

RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 101-98

Held

MONDAY, DECEMBER 16, 2019

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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 Zarfardino 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 Herald moved, Rowland seconded, to approve the minutes of the regular meeting held November 18, 2019 as distributed. On unanimous voice vote, Council President Aspacher declared motion carried.

CORRESPONDENCE

Clerk of Council Kay Scherreik noted that a listing of budget transfers for the month of December was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Jeffers moved, Zarfardino 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 presented an appointment on behalf of Mayor Edwards. The appointment is for Rick Beaverson as an Ex Officio member to the Traffic Commission. Council Member Herald moved, Robinette seconded, to confirm the appointment as requested by the Mayor. On unanimous voice vote, Council President Aspacher declared motion carried.

SPECIAL RECOGNITIONS – MAYOR EDWARDS

Mayor Dick Edwards introduced Jennifer Dever, chair of the Human Relations Commission, who presented the quarterly Honor Roll Award to Karla Davis-McGowan for her work against human trafficking. Dever noted that Davis-McGowan works for Children's Services in Lucas County and is involved with Not In Our Town in Bowling Green.

LOBBY VISITATIONS

Ken Riemann, 623 N. Wintergarden Road, addressed City Council regarding the discontinuation of the Recycling Center's contract with the City as of December 31, 2019. Riemann cited changes in the recycling market and indicated that they have come to an agreement with the City to keep the 24-hour drop off area open as long as it is feasible.

NEW LEGISLATION

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

Council Member Robinette, for the Planning, Zoning and Economic Development Committee, introduced an ordinance amending and adopting Sections 150.03, 150.16, 150.55, 150.90, 150.92 and 150.103 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding zoning code regulations.

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 Jeffers, for the Finance Committee, introduced an ordinance to provide appropriations for the expenses and other expenditures of the City of Bowling Green, Ohio, for the fiscal year beginning January 1, 2020 and ending December 31, 2020.

Council Member Jeffers, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to enter into a contract or contracts with Republic Services for the acceptance of mixed recyclables, and declaring an emergency.

Council President Aspacher, for the Public Utilities Committee, introduced an ordinance accepting utility easements from CECW 2, LLC.

Council Member Hollenbaugh, for the Community Improvement Committee, introduced an ordinance amending and adopting Section 94.01 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding definitions, and declaring an emergency.

OFFICIAL REPORTS

Mayor Dick Edwards read a prepared statement reflecting on the 8 years he has been Mayor of the City of Bowling Green. A copy of that statement is attached to and made a part of these minutes.

Council President Aspacher and Council Members Herald and Zanfardino expressed their thanks and appreciation to Mayor Edwards for his service to the community.

Municipal Administrator Lori Tretter reminded citizens of the upcoming holiday schedule for the City Administrative Services Building and noted that the trash and recycling scheduled will be altered for both the Christmas and New Year holiday. She also expressed her appreciation to those City employees who are required to work 24/7 throughout the holidays in order to keep City services going.

Planning Director Heather Saylor had no report.

Parks and Recreation Director Kristin Otley reported about upcoming parks and rec activities at the Community Center and noted that there will be no Bicycle Safety Commission or Park Board meeting in the month of December.

City Attorney Michael Marsh had no report.

Utilities Director Brian O'Connell reported to Council regarding an approximate 35-minute power outage last week that was due to a traffic related accident.

Public Works Director Brian Craft had no report.

COUNCIL COMMITTEE REPORTS

Council Member Jeffers expressed his appreciation to the Mayor and members of the Administration for the good working relationship he has enjoyed during the eight years he has served on City Council. Jeffers indicated that he is glad he had the opportunity to serve the community. Jeffers also expressed his appreciation to Clerk of Council Kay Scherrek for keeping things on track for City Council, and to Council President Aspacher he indicating that he valued the collegial relationship he has had with him while serving on City Council.

READING OF LEGISLATION

Clerk read Resolution #3751 transferring previously appropriated funds, for first reading.

Council Member Jeffers moved, Rowland seconded, to suspend the rules and give Resolution #3751 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 #3751 for second and third reading by number and title only.

Council Member Jeffers moved, Rowland seconded, to adopt Resolution #3751. On roll call vote, Council Members Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, Aspacher, and Herald voted yes. Council President Aspacher declared motion carried, and Resolution #3751 adopted.

Clerk read Ordinance #8810 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 #8810 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 #8810 for second and third reading by number and title only.

Council Member Jeffers moved, Rowland seconded, to adopt Ordinance #8810. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, and Jeffers voted yes. Council President Aspacher declared motion carried, and Ordinance #8810 adopted.

