

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

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

MONDAY, OCTOBER 21, 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, Planning Director Heather Saylor, and Parks and Recreation Director Kristin Otley.

Council Member Rowland moved, Zanfardino seconded, to approve the minutes of the regular meeting held October 7, 2019 as distributed. On unanimous voice vote, Council President Aspacher declared motion carried.

CORRESPONDENCE

Clerk of Council Kay Scherreik presented an appointment to the Wood County Transportation Improvement District on behalf of Mayor Edwards. The appointment is for Joe Fawcett for a two year term ending May 31, 2021. Council Member Herald moved, Rowland seconded to confirm the appointment as requested by the Mayor. On unanimous voice vote, Council President Aspacher declared motion carried.

SPECIAL RECOGNITIONS – MAYOR EDWARDS

There were no special recognitions.

LOBBY VISITATIONS

Ben Otley, 1624 Oakwood Court, spoke on behalf of the levy committee for the upcoming school tax issue on the November ballot, thanking Council Members for passing the resolution in support of the schools.

NEW LEGISLATION

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

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 authorizing the Municipal Administrator to enter into an agreement with the Ohio Public Works Commission for the purpose of acquiring financial assistance from the Clean Ohio Conservation Program Fund.

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

Council Member Jeffers, for the Finance Committee, introduced a resolution authorizing the sale of obsolete or unfit municipally owned personal property, which is not needed for public use, by internet auction, and authorizing the Municipal Administrator to enter into a contract with Gov Deals, Inc. for on-going internet auctions for calendar year 2020.

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 Jeffers, for the Finance Committee, introduced an ordinance amending and adopting Section 33.04 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to pay scales for seasonal employees.

Council President Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to enter into an agreement or agreements with AMP Transmission, LLC, to provide a fourth transmission interconnection.

Council President Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to enter into an agreement with AMP, Inc., for the renewal of the Efficiency Smart Program.

Council President Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to enter into and complete a property purchase agreement with Ross Family Farms, Ltd.

Council President Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for supplying annual inventory requirements, underground and overhead lines insurance, sale of scrap materials, and participation in the AMP Joint Purchasing Program in 2020.

Council Member Hollenbaugh, for the Community Improvement Committee, introduced a resolution authorizing the Mayor of the City of Bowling Green, Ohio, to enter into a Programmatic Agreement between the City of Bowling Green and the State Historic Preservation Office (formerly known as "Ohio Historic Preservation Office") for the administration of activities funded by the U.S. Department of Housing and Urban Development and the Ohio Development Services Agency (formerly known as "Ohio Department of Development").

OFFICIAL REPORTS

Mayor Dick Edwards congratulated the organizers of the Firefly Nights for another successful festival held last Friday evening in the downtown. Mayor Edwards also noted that the three sculpture finalists will have their ideas for the Wooster Green on display on October 23 from 6-8 p.m. at the Library. Edwards noted there will be a decision made by the steering committee by November 6.

Municipal Administrator Lori Tretter reported City Engineer Mike Trinity has resigned to pursue another opportunity. She noted that Mike has been an outstanding engineer, having first taken the position in the midst of numerous very large projects. The City will begin advertising for the open position this week.

Tretter also updated Council about the intersection of Main and Wooster in the downtown area. Tretter noted that as Council may recall, the Heritage 2000 project included the installation of a large brick area in that intersection. When it opened, it was a beautiful addition to the character of downtown BG. Over the years, as traffic movements occurred, the bricks became loose. The City tried, on numerous occasions, to better secure the bricks. Each effort would yield a few years of improvement but, eventually, the problems would return. The intersection finally reached a point where it was a safety matter and the decision was made to remove the bricks. Knowing that the 2019 downtown was slated, it was determined to incorporate a brick design with the project. Tretter went on to explain that when the project was designed, the engineers were asked to design a brick intersection—but with the caveat that the previous design did not have the longevity so a solution would need to be found. The design submitted seemed great—concrete bands that would surround brick areas creating reduced opportunity for movement and friction. This was the design that was bid as part of the project. Over the summer, the contractor on the road portion of the project informed the City of some concerns about the brick design. He shared that he had installed a similar project and that it wasn't wearing well—with bricks already breaking and turning. The City sent staff to examine the intersection and came to the same conclusion. It turns out the intersection is fairly similar to the one in BG—and had only been in place for nine months. While the City does not want to go back on its word to put bricks back it, responsibility must be taken for spending tax payer dollars appropriately and determined that the brick plan should not move forward. There is a cost savings with not installing the brick pavers. Options have been explored including stamped concrete. The contractor has warned the City that installing a large of concrete in the area this late in the year is

