

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

Minutes of

Meeting

BEAR GRAPHICS 800-326-8094 FORM NO. 10148

Held

MONDAY, JULY 6, 2020

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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 Hollenbaugh. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Herald, Hollenbaugh, Robinette, Rowland, and Zanfardino were present. Council Members Leontis and Phipps attended via teleconferencing. Also present were Mayor Mike Aspacher, 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 Rowland moved, Zanfardino seconded, to approve the minutes of the regular meeting held June 15, 2020 as distributed. On unanimous voice vote, Council President Hollenbaugh declared motion carried.

CORRESPONDENCE

Clerk of Council Kay Scherreik noted that a listing of budget transfers for the month of July was received from Finance Director Brian Bushong and distributed to Council prior to the meeting for approval. Council Member Robinette moved, Rowland 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.

SPECIAL RECOGNITIONS – MAYOR ASPACHER

Mayor Mike Aspacher and Municipal Administrator Lori Tretter recognized Public Works employee Andy Sergeant for his work in designing and building barriers that effectively protect employees and citizens who visit the City Administrative Services Building during the current COVID-19 virus situation. Tretter explained how Andy made custom designed plexiglass barriers that were needed to provide enough space for employees to maintain social distancing.

LOBBY VISITATIONS

Wendy Manning, 865 W. Wooster Street, addressed Council in favor of enacting a mask mandate in the City of Bowling Green. Manning said that this is not about personal freedoms and asked Council Members to defend the most vulnerable citizens in the City by mandating face coverings.

Council Member Leontis asked Manning how Council can get people to align themselves with the requirement and how to enforce it to those who refuse. Manning responded that just making a law is not going to be enough. She indicated that action needs to be taken soon before the BGSU students begin to return in the fall.

Rob Piasecki, 624 Orleans, also spoke in favor of a mask ordinance. He indicated that it needs to be done now rather than waiting and that it should be enacted as an emergency measure.

Anthony King, 215 E. Poe Road, addressed City Council regarding his fear as a black man living in Bowling Green. He also expressed his fear for others in the black community who are living in Bowling Green.

NEW LEGISLATION

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

Council Member Robinette, 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, 2020 and ending December 31, 2020.

Council Member Robinette, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to enter into an agreement with Staffed Right LLC for temporary staffing services, and declaring an emergency.

Council Member Rowland, for the Committee-of-the-Whole, introduced a resolution affirming Bowling Green City Council's commitment to racial equity.

Council Member Rowland, for the Parks and Recreation Committee, introduced a resolution authorizing the Mayor to execute a Conservation Easement Agreement with the Black Swamp Conservancy.

Council Member Leontis, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for electric distribution improvements at the Water Pollution Control facility.

Council Member Leontis, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the lease of certain municipal property for agricultural purposes.

Council Member Leontis, for the Public Utilities Committee, introduced an ordinance accepting a deed from HCF Realty of Bowling Green, Inc., for right-of-way and utility purposes on W. Poe Road.

OFFICIAL REPORTS

Mayor Mike Aspacher reported that the City remains focused on matters related to COVID-19. Aspacher indicated that funds through the CARES Act have been received. He noted that staff is in the process analyzing information received from the U.S. Department of Treasury on allowable expenses for those funds. He indicated that the focus right now is on safety services and direct expenses relating to COVID-19. Mayor Aspacher also noted that the Administration continues to look at its strategic goals and capital projects to keep moving forward, while remaining focused on issues needing immediate attention relating to COVID-19.

Council Member Zanfardino said that it was good news regarding the CARES funding received and asked if it could be used towards Police and Fire expenses. Aspacher responded that that is one of the things that is currently being looked at to see if those expenses are allowable under the CARES Act. He indicated that perhaps the personal protective equipment and possible salaries as it directly relates to COVID-19.

Before moving forward in the meeting, Council President Hollenbaugh thanked all the City staff in attendance at this evening's meeting as it is the first time in several months that everyone has been able to attend due to virus restrictions.

