

RECORD OF PROCEEDINGS  
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

MONDAY, JULY 15, 2019

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, Herald, Hollenbaugh, Jeffers, Robinette, Rowland, and Zanfardino were 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, and Parks and Recreation Director Kristin Otley. Planning Director Heather Saylor was not present.

**SPECIAL RECOGNITIONS – MAYOR EDWARDS**

Mayor Richard Edwards and Deputy Chief Aaron Baer performed the swearing-in of Ronald Closson and Nathan Espinoza who were recently promoted to Lieutenant in the Fire Division.

Council Member Rowland moved, Robinette seconded, to approve the minutes of the regular meeting held July 1, 2019 as distributed. On unanimous voice vote, Council President Aspacher declared motion carried.

**CORRESPONDENCE**

There was no correspondence.

**LOBBY VISITATIONS**

Joe DeMare, 517 S. Main Street, addressed City Council regarding the proposed legislation for a ban on plastic bags. DeMare indicated that he has been made aware of that some stores will utilize a slightly thicker plastic bag in order to not be in violation of the ordinance, which has a net effect of more plastic going into the environment. He also noted that the Council may want to consider specifying in the legislation that the ban is on petroleum based plastic bags in order to allow the possibility of using plant based plastic bags.

**NEW LEGISLATION**

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

Council Member Jeffers, for the Finance Committee, introduced a resolution transferring previously appropriated funds.

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 Member Hollenbaugh, for the Community Improvement Committee, introduced an ordinance creating and adopting Section 30.103 of the Codified Ordinances of the City of Bowling Green, Ohio, establishing a Sustainability Board.

Council Member Hollenbaugh, for the Community Improvement Committee, introduced an ordinance creating and adopting Chapter 121 of the Codified Ordinances of the City of Bowling Green, Ohio, prohibiting single-use, carryout, thin plastic bags and amending Section 35.70 regarding City fees and fees charged for services.

**OFFICIAL REPORTS**

Mayor Edwards noted that he, along with Municipal Administrator Lori Tretter and Council President Aspacher, visited the employees at the Public Works Division this morning to thank them for their excellent work after the recent storm that went through Bowling Green. Mayor Edwards indicated that they also plan to visit the Electric Division tomorrow for the same reason.

Edwards stated that House Bill 6 was voted out of committee today and included the amendments that will help Bowling Green. The Senate will vote on Wednesday and then it will go on to Conference Committee of the House and the Senate.

Mayor Edwards noted that he and Planning Director Heather Saylor will be attending the Town and Gown Summit in Kent, Ohio, on Thursday and Friday of this week.

In reference to the proposed legislation on Council's agenda this evening for first reading regarding the establishment of a Sustainability Commission, Mayor Edwards indicated that he wanted to join along with Municipal Administrator Lori Tretter and asked Council to table the ordinance after it is given first reading and follow the course of action recommended Tretter. He expressed his appreciation for all the time and effort that went into the development of the legislation and realizes that a Sustainability Board may be the best option in the long run, but in the short term, he said that the creation of a Sustainability Advisory Committee makes more sense. Edwards explained that the purpose would be to develop a strategic plan, analyze citizen engagement, and determine what the community wants and needs. The advisory committee would then make a recommendation of how best to achieve the goals of the strategic plan and whether or not to continue as an advisory committee or form a board or commission. The Mayor outlined the makeup of the advisory committee and indicated that the committee would be tasked to make its recommendation to City Council by September 2020.

Municipal Administrator Lori Tretter announced that the City's Sustainability Coordinator, Amanda Gamby, has been notified that she is the recipient of the Solid Waste Association of North America's (SWANA) non-member recognition award given to a solid waste professional government agency or non-profit organization individual who has shown worthy achievements and or highly significant contributions to the management of solid waste in Ohio. She will receive the award in September.

Tretter announced that there has been a change to the location for the July and August Firefly Nights festival due to the construction issues on Main Street. The location has been changed to Church Street and the Wooster Green. Tretter reviewed logistics and street closures for the event.