not ideal as the concrete would not have adequate time to cure. Therefore, it has decided not to perform the work right now and to continue to explore options. Tretter noted that throughout the process, the City has and will continue to keep the Downtown Bowling Green Board updated. Council Member Jeffers commented to Tretter that he appreciates all the thought that has gone into looking at options for that intersection and he is satisfied with the conclusion.

Planning Director Heather had no report.

Parks and Recreation Director Kristin Otley reported that City Park will be closed to vehicular traffic the week of October 28 for paving.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell had no report. Council Member Herald asked O'Connell if it could be written into the contract with AMP that the City prefers the primary route for the fourth transmission line rather than the secondary route. O'Connell indicated that there are two separate lines and the one he is referring to is not the transmission line. O'Connell noted that the City has let them know that the preference is that the line go to the west rather than the east.

Public Works Director Brian Craft had no report. Council Member Hollenbaugh asked Craft about the brick sections being installed along the curbs in the downtown area indicate that he has noticed that some of the bricks do not seem to be set level with the concrete. Craft asked Hollenbaugh to email him the locations where he has observed that and he will have it checked.

COUNCIL COMMITTEE REPORTS

Council Member Jeffers reported that the Finance Committee met earlier this evening to discuss housing inspection options.

Council Member Herald noted that he was talking to a citizen who was concerned about the downtown businesses. Herald said that the citizen suggested extending the free parking in the downtown area into 2020 to provide additional assistance to those businesses and indicated that he would like to put forth that idea to Council. Council President Aspacher thanked Herald for his suggestion and indicated that he will discuss it with the Mayor and the Administration, however, his immediate response is that the City started the parking holiday early this year in an effort to help downtown businesses, and that extending it would put more stress on the City's parking fund. Aspacher indicated that he is skeptical that the City is in a position to lengthen the parking holiday.

Council Member Zanfardino commented that he is glad that the public discussion about housing inspections has been started and is looking forward to additional meetings in the future as this issue is discussed.

READING OF LEGISLATION

Clerk read Resolution #3744 transferring previously appropriated funds, for first reading.

Council Member Jeffers moved, Zanfardino seconded, to suspend the rules and give Resolution #3744 second and third reading. On roll call vote, Herald, Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Resolution #3744 for second and third reading by number and title only.

Council Member Jeffers moved, Zanfardino seconded, to adopt Resolution #3744. Council Member Herald commented that in the past when Council had its discussions regarding parking in the downtown area, he recalled Council Member Rowland brought up the point that Council should revisit this at some point in the future. He expressed his concern for the transfer of funds that will be used to purchase additional parking kiosks to be installed beyond those in Lot 2. He indicated that he would feel more comfortable if Council would have additional community discussion about expanding the kiosks beyond Lot 2. He said that he has heard from citizens that they have a reluctance to using Lot 2 because of the kiosks. Herald said that the mix that he envisions is that the City has some

area, such as Lot 2, with kiosks and that we wait until sometime in the future when people have become acclimated to using the kiosks to expand them to something beyond Lot 2. He also indicated that he feels that it would be prudent, if possible, to not purchase the new kiosks at this point and then re-engage with the community to see to what extent they want kiosks in City parking lots.

