

RECORD OF PROCEEDINGS  
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

BEAR GRAPHICS 800-325-8084 FORM NO. 10148

Held

MONDAY, JUNE 17, 2019

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

Council Member Zanfardino moved, Rowland seconded, to approve the minutes of the regular meeting held June 3, 2019 as distributed. On unanimous voice vote, Council President Aspacher declared motion carried.

**CORRESPONDENCE**

Clerk of Council Katy Scherreik read a listing of appointments to City Boards and Commissions as submitted by Mayor Edwards for confirmation by City Council. The listing is as follows:

**New Appointments**

<b>Wood County Board of Health</b>	Robert Midden	2/28/2023
<b>Transportation Advisory Committee</b>	Jason Miller	5/31/2020
<b>Wood County Transportation Improvement District</b>	Megan Newlove	5/31/2021
	Mike Rywalski	5/31/2021
	Mike Trinity	5/31/2021

Council Member Herald moved, Rowland seconded, to confirm the appointments as requested by the Mayor. On unanimous voice vote, Council President Aspacher declared motion carried.

Clerk also noted that copies of the Financial Budget Summary report for the month of May were distributed to City Council prior to the meeting.

**SPECIAL RECOGNITIONS – MAYOR EDWARDS**

Mayor Dick Edwards asked Mary Jane Saunders, chair of the Human Relations Commission and other members of the Commission to come forward for a presentation. Saunders introduced Ellie Boyle, member of the Human Relations Commission, who presented the quarterly Honor Roll Award to the Firefly Nights Committee for their outstanding work on recurring successful community events.

**LOBBY VISITATIONS**

Nathan Eberly, 907 Sand Ridge Road, addressed City Council regarding the proposed ban on single use plastic bags. He indicated that he was not there to defend plastic bags or say that the ban should not move forward. He wished to make two points. The first point was whether this was impactful legislation and has a positive response for all involved; and the second point was regarding the Chamber of Commerce poll that was taken of downtown business owners. Eberly expressed his concern that prohibition on bags would drive up the price of other bag materials. He also expressed his concern over Council's response to the Chamber's survey. Eberly said that the Chamber is a major stakeholder in the community and when the survey came out indicating an overwhelming support for putting the issue before the voters, he felt that Council was being dismissive rather than understanding what the Chamber's businesses were saying.

Mary Hinkleman, Director of the BG Chamber of Commerce, thanked Council President Aspacher for addressing the Chamber's Governmental Affairs team regarding HB 6. She also indicated that she is aware that the results of the Chamber's survey regarding the plastic bag ban was presented at the Committee-of-the-Whole meeting last Monday. She apologized for not being able to be present at that meeting. She indicated her regret that the voice of the businesses did not impact the decision to put the issue to a vote of the people. She noted that 74 of the 94 individuals indicated that they wanted the issue to go to the ballot. Hinkleman stated that it is the mission of the Chamber to support an environment for the success of businesses of the Bowling Green area, and will continue to provide Council with input. Hinkleman also reminded Council Members and citizens of the several upcoming opportunities to support the community fireworks fundraising events.

Tony Vetter, Director of Downtown BG, stated that as an organization representing downtown businesses, they feel it would be better to have this proposed plastic bag ban as an issue on the ballot so that there is an opportunity for equal voice for all. He indicated that they are not for or against the ban, but the community as a whole would have the opportunity to vote.

Council Member Herald commented that he is confident that Council did take into consideration the results of the survey because there are currently four that are against putting it on the ballot and feels that that is evidence that the survey was taken into account. He respects that the four who do not want to put it on the ballot and feel that it is their job to make these types of decisions. He indicated that as one of the three who supports putting the issue on the ballot, he believes Council's role would be best served by coming up with the very best legislation possible and then place it before the voters to decide. That way there would be time for community discussion and educational opportunities leading up to the vote.

### **NEW LEGISLATION**

The following new legislation was recommended by the Administration and presented to Council for introduction:

Council Member Robinette, for the Planning, Zoning & Economic Development Committee, introduced an ordinance amending the Zoning District Map of the City of Bowling Green, Ohio, for property generally known as 140 South Grove Street from S-3 Planned Institutional and R-2 Single Family Residential to I-1 Institutional zoning.

