

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

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

MONDAY, FEBRUARY 21, 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 Zanfardino moved, Rowland seconded, to approve the minutes of the regular meeting held February 5, 2017 as distributed. Council President Aspacher declared motion carried.

CORRESPONDENCE

Clerk Kay Scherrelk reported that there was no correspondence.

OFFICIAL REPORTS

Mayor Dick Edwards welcomed members of Boy Scout Troup #422 who were in attendance at this evening's meeting as part of earning their merit badge.

Mayor Edwards read and presented a Proclamation to representatives from the Sentinel Tribune honoring their 150th Anniversary of their publication.

Mayor Edwards reported that Dr. Eric Myers, Chair of the Steering Committee for The Wooster Green, (the green space located at the corner of W. Wooster and S. Church Streets) has resigned from his position on the committee. Mayor Edwards noted that Dr. Myers work on the task force was stellar and that he devoted countless hours to the process of investigating all aspects of the property. The Mayor indicated that he sees this property as integral to neighborhood development and the Community Action Plan process and to further developments to downtown Bowling Green. Mayor Edwards indicated that he would take on the chairmanship of the committee and move the project forward through the design and fund-raising processes.

Mayor Edwards also read a prepared statement regarding the proposed Nexus pipeline summarizing his views on scientific data he has gathered. A copy of the statement is attached and made a part of these minutes. The Mayor summarized his comments by indicating that the probability of any complications developing with the water treatment process and the water supply to Bowling Green in relationship to the fault and the proposed gas line is extremely low given all the points in his statement. Mayor Edwards also indicated that more information will be forthcoming and that he will continue to study the situation.

Council Member Gordon asked Mayor Edwards why there were varying opinions on the issue regarding the fault. Mayor Edwards indicated that he is unclear regarding that, but that all of the geologists involved thus far have pointed to Dr. Charles Onasch, whom he cited in his statement, as the expert.

Council President Aspacher thanked the Mayor for his statement and indicated that Council will welcome any additional information gathered by him.

Council Member Zanfardino also thanked the Mayor for the detailed report but noted that data presented on the risks of the pipeline have been mixed.

Municipal Administrator Lori Tretter reported that the City's new solar field reached its 20 megawatt maximum peak 4 of the last 5 days. Tretter also noted that there was a gas line break this morning in the vicinity of Conneaut and Lafayette, but it has since been repaired. Tretter requested an Executive Session of City Council at the end of this evening's meeting to discuss labor negotiations and a real estate matter.

Planning Director Heather Saylor thanked City Council for their participation in the Community Action Plan (CAP) open house. Saylor noted that the concept plans are currently on display on the 2nd floor and that feedback is still needed. Saylor also reported that the Good Neighbor Guide (formally known as the Code Enforcement handout) was posted on the City's website last week and are available for pickup in her office. Saylor also requested a Committee-of-the-Whole meeting for Monday, March 20, at 6:00 p.m. to hear a presentation from the Wood County Health District on the 5-year Exterior Housing Evaluation Survey results. Saylor gave a brief report regarding zoning permits and single family housing permits issued thus far indicating that numbers are up slightly over last year at this same time.

Parks and Recreation Director Kristin Otley updated Council on current and upcoming parks and recreation activities and programs.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell was not present.

Public Works Director Brian Craft that updated recycling stickers are being placed on residential recycling bins giving more information on what items are accepted at the recycling center.

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 33.18 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to salaried employees not subject to overtime pay.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator and the Utilities Director to seek qualifications and/or advertise for bids and enter into a contract or contracts for design, engineering, right-of-way acquisition, construction, and other services relating to improvements for State Route 25/64 pavement rehabilitation and utility improvements.

COUNCIL COMMITTEE REPORTS

Council Member Jeffers reported that public hearings were held earlier this evening regarding rezoning of property from B-2 to B-5 located at 510 and 516 E. Wooster Street. These ordinances (#8559 & #8660) will be voted upon later in the meeting.

LOBBY VISITATIONS

Stephanie Lauwers, addressed Council regarding her concerns about how the new refuse pickup rules affect her parents who reside at 811 W. Wooster Street. Lauwers indicated that her parents are elderly and are handicapped and that prior to the new ordinance going into effect, they were provided with container service from Public Works employees. With the new ordinance, their 200 foot driveway exceeds the 75 foot limit for container service. Lauwers requested that her parents be "grandfathered" in order for her parents to continue to receive the service. Council President Aspacher indicated that he would speak to the Municipal Administrator regarding the matter.