Clerk read Ordinance #8811 to provide appropriations for the expenses and other expenditures of the City of Bowling Green, Ohio, for the fiscal year beginning January 1, 2020 and ending December 31, 2020, for first reading.

Council Member Jeffers moved, Zanfardino seconded, to suspend the rules and give Ordinance #8811 its second reading. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, Jeffers, and Robinette voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8811 for second reading by number and title only.

Council Member Robinette indicated that he intends to make a motion to amend Ordinance #8811, but wanted to take the opportunity to explain his thought process. Robinette noted that there is a lot to like about the budget such as providing quality police and fire services, funds for a robust residential paving program, and funding for a comprehensive update to the City's zoning code, however, he expressed concern regarding the \$2 per month increase to the refuse/recycling pickup fee and suggested that efforts be made to make up that budget shortfall from other areas of the budget. Robinette stated that much of the projected budget deficit is self-inflicted such as improper planning for 2020's extra pay period, the extended downtown parking holiday due to prolonged construction and the extra cost to continue curbside recycling. Robinette moved to amend Ordinance #8811 by removing Section 5 regarding the additional \$2.00 fee for recycling.

Council Member Herald noted that after Robinette's motion is seconded, there is no discussion permitted by Council. He suggested discussing it prior to it being seconded. Council President Aspacher concurred and asked for Council Members comments.

Council Member Hollenbaugh asked if Robinette is suggesting that in lieu of the \$2.00 increase for refuse/recycling pickup that Council seek out other cuts within the budget to make up the shortfall and did he have something in particular in mind that would be cut? Robinette stated that they would have to find a way to balance the budget and he's suggesting that there are other ways that have not been considered, but did not suggest anything in particular. Robinette indicated that he realizes that Council is under a very tight timeframe because the budget must be adopted by the end of the calendar year.

Council Member Jeffers commented regarding the tight timeframe referred to by Council Member Robinette noting that each year Council has gotten better at interacting with the Administration regarding the budget through its strategic planning meetings held during the year and meetings held prior to the budgeting process. Jeffers also stated that

a vast majority of the budget is determined by the services citizens expect to receive and other projects that Council wants to see developed. He feels that in his experience on Council that it is odd to pick out one single item and object to it at this point in the process. Robinette concurred that there are many items in this budget that reflect the priorities that Council has set with the exception of the increase in the refuse/recycling fee which was not anticipated by Council.

Council Member Rowland noted that two years ago Council studied the shortfall in the City's General Fund. She also indicated that Council was very conservative in establishing the current refuse/recycling fee as a means of closing the shortfall in the General Fund. In her opinion, the \$2 increase represents an ongoing problem in the General Fund brought on by decisions made at the state level such as the loss of Local Government Funds and cable franchise fees. She stated that she doesn't want to raise fees, but feels that this needs to be done at this time.

Council Member Hollenbaugh reiterated that Rowland said in regards to taking a comprehensive look at the General Fund and come up with a long-term solution so that Council doesn't have to keep raising fees to cover the shortfall. Hollenbaugh seconded Robinette's motion to amend Ordinance #8811. On roll call vote, Council Members Zanfardino, Aspacher, Hollenbaugh, Jeffers, and Rowland voted no. Council Members Herald and Robinette voted yes. Council President Aspacher declared motion defeated.

Clerk read Ordinance #8812 authorizing the Municipal Administrator to enter into a contract or contracts with Republic Services for the acceptance of mixed recyclables, and declaring an emergency, for first reading.

Council Member Jeffers moved, Rowland seconded, to suspend the rules and give Ordinance #8812 its second reading. On roll call vote, Council Members Aspacher, Herald, Hollenbaugh, Jeffers, Robinette, Rowland, and Zanfardino voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8812 for second reading by number and title only.

Council Member Herald suggested adopting the emergency clause for this ordinance this evening in case there were not enough members present at the year-end meeting to pass the motion. Herald moved, Jeffers seconded, to adopt the emergency clause for Ordinance #8812. On roll call vote, Council Members Herald, Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, and Aspacher voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Clerk read Ordinance #8813 amending and adopting Sections 150.03, 150.16, 150.55, 150.90, 150.92 and 150.103 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding zoning code regulations, for first reading.

Council Member Robinette scheduled a public hearing for Ordinance #8813 for Tuesday, January 21, 2020, at 6:45 p.m. in the Council Chamber.

Clerk read Ordinance #8414 accepting utility easements from CECW 2, LLC, for first reading.