Council Member Jeffers, for the Finance Committee, introduced an ordinance for cleaning of streets by special assessment.

Council Member Jeffers, 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, 2019 and ending December 31, 2019.

Council President Aspacher, for the Committee-of-the-Whole, introduced an ordinance amending and adopting Section 94.28 regarding Litter; Notice to Remove; Failure to Comply, and Sections 152.20, 152.21, 152.24 and 152.99 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding Nuisances and Unsafe Premises.

Council Member Zanfardino, for the Transportation and Safety Committee, introduced an ordinance amending and adopting Section 30.115 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding the Sidewalk Commission.

### **OFFICIAL REPORTS**

Mayor Edwards thanked City Council for confirmation of appointments to City Boards and Commissions. He also thanked Council President Aspacher and Council Member Zanfardino for filling in for him at events while he was on vacation. Edwards noted that there was a citizen action group holding an event this afternoon at the Wooster Green regarding House Bill 6. He also noted that he, along with Municipal Administrator Lori Tretter and Utilities Director Brian O'Connell, had a with Representative Ghanbari regarding HB6 and the financial impacts on the City. The Mayor also indicated that he will

be meeting with Senator Theresa Gavarone, as well as other Mayors, to have another conversation regarding HB6 and changes that might be made while the bill is before the Senate.

Council Member Herald thanked the Mayor for bringing his many years of experience and staying on top of this issue on behalf of the City.

Municipal Administrator Lori Tretter noted that as we move into the festival season in the downtown area, the contractors doing the construction work have been made aware of upcoming community events such as the Firefly Nights and the Black Swamp Arts Festival. Tretter indicated that while the construction will not be completed, the contractors know to "button up" the area so there are no open holes or obstacles in the downtown area. Tretter also indicated that due to weather constraints, the project is behind schedule. Tretter also reminded citizens of the community fireworks display that is scheduled for July 3 at dusk. In response to an inquiry by Council Member Hollenbaugh regarding a completion date, Tretter said that she did not want to give a specific date for completion, but indicated that there is still several more months of construction ahead which means it will be completed after the Black Swamp Arts Festival. Council President Aspacher asked if Phase 1 of the project is still on schedule and if not, are there any plans for the contractors to work overtime to get back on schedule. He also asked if there were provisions for damages if the contractor does not meet the deadline. Tretter responded that there are provisions in the contract for delays caused by weather and at this point she is aware that some extensions have been granted. She also said there is a liquidated damages portion in the City's contract and she believes the City has moved into that portion of the contract. Tretter said that she would provide specific details at the next meeting.

Planning Director Heather Saylor reported that the Historic Preservation Commission will be meeting on Friday, June 28, at 10:00 a.m. at the Wood County Courthouse. Also, Not In Our Town will be holding a multi-faith summer celebration at City Park on August 4. More details will be forthcoming.

Parks and Recreation Director Kristin Otley had no report.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell had no report.

Council Member Jeffers asked if the passage of HB 6 would have an effect on the cost of the City's existing solar fields. O'Connell responded that yes it would, however, the biggest impact will be on the City's participation in the hydro projects.

Public Works Director Brian Craft was not present.

### COUNCIL COMMITTEE REPORTS

Council Member Robinette, for the Planning, Zoning & Economic Development Committee, read from a report of recommendations from the June 3<sup>rd</sup> committee meeting regarding implementation of the recommendations in the East Wooster Street – Strategy for Redevelopment report dated February 2019. A copy of the report is attached to and made a part of these minutes.

Council President Aspacher commented that the report is consistent with the first steps in the white paper report and from his perspective these are good initial steps and provides some focus for the Administration. Aspacher noted that the Committee is seeking the endorsement of the full Council on these recommendations. Council Member Jeffers asked Municipal Administrator Lori Tretter about how much work does this list look like for the Administration. Tretter indicated that having priorities does help the Administration focus and be in alignment with where Council wants the City to be. After discussion, there was a consensus of all of City Council to accept the recommendations as presented by the Planning, Zoning & Economic Development Committee and forward them to the Administration for further action. Robinette announced that the Planning, Zoning & Economic Development Committee will meet again regarding these recommendations on July 15, 2019 at 6:00 p.m. in the Council Chamber. Council Member Herald asked if there would be opportunity for public input at that meeting. Aspacher responded that there has been ample time for public input through the committee process and also at the previously held Committee-of-the-Whole meeting last week, but he will consider it. Herald also asked that in light of comments heard tonight, would it be possible

to briefly revisit the option of putting the issue on the ballot in November. Aspacher indicated that he will defer to the rest of Council on that, however, his position is that Council already had a very thorough discussion about it and has far as he is concerned the decision has been made. He will defer to Council and asked them to let him know if they want to revisit the issue.

