

RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

BEAR GRAPHICS 800-925-8094 FORM NO. 10149

MONDAY, MARCH 2, 2020

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 Hollenbaugh. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Herald, Hollenbaugh, Leontis, Phipps, Robinette, Rowland, and Zanfardino were present. Also present were Mayor Mike Aspacher, Municipal Administrator Lori Tretter, City Attorney Michael Marsh, Public Works Director Brian Craft, and Utilities Director Brian O'Connell Planning Director Heather Saylor and Parks and Recreation Director Kristin Otley were not present.

Council Member Herald moved, Rowland seconded, to approve the minutes of the regular meeting held February 18, 2020 as distributed. On unanimous voice vote, Council President Hollenbaugh declared motion carried.

CORRESPONDENCE

Clerk of Council Kay Scherreik noted for the record that copies of the Budget Summary Report for the month of January 2020 was distributed to Council prior to this evening's meeting.

Clerk of Council also noted that a listing of budget transfers for the month of March was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Rowland moved, Herald seconded, to approve the transfers as presented. On unanimous voice vote, Council President Hollenbaugh declared motion carried. A copy of the transfers is attached and made a part of these minutes.

Clerk reported that an application was received from the Ohio Division of Liquor Control for a transfer of Class D1, D2, D3, D3A and D6 liquor permit from Wooster Street Pub, LLC, dba Shots, Inc., located at 309 S. Main Street, Suite D & Patio, to EDP Café, LLC at the same location.

SPECIAL RECOGNITIONS – MAYOR ASPACHER

There were no special recognitions.

LOBBY VISITATIONS

David Pfleger, 325 N. Prospect Street, addressed City Council regarding the occupancy of housing and the lawsuit brought against the City and subsequently lost. Pfleger asked if the City was somehow tracking homes where the residents outnumber the number of bedrooms. He also asked if it was up to neighbors to report homes where there seem to be more occupants than bedrooms or was that the City's responsibility. Pfleger also asked if there was a plan on the City's part to update the ordinances. He noted that according to the judge's ruling, the City can legally limit the number of occupants to the number of bedrooms as listed on the Wood County Auditor's website. He further indicated that additional bedrooms only qualify if the owner has secured the proper permits to convert space into bedrooms and they are listed on the Auditor's website as such. Pfleger pointed out two properties that seem to have over-occupancy. The addresses are 325-329 N. Enterprise and 320 N. Enterprise. These houses have tended to have five or more cars parked there on a regular basis, but the homes are listed on the Auditor's website as having just two or three bedrooms. Pfleger stated that he thinks something needs to be put into place to bring situations like these into check. He indicated that he thinks one way to help with this situation is to make it a part of the rental registration/inspection process that is being considered by City Council.

Council President Hollenbaugh asked Mr. Phleger to send a list of his questions to him and he would endeavor to get answers for him.

The following individuals addressed City Council speaking in favor of revisiting a plastic bag ban which was considered by Council last year. One student indicated that BGSU has now banned plastic bags at the start of the fall semester and students were given reusable bags. The individuals were:

- Gage Stephens, 224 Troup Avenue
- Sara Honeck, 707 E. Wooster Street
- Adam Swint, 724 S. College Apt. 8

NEW LEGISLATION

There was no new legislation introduced.

OFFICIAL REPORTS

Mayor Mike Aspacher requested confirmation of the appointment of Bob McOmber to the Planning Commission to replace Ryan Holley who recently resigned. The Mayor indicated that appointment is for a term ending May 31, 2021.

Council Member Herald moved, Rowland seconded, to confirm the appointment as presented by the Mayor. On unanimous voice vote, Council President Hollenbaugh, declared motion carried.

Municipal Administrator Lori Tretter reminded Council Members of the meeting on Wednesday, March 18, at 6:00 p.m. at the Simpson Building to hear an educational presentation from the Montrose Group regarding opportunity zones and tax incremental financing. She also noted that the annual State of the City will be held on Wednesday, March 25, at 7:30 a.m. at the new Veterans Building in City Park. This event is sponsored by the Chamber of Commerce and those interested in attending should RSVP to that organization.