In anticipation of the return of the University students, Tretter distributed to Council a brochure that was developed in conjunction with Student Legal Services regarding landlord/tenant relations that will be made available to incoming students. Tretter also noted that the City has partnered with the Wood County Health Department to create a flyer to distribute to students so that they will know where to go to for help with housing code violations. Tretter further noted that the Mayor and University President Rogers are planning their annual walk through student neighborhoods on Friday, August 23.

Council Member Rowland stated that the City is fortunate to have Amanda Gamby on staff as the Sustainability Coordinator noting that she has had opportunity to learn from Amanda regarding recycling efforts. Rowland also indicated that she had the opportunity to tour the landfill with Amanda and encouraged other Council Members to do the same. Tretter indicated that she will get back with Council with possible dates for a tour.

Council President Aspacher expressed his thanks to Lori Tretter and Joe Fawcett for their work in putting together the landlord/tenant brochure. Aspacher indicated that this is something that has been talked about for a while in an effort to address neighborhood and quality of life issues and was initiated with discussions of revisions to the City's nuisance property ordinances. Aspacher noted that legislation making those changes is being given third reading this evening. He stated that all of these things combined are going to make a difference in the neighborhoods.

Council Member Zarfardino had questions regarding Ordinance #8781 which makes changes to Chapter 94 and Chapter 152 and nuisance properties. He asked when the civil enforcement section at the Police Division would go into effect. Tretter responded that the Police Chief has met with the Police union to discuss the changes and an

agreement is in the process of being developed. It is anticipated that legislation will be forthcoming to create the necessary positions within the Police Division possibly by the August 5 meeting. Tretter indicated that the goal is to have the transition completed by the end of the year. The plan is to change the positions of parking technician and animal control officer to civil code enforcement officers so that they would cover parking, animal issues and also the code enforcement issues as they arise.

Council President Aspacher noted that this is a significant development with these changes. Aspacher said that for years they have heard from residents that they want faster responses to their complaints and additional code enforcement in their neighborhoods.

Planning Director Heather Saylor was not present.

Parks and Recreation Director Kristin Otley had no report.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell indicated that he is not able to get into the details of House Bill 6 at this time, but will learn more as the week goes on and as it moves through conference committee.

Public Works Director Brian Craft thanked the Mayor, Municipal Administrator Lori Tretter, and Council President Aspacher for coming out to the Public Works Division this morning to thank the employees. Craft also updated Council on the ODOT roundabout project.

### COUNCIL COMMITTEE REPORTS

Council Member Robinette reported that the Planning, Zoning & Economic Development Committee met earlier this evening and identified some key factors to help the Council move forward with design and zoning considerations. Robinette indicated that he would be the objectives together and present them at the next meeting.

Council President Aspacher asked Council to consider the possibility of holding a committee-of-the-whole meeting in August where Council would ask the Administration to provide a mid-year financial update in regards to the budget and to also do some strategic planning for priorities for the upcoming 2020 budgeting process. Aspacher asked Council Members to let him know their thoughts on the matter and if there is an interest in having the meeting, he will get with the Administration for some possible dates. Council Member Herald asked if the regular strategic planning meeting normally held in January would still occur. Aspacher responded that that would be up to Council. Council Members Rowland and Hollenbaugh indicated their support for a planning meeting held in August.

### READING OF LEGISLATION

Clerk of Council Kay Scherreik read Resolution #3737 transferring previously appropriated funds, for first reading.

Council Member Jeffers moved, Rowland seconded, to suspend the rules and give Resolution #3737 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 Resolution #3737 for second and third reading by number and title only.

Council Member Jeffers moved, Rowland seconded, to adopt Resolution #3737. On roll call vote, Council Members Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, Aspacher, and Herald voted yes. Council President Aspacher declared motion carried, and Resolution #3737 adopted.

Clerk read Ordinance #8783 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 #8783 its second and third reading. On roll call vote, Council Members Jeffers, Robinette, Rowland, Zanfardino, Aspacher, Herald, and Hollenbaugh voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8783 for second and third reading by number and title only.

