

**RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL**

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

MONDAY, AUGUST 7, 2017

Held _____

_____ 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, Assistant Municipal Administrator Joe Fawcett, City Attorney Michael Marsh, Public Works Director Brian Craft, Utilities Director Brian O'Connell, and Parks and Recreation Director Kristin Otley. Municipal Administrator Lori Tretter and Planning Director Heather Saylor were not present.

Council Member Jeffers moved, Seeliger seconded, to approve the minutes of the regular meeting held July 17, 2017 as distributed. Council President Aspacher declared motion carried.

CORRESPONDENCE

Clerk Kay Scherreik noted that a listing of budget transfers for the month of August 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.

LOBBY VISITATIONS

Lisa Kochheiser, 1045 Varsity West, addressed Council saying that she has had correspondence from the Ohio EPA regarding the proposed Nexus pipeline indicating that all they would do is if the pipeline is built and an accident occurs, they will monitor the cleanup. Kochheiser also pointed out that the U.S. Senate recently approved the two nominees to the FERC Board restoring its quorum. She noted that time is running out to file a motion to intervene. She also reported that the Charter amendment petitions were submitted to the City last week in anticipation of the matter being put on the November ballot.

OFFICIAL REPORTS

Mayor Dick Edwards congratulated and thanked Bowling Green Convention & Visitors Bureau Director, Wendy Chambers, and her Board, along with other representatives of the City, that Bowling Green was named by Ohio Magazine as one of the five "Best Hometowns" in Ohio.

Mayor Edwards reported that the Wooster Green Steering Committee met on Thursday and decided to proceed with the concept plan that favors a more meandering, less symmetrical design. Edwards noted that the next step is to refine engineering specifications, cost estimates for construction in preparation of a brochure to be used for launching a fundraising campaign.

Mayor Edwards indicated that efforts are being made to find a resolution to the glass recycling issue. He asked for patience that a workable plan will be found soon.

Mayor Edwards reported that Fire Chief Tom Sanderson notified him last week of his intention to retire in January 2018. The Mayor indicated he will be meeting with Municipal Administrator Lori Tretter and the Fire Chief to map out a process for the selection of a new chief.

Mayor Edwards noted that he received a phone call last week from Craig Butler, the Director of the Ohio EPA assuring him that he and his staff are very mindful of the City's concerns involving the proposed Nexus pipeline project and its proximity to the Water Treatment Plant. Butler confirmed that he and his staff, along with staff from the Ohio Geological Commission, are in the process of reviewing the documents and reports prepared by BGSU's Dr. Andrew Kear. At the conclusion of that review and analysis, Butler said that he will share the findings in a direct meeting with him, City Council and the Board of Public Utilities.

Assistant Municipal Administrator Joe Fawcett had no report.

Planning Director Heather Saylor was not present.

Parks and Recreation Director Kristin Otley reported that a meeting will be held on August 22 at 6:00 p.m. at the Veteran's Building in City Park to hear a presentation by the architect on a new building planned for City Park.

City Attorney Michael Marsh reported that the recent property trades approved by City Council for Wood Bridge Business Park and the Senior Center have been completed. Marsh expressed his thanks to City Surveyor Ken Taylor for his hard work on legal descriptions and survey work involved in the process.

Utilities Director Brian O'Connell reported that the microcystin levels in the City's reservoir are at a non-detect level which is good news. O'Connell noted that the Water Treatment Plant is using its new aeration system which disrupts reproduction of algal blooms.

Council Member Gordon commented that while attending a public policy conference recently where he had an opportunity to share with people from across the country regarding the City's commitment to renewable energy.

Public Works Director Brian Craft updated Council on current roadway projects noting that work on Napoleon Road is now done and work on Conneaut will continue for approximately 2 more weeks. Craft also noted that legislation is on Council's agenda tonight authorizing the Municipal Administrator to enter into a contract with Shelly Company who was the only bidder for the City's 2017 Paving Program. Craft indicated that the bid exceeded the engineer's estimate by more than 10% which now requires action by City Council.

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 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, 2017 and ending December 31, 2017.

Council Member McOmber, for the Finance Committee, introduced an ordinance declaring a real and present emergency and authorizing the Municipal Administrator to enter into a contract or contracts with the Shelly Company for the City's 2017 Paving Program.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator and the Utilities Director to request qualifications and enter into a contract or contracts for the replacement and installation of Cisco edge and core switches and associated patch cabling for the City's computer system, and declaring an emergency.

