

RECORD OF PROCEEDINGS

Minutes of

CITY OF BOWLING GREEN CITY COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 16148

Held

MONDAY, APRIL 3, 2017

20

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, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zanfardino responded. Also present were Mayor Richard Edwards, Municipal Administrator Lori Tretter, City Attorney Michael Marsh, Public Works Director Brian Craft, Planning Director Heather Saylor, and Parks and Recreation Director Kristin Otley. Utilities Director Brian O'Connell was not present.

Council Member Rowland moved, Zanfardino seconded, to approve the minutes of the regular meeting held March 20, 2017 as distributed. Council President Aspacher declared motion carried.

CORRESPONDENCE

Clerk noted that a listing of budget transfers for the month of April was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Jeffers moved, Gordon 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 Kay Scherreik noted for the record that the Bowling Green Municipal Court Annual Report was received on March 31, 2017 and distributed to Council Members prior to the meeting.

SPECIAL RECOGNITIONS – MAYOR EDWARDS

Mayor Dick Edwards presented a proclamation to representatives of the Human Relations Commission and NIOT (Not In Our Town) proclaiming the month of April as Fair Housing Month in the City of Bowling Green.

LOBBY VISITATIONS

There were no lobby visitations.

OFFICIAL REPORTS

Mayor Dick Edwards reported that he would be meeting tomorrow afternoon with Dr. Charles Onasch, Professor Emeritus and form Chair of Geology at BGSU to discuss the structuring of a forum for the benefit of City Council and preliminary to the development of another letter to the Federal Energy Regulatory Commission regarding the proposed Nexus pipeline project.

Mayor Edwards reminded Council about the Interfaith Breakfast being held on Wednesday, April 5, at the Junior Fair Building.

Mayor Edwards reported that changes in Ohio law regarding Income Tax Boards of Review requiring him to make one appointment to the City's board and for Council to make two appointments. The Mayor recommended Council to re-appoint current members Joan Callecod and Gaylyn Finn. He indicated that he as re-appointed the City Attorney, Mike Marsh, who will serve with no term limitation.

Council Member Aspacher moved, Seeliger seconded, to reappoint Joan Callecod term ending May 31, 2019 and Gaylyn Finn term ending May 31, 2018 to the Income Tax Board of Review. On unanimous voice vote, Council President Aspacher declared motion carried.

Municipal Administrator Lori Tretter reported in response to a citizen who spoke during Lobby Visitation at the last meeting raising a concern regarding parking on grass

on a weekend or outside normal business hours when the Code Enforcement Officer is not on duty and cannot respond to a complaint. Tretter noted that if a citizen wants to file a complaint regarding a vehicle parked on the grass on private property after normal business hours or on the weekend, they can call the Police Division. The police officer will respond to the complaint and attempt to make contact with the property owner. The officer will determine whether or not the car is parked on private property or the City right-of-way before making a decision on how to rectify the situation in light of the City's ordinances.

Tretter also requested an Executive Session of City Council at the end of this evening's meeting to discuss labor negotiations.

Planning Director Heather Saylor had no report.

Parks and Recreation Director Kristin Otley reported that the summer program guide is now available on the City's website. Otley noted that registration for City residents begins May 1 and for non-residents it begins on May 15. Otley also noted that applications are available for nominations for the Bicycle Spokesperson of the Year.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell was not present.

Public Works Director Brian Craft had no report.

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 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, 2017 and ending December 31, 2017.

Council Member McOmber, for the Finance Committee, introduced an ordinance amending and adopting Section 30.110 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding the Income Tax Board of Review.

Council Member McOmber, for the Committee-of-the-Whole, introduced an ordinance enacting and adopting the 2017 S-9 Supplement to the Code of Ordinances for the City of Bowling Green, Ohio.

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 lime sludge disposal services for the Water Treatment Plant.

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 or participate in the Interlocal Purchasing System for roof replacement at 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 or participate in the State of Ohio Purchasing Program for a material handling vehicle chassis and lift hoist system for the Water Pollution Control Facility.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the transfer of approximately 7.8 acres in the John Quinn Innovative Technology Park to the Bowling Green Community Development Foundation, in lieu of dues, and declaring an emergency.

COUNCIL COMMITTEE REPORTS

Council Member McOmber reported that the Finance Committee met earlier this evening to discuss general fund revenue enhancements. McOmber noted that Finance Director Brian Bushong gave a presentation regarding options. McOmber scheduled a Committee-of-the-Whole meeting for 6:00 p.m. on May 15 to discuss the issue again.