Council President Aspacher responded that it was his perception that when Council went through the extensive process of reviewing parking in Bowling Green there was a lot of discussion about kiosks. Aspacher indicated that it was his impression at the end of that discussion Council raised the parking rates in order to make the move to kiosks in order to minimize the cost of enforcement. Aspacher said that he was not surprised to see this expenditure on the agenda for this evening in order to get the equipment purchased and operational by the first of the new year.

Council Member Rowland said that her recollection is not exactly. She recalls going along with it temporarily but felt that Council would have to revisit the kiosk issue again in the future. She said that no one has complained that they have to pay an additional quarter to park, but she feels that this is still not satisfactory to the business owners who feel that Bowling Green is a step behind those communities that do not charge for parking. Rowland also stated that citizens have told her many times that the kiosks terrify people and they try to stay away from them as much as possible. She indicated that she has yet to run into five people that like kiosks. She said that she feels that the parking issues go beyond what was considered by Council last summer. She would like to pause and talk about it again. She also said that she feels that Council had very little to say about this and thinks that Council hasn't done its job at this point regarding parking solutions.

Council Member Jeffers said that his recollection having served on the parking committee is that the business owners considered a variety of options including ownership of the parking lots. However, at the end of all of those discussions, the business owners were satisfied with the plan that included kiosks and parking enforcement handled by the City. He feels that at this point he doesn't understand why Council would get cold feet on this issue and change courses. Jeffers noted that a lot of time was spent looking at different kiosk systems and the one that was chosen will be easier to operate than the old ones. He said that a lot of thought has gone into it and feels that Council has had a lot of opportunities to discuss and come up with the best overall decision. Rowland stated that she remembers saying that the issue needed to be revisited and Herald recalls agreeing with her. Herald recalled that Lot 2 would be equipped with the new kiosks that were more user-friendly and see how it goes. He also said that regardless of the discussion in the past, he feels that it is prudent way to proceed at this point to get some feedback regarding the new kiosk system. Jeffers said that he feels the discussion was thorough and is satisfied that there was lots of input given and that he'd hate to see it stopped at this point. He would like to see it go forward.

Council Member Zanfardino thanked Herald for bringing up the caution. He was thinking that the transfer was for kiosk equipment for Lot 2. He also recalls Rowland's comment at the time that this needed more study. He also said that the kiosks in Lot 2 were universally viewed by the business owners as a detriment and it's hard for him to imagine that the improved kiosks will bring a different experience. He agreed with going with caution on the kiosk issue.

Council President Aspacher asked some procedural questions of the City Attorney. Council Member Hollenbaugh suggested that Council could approve the Resolution as is but that the purchases did not need to occur right away. Council Member Rowland made a subsequent motion to amend Resolution #3744 by removing line items #3-10. Herald seconded the motion. On roll call vote, Council Members Hollenbaugh, Jeffers, Robinette, and Aspacher voted no. Council Members Rowland, Zanfardino, and Herald voted yes. Council President Aspacher declared motion defeated.

Council then considered the original motion to adopt. Council Members Jeffers, Robinette, Rowland, Aspacher, Herald, and Hollenbaugh voted yes. Council Member Zanfardino voted no. Council President Aspacher declared motion carried, and Resolution #3744 adopted.

Clerk read Resolution #3745 authorizing the sale of obsolete or unfit municipally owned personal property, which is not needed for public use, by internet auction, and authorizing the Municipal Administrator to enter into a contract with Gov Deals, Inc. for on-going internet auctions for calendar year 2020, for first reading.

Clerk read Resolution #3746 authorizing the Mayor of the City of Bowling Green, Ohio, to file an application and authorizing the Municipal Administrator to enter into an agreement with the Ohio Public Works Commission for the purpose of acquiring financial assistance from the Clean Ohio Conservation Program Fund, for first reading.

Council Member Rowland moved, Jeffers seconded, to suspend the rules and give Resolution #3746 its second and third reading. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, and Jeffers voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Resolution #3746 for second and third reading by number and title only.