Council Member Rowland, for the Parks and Recreation Committee, introduced a resolution authorizing the Mayor of the City of Bowling Green, Ohio, to file an application and execute a contract upon grant application approval under the Local Park Improvement Grant Program.

Council Member Jeffers, for the Planning, Zoning and Economic Development Committee, introduced a resolution for City Council not opposing the transfer of a Class D5 liquor permit to Wiley Ventures II, LLC.

Council Member Jeffers, for the Planning, Zoning and Economic Development Committee, introduced an ordinance authorizing the transfer of approximately 2.0 acres in the Bellard Business Park to the Bowling Green Community Development Foundation, in lieu of dues, and declaring an emergency.

COUNCIL COMMITTEE REPORTS

There were no Council Committee reports.

READING OF LEGISLATION

Clerk read Resolution #3674 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 Resolution #3675 authorizing the Mayor of the City of Bowling Green, Ohio, to file an application and execute a contract upon grant application approval under the Local Park Improvement Grant Program, for first reading.

Council Member Aspacher moved, Jeffers seconded, to suspend the rules and give Resolution #3675 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 #3675 for second and third reading by number and title only.

Council Member Rowland moved, Zanfardino seconded, to adopt Resolution #3675. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and Resolution #3675 adopted.

Clerk read Resolution #3676 for City Council not opposing the transfer of a Class D5 liquor permit to Wiley Ventures II, LLC, for first reading.

Council Member McOmber noted that this liquor permit is for a Rapid Fire Pizza restaurant on S. Main Street and remembered when an issue similar to this came up a few years ago. McOmber questioned the fairness to other local businesses of transferring a liquor permit from another community into Bowling Green. He also questioned how the process works and if the permit could be used for another purpose other than what is proposed in the application. City Attorney Michael Marsh indicated that the transfer requires that the owner make an economic development investment in the community. In the application submitted to the City, the owners will be spending nearly \$500,000 on improvements to the site and expects to hire 25-30 employees. Council Member Rowland expressed her concerns as well and indicated that she will be giving the transfer a lot of serious thought.

Clerk read Ordinance #8615 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, Seeliger seconded, to suspend the rules and give Ordinance #8615 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 #8615 for second and third reading by number and title only.

Council Member McOmber moved, Seeliger seconded, to adopt Ordinance #8615. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Ordinance #8615 adopted.

Clerk read Ordinance #8616 declaring a real and present emergency and authorizing the Municipal Administrator to enter into a contract or contracts with the Shelly Company for the City's 2017 Paving Program, for first reading.

Council Member McOmber moved, Jeffers seconded, to suspend the rules and give Ordinance #8616 its second and 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 #8616 for second and third reading by number and title only.

Council Member McOmber moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8616. 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, Jeffers seconded, to adopt Ordinance #8616. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8616 adopted.

Clerk read Ordinance #8617 authorizing the Municipal Administrator and the Utilities Director to request qualifications and enter into a contract or contracts for the replacement and installation of Cisco edge and core switches and associated patch cabling for the City's computer system, and declaring an emergency, for first reading.

Council Member McOmber moved, Rowland seconded, to suspend the rules and give Ordinance #8617 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. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8617 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8617. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Gordon seconded, to adopt Ordinance #8617. On roll call vote, Council Members McOmber, Rowland, Seeliger, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8617 adopted.

Clerk read Ordinance #8618 authorizing the transfer of approximately 2.0 acres in the Bellard Business Park to the Bowling Green Community Development Foundation, in lieu of dues, and declaring an emergency, for first reading.

Clerk read Resolution #3673 to approve agreements and authorize the Municipal Administrator to sign the agreements between the City of Bowling Green and Mosser Construction, Inc. to provide incentives available for project development in the Bowling Green Community Reinvestment Area Number 6, for second reading.

Council Member Jeffers moved, Zanfardino seconded, to suspend the rules and give Resolution #3673 its third reading. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Resolution #3673 for third reading by number and title only.

Council Member Jeffers moved, Rowland seconded, to adopt Resolution #3673. On roll call vote, Council Members Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and Resolution #3673 adopted.

