and declaring an emergency, for second reading.

Council Member McOmber moved, Zanfardino seconded, to suspend the rules and give Ordinance #8537 its third reading. On roll call vote, Council Members Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8537 for third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8537. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, Rowland, and Seeliger voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8537. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8537 adopted.

Clerk read Ordinance #8538 authorizing the Municipal Administrator to enter into a contract with the Bowling Green Convention & Visitors Bureau for the promotion and publicizing of the City of Bowling Green, Ohio, to bring the patronage and business of cultural, educational, religious, professional and sports organizations into the City for the benefit of the citizens of the City and the business community thereof, and authorizing the payment of 60% of the revenue generated by the hotel-motel tax for said purpose, for second reading.

Clerk read Ordinance #8539 amending and adopting Section 150.16 of the Codified Ordinances of the City of Bowling Green, Ohio, relating to bulk and density regulations, for second reading.

Council Member Jeffers moved, Rowland seconded, to move Council into Executive Session at 8:41 p.m. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Seeliger, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried.

Council Member Seeliger moved, Zanfardino seconded, to move Council out of Executive Session at 9:00 p.m. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried.

Council Member Rowland moved, Gordon seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the November 7, 2016 regular meeting of the City Council at 9:01 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Michael Aspacher, President of Council



November 7, 2016

TO: Bowling Green City Council
FROM: Brian Bushong, Finance Director

Transfers requested for the month of November include:

Fund	Dept.	Account	Description	From	To
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 4,734.58	
2021	000	69410	ODOT Transportation Grant (Taxi), Revenue, Transfer From General		\$ 4,734.58
1010	190	92300	General, Miscellaneous, Transfer To Debt Service	\$ 16,841.67	
3025	000	69410	Debt Service, Revenue, Transfer From General		\$ 16,841.67
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 3,088.33	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 3,088.33
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
4005	810	92400	Equipment Capital Reserve, Capital Improvement, Transfer To Capital Projects	\$ 13,127.08	
4018	000	69440	Capital Improvement, Revenue, Transfer From Capital Projects		\$ 13,127.08
4018	810	92300	Capital Improvement, Capital Improvement, Transfer To Debt Service	\$ 41,086.50	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 41,086.50
4018	810	92400	Capital Improvement, Capital Improvement, Transfer To Capital Projects	\$ 2,083.33	
4005	000	69440	Equipment Capital Reserve, Revenue, Transfer From Capital Projects		\$ 2,083.33
4018	810	92400	Capital Improvement, Capital Improvement, Transfer To Capital Projects	\$ 2,083.33	
4010	000	69440	Facility Capital Reserve, Revenue, Transfer From Capital Projects		\$ 2,083.33
4029	423	92300	Street Repair, Street Repair, Transfer To Debt Service	\$ 16,329.17	

3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 16,329.17
4055	710	92300	Aquatic Facility Capital Improvement, Recreation Department, Transfer To Debt Service	\$ 23,072.25	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 23,072.25
5111	651	92500	Electric Revenue, Administrative and General, Transfer To Enterprise	\$ 107,875.00	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 107,875.00
5221	651	92500	Water Revenue, Administrative and General, Transfer To Enterprise	\$ 46,472.00	
5222	000	69450	Water Capital Reserve, Revenue, Transfer From Enterprise		\$ 46,472.00
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 11,305.33	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 11,305.33
Total				\$ 294,931.90	\$ 294,931.90