Municipal Administrator Lori Tretter noted that Council has legislation on its agenda this evening for the leasing of property for agricultural purposes. She requested that Council accelerate the readings and act on that legislation at the July 20 in order to advertise and enter into contracts in an expeditious manner.

Council Member Leontis noted that he is pleased to see that office spaces are being made safer for City employees and asked if there had been any cases among the staff. Tretter declined to answer due to health privacy concerns.

Planning Director Heather Saylor had no report.

Parks and Recreation Director Kristin Otley had no report.

City Attorney Michael Marsh reported that after two years of working with the owners of the Days Inn, the hotel was ordered to be shut down last week by the Wood County Common Pleas Court. Marsh noted that there was an unwillingness to even clean the place as well as some serious safety hazards. Marsh thanked Fire Chief Bill Moorman as he has devoted quite a bit of time to this issue along with the State Fire Marshal's Office

and the Wood County Building Inspector. Council Member Leontis asked if there were any long-term residents still living there. Marsh confirmed that there were not at the time the lawsuit was filed. Marsh also indicated that Wood County Job and Family Services were told about the case and alternative housing was found for the people living there.

Utilities Director Brian O'Connell had no report

Council Member Leontis asked O'Connell about the status of the battery project. O'Connell responded that he is currently working on the contract, however, it will need to go to the Board of Public Utilities first for approval.

Leontis asked for reassurance from O'Connell that Utilities is working with people during these unprecedented times to refer them to agencies for help in paying utility bills. O'Connell confirmed that staff does refer those who need help to the various organizations in the community that are there to provide help.

Public Works Director Brian Craft was not present.

COUNCIL COMMITTEE REPORTS

Council Member Robinette announced that the Finance Committee will meet on Monday, August 3, 2020, at 6:00 p.m. in the Council Chamber to discuss quarterly City finances.

READING OF LEGISLATION

Clerk read Resolution #3772 affirming Bowling Green City Council's commitment to racial equity, for first reading.

Council Member Rowland moved, Zanfardino seconded, to suspend the rules and give Resolution #3772 its second and third reading. Council Member Rowland commented that she was part of the team that drafted this resolution by researching what other communities and the university were doing. She indicated that she feels that it is well written with goals that are achievable. On roll call vote, Council Members Hollenbaugh, Leontis, Phipps, Robinette, Rowland, and Zanfardino voted yes. Council Member Herald voted no. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Resolution #3772 for second and third reading by number and title only.

Council Member Rowland moved, Zanfardino seconded, to adopt Resolution #3772.

Council Member Zanfardino commented that he is proud to be a part of this resolution. He noted that Council Member Rowland did a lot of the writing of this resolution which he thinks is great. He indicated that he added some things to it as well as Council Member Phipps. Zanfardino stated that we live in an interesting time in the U.S. and that we have a long way to go in terms of racial justice in this country and feels that all bodies of government should take steps to try to address it. He also said that he is particular proud of the portion asking the Police Division to create a liaison for people of color in the community. The experience he has in the community is not shared by people of color and he wants to acknowledge that.

Council President Hollenbaugh also thanked Council Member Rowland for producing an excellent resolution in a very short period of time.

Council Member Leontis thanked Council Members Rowland, Zanfardino and Phipps for their leadership on this resolution. He indicated that he feels this is an important first step and must be followed up with actions. Leontis stated that we must listen to what minority communities are saying because their experiences are different from ours. There is always room for improvement.

Council Member Herald explained that he voted no on suspending the rules so that there could be multiple forums and multiple opportunities for the word to get out. Herald agreed with Zanfardino in that there is a lot of good in the resolution. He indicated that this is a good step forward.

Leontis asked if the resolution could be read aloud in order for the public to hear it. In response, the clerk read the resolution in its entirety. After the reading, Council President Hollenbaugh asked for the roll call vote to be called.

On roll call vote, Council Members Leontis, Phipps, Robinette, Rowland, Zanfardino, Herald, and Hollenbaugh voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3772 adopted.