Robinette also noted that a public hearing was held earlier this evening regarding Ordinance #8771 and that no detrimental information was heard at that time regarding this rezoning request.

Council President Aspacher announced that there would be a Committee-of-the-Whole meeting on Monday, June 24, 2019, at 6:00 p.m. in the Council Chamber to continue discussions regarding the proposed plastic bag ban and the proposed sustainability commission.

Council Member Zanfardino reminded Council Members of the Transportation and Safety Committee meeting scheduled for July 1 at 6:00 p.m. in the Council Chamber to discuss the report from the Bicycle Safety Commission. Zanfardino indicated that he would forward copies of the report to Council Members.

### READING OF LEGISLATION

Clerk read Ordinance #8777 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2019 and ending December 31, 2019, for first reading.

Council Member Jeffers moved, Rowland seconded, to suspend the rules and give Ordinance #8777 its second and third reading. On roll call vote, Council Members Herald, Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8777 for second and third reading by number and title only.

Council Member Jeffers moved, Rowland seconded, to adopt Ordinance #8777. On roll call vote, Council Members Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, Aspacher, and Herald voted yes. Council President Aspacher declared motion carried, and Ordinance #8777 adopted.

Clerk read Ordinance #8778 for cleaning of streets by special assessment, for first reading.

Clerk read Ordinance #8779 amending the Zoning District Map of the City of Bowling Green, Ohio, for property generally known as 140 South Grove Street from S-3 Planned Institutional and R-2 Single Family Residential to I-1 Institutional zoning, for first reading. Council Member Robinette noted that a public hearing for this ordinance will be held on Monday, August 5, 2019, at 6:45 p.m. in the Council Chamber.

Clerk read Ordinance #8780 amending and adopting Section 30.115 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding the Sidewalk Commission, for first reading

Clerk read Ordinance #8781 amending and adopting Section 94.28 regarding Litter; Notice to Remove; Failure to Comply, and Sections 152.20, 152.21, 152.24 and 152.99 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding Nuisances and Unsafe Premises, for first reading.

Clerk read Resolution #3733 adopting the Estimate of Revenues for the year 2020, for second reading.

Clerk read Resolution #3735 authorizing the City of Bowling Green to participate in the Local Park Improvement Grant Program and to file an application and accept grant funding upon grant application approval, for second reading.

Clerk read Resolution #3730 authorizing the Mayor of the City of Bowling Green, Ohio, to file an application and enter into an agreement with the Ohio Department of Natural Resources for the purpose of acquiring financial assistance from the NatureWorks Program, for third reading.

Council Member Rowland moved, Herald seconded, to adopt Resolution #3730. On roll call vote, Council Members Jeffers, Robinette, Rowland, Zanfardino, Aspacher, Herald, and Hollenbaugh voted yes. Council President Aspacher declared motion carried, and Resolution #3730 adopted.

Clerk read Resolution #3731 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 executing a contract/grant for the FY 2020 Ohio Elderly and Disabled Transit Fare Assistance Program, and 5339 and/or 5311 funding for capital and/or operating assistance, and executing a contract with the Ohio Department of Transportation upon grant proposal(s) and/or application(s) approval, for third reading.

Council Member Zanfardino moved, Jeffers seconded, to adopt Resolution #3731. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, and Jeffers voted yes. Council President Aspacher declared motion carried, and Resolution #3731 adopted.

Clerk read Ordinance #8775 levying a \$5.00 motor vehicle license tax as authorized by Ohio Revised Code, for third reading.

Council Member Jeffers moved, Rowland seconded, to amend Ordinance #8775 by substitution to add the emergency clause. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, Jeffers, and Robinette voted yes. Council President Aspacher declared motion carried, and Ordinance #8775 amended by substitution.