Clerk read Ordinance #8815 amending and adopting Section 94.01 of the Codified Ordinances of the City of Bowling Green, Ohio, regarding definitions, and declaring an emergency, for first reading.

Council Member Hollenbaugh moved, Herald seconded, to suspend the rules and give Ordinance #8815 its second reading. On roll call vote, Council Members Hollenbaugh, Jeffers, Robinette, Rowland, Zanfardino, Aspacher, and Herald voted yes. Council President Aspacher declared motion carried, and rules suspended.

Clerk read Ordinance #8815 for second reading by number and title only.

Council Member Hollenbaugh moved, Herald seconded, to adopt the emergency clause for Ordinance #8815. On roll call vote, Council Members Jeffers, Robinette, Rowland, Zanfardino, Aspacher, Herald, and Hollenbaugh voted yes. Council President Aspacher declared motion carried, and the emergency clause adopted.

Clerk noted that there is no legislation for second reading.

Clerk read Resolution #3749 authorizing the Mayor of the City of Bowling Green, Ohio, to file an annual application (plan) and a five-year consolidated 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 Hollenbaugh moved, Zanfardino seconded, to adopt Resolution #3749. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, and Jeffers voted yes. Council President Aspacher declared motion carried, and Resolution #3749 adopted.

Clerk read Ordinance #8809 authorizing the Municipal Administrator to request proposals and enter into a contract for the purchase of transportation service for the Bowling Green Transit Program, for third reading.

Council Member Zanfardino moved, Jeffers seconded, to adopt Ordinance #8809. On roll call vote, Council Members Rowland, Zanfardino, Aspacher, Herald, Hollenbaugh, Jeffers, and Robinette voted yes. Council President Aspacher declared motion carried, and Ordinance #8809 adopted.

Council Member Robinette brought up two items that he intends to bring up again after the first of the year when Council reorganizes and elects a new Council President. The first item is to propose that the Finance Committee meet quarterly to discuss the current status of the budget. The second item he proposed is for the Planning, Zoning and Economic Development Committee to start meeting to discuss and define the terms and requirements of the consultant that will be performing the zoning code review.

Council Member Herald moved, Rowland seconded, to adjourn. On unanimous voice vote, Council President Aspacher adjourned the December 16, 2019 regular meeting of the City Council at 8:09 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Michael Aspacher, President of Council



December 16, 2019

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of December include:

Fund	Dept.	Account	Description	From	To
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 3,042.62	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 3,042.62
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	\$ 2,916.63	
2007	000	69410	Payroll Stabilization, Revenue, Transfer From General		\$ 2,916.63
2078	170	92300	Municipal Court Special Projects, Municipal Court, Transfer To Debt Service	\$ 7,500.00	
3025	000	69420	Debt Service, Revenue, Transfer From Special Revenue		\$ 7,500.00
4018	810	92300	Capital Improvement, Capital Improvement, Transfer To Debt Service	\$ 33,055.25	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 33,055.25
4018	810	92400	Capital Improvement, Capital Improvement, Transfer To Capital Projects	\$ 11,616.63	
4005	000	69440	Equipment Capital Reserve, Revenue, Transfer From Capital Projects		\$ 11,616.63
4055	710	92400	Aquatic Facility Capital Improvement, Recreation Department, Transfer To Capital Projects	\$ 2,083.37	
4010	000	69440	Facility Capital Reserve, Revenue, Transfer From Capital Projects		\$ 2,083.37
4029	423	92300	Street Repair, Street Repair, Transfer To Debt Service	\$ 38,481.62	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 38,481.62
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 4,542.88	

2021	000	69410	ODOT Transportation Grant (Taxi), Revenue, Transfer From General		\$ 4,542.88
4055	710	92300	Aquatic Facility Capital Improvement, Recreation Department, Transfer To Debt Service	\$ 21,001.62	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 21,001.62
2016	710	92300	Park, Playground and Recreation, Recreation Department, Transfer To Debt Service	\$ 17,389.12	
3025	000	69420	Debt Service, Revenue, Transfer From Special Revenue		\$ 17,389.12
5111	651	92500	Electric Revenue, Administrative and General, Transfer To Enterprise	\$ 184,044.00	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 184,044.00
5221	651	92500	Water Revenue, Administrative and General, Transfer To Enterprise	\$ 78,627.00	
5222	000	69450	Water Capital Reserve, Revenue, Transfer From Enterprise		\$ 78,627.00
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 16,040.00	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 16,040.00
Total				\$ 422,565.74	\$ 422,565.74

December 16, 2019
Mayor's Report to City Council
Richard A. Edwards

Mr. President, Members of Council and All Assembled:

Tonight is a bittersweet moment.