Clerk read Resolution #3773 authorizing the Mayor to execute a Conservation Easement Agreement with the Black Swamp Conservancy, for first reading.

Council Member Rowland moved, Robinette seconded, to suspend the rules and give Resolution #3773 its second and third reading. On roll call vote, Council Members Phipps, Robinette, Rowland, Zanfardino, Herald, Hollenbaugh, and Leontis voted yes. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Resolution #3773 for second and third reading by number and title only.

Council Member Rowland moved, Zanfardino seconded, to adopt Resolution #3773. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Herald, Hollenbaugh, Leontis, and Phipps voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3773 adopted.

Clerk read Ordinance #8856 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2020 and ending December 31, 2020, for first reading.

Council Member Robinette moved, Zanfardino seconded, to suspend the rules and give Ordinance #8856 its second and third reading. On roll call vote, Council Members Rowland, Zanfardino, Herald, Hollenbaugh, Leontis, Phipps, and Robinette voted yes. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Ordinance #8856 for second and third reading by number and title only.

Council Member Robinette moved, Rowland seconded, to adopt Ordinance #8856. On roll call vote, Council Members Zanfardino, Herald, Hollenbaugh, Leontis, Phipps, Robinette, and Rowland voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #8856 adopted.

Clerk read Ordinance #8857 authorizing the Municipal Administrator to enter into an agreement with Staffed Right LLC for temporary staffing services, and declaring an emergency, for first reading.

Council Member Robinette moved, Rowland seconded, to suspend the rules and give Ordinance #8857 its second and third reading. On roll call vote, Council Members Herald, Hollenbaugh, Leontis, Phipps, Robinette, Rowland, and Zanfardino voted yes. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Ordinance #8857 for second and third reading by number and title only.

Council Member Robinette moved, Rowland seconded, to adopt the emergency clause for Ordinance #8857. On roll call vote, Council Members Hollenbaugh, Leontis, Phipps, Robinette, Rowland, Zanfardino, and Herald voted yes. Council President Hollenbaugh declared motion carried, and the emergency clause adopted.

Council Member Robinette moved, Zanfardino seconded, to adopt Ordinance #8857. On roll call vote, Council Members Leontis, Phipps, Robinette, Rowland, Zanfardino, Herald, and Hollenbaugh voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #8857 adopted.

Clerk read Ordinance #8858 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for electric distribution improvements at the Water Pollution Control facility, for first reading.

Clerk read Ordinance #8859 accepting a deed from HCF Realty of Bowling Green, Inc., for right-of-way and utility purposes on W. Poe Road, for first reading.

Clerk read Ordinance #8860 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the lease of certain municipal property for agricultural purposes, for first reading.

Clerk read Resolution #3770 adopting and authorizing an amended Community Development Block Grant (CDBG) Housing Policy & Procedures Manual, for second reading.

Clerk read Resolution #3771 creating a Designated Outdoor Refreshment Area (DORA) for downtown Bowling Green and enacting regulations, for second reading.

Council Member Herald moved, Rowland seconded, to suspend the rules and give Resolution #3771 its third reading. On roll call vote, Council Members Phipps, Robinette, Rowland, Zanfardino, Herald, Hollenbaugh, and Leontis voted yes. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Resolution #3771 for third reading by number and title only.

Council Member Herald moved, Rowland seconded, to adopt Resolution #3771. On roll call vote, Council Members Robinette, Rowland, Zanfardino, Herald, Hollenbaugh, Leontis, and Phipps voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3771 adopted.

Clerk read Ordinance #8853 for cleaning of streets by special assessment, for second reading.

Clerk read Ordinance #8855 creating and adopting Section 150.49 of the Codified Ordinances of the City of Bowling Green, Ohio, establishing the Gateway Zoning District, for second reading.

Clerk read Resolution #3766 adopting the Estimate of Revenues for the year 2021, for third reading.

Council Member Robinette moved, Zanfardino seconded, to adopt Resolution #3766. On roll call vote, Council Members Rowland, Zanfardino, Herald, Hollenbaugh, Leontis, Phipps, and Robinette voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3766 adopted.