Tretter updated Council regarding the incorporation of Bicycle Safety Commissions map of suggested complete streets treatments with an overlay of the City's paving project schedule. Tretter distributed to Council copies of the map and the chart of upcoming projects. Tretter also distributed a memo regarding implementation procedures. The memo, map and chart are attached to and made a part of these minutes. Tretter indicated that sharrows are slated to be placed on Thurstin and Manville this year when they are paved. Tretter recommended that the Transportation & Safety Committee discuss the use of sharrows on two additional streets that are scheduled for paving; Clay and S. Maple Streets. She suggested that in the future, potential complete streets improvements be discussed in the fall of the year prior to when the projects are scheduled to be done.

Council Member Zanfardino thanked Tretter for the update and said the progress in this area is something he has been looking forward to for a while and is encouraged by the progress towards interconnectivity in the City. Council Member Robinette suggested that a map be provided and updated on an annual basis that shows where the bicycle paths are located and where there are sharrows. Council Member Herald asked if it was possible to send the bid out for Thurstin showing with or without sharrows and also a cost for sharrows on Manville? Tretter indicated that Manville will be done inhouse and everything on the Thurstin project is bid on a per quantity basis so it will be easy to break those costs out of the total bid.

Planning Director Heather Sayler was not present.

Parks and Recreation Director Kristin Otley was not present.

City Attorney Michael Marsh addressed some of Mr. Phleger's concerns regarding non-conforming uses and occupancy. Marsh indicated that interpretation of the judge's order always seems to cause confusion. Marsh explained that the judge in the case found the City's ordinance to be unconstitutional and replaced the City's regulation with his own language regulating occupancy to one person per bedroom in rental units. Marsh said that it is not confusing and it is not hard to compute. The City's zoning staff is responsible for this task utilizing the County Auditor's website as a starting point. Marsh stated that the aspect of this that does cause confusion, is that the judge did not attempt to strike down or invalidate any pre-existing, non-conforming uses that were in place before the

lawsuit was filed. Marsh indicated that there are approximately 330 remaining non-conforming uses in the City at this time and staff in the Planning Department know exactly where those properties are located. Staff is able to address any occupancy concerns that citizens may have. As far as enforcement is concerned, the City's Code Enforcement Officer is always looking for over occupancy and when they are found, the property owners are prosecuted. Marsh said that it is entirely possible to come across an instance where more than two unrelated people are living in a two-bedroom home if it was a legally pre-existing, non-conforming use. Council President Hollenbaugh indicated his desire to meet with Marsh soon to discuss the 1988 proposed phase out of non-conforming uses. Marsh explained that back in 1988 a Council Member proposed a set of ordinances that would phase out non-conforming occupancy uses over a 30-year timeframe.

Utilities Director Brian O'Connell reported that an insert is being placed in citizens' monthly utility billing statements explaining the new online access for customers to get information on their utility usage, billing estimates and how to lower their utility usage. The program is called Utility Insights.

Public Works Director Brian Craft had no report.

COUNCIL COMMITTEE REPORTS

Council Member Phipps reported that the Planning, Zoning and Economic Development Committee met earlier this evening and voted to recommend moving forward with legislation authorizing the Municipal Administrator to enter a contract with Calfee Zoning for the rewriting of the City's zoning code.

Council Member Zanfardino announced that the Community Improvement Committee will meet on Tuesday, March 10, at 5:00 p.m. to continue discussions regarding rental registration, licensing and inspection. He also announced that the committee will also meet on Monday, March 16, at 5:30 p.m. Zanfardino explained that this is the tentative date for the panel discussion with landlords from the Landlords' Association.

Council Member Herald announced that the Transportation & Safety Committee will meet at 5:00 p.m. on Monday, April 6, 2020. The meeting will focus street/bicycle interplay and a preliminary discussion of the possibility of a high-speed rail service through Bowling Green.

READING OF LEGISLATION

There was no legislation for first reading.

Clerk read Ordinance #8828 authorizing the Utilities Director to accept a utility easement from TBCH, Ltd., for second reading.

Clerk read Ordinance #8830 authorizing the Utilities Director to lease city-owned spare conduit infrastructure not currently necessary for municipal purposes, for second reading.