On one hand, I am looking forward to a different pace and a different set of activities and challenges.

On the other, I hope it is clear to all that I will miss, terribly so, my association with all of you and my daily interactions with a terrific and highly professional staff headed by Lori Tretter. But, most especially, I will miss the opportunity to serve the citizens of Bowling Green. We all have been elected to serve the electorate to the best of our abilities but yet with the full knowledge that we can't always meet the full expectations, hopes and aspirations of the citizenry. But try we do!

As we prepare to close the calendar year, 2019 and my last days in office, and if you'll please forgive me, I can't help but be reflective about my career. It began in the middle of my senior year in college when I was presented with the opportunity to join the Washington staff of newly elected Member of Congress, the late Charles A. Mosher, of Oberlin, OH, who served with distinction in the Congress for 16 years. Prior to going to Washington, he enjoyed an amazing record of service in the Ohio Senate for 10 years. He was also a national award winning newspaper editor and publisher and a lifetime Trustee of Oberlin College. That association had a profound impact on my life, my career, my outlook about government, my appreciation for civil liberties and my deeply imbedded belief in the people's right to know.

Little did I realize at the beginning of 2011 that I would be ending my career as an elected official in the role of Mayor. The thought of running for Mayor was first broached several times by the late Wesley Hoffman in 2010. It was a notion that I didn't take too seriously until the question was popped by our longtime City Attorney, Mike Marsh. And then it took me about three months to make up my mind. Thank you, Mike!

What an honor it has been to serve with you and others before you over the past eight years. We all know that Bowling Green is a very special place with a distinctive local government history. Over the years the City of BG and its officials have been willing to undertake some approaches in government that have been a bit different from the norm.

Consider, for example, our independent Board of Public Utilities and its historical application of using a portion of local tax dollars to help fund economic development and to keep utility costs at a much lower rate than most municipalities. And consider as well the City's investments in state-of-the-art utilities and its admirable record of sustainability and renewable energy. And, to be sure, the City's independent Community Development Foundation has made a huge difference in the City's economy and growth.

And, quite clearly, one cannot ignore the fact that BG is a city that has long capitalized on its relationships with a public university that today is nationally and internationally respected: "A Public University for the Public Good."

To be sure, our list of strengths as a city is long and impressive.

One other distinctive Bowling Green characteristic is the spirit of volunteerism. Contrary to the ebbing of volunteers nationally, we continue to experience and benefit from a volunteer corps that is unbelievably strong and healthy. We see this factor at work in so many different ways whether with the annual Black Swamp Arts Festival, the annual Holiday Parade or with innumerable other community events involving our Four Corners service organizations, our merchants via Downtown BG and the most recent innovation of Firefly Nights, all working in concert with and the support of the City of BG, especially the Police and fire Divisions, Public Works and the Administration.

From a city government perspective, we have more than 20 committees, commissions and boards serving the city. We are blessed with so many citizens who are willing to help govern the city in a wide array of volunteer roles and including some citizen driven efforts not linked directly with the city such as the East Side Homeowners Association.

And in that context, I marvel at the fact that an internationally respected diplomatic historian, Dr. Gary Hess, served on the City's Planning Commission for so many years until illness necessitated his stepping aside.

How fortunate we are as a city and we can only hope that this strength will continue to be a hugely enabling plus for the city in its future. The only element that I find more than a bit paradoxical is the seemingly low turnout for city elections such as the recent school tax and bond levy.

My admiration and respect for you who serve the city in an elective position is high and it's been an honor and a pleasure to serve with you. Right from the beginning, and here I well remember the event at the Clazel in January 2012, when I wanted to make sure that members of City Council were introduced to the public along with the then new Mayor. The spirit of collaboration has been pronounced and effective and has indeed reinforced the value of the Mayor-Administrator-Council form of government, most especially from the perspective of the citizens we were elected to represent.

Thank you all and a special thank you for that wonderful event at the Simpson Building last Wednesday. That was an emotionally uplifting yet overwhelming experience for Nadine and me and our three daughters.

Thank you, Mike Marsh, for your belief in me and a special and very important thank you to Nadine for developing a keen interest in City government and for your support and understanding especially during times of acute stress and perplexingly confrontational situations.

**And thank you, Mr. President, for your leadership. You will be an outstanding Mayor.
Good luck and all the very best to you, Toni and your family.**