Clerk read Resolution #3768 adopting amendments to the Community Development Block Grant Citizen Participation Plan for the City of Bowling Green, for third reading.

Council Member Zanfardino moved, Rowland seconded, to adopt Resolution #3768. On roll call vote, Council Members Zanfardino, Herald, Hollenbaugh, Leontis, Phipps, Robinette, and Rowland voted yes. Council President Hollenbaugh declared motion carried, and Resolution #3768 adopted.

Clerk read Ordinance #8850 authorizing the Municipal Administrator and the Utilities Director to seek qualifications and/or advertise for bids and enter into a contract or contracts for design, engineering, right-of-way acquisition, construction, and other services relating to the Economic Development Administration (EDA) grant funding projects, for third reading.

Council Member Robinette moved, Rowland seconded, to adopt Ordinance #8850. On roll call vote, Council Members Herald, Hollenbaugh, Leontis, Phipps, Robinette, Rowland, and Zanfardino voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #8850 adopted.

Clerk read Ordinance #8852 accepting an easement for utility purposes from Whitson Properties, LLC, for third reading.

Council Member Leontis moved, Rowland seconded, to adopt Ordinance #8852. On roll call vote, Council Members Hollenbaugh, Leontis, Phipps, Robinette, Rowland, Zanfardino, and Herald voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #8852 adopted.

Council President Hollenbaugh noted that it is his desire to have a mandatory mask ordinance ready for introduction at the July 20 meeting and to give it three readings and enact the emergency clause at that time. President Hollenbaugh explained that this is prompted by the uptick in COVID-19 cases at the present time and the lack of people who are voluntarily wearing masks in public places.

Council Member Rowland advocated for moving at a faster speed due to the urgency of the matter. She noted that other communities have done it so there is existing legislation that the City can use to develop the legislation appropriate for Bowling Green. She suggested having a special meeting next Monday to consider the legislation at that time.

President Hollenbaugh indicated that he would not commit to a special meeting right now. He stated that he would send out instructions to Council Members on drafting legislation and depending on how efficiently Council negotiates the development process, he will then look at whether it can or cannot be expedited.

Council Member Herald stated that it's important for Council to balance passing an ordinance quickly with also providing an opportunity and time for public input. Due to the urgency of the issue, Council does not have the luxury of going through the normal channels of three separate readings and no emergency clause. He indicated that he feels that Council has to balance both sides and believes that passing an ordinance on July 20 is fast enough and allows time for citizens to voice their opinions.

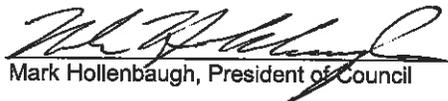
Council Member Zanfardino said that everyday counts and it seems as though by July 20 it could mean an additional 250,000 COVID-19 cases in the U.S. He indicated that whether this is done tomorrow and six months from now, there are going to be two camps on the issue and people aren't likely to change their minds.

Council President Hollenbaugh confirmed that the July 20 date was chosen because he feels it will take that amount of time for Council to come to a consensus to end up with a document that was effective for Bowling Green and to afford citizens the opportunity to get in touch with their Council representative with input. President Hollenbaugh indicated that he does not want to commit to a faster timetable and then not be able to achieve it.

Council Member Herald moved, Rowland seconded, to adjourn. On unanimous voice vote, Council President Hollenbaugh adjourned the July 6, 2020 regular meeting of the City Council at 8:08 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Mark Hollenbaugh, President of Council



FINANCE DEPARTMENT
CITY OF BOWLING GREEN

July 6, 2020

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

Transfers requested for the month of July 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
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	\$ 65,560.00	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 65,560.00
5221	651	92500	Water Revenue, Administrative and General, Transfer To Enterprise	\$ 68,537.00	
5222	000	69450	Water Capital Reserve, Revenue, Transfer From Enterprise		\$ 68,537.00
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 19,004.00	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 19,004.00
Total				\$ 305,441.74	\$ 305,441.74