Clerk read Resolution #3755 authorizing the Mayor of the City of Bowling Green, Ohio, to file a capital and operating plan for the years 2020 through 2023 with the Ohio Department of Transportation for grants through the U.S. Department of Transportation, as authorized under federal transit laws, as Codified, 49 USC Section 5311, Financial Assistance for Other Than Urbanized Areas, for third reading.

Council Member Herald moved, Zanfardino seconded, to adopt Resolution #3755. On roll call vote, Council Members Hollenbaugh, Leontis, Phipps, Robinette, Rowland, Zanfardino, and Herald voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3755 adopted.

Council Member Herald moved, Rowland seconded, to amend by substitution Resolution #3756. The amendment was to include language to include funds available from the Ohio Transit Partnership Program. On roll call vote, Council Members Leontis, Phipps, Robinette, Rowland, Zanfardino, Herald, and Hollenbaugh voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3756 amended by substitution.

Clerk read Resolution #3756 Resolution 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 2021 Ohio Elderly and Disabled Transit Fare Assistance Program, and 5339 and/or 5311 funding for capital and/or operating assistance, and the Ohio Transit Partnership Program, and executing a contract with the Ohio Department of Transportation upon grant proposal(s) and/or application(s) approval, as amended for third reading.

Council Member Herald moved, Rowland seconded, to adopt Resolution #3756 as amended. On roll call vote, Council Members Phipps, Robinette, Rowland, Zarfardino, Herald, Hollenbaugh, and Leontis voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3756 adopted as amended.

Clerk read Resolution #3758 adopting the Bowling Green Fire Division 5-year Strategic Plan, for third reading.

Council Member Herald moved, Zarfardino seconded, to adopt Resolution #3758. On roll call vote, Council Members Robinette, Rowland, Zarfardino, Herald, Hollenbaugh, Leontis, and Phipps voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3758 adopted.

Clerk read Resolution #3759 adopting the Bowling Green Fire Division Standards of Cover for 2019, for third reading.

Council Member Herald moved, Rowland seconded, to adopt Resolution #3759. On roll call vote, Council Members Rowland, Zarfardino, Herald, Hollenbaugh, Leontis, Phipps, and Robinette voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3759 adopted.

Clerk read Ordinance #8825 authorizing the Municipal Administrator and the Utilities Director to advertise for bids and enter into a contract or contracts for the supplying and cleaning of uniforms for the Public Works Department and the Utilities Department, for third reading.

Council Member Robinette moved, Herald seconded, to adopt Ordinance #8825. On roll call vote, Council Members Zarfardino, Herald, Hollenbaugh, Leontis, Phipps, Robinette, and Rowland voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #8825 adopted.

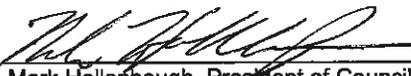
Clerk read Ordinance #8826 accepting an easement from Maurer Rentals, LLC, and dedicating the property for right-of-way purposes, for third reading.

Council Member Herald moved, Zarfardino seconded, to adopt Ordinance #8826. On roll call vote, Council Members Herald, Hollenbaugh, Leontis, Phipps, Robinette, Rowland, and Zarfardino voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #8826 adopted.

Council Member Herald moved, Robinette seconded, to adjourn. On unanimous voice vote, Council President Hollenbaugh adjourned the March 2, 2020 regular meeting of the City Council at 8:10 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Mark Hollenbaugh, President of Council



FINANCE DEPARTMENT
CITY OF BOWLING GREEN

March 2, 2020

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

Transfers requested for the month of March include:

Fund	Dept.	Account	Description	From	To
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 2,911.67	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 2,911.67
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
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	\$ 33,621.88	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 33,621.88
4018	810	92400	Capital Improvement, Capital Improvement, Transfer To Capital Projects	\$ 28,283.33	
4005	000	69440	Equipment Capital Reserve, Revenue, Transfer From Capital Projects		\$ 28,283.33
4029	423	92300	Street Repair, Street Repair, Transfer To Debt Service	\$ 37,824.90	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 37,824.90
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 4,320.33	
2021	000	69410	ODOT Transportation Grant (Taxi), Revenue, Transfer From General		\$ 4,320.33
4055	710	92300	Aquatic Facility Capital Improvement, Recreation Department, Transfer To Debt Service	\$ 20,764.06	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 20,764.06
2016	710	92300	Park, Playground and Recreation, Recreation Department, Transfer To Debt Service	\$ 19,209.90	