Council Member Rowland moved, Jeffers seconded, to adopt Resolution #3746. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, Jeffers, and Robinette voted yes. Council President Aspacher declared motion carried, and Resolution #3746 adopted.

Clerk read Resolution #3747 authorizing the Mayor of the City of Bowling Green, Ohio, to enter into a Programmatic Agreement between the City of Bowling Green and the State Historic Preservation Office (formerly known as "Ohio Historic Preservation Office") for the administration of activities funded by the U.S. Department of Housing and Urban Development and the Ohio Development Services Agency (formerly known as "Ohio Department of Development").

Clerk read Ordinance #8802 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, Zanfardino seconded, to suspend the rules and give Ordinance #8802 its second and third reading. On roll call vote, Council Members Zanfardino, Aspacher, Herald, Hollenbaugh, Jeffers, Robinette, and Rowland voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8802 for second and third reading by number and title only.

Council Member Jeffers moved, Zanfardino seconded, to adopt Ordinance #8802. On roll call vote, Council Members Aspacher, Herald, Hollenbaugh, Jeffers, Robinette, Rowland, and Zanfardino voted yes. Council President Aspacher declared motion carried, and Ordinance #8802 adopted.

Clerk read Ordinance #8803 amending and adopting Section 33.04 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to pay scales for seasonal employees, for first reading.

Clerk read Ordinance #8804 authorizing the Utilities Director to enter into an agreement or agreements with AMP Transmission, LLC, to provide a fourth transmission interconnection, for first reading.

Clerk read Ordinance #8805 authorizing the Utilities Director to enter into an agreement with AMP, Inc., for the renewal of the Efficiency Smart Program, for first reading.

Clerk read Ordinance #8806 authorizing the Utilities Director to enter into and complete a property purchase agreement with Ross Family Farms, Ltd., for first reading.

Clerk read Ordinance #8807 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for supplying annual inventory requirements, underground and overhead lines insurance, sale of scrap materials, and participation in the AMP Joint Purchasing Program in 2020, for first reading.

Clerk read Ordinance #8800 amending and adopting Section 33.23(B)&(E) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding medical, dental and vision insurance, for second reading.

Clerk read Ordinance #8801 authorizing the Municipal Administrator to execute an Assignment and Assumption Agreement and other documents related to the transfer/purchase of property from the Black Swamp Conservancy, for second reading.

Council Member Rowland moved, Jeffers seconded, to suspend the rules and give Ordinance #8801 its 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 #8801 for third reading by number and title only.

Council Member Rowland moved, Jeffers seconded, to adopt Ordinance #8801. On roll call vote, Council Members Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, Aspacher, and Herald voted yes. Council President Aspacher declared motion carried, an Ordinance #8801 adopted.

Clerk read Resolution #3742 authorizing the Municipal Administrator to enter into a renewal agreement with the Wood County Public Defender, for third reading.

Council Member Jeffers moved, Rowland seconded, to adopt Resolution #3742. On roll call vote, Council Members Jeffers, Robinette, Rowland, Zanfardino, Aspacher, Herald, and Hollenbaugh voted yes. Council President Aspacher declared motion carried, and Resolution #3742 adopted.

Clerk read Ordinance #8797 amending the Zoning District Map of the City of Bowling Green, Ohio, for Inlot #2801 and Inlot #2802, approximately 0.3582 acres of land, located at the northwest corner of North Enterprise Street and Frazee Avenue, from M-2 General Industrial to R-2 Single-Family Residential, as petitioned for by Maurer Rentals, LLC, for third reading.

Council Member Robinette moved, Rowland seconded, to adopt Ordinance #8797. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8797 adopted.

Council Member Herald moved, Robinette seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the October 21, 2019 regular meeting of the City Council at 7:50 p.m., subject to call.


Kay D. Scherrek, Clerk of Council


Michael Aspacher, President of Council