Council Member Jeffers moved, Rowland seconded, to adopt the emergency clause for Ordinance #8775 as amended. On roll call vote, Council Members Zanfardino, Aspacher, Herald, Hollenbaugh, Jeffers, Robinette, and Rowland voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Council Member Jeffers moved, Zanfardino seconded, to adopt Ordinance #8775 as amended. Council Member Robinette commented that he always gives great consideration to enacting taxes, and believes that City government must raise and spend money on infrastructure and roadways. However, he does not know that this is necessary right now. He indicated that during the 2020 budgeting process, Council will have the opportunity to consider additional funds from the State's increased fuel tax. He indicated that he feels it would be better to go through that budgeting process in 2020 before imposing a new tax on the citizens at this time since it will be available in the future should Council decide to enact it. Aspacher responded that he's not as sure that it will be available in the future as the state legislative does not seem to be always supportive of the local governments and its efforts to improve infrastructure. He feels that this is a good move for the City in response to what has been heard from citizens regarding the City's current condition of its infrastructure. Council Member Jeffers also said that it's been evident over the last few years that the City is not able to keep up with the decay of its streets and the required maintenance. He stated that this money will go directly into street repairs and feels that that is really needed at this time. Council Member Rowland agreed with comments made by Jeffers indicating that this motor vehicle license tax was put in effect to allow City's to enact it specifically for infrastructure improvements. Council Member Herald indicated that he fully understands Robinette's position and his hesitancy to increase taxes on citizens. He indicated that his interaction with citizens is primarily about the condition of the City's roadways. He said that this tax is targeted and not onerous and feels that the citizens would support it. On roll call vote, Council Members Aspacher, Herald, Hollenbaugh, Jeffers, Rowland, and Zanfardino voted yes. Council Member Robinette voted no. Council President Aspacher declared motion carried, and Ordinance #8775 adopted.

Clerk read Ordinance #8776 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts to replace the ATAD tank covers at the Water Pollution Control facility, for third reading.

Council President Aspacher moved, Herald seconded, to adopt Ordinance #8776. On roll call vote, Council Members Herald, Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8776 adopted.

Clerk noted that Ordinance #8771 amending the Zoning District Map of the City of Bowling Green for property generally known as 525 Ridge Street from B-1 Limited Commercial to R-5 University Related Residential zoning comes off the table automatically.

Council Member Robinette moved, Jeffers seconded, to adopt Ordinance #8771. On roll call vote, Council Members Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, Aspacher, and Herald voted yes. Council President Aspacher declared motion carried, and Ordinance #8771 adopted.

Council Member Herald moved, Robinette seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the June 17, 2019 regular meeting of the City Council at 8:06 p.m., subject to call.

  
\_\_\_\_\_  
Kay D. Scherrek, Clerk of Council

  
\_\_\_\_\_  
Michael Aspacher, President of Council

## Planning, Zoning, and Economic Development Committee

### Recommendations from the 3 June 2019 Meeting re. Implementation of the Recommendations in the East Wooster Street – Strategy for Redevelopment document dated February 2019

President Aspacher:

On 3 June 2019, the Planning, Zoning, and Economic Development Committee met to review the implementation recommendations in the East Wooster Street – Strategy for Redevelopment document dated February 2019.

After considering the document and the recommendations therein, the Planning, Zoning, and Economic Development Committee unanimously recommends the following implementation recommendations for action:

1. Move forward on a catalytic project to develop upscale, high-quality housing at the northwest corner of E. Wooster and Thurstin.
2. Develop a mechanism for on-going dialogue between the City of Bowling Green, Wood County Hospital, and BGSU on the creation and development of the proposed Eds, Meds & Beds district.
3. Create a framework for a stakeholder group to make specific recommendations for the features desired for the proposed Walkable Hospitality district.
4. Pursue public art. Create a framework for the various artistic groups in BG to meet periodically to recommend a public art program that includes all forms or artistic expression and builds on all the current artistic events, performances, shows, displays, etc., in BG.
5. Charge the Planning, Zoning, and Economic Development Committee with the task of developing and initiating the detailed implementation plan for the implementation recommendations selected for action.

Upon approval of the full council, the Planning, Zoning, and Economic Development Committee will reconvene to develop and initiate the detailed implementation plan.

Sincerely,



Greg Robinette

Chairperson

Planning, Zoning, and Economic Development Committee