

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

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held MONDAY, FEBRUARY 1, 2010 \_\_\_\_\_ 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 8:00 p.m. by Council President Zanfardino. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino responded. Also present were Mayor John Quinn, Municipal Administrator John Fawcett, City Attorney Michael Marsh, Parks and Recreation Director Michelle Grigore, Public Works Director Brian Craft, Utilities Director Kevin Maynard, and Acting Planning Director Heather Saylor.

Council President Zanfardino declared the minutes of the meeting held January 19, 2010 approved as distributed.

**CORRESPONDENCE**

There was no correspondence.

Council Member Zanfardino read and presented a framed copy of a resolution adopted by City Council to former Council Members Megan Newlove and Larry Sorrells honoring their service on City Council.

**OFFICIAL REPORTS**

Mayor John Quinn reported that he appointed Council Member Joel Kuhlman to the Transportation Advisory Committee for a term expiring 5/31/12 and noted that that appointment did not require confirmation from City Council. Mayor Quinn then requested Council's confirmation of the following additional appointments to City boards and commissions:

- Bob McOmber – Audit Committee for a term expiring 5/31/12
- Terry Dunn – Convention & Visitors Bureau for a term expiring 5/31/11
- Mark Hollenbaugh – Sidewalk Commission for an indefinite term

Council Member Frost moved, Kuhlman seconded, to approve the appointments as presented by the Mayor. On unanimous voice vote, Council President Zanfardino declared motion carried.

Mayor Quinn reported that the annual industrial visits have begun and that they are seeing a slight turn in the economic outlook and have seen more optimism from business owners. Mayor Quinn invited interested Council Members to contact him if they would like to join in on the visits.

Mayor Quinn congratulated Municipal Administrator John Fawcett for receiving the first Special Athena Award at the Chamber of Commerce's annual dinner.

Municipal Administrator John Fawcett reported to Council that there has been only one officially declared snow emergency in the City thus far this winter season.

Fawcett reported that the Traffic Commission met last week and recommended the removal of marked and unmarked parking spaces on E. Wooster Street from Prospect Street down to the railroad crossing in order. Fawcett explained that this decision was based on a recommendation from the City Engineer in order to provide space to add a center two-way left turn lane along that corridor. At the request of Council Member Aspacher, Fawcett indicated that he has asked Public Works Director Brian Craft to provide Council with some background information that was considered in that recommendation. Council Member McOmber asked if there was a time limitation that Council had if it were to choose to overturn the recommendation of the Traffic Commission. Fawcett responded that Council had 90 days.

Fawcett requested an Executive Session of City Council at the end of this evening's meeting for the purpose of discussion land acquisition.

Acting Planning Director Heather Saylor had no report.

Parks and Recreation Director Michelle Grigore noted that legislation is on Council's agenda this evening to enter into a lease agreement with Bowling Green Pee Wee League for facilities at Carter Park. Grigore further noted that meeting will be held on February 4 at 7:00 p.m. at Carter Park to explore the possibilities of an adult league for softball.

City Attorney Michael Marsh had no report.

Utilities Director Kevin Maynard had no report.

Public Works Director Brian Craft reported to Council that the City will be receiving additional federal stimulus money to be used for the E. Poe Road project from Dunbridge Road to Tarragon Drive and the project may be done in the fall of 2010.

Craft explained some of the background regarding the recent action taken by the Traffic Commission to remove several on-street parking spaces on E. Wooster Street from Prospect Street to the railroad crossing and indicated that the goal is to provide for a middle left turn lane similar to what was done during the East Wooster Street project further to the east and done a few years ago. He noted that the center turn lane is intended to improve traffic flow and safety. Both Council Members Aspacher and McOmber expressed concern for business owners in that corridor and felt that they made compelling arguments to retain the parking spaces located in front of their businesses. They both felt that Council needed to consider those arguments and the safety issue to see if there are any reasonable solutions to the situation.