Council Member Jeffers moved, Zanfardino seconded, to adopt Ordinance #8783. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8783 adopted.

Clerk read Ordinance #8784 creating and adopting Section 30.103 of the Codified Ordinances of the City of Bowling Green, Ohio, establishing a Sustainability Board, for first reading.

Council President Aspacher moved to table Ordinance #8784 indefinitely. Prior to the motion receiving a second, Council Member Herald made some comments. Herald expressed his respect for the Mayor and his position on tabling this ordinance. However, Herald indicated that given that there has been considerable research done by the Community Improvement Committee, which recommended the creation of the Sustainability Board for implementation July 1, 2020, he feels that it would be beneficial to the community to proceed with it. Herald said that there could be public input on the legislation as it proceeds through the three readings and if there is any adjustment that needs to be made, it isn't in effect until July 1, 2020 and could be done along the way. Herald noted that his fear is that if it is tabled so that there can be another review of its composition and purpose that it may drag out longer than anticipated. Herald also said that the idea of tabling the ordinance doesn't have to happen tonight. It could happen after second reading or third reading. Council President Aspacher responded that if this legislation is tabled tonight it is his impression that the process of implementing the ad hoc committee as suggested by Municipal Administrator Lori Tretter could begin immediately, so as far as he is concerned, we will be moving on with the process of determining what the more broad sustainability board would look like. Herald said that he understands the process, but in seeing what has transpired in the past and relinquishing a bit of the momentum, he would be more comfortable with not stopping it but continuing and if there needs to be adjustments at that time. Council Member Jeffers commented that the advantage of tabling it now is that it gives the opportunity to get some people together that are interested in the sustainability efforts to begin thinking about what the issues are and the best way to go about solving them. Herald said that the board could be started and in the intervening time before it takes effect, it could define itself and come back to Council with suggestions.

Council Member Robinette seconded the motion. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Hollenbaugh, Jeffers, and Robinette voted yes. Council Member Herald voted no. Council President Aspacher declared motion carried, and Ordinance #8784 table indefinitely.

Clerk read Ordinance #8785 creating and adopting Chapter 121 of the Codified Ordinances of the City of Bowling Green, Ohio, prohibiting single-use, carryout, thin plastic bags and amending Section 35.70 regarding City fees and fees charged for services, for first reading.

There was no legislation for second reading.

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

Council Member Jeffers moved, Rowland seconded, to adopt Ordinance #8778. On roll call vote, Council Members Zanfardino, Aspacher, Herald, Hollenbaugh, Jeffers, Robinette, and Rowland voted yes. Council President Aspacher declared motion carried, and Ordinance #8778 adopted.

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 third reading.

Council Member Robinette noted that a public hearing is scheduled for Ordinance #8779 on August 5, 2019 at 6:45 p.m. and moved to table the ordinance until that date. Jeffers seconded the motion. On roll call vote, Council Members Aspacher, Herald, Hollenbaugh, Jeffers, Robinette, Rowland, and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8779 tabled until August 5, 2019.

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 third reading.

Council Member Zanfardino moved, Rowland seconded, to adopt Ordinance #8780. On roll call vote, Council Members Herald, Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and Ordinance #8780 adopted.

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 third reading.

Council President Aspacher moved, Rowland seconded, to adopt Ordinance #8781. Council Member Jeffers commented that he feels that this is a good move forward and improvement for the City. Council Member Hollenbaugh said that he thinks this is a good first step and there has been discussion that this is just the first step. Hollenbaugh asked if there was going to be a single point of contact for these types of complaints. Municipal Administrator Lori Tretter indicated that the calls would come through the Police dispatch center and depending on what type of call it is would determine the response. On roll call vote, Council Members Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, Aspacher, and Herald voted yes. Council President Aspacher declared motion carried, and Ordinance #8781 adopted.

Council Member Herald moved, Zanfardino seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the July 15, 2019 regular meeting of the City Council at 8:08 p.m., subject to call.



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Kay D. Scherrek, Clerk of Council



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Michael Aspacher, President of Council