

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

Minutes of

Meeting

BEAR GRAPHICS 800-326-8084 FORM NO. 10148

**MONDAY, JULY 17, 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, Jeffers, McOmber, Rowland, Seeliger and Zanfardino responded. Council Member Gordon was not present. 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 Jeffers moved, Rowland seconded, to approve the minutes of the regular meeting held March 6, 2017 as distributed. Council President Aspacher declared motion carried.

**CORRESPONDENCE**

Clerk Kay Scherreik noted that a listing of budget transfers for the month of July was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Rowland moved, Seeliger 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 copies of the Budget Summary Report for the month of June, 2017 was distributed to Council prior to this evening's meeting.

**SPECIAL RECOGNITIONS – MAYOR EDWARDS**

There no special recognitions in this evening's meeting.

**LOBBY VISITATIONS**

Brad Holmes, 327A E. Evers Avenue, noted that he is a BGSU student and president of the Environmental Action Group on campus. He stated that he is involved in an effort to gather signatures for a ballot initiative that would put a related Charter amendment on the ballot in November. He indicated that the language of the proposed Charter amendment includes the right to be free from new infrastructure for fossil fuel transportation within the City or on City property except for infrastructure to transport fossil fuels to end-users within Wood County. He further urged City Council to file a motion to intervene in the proposed Nexus pipeline matter.

Jennifer Karches, 407 N. Main Street, also addressed City Council asking if the City was planning to file a motion to intervene with FERC. Council Member Aspacher responded that it is still an ongoing discussion and that options are being reviewed.

Neocles Leontis, 119 N. Summit Street, suggested to City Council that a different route be taken regarding the proposed Nexus pipeline by asking the Ohio EPA to withhold approval of a water quality certification and isolated wetlands permit unless the pipeline is rerouted.

Council Member Zanfardino questioned whether it was possible to file a motion to intervene as a single action and if it would give more legal recourse if some catastrophic incident happens in the future.

City Attorney Michael Marsh responded that it's not possible to intervene in a case and then leave. He indicated that if the City is involved, then they are involved till its conclusion. Filing a motion intervene indicates that the City wants to join the case and is a significant financial commitment that could be between \$150,000 to \$250,000 for the City. Marsh indicated that he did not have that money in his budget. Marsh also noted that the law firm that he spoke with is willing to put a letter together compiling the City's previous arguments at a cost of \$10,000-\$15,000.

**OFFICIAL REPORTS**

Mayor Dick Edwards presented a proclamation to the Chair of the Parks & Recreation Board, Jeff Crawford, proclaiming the month of July "Parks & Recreation Month" in the City of Bowling Green.

Mayor Edwards also welcomed three of the Mandela Washington Fellowship of African leaders to this evening's Council meeting.

Mayor Edwards noted in response to those lobby visitors asking the City to file a motion to intervene in the Nexus pipeline matter that filing the motion itself is not expensive, it's the actions that follow. He noted that he has been in communication with the Mayor of the City of Green and was told that they have earmarked \$150,000 for basic legal fees for their involvement in the pipeline. In response to Neocles suggestion to contract the Ohio EPA, Mayor Edwards noted that he has tried to contract the director of the Ohio EPA, but has not received any response and efforts to reach the local EPA office have also come up empty. Mayor Edwards indicated that he is not giving up on the matter and is looking to Senators Brown and Portman for assistance and also Ohio Senator Randy Gardner.

Municipal Administrator Lori Tretter reported that the golf cart inspection process is set to begin. Tretter noted that the recently enacted legislation takes effect on July 19 that allows golf carts to be operated on roadways with a speed limit of 25 mph or lower with the exception of Main and Wooster Streets. The golf carts must be registered and inspected. Two inspection events are scheduled to take place in the City. The first one will be held in the parking lot of Stone Ridge Golf Course on July 29 from 8 a.m. until noon. The second event will be held in the parking lot of the Bowling Green Country Club on August 5 from noon until 4 p.m.

Planning Director Heather Saylor reported that a draft of the Community Action Plan (CAP) will be available soon and a meeting has been scheduled for September 12 from 5-7 p.m. at the Wood County Library for its premier. Saylor also noted that the issuance of permits is running slightly higher versus last year at 217 vs. 192 and that there have been 20 single family housing starts this year versus 18 at this time last year.

Parks and Recreation Director Kristin Otley reported that there will be no Bicycle Safety Commission meeting held in the month of July.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell noted that he had the honor of taking the Mandela Washington Fellowship of African Leaders on a tour of the City's water plant and hopes to take them on a tour of the wastewater treatment plant later this week.

Public Works Director Brian Craft updated Council on current and upcoming Public Works projects and noted that the annual salt contract was awarded at a price of \$34.44/ton which is down approximately \$5/ton over last year's price.

**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 authorizing the Municipal Administrator to sign a contract with the Bowling Green Municipal Employees Association, and declaring an emergency.

Council Member Rowland, for the Parks and Recreation Committee, introduced an ordinance 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.

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

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 Mosser Construction, Inc. to provide incentives available for project development in the Bowling Green Community Reinvestment Area Number 6.

#### COUNCIL COMMITTEE REPORTS

Council Member Jeffers reported that a public hearing was held earlier this evening regarding three proposed annexations and the applicable interim zoning for each property and no detrimental information was heard.