Council Member Jeffers invited all Council Members and other interested citizens to volunteer for the upcoming Court Street Connects Festival. Jeffers distributed a flyer on how to go about signing up to volunteer.

READING OF LEGISLATION

Clerk read Ordinance #8574 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2017 and ending December 31, 2017, for first reading.

Council Member McOmber moved, Rowland seconded, to suspend the rules and give Ordinance #8574 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 Ordinance #8574 for second and third reading by number and title only.

Council Member McOmber moved, Seeliger seconded, to adopt Ordinance #8574. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and Ordinance #8574 adopted.

Clerk read Ordinance #8575 amending and adopting Section 30.110 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding the Income Tax Board of Review, for first reading.

Clerk read Ordinance #8576 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 first reading.

Clerk read Ordinance #8577 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts or participate in the Interlocal Purchasing System for roof replacement at the Water Pollution Control Facility, for first reading.

Clerk read Ordinance #8578 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts or participate in the State of Ohio Purchasing Program for a material handling vehicle chassis and lift hoist system for the Water Pollution Control Facility, for first reading.

Clerk read Ordinance #8579 authorizing the transfer of approximately 7.8 acres in the John Quinn Innovative Technology Park to the Bowling Green Community Development Foundation, in lieu of dues, and declaring an emergency, for first reading.

Council Member Aspacher moved, Rowland seconded, to suspend the rules and give Ordinance #8579 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 #8579 for second and third reading by number and title only.

Council Member Aspacher moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8579. Aspacher noted that the emergency clause is needed in order to expedite economic development. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member Aspacher moved, Jeffers seconded, to adopt Ordinance #8579. On roll call vote, Council Members Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and Ordinance #8579 adopted.

Clerk read Ordinance #8580 enacting and adopting the 2017 S-9 Supplement to the Code of Ordinances for the City of Bowling Green, Ohio, for first reading.

Council Member McOmber moved, Rowland seconded, to suspend the rules and give Ordinance #8580 its second and third reading. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, Rowland, and Seeliger voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8580 for second and third reading by number and title only.

Council Member McOmber moved, Seeliger seconded, to adopt Ordinance #8580. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8580 adopted.

Clerk read Ordinance #8572 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts and/or participate in State of Ohio purchasing programs for the purchase of vehicles and equipment as well as the trade-in, transfer or sale of vehicles and equipment being replaced and/or no longer needed for municipal purposes, for second reading.

Clerk read Ordinance #8573 amending and adopting Sections 35.03, 35.04 and 35.05 of the Codified Ordinances of the City of Bowling Green, Ohio, relating to utility funds, for second reading.

Clerk read Ordinance #8570 amending and adopting Section 35.70 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding City Fees and Fees Charged for Services, for third reading.

Council Member McOmber moved, Gordon seconded, to adopt Ordinance #8570. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Seeliger, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8570 adopted.

Clerk read Resolution #3662 proclaiming Bowling Green as a welcoming, safe and inclusive community: a call for diversity, human rights, social opportunities, and economic development, for third reading.

Council Member Zanfardino moved, Gordon seconded, to amend Resolution #3662 by substitution to change the wording in the title to read as follows: Resolution proclaiming Bowling Green as a welcoming and safe community for immigrants and condemning any discrimination, harassment or unjustified deportation of immigrant residents of Bowling Green. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and Resolution #3662 amended by substitution.

Council Member Zanfardino moved, Rowland seconded, to adopt Resolution #3662 as amended.

Council Member McOmber commented indicated that he was probably the one out of the seven on Council that had the most problems with this legislation. McOmber noted that a lot has happened over the last two weeks as Council has worked through the proposed language. McOmber said that the first he became aware of this resolution was the Friday before the March 20 meeting. Prior to that he had no knowledge that the resolution was forthcoming from the Human Relations Commission and came as a complete surprise to him. His first inclination was to remove the language referencing immigrants and refugees in the first paragraph of the resolution, but later learned that the whole purpose of the legislation was to be directed at immigrants and refugees. Another concern to him was the vagueness of the resolution. After discussing the point of the resolution, Council Member Gordon came up with the new language for the title of the resolution and to make it more specific about the original intent of the resolution. McOmber went on to say that an additional concern he had was that he didn't want City Council taking a position on an issue of national debate regarding undocumented immigrants. He noted that thousands of immigrants who didn't have the proper documents were deported in previous Presidential administrations and that it is not a new issue, but has come to light after the recent election cycle. McOmber indicated that it is an issue of national debate, not an issue for City Council to solve. The change of the language in the title of the legislation to "unjustified deportations" allows everyone to have their own interpretation of what unjustified may mean because everyone won't necessarily agree. McOmber noted that he now feels that he is able to vote in favor of the resolution after the amendments were made to the title.