Lisa Kochheiser, 1045 Varsity West, thanked Mayor Edwards for his report and for taking the issue seriously. However, she indicated that the pipeline company's evaluation of the project does not identify the BG Fault and the City's water treatment plant in its plans as potential risk factors. She said that the City should be demanding a halt to the project and asked City Council to intervene in the pipeline approval process to protect the City's water.

Council Member Jeffers stated that he appreciated the information from the Mayor and from the environmentalists regarding the pipeline project, but in his view, Council does not have plans to file a motion to intervene on the project. Jeffers indicated that he feels the best course of action is to work in concert with the Mayor.

Sarah Schwiesert from BGSU addressed Council and members of the audience regarding the upcoming Dance Marathon which will be held April 8 & 9. Schwiesert indicated that there were many community fundraisers being held in conjunction with Dance Marathon and encouraged the community to get involved.

READING OF LEGISLATION

Clerk read Ordinance #8567 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 #8567 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 #8567 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8567. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and Ordinance #8567 adopted.

Clerk read Ordinance #8568 amending and adopting Section 33.18 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to salaried employees not subject to overtime pay, for first reading.

Clerk read Ordinance #8569 authorizing the Municipal Administrator and the Utilities Director to seek qualifications and/or advertise for bids and enter into a contract or contracts for design, engineering, right-of-way acquisition, construction, and other services relating to improvements for State Route 25/64 pavement rehabilitation and utility improvements, for first reading.

Clerk read Resolution #3660 authorizing the Municipal Administrator to participate in The Interlocal Purchasing System (TIPS) for the purpose of purchasing machinery, materials, supplies, or other articles and building supplies, for second reading.

Council Member McOmber moved, Jeffers seconded, to suspend the rules and give Resolution #3660 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 Resolution #3660 for third reading by number and title only.

Council Member McOmber moved, Zanfardino seconded, to adopt Resolution #3660. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Resolution #3660 adopted.

Clerk read Ordinance #8562 amending and adopting Section 33.01(G) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding salary schedule established, for second reading.

Clerk read Ordinance #8563 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 #8564 authorizing the Utilities Director to request qualifications and enter into a contract or contracts for professional services associated with a Geographic Information System (GIS) joint use pole audit, for second reading.

Clerk read Ordinance #8565 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for Water Distribution & Wastewater Collection projects, for second reading.

Clerk read Ordinance #8566 amending and adopting Section 152.20(H)(1) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding nuisance conditions prohibited, for second reading.

Clerk read Resolution #3653 authorizing the City Attorney to petition the Board of County Commissioners of Wood County, Ohio, to change township lines, for third reading.

Council Member Jeffers moved, McOmber seconded, to adopt Resolution #3653. On roll call vote, Council Members Seeliger, Zanfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and Resolution #3653 adopted.

Clerk read Resolution #3654 approving revisions to the Parks and Recreation Department Section of the Comprehensive Master Plan of the City of Bowling Green, Ohio, for third reading.

Council Member Jeffers moved, Zanfardino seconded, to adopt Resolution #3654. On roll call vote, Council Members Zanfardino, Aspacher, Gordon, Jeffers, McOmber, Rowland, and Seeliger voted yes. Council President Aspacher declared motion carried, and Resolution #3654 adopted.

Clerk read Resolution #3656 authorizing the Mayor of the City of Bowling Green, Ohio to file an annual application (plan) and execute a contract upon grant application approval under the Community Development Block Grant: Entitlement Program as authorized by the Housing and Community Development Act of 1974, as amended, for third reading.

Council Member Gordon moved, Rowland seconded, to adopt Resolution #3654. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zanfardino voted yes. Council President Aspacher declared motion carried, and Resolution #3654 adopted.

Clerk read Resolution #3657 authorizing the Mayor of the City of Bowling Green, Ohio, to file a four year capital and operating plan for the years 2017 through 2020 with the Ohio Department of Transportation for grants through the U.S. Department of Transportation, as authorized under Federal Transit Laws, as Codified, 49 USC Section 5311, Financial Assistance for Other Than Urbanized Areas, for third reading.

Council Member Gordon moved, Zanfardino seconded, to amend Resolution #3657 by substitution to change the plan years from 2017 through 2020 to 2017 through 2021. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Seeliger, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Resolution #3657 amended by substitution.