3025	000	69420	Debt Service, Revenue, Transfer From Special Revenue		\$ 19,209.90
5111	651	92500	Electric Revenue, Administrative and General, Transfer To Enterprise	\$ 184,213.00	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 184,213.00
5221	651	92500	Water Revenue, Administrative and General, Transfer To Enterprise	\$ 91,772.50	
5222	000	69450	Water Capital Reserve, Revenue, Transfer From Enterprise		\$ 91,772.50
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 42,064.00	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 42,064.00
Total				\$ 474,710.57	\$ 474,710.57

Complete Streets Implementation: Bicycle Considerations

On July 6, 2015, City Council passed Resolution 3594 expressing support of Complete Streets. The Resolution, in part, states that... “the City of Bowling Green recognizes the importance of street infrastructure improvements and modifications such as sidewalks, crosswalks, shared-use paths, bicycle lanes, signage and accessible curb ramps that enable safe, convenient, and comfortable travel for all users.” Section 2 of the Resolution instructs:

...that in order to develop and maintain a safe, efficient, balanced and environmentally sound Bowling Green transportation system for people of all ages and abilities, transportation and development projects should explore incorporating any principals of the Complete Street initiative that are consistent with the vision and values of the City of Bowling Green.

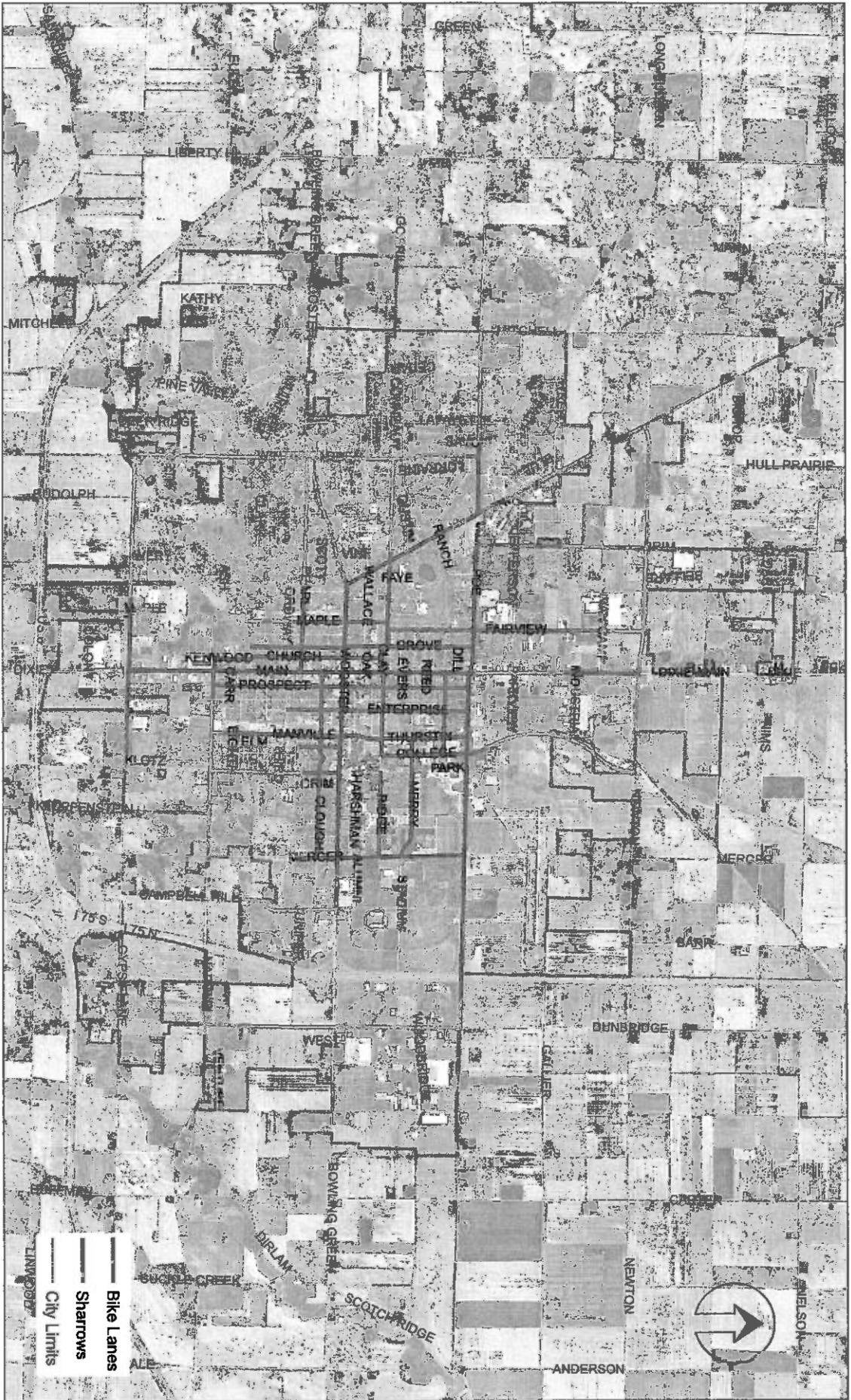
In its first five years of implementation, many components of Complete Streets have been incorporated into Bowling Green improvements. This work has included, but is not limited to: upgrading/replacing ADA ramps at intersections on all streets that have been renovated; increasing width of new and replacement sidewalks to 5-foot width; building a 10-foot wide multi-purpose path along Wooster Street including on the overpass over I-75; adding signage and share the road (“sharrow”) markings on certain streets; and the City’s Bicycle Safety Commission developing priorities and a network for future bicycle improvements.