Council Member Rowland spoke in support of the amended resolution and in support of the immigrants in the community. She indicated that she sees great value in immigrants and indicated that Bowling Green is currently experiencing a shortage of skilled laborers and immigrants could help solve that problem.

Council Member Gordon thanked Council Member McOmber for his comments and is glad that Council is able to discuss issues and talk about their differences honestly and in good faith. Gordon indicated that Council had options when it came to making changes to the resolution. They could make it more general to speak about support for marginalized groups, or focus more on immigrants which was the original intent of the legislation. Gordon indicated that the deportation issue is not just a national issue that there are those affected here in Bowling Green. Gordon indicated that he is happy with the amended language as he feels that Council does not support seeing families ripped apart by unjustified deportations.

Council Member Seeliger commented that since he has lived here, Bowling Green has always welcomed people with open arms and he believes that this resolution just reinforces what Bowling Green has always been.

Council Member Zanfardino agreed with Seeliger that Bowling Green is a welcoming community. He also indicated that not only the people of Bowling Green, but everywhere, are living with a new level of fear given the current political climate. Zanfardino pointed out that many other communities are adopting welcoming resolutions to help people feel welcomed and safe in the midst of what he term a "national nightmare." He also said he believes this is an opportunity to show support to people who live in Bowling Green and are experiencing a new level of fear.

Council Member Jeffers thanked La Conexion for bringing this issue to Council's attention.

Council President Aspacher indicated that it is also important to recognize the Human Relations Commission for their participation and influence on this resolution.

On roll call vote, Council Members McOmber, Rowland, Seeliger, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Resolution #3662 adopted as amended.

Council Member Zanfardino moved, Rowland seconded, to move Council into Executive Session at 8:00 p.m. for the purpose of discussing labor negotiations. On roll call vote, Council Members McOmber, Rowland, Seeliger, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried.

Council Member Rowland moved, Gordon seconded, to move Council out of Executive Session at 8:30 p.m. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried.

Council Member Zanfardino moved, Seeliger seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the April 3, 2017 regular meeting of the City Council at 8:31 p.m., subject to call.


Kay D. Scherrek, Clerk of Council


Michael Aspacher, President of Council



April 3, 2017

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

Transfers requested for the month of April include:

Fund	Dept.	Account	Description	From	To
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 3,050.00	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 3,050.00
4030	710	92100	Green Space Acquisition Fund, Recreation Department, Transfer To General	\$ 2,225.00	
1010	000	69440	General, Revenue, Transfer From Capital Projects		\$ 2,225.00
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 2,916.67	
2007	000	69410	Payroll Stabilization, Revenue, Transfer From General		\$ 2,916.67
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	92300	Capital Improvement, Capital Improvement, Transfer To Debt Service	\$ 40,053.17	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 40,053.17
4018	810	92400	Capital Improvement, Capital Improvement, Transfer To Capital Projects	\$ 15,083.33	
4005	000	69440	Equipment Capital Reserve, Revenue, Transfer From Capital Projects		\$ 15,083.33
4029	423	92300	Street Repair, Street Repair, Transfer To Debt Service	\$ 14,945.83	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 14,945.83
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 5,252.58	
2021	000	69410	ODOT Transportation Grant (Taxi), Revenue, Transfer From General		\$ 5,252.58
4055	710	92300	Aquatic Facility Capital Improvement, Recreation Department, Transfer To Debt Service	\$ 22,847.17	

3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 22,847.17
5111	651	92500	Electric Revenue, Administrative and General, Transfer To Enterprise	\$ 205,611.00	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 205,611.00
5221	651	92500	Water Revenue, Administrative and General, Transfer To Enterprise	\$ 47,725.00	
5222	000	69450	Water Capital Reserve, Revenue, Transfer From Enterprise		\$ 47,725.00
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 13,805.50	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 13,805.50
Total				\$ 380,348.58	\$ 380,348.58