Council Member Gordon moved, Rowland seconded, to adopt Resolution #3657 as amended. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and Resolution #3657 adopted as amended.

Clerk read Ordinance #8555 authorizing an agreement between the City of Bowling Green, Ohio, and the Wood County Regional Airport Authority, for third reading.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8555. On roll call vote, Council Members McOmber, Rowland, Seeliger, Zarfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8555 adopted.

Clerk read Ordinance #8556 authorizing the Municipal Administrator and the Utilities Director to enter into a contract or contracts with specified vendors for work that may exceed \$50,000 annually for calendar year 2017. for third reading.

Council Member McOmber moved, Zarfardino seconded, to amend Ordinance #8556 by substitution to add to the list of vendors listed in the ordinance. On roll call vote, Council Members Rowland, Seeliger, Zarfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Ordinance #8556 amended by substitution.

Clerk read Ordinance #8557 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for sidewalk improvements, pavement striping, deicing salt, and improving streets, alleys, and other public ways in the City of Bowling Green, Ohio, for third reading.

Council Member McOmber moved, Gordon seconded, to adopt Ordinance #8557. On roll call vote, Council Members Zarfardino, Aspacher, Gordon, Jeffers, McOmber, Rowland, and Seeliger voted yes. Council President Aspacher declared motion carried, and Ordinance #8557 adopted.

Clerk read Ordinance #8558 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts and/or participate in State of Ohio or Federal purchasing programs for the purchase of vehicles and equipment as well as the trade-in or outright sale of vehicles and equipment being replaced and/or no longer needed for municipal purposes, and declaring an emergency, for third reading.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8558. On roll call vote, Council Members Aspacher, Gordon, Jeffers, McOmber, Rowland, Seeliger and Zarfardino voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8558. On roll call vote, Council Members Gordon, Jeffers, McOmber, Rowland, Seeliger, Zarfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8558 adopted.

Clerk read Ordinance #8559 amending the Zoning District Map of the City of Bowling Green, Ohio, for 510 East Wooster Street from B-2 General Commercial to B-5 Transitional Central Business District zoning, for third reading.

Council Member Jeffers moved, Seeliger seconded, to adopt Ordinance #8559. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zarfardino, Aspacher, and Gordon voted yes. Council President Aspacher declared motion carried, and Ordinance #8559 adopted.

Clerk read Ordinance #8560 amending the Zoning District Map of the City of Bowling Green, Ohio, for 518 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 #8560. On roll call vote, Council Members McOmber, Rowland, Seeliger, Zarfardino, Aspacher, Gordon, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8560 adopted.

Council President Aspacher moved, Rowland seconded, to move Council into Executive Session at 8:24 p.m. for the purpose of discussing labor negotiations and a real estate matter. On roll call vote, Council Members Rowland, Seeliger, Zarfardino, Aspacher, Gordon, Jeffers, and McOmber voted yes.

Council Member Rowland moved, McOmber seconded, to move Council out of Executive Session at 9:15 p.m. On roll call vote, Council Members Seeliger, Zarfardino, Aspacher, Gordon, Jeffers, McOmber, and Rowland voted yes.

Council Member Rowland moved, Gordon seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the February 21, 2017 regular meeting of the City Council at 9:16 p.m., subject to call.


Kay D. Scherrek, Clerk of Council


Michael Aspacher, President of Council

Statement by Bowling Green Mayor Richard A. Edwards

To: The Bowling Green City Council

February 21, 2017

At the last meeting of City Council on February 6th and in previous sessions of Council, statements and allegations were made during Lobby Visitations about the proposed NEXUS Natural Gas Pipeline Project, its proximity to the BG Fault Line and the interrelated possible harmful effects to the nearby Bowling Green Water Treatment Plant along the Maumee River.

I have taken these factual statements and combined allegations under review.

As you know, in late January, I directed letters of concern to our elected representatives in Washington -- Congressman Robert Latta and U.S. Senators Rob Portman and Sherrod Brown. I have received acknowledgements from Representative Latta and Senator Brown and assurances that they have sent my letter of inquiry and request for assistance to FERC. I also directed a letter of concern to NEXUS and on February 10, I received a response outlining the various steps of environmental review.

While I am eager to receive more detailed reports from a Washington perspective, I have been pursuing my own line of inquiry given my background and my commitment to adhere to good science and not unsubstantiated political statements, although well intentioned and sincere.