In designing streets, the values of complete streets will continue to be incorporated. This memo is to outline how the recommendations of the City’s Bicycle Safety Commission will be considered in 2020 and beyond.

The City’s Bicycle Safety Commission developed a map and recommended to the City Council Transportation and Safety Committee a list of priority treatments for City streets. It was agreed, in coordination with the Administration, that as streets are repaved, the treatments identified by Bicycle Safety would be overlaid. The following process is recommended:

1. Annually, the Administration will provide an updated map and "Paving Project Coordination and Tracking Schedule." This chart will list the recommended bicycle treatments.
2. In cases where a bicycle treatment is recommended AND where that treatment could potentially impact traffic (e.g. removal of parking), the City's Transportation and Safety Committee will meet to discuss the proposed treatments and modifications.
3. The Transportation and Safety Committee will evaluate the streets and determine if any modifications are to be made.

BIKE STREET DESIGNATIONS



Legend	
Timeframe:	
Short Term	1-3 years
Near Term	4-6 years
Long Term	7+ years
Bike Treatment:	
Sharrow	
Bike Lane	
* Based on 2019 Bicycle Safety Commission	
Utility Work:	
Planned or anticipated utility projects along the same road or in the area that would	

Paving Project Coordination and Tracking						
Timeframe	Project	BSC Bike Treatment	Bike Treatment	Utility Work	Funding/Other Considerations	
Short Term	Thurstin (E. Poe -Ridge)	Sharrows (High)	Yes	No	2020 Project; Sharrows - Mainville	
Short Term	Pike (Thurstin-N.Enterprise)	N/A	N/A	No		
Short Term	Flanders (entire length)	N/A	N/A	No	2020 Project	
Short Term	E.Gypsy (south 1/2 overpass to Dunbridge)	N/A	N/A	No		
Short Term	Clay (entire length)	Sharrows (Low)	Study	No	2020 Project	
Short Term	E.Wooster (Campbell Hill to RR)	Bike Lane (Low)	Study	Yes	2021 Urban Paving; Bike Lane - Main to Campbell Hill	
Short Term	W.Wooster (Church to Haskins)	Bike Lane (Low)	Study	Yes	2021 Urban Paving; Bike Lane - Main to Wintergarden	
Short Term	Haskins (Wooster to Wren)	Bike Lane (Low)	Study	Yes	2021 Urban Paving; Bike Lane - W.Wooster to Newton	
Short Term	E.Wooster/Campbell Hill/Alumni Roundabout	N/A	N/A	No	TMACOG TIP	
Short Term	W.Newton (Brim - N Main)	Sharrows (Low)	Study	No	2024 TMACOG TIP; Sharrows - Main to Haskins	