Clerk read Ordinance #8613 authorizing the Municipal Administrator to enter into a contract or contracts for the renovation of the Nature Center at Wintergarden/St. John's Nature Preserve, and declaring an emergency, for second reading.

Council Member Rowland moved, Zanfardino seconded, to suspend the rules and give Ordinance #8613 its 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 #8613 for third reading by number and title only.

Council Member Rowland moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8613. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zanfardino voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member Rowland moved, McOmber seconded, to adopt Ordinance #8613. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Seeliger, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8613 adopted.

Clerk read Ordinance #8614 amending and adopting Section 150.03, 150.37(C), 150.45(C) & 150.59(A) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding vocational training school use in the City's zoning code, for second reading.

Clerk read Resolution #3670 authorizing the filing of (a) proposal(s) and/or (an) application(s) with the Ohio Department of Transportation for grants through the US DOT Federal Transit Administration (FTA), as authorized under Federal transit laws, as codified, 49 USC Section 5311, Financial Assistance for other than Urbanized areas and funds available from the Ohio Public Transportation Grant Program, the submittal of (a) proposal(s) with the Ohio Department of Transportation for a 5339(B) and 5339 grant through the US DOT Federal Transit Administration (FTA), as authorized under Federal transit law and funds available from the Ohio Public Transportation Grant Program and executing contracts with the Ohio Department of Transportation upon grant proposal acceptance, executing a contract/grant for the FY 2018 Ohio Elderly and Disabled Transit Fare Assistance Program, and executing contracts with the Ohio Department of Transportation upon grant proposal and/or application approval, for third reading.

Council Member Gordon moved, Seeliger seconded, to adopt Resolution #3670. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and Resolution #3670 adopted.

Clerk read Resolution #3671 amending and adopting changes to the Procurement Manual for the B.G. Transit Program, for third reading.

Council Member Zanfardino moved, Gordon seconded, to adopt Resolution #3671. On roll call vote, Council Members McOmber, Rowland, Seeliger, Zanfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Resolution #3671 adopted.

Clerk read Resolution #3672 adopting and authorizing an amended B.G. Transit Drug and Alcohol Testing Policy, for third reading.

Council Member Zanfardino moved, Jeffers seconded, to adopt Resolution #3672. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Resolution #3672 adopted.

Clerk read Ordinance #8609 accepting easement from Nathan M. Bernath and Emily Bernath for purposes of installing a street light at 1159 Dakota Court, for third reading.

Council Member Aspacher moved, Rowland seconded, to adopt Ordinance #8609. On roll call vote, Council Members Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and Ordinance #8609 adopted.

Clerk read Ordinance #8610 authorizing the Utilities Director to transfer the former Manville water tower properties to Habitat for Humanity, for third reading.

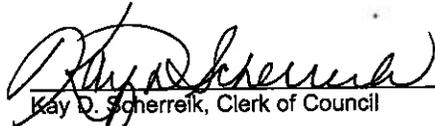
Council Member Aspacher moved, Rowland seconded, to adopt Ordinance #8610. Council Member Zanfardino commented that he has heard many positive things about this land transfer and is looking forward to working on the houses. Council President Aspacher commented that he believes this will be a great addition to the City. Council Member Jeffers indicated that the Habitat for Humanity homes will be a good fit with the City's plans to revitalize the East Side. Council Member Rowland noted that it is actions like this that show Bowling Green is a helping and caring community. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, Rowland, and Seeliger voted yes. Council President Aspacher declared motion carried, and Ordinance #8610 adopted.

Clerk read Ordinance #8611 amending and adopting Section 94.05(B) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding refuse and recycling collection, for third reading.

Council Member Gordon moved, Zanfardino seconded, to adopt Ordinance #8611. Council Member McOmber commented that he appreciated all the work that went into modifications to this section of the code making it more consistent with ADA regulations. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8611 adopted.

Council Member Seeliger expressed his congratulations on Bowling Green becoming one of Ohio's Best Hometowns noting that its projects like Habitat for Humanity that make it a great community.

Council Member Rowland moved, Seeliger seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the August 7, 2017 regular meeting of the City Council at 8:15 p.m., subject to call.


Kay D. Scherrek, Clerk of Council


Michael Aspacher, President of Council



August 7, 2017

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

Transfers requested for the month of August 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