Although I am not a scientist, I have had the good fortune to work closely with any number of outstanding scientists in my administrative and teaching life at four large public universities and in my role as Special Assistant to the Director of the National Science Foundation (and here I am referring to the late Dr. W.D. McElroy, the eminent microbiologist from Johns Hopkins University) and in my association with the late Member of Congress, Charles A. Mosher of Oberlin and Oberlin College, and his work with the original Committee on Science and Astronautics. In short, I take science very seriously.

In this review process, I have reached out among others to Dr. Charles Onasch, Professor Emeritus of Geology at BGSU, a researcher who has probably studied the BG Fault more than anyone else on record. I have also reached out to Larry Wickstrom, President of Wickstrom Geoscience of Worthington, OH and a nationally prominent geologist. Mr. Wickstrom is the former Chief of the Ohio Division of the Ohio Geological Survey. In that important role he warned of some of the potential dangers associated with "fracking" in Southeastern Ohio and as a result lost his job.

Also I have reached out to another well respected geologist, Mark Baranoski, who recently retired from the Ohio Geological Survey and we have agreed to talk later this week.

In short, I am pursuing a number of lines of inquiry based on science and therefore this report should be considered incomplete pending the receipt of more scientific data.

I can, however, report the following facts:

- The BG Fault is at least as old as 450 million years.**

- The most recent activity on the fault can be no younger than the 10,000 to 20,000 year old glacial sediments that are undisturbed by the fault.
- The BG Fault Line is some 700 feet from the NE edge of the reservoir adjacent to the Water Treatment Plant and extends from the surface, where it is exposed in the bed of the Maumee River, to a depth of several thousand feet. Except in the river, the fault is covered by glacial sediments.
- The BG Fault Line is part of an extensive fault network in Ohio and is even located outside the BG city limits on the west side in the Sand Ridge Rd. area.
- There is an extensive networking of pipelines crossing or intersecting with the various fault lines including the fault line in our immediate area and there have been no reportable complications or difficulties.
- Interestingly, the high-pressure gas transmission line along Mercer Rd. in BG was installed in the early 1950's. The pipeline provides natural gas for most of the city, BGSU and the gas turbine generators on the north edge of the city and is carefully monitored. (Research shows that pipelines are the safest method for transporting natural gas.)
- In its entire history dating back to the early 1960's, the BG Water Treatment has never experienced any difficulties related to the BG Fault. The Water Treatment Plant is carefully and systematically checked and regulated by the Ohio EPA. The city has invested heavily in the reverse osmosis process (membrane treatment) and will soon be enhancing and upgrading that process.
- Today a water line connecting the Water Treatment Plant to the City of Waterville will be officially activated. Waterville constructed a water line from the Water Treatment Plant under the Maumee River without any difficulties or impediments.
- The Ohio Geological Survey has identified all of the karst (natural sinkhole areas) areas in Ohio but unlike my home area of Bellevue where Sandusky, Huron, Seneca and Erie Counties intersect, there are no probable karst areas in Wood County.
- In summary, the probability of any complications developing with the water treatment process and the water supply to BG in relationship to the Fault and the proposed gas line is extremely low given all of the foregoing points. The probability will never be zero (Dr. Onasch). As another geologist expressed, if we were having this conversation about some areas in SE Ohio or in some other parts of the U.S., the discussion and the probability factor might be quite different.

More information will be forthcoming.

Mr. President and members of Council, this concludes my report unless you have questions for me. Thank you!

OHIO KARST AREAS



EXPLANATION

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| | Silurian- and Devonian-age carbonate bedrock overlain by less than 20 feet of glacial drift and/or alluvium | | Probable karst areas |
| | Silurian- and Devonian-age carbonate bedrock overlain by more than 20 feet of glacial drift and/or alluvium | | Area not known to contain karst features |
| | Interbedded Ordovician-age limestone and shale overlain by less than 20 feet of glacial drift and/or alluvium | | Wisconsinan Glacial Margin |
| | Interbedded Ordovician-age limestone and shale overlain by more than 20 feet of glacial drift and/or alluvium | | Illinoian Glacial Margin |

Recommended citation: Ohio Division of Geological Survey, 1999 (rev. 2002, 2006), Known and probable karst in Ohio: Ohio Department of Natural Resources, Division of Geological Survey Map EG-1, generalized page-size version with text, 2 p., scale 1:2,000,000.