#### READING OF LEGISLATION

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 first reading.

Clerk read Ordinance #8612 authorizing the Municipal Administrator to sign a contract with the Bowling Green Municipal Employees Association, and declaring an emergency, for first reading.

Council Member McOmber moved, Jeffers seconded, to suspend the rules and give Ordinance #8612 its second and third reading. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8612 for second and third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt the emergency clause for Ordinance #8612. On roll call vote, Council Members McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Jeffers voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Jeffers seconded, to adopt Ordinance #8612. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Ordinance #8612 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 first reading.

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 first reading.

Council Member Jeffers announced that a public hearing will be held regarding Ordinance #8614 on Monday, April 20, 2015, at 6:00 p.m. in the Council Chamber.

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 second reading.

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

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

Clerk read Ordinance #8606 for cleaning of streets by special assessment, for second reading.

Council Member McOmber moved, Rowland seconded, to suspend the rules and give Ordinance #8606 its third reading. On roll call vote, Council Members Seeliger, Zanfardino, Aspacher, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8606 for third reading by number and title only.

Council Member McOmber moved, Rowland seconded, to adopt Ordinance #8606. On roll call vote, Council Members Zanfardino, Aspacher, Jeffers, McOmber, Rowland, and Seeliger voted yes. Council President Aspacher declared motion carried, and Ordinance #8606 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 second reading.

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

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 second reading.

Clerk read Resolution #3668 adopting the Estimate of Revenues for the year 2018, for third reading.

Council Member McOmber moved, Seeliger seconded, to adopt Resolution #3668. On roll call vote, Council Members Aspacher, Jeffers, McOmber, Rowland, Seeliger and Zanfardino voted yes. Council President Aspacher declared motion carried, and Resolution #3668 adopted.

Clerk read Ordinance #8596 accepting annexation of approximately 60.102 acres of land in Center Township, Wood County, Ohio, from R J Carpenter Family Limited Partnership, petitioners, for third reading.

Council Member Jeffers moved, Zanfardino seconded, to adopt Ordinance #8596. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8596 adopted.

Clerk read Ordinance #8597 accepting annexation of approximately 43.03 acres of land in Center Township, Wood County, Ohio, from Susan J. Ragan, Trustee of Harold F. Miller Living Trust, petitioner, for third reading.

Council Member Jeffers moved, Rowland seconded, to adopt Ordinance #8597. On roll call vote, Council Members McOmber, Rowland, Seeliger, Zanfardino, Aspacher, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8597 adopted.

Clerk read Ordinance #8598 accepting annexation of approximately 0.50 acres of land in Plain Township, Wood County, Ohio, from Sandra K. Miller, petitioner, for third reading.

Council Member Jeffers moved, Seeliger seconded, to adopt Ordinance #8598. On roll call vote, Council Members Rowland, Seeliger, Zanfardino, Aspacher, Jeffers, and McOmber voted yes. Council President Aspacher declared motion carried, and Ordinance #8598 adopted.

Clerk read Ordinance #8599 establishing interim zoning of M-3 Business Park zoning for the property recently annexed to the City located on E. Wooster Street as petitioned for by R J Carpenter Family Limited Partnership, for third reading.

Council Member Jeffers moved, Seeliger seconded, to adopt Ordinance #8599. On roll call vote, Council Members Seeliger, Zanfardino, Aspacher, Jeffers, McOmber, and Rowland voted yes. Council President Aspacher declared motion carried, and Ordinance #8599 adopted.

Clerk read Ordinance #8600 establishing interim zoning of M-3 Business Park zoning for the property recently annexed to the City located on E. Poe Road as petitioned for by Susan J. Ragan, Trustee of Harold F. Miller Living Trust, for third reading.

Council Member Jeffers moved, McOmber seconded, to adopt Ordinance #8600. On roll call vote, Council Members Zanfardino, Aspacher, Jeffers, McOmber, Rowland, and Seeliger voted yes. Council President Aspacher declared motion carried, and Ordinance #8600 adopted.

Clerk read Ordinance #8601 establishing interim zoning of R-2 Single Family Residential zoning for the property located at 16471 Brim Road and recently annexed to the City as petitioned for by Sandra K. Miller, for third reading.

Council Member Jeffers moved, Rowland seconded, to adopt Ordinance #8601. On roll call vote, Council Members Aspacher, Jeffers, McOmber, Rowland, Seeliger and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8601 adopted.

Clerk read Ordinance #8602 accepting a utility easement from Bowling Green Lodge, LLC, for third reading.

Council Member Aspacher moved, Jeffers seconded, to adopt Ordinance #8602. On roll call vote, Council Members Jeffers, McOmber, Rowland, Seeliger, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8602 adopted.

Council Member Zanfardino moved, Jeffers seconded, to excuse Council Member Gordon from this evening's meeting. On unanimous voice vote, Council President Aspacher declared motion carried.

Council Member Zanfardino moved, Seeliger seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the July 17, 2017 regular meeting of the City Council at 8:28 p.m., subject to call.



Kay D. Scherreik, Clerk of Council



Michael Aspacher, President of Council



July 17, 2017

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

Transfers requested for the month of July 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
<b>Total</b>				<b>\$ 380,348.58</b>	<b>\$ 380,348.58</b>