Short Term	W.Court (Main-N.Church)	N/A	N/A	No		
Short Term	E.Washington (Main-Prospect)	N/A	N/A	No		
Short Term	W.Washington (Main-Grove)	N/A	N/A	No		
Short Term	Clough (Main-S.College)	Sharrows (Low)	Study	No	Sharrows - Main to Mercer	
Short Term	S.Maple (Wooster-Pearl)	Sharrows (High)	Study	Yes	2020 Project - after Utility work; Sharrows - Wooster to Sand Ridge	
Short Term	N.Maple (Wooster-Conneaut)	Sharrows (High)	Study	Yes	Sharrows - Conneaut to Wooster	
Short Term	Pearl (entire length)	Sharrows (High)	Study	Yes		
Short Term	S.Church (Pearl-Sand Ridge)	Sharrows (Low)	Study	No	Sharrows - W.Wooster to Sand Ridge	
Short Term	Summit (Gould-Pike)	N/A	N/A	Study		
Short Term	S.Grove (Wooster-Sand Ridge)	Sharrows (Low)	Study	Yes		
Short Term	Buttonwood (Wooster-Sand Ridge)	N/A	N/A	Study		
Short Term	E.Court (Prospect-Thurstin)	N/A	N/A	No		
Short Term	Meeker (entire length)	N/A	N/A	Yes		
Short Term	Lehman (entire length)	N/A	N/A	No		
Short Term	Coleman/Ash/Birch	N/A	N/A	No		
Short Term	Lambert (entire length)	N/A	N/A	No		
Short Term	Wallace (entire length)	N/A	N/A	No		
Short Term	Finch (Oriole-Wren)	N/A	N/A	No		
Short Term	E.Reed (200 block)	N/A	N/A	No	New curbs/sidewalks (south side)	
Short Term	Woodbridge Business Park	N/A	N/A	No		
Near Term	N. Main (Mail-Dayspring)	N/A	N/A	No		
Near Term	Mitchell (Wooster-Poe)	N/A	N/A	No		
Near Term	Wren, Cardinal, Oriole, Teal, Warbler	N/A	N/A	No		
Near Term	Finch, Wren, Cardinal, Oriole	N/A	N/A	No		
Near Term	Research Dr. (entire length)	N/A	N/A	No		
Near Term	Hilcrest (entire length)	N/A	N/A	Yes		
Near Term	Sand Ridge (Maple-Rudolph)	N/A	N/A	No		
Near Term	Georgia (Main-Summit)	N/A	N/A	Study		

Near Term	E.Reed (N.Prospect-N.Enterprise)	N/A	N/A	No	
Near Term	W.Reed (Main-Fairview)	N/A	N/A	No	
Near Term	The Village	N/A	N/A	Yes	New curbs
Near Term	Champagne	N/A	N/A	No	800 block - new curbs
Near Term	Muirfield (plat line-Wooster)	N/A	N/A	No	
Near Term	Cambell Hill (Wooster-corp line)	Sharrows (High)	Study	No	
Near Term	The Coventry	N/A	N/A	No	
Long Term	W.Wooster (Haskins-corp line)	Sharrows (Low)	Study	No	Sharrows - Haskins to Wintergarden
Long Term	Stonegate Blvd. (entire length)	N/A	N/A	No	
Long Term	Carol (Martindale-Hillcrest)	N/A	N/A	Yes	
Long Term	Clark (Martindale-east end)	N/A	N/A	Yes	
Long Term	Melrose (Martindale-west end)	N/A	N/A	Yes	
Long Term	Donbar (entire length)	N/A	N/A	No	
Long Term	Knollwood (entire length)	N/A	N/A	Yes	
Long Term	Kenwood (entire length)	Sharrows (Low)	Study	Yes	