#### NEW LEGISLATION

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

Council Member McOmber, 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, 2010 and ending December 31, 2010.

Council Member Kuhlman, for the Parks and Recreation Committee, introduced an ordinance authorizing the Municipal Administrator to enter into a lease agreement with the Bowling Green Pee Wee League to provide for recreational activities on City property in Carter Park.

Council Member Zanfardino, for the Community Improvement Committee, introduced a resolution 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 Housing and Community Development Act of 1974, as amended.

Council Member Hollenbaugh, for the Transportation and Safety Committee, introduced a resolution declaring the necessity and intent to appropriate various permanent and temporary interests in certain property for purposes of widening North Main Street within the City of Bowling Green, Ohio.

Council Member Frost, for the Planning, Zoning and Economic Development Committee, introduced an ordinance accepting annexation of approximately 1.54 acres of land in Center Township, Wood County, Ohio, from Bowling Green Covenant of Jehovah's Witnesses, petitioners.

Council Member Frost, for the Planning, Zoning and Economic Development Committee, introduced an ordinance accepting annexation of approximately 3.115 acres of land in Plain Township, Wood County, Ohio, from James L. & Patricia J. Smith, petitioners.

Council Member Frost, for the Planning, Zoning and Economic Development Committee, introduced an ordinance establishing interim zoning of R-2 Single Family Residential for the Smith property recently annexed to the City of Bowling Green.

#### COUNCIL COMMITTEE REPORTS

There were no Council committee reports.

#### LOBBY VISITATIONS

There were no lobby visitations.

#### READING OF LEGISLATION

Clerk read Resolution #3426 declaring the necessity and intent to appropriate various permanent and temporary interests in certain property for purposes of widening North Main Street within the City of Bowling Green, Ohio, for first reading.

Council Member Hollenbaugh moved, Dunn seconded, to suspend the rules and give Resolution #3426 its second and third reading. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3426 for second and third reading by number and title only.

Council Member Hollenbaugh moved, McOmber seconded, to adopt Resolution #3426. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dun voted yes. Council President Zanfardino declared motion carried, and Resolution #3426 adopted.

Clerk read Resolution #3427 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 Housing and Community Development Act of 1974, as amended, for first reading.

Clerk read Ordinance #7976 authorizing the Municipal Administrator to enter into a lease agreement with the Bowling Green Pee Wee League to provide for recreational activities on City property in Carter Park, for first reading.

Clerk read Ordinance #7977 accepting annexation of approximately 1.54 acres of land in Center Township, Wood County, Ohio, from Bowling Green Covenant of Jehovah's Witnesses, petitioners, for first reading.

Clerk read Ordinance #7978 accepting annexation of approximately 3.115 acres of land in Plain Township, Wood County, Ohio, from James L. & Patricia J. Smith, petitioners, for first reading.

Clerk read Ordinance #7979 establishing interim zoning of R-2 Single Family Residential for the Smith property recently annexed to the City of Bowling Green, for first reading.

Council Member Frost announced that a public hearing will be held for Ordinance #7979 on March 15, 2010 at 7:45 p.m. in the Council Chamber.

Clerk read Ordinance #7980 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2010 and ending December 31, 2010, for first reading.

Council Member McOmber moved, Aspacher seconded, to suspend the rules and give Ordinance #7980 its second and third reading. On roll call vote, Council Members Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #7980 for second and third reading by number and title only.

Council Member McOmber moved, Dunn seconded, to adopt Ordinance #7980. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and Ordinance #7980 adopted.

Clerk read Ordinance #7963 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for the cleaning of uniforms for the Department of Safety, for second reading.

Clerk read Ordinance #7965 authorizing the Municipal Administrator and the Utilities Director to enter into a contract or contracts with specified vendors for work that may exceed \$25,000 annually for calendar year 2010, for second reading.

Clerk read Ordinance #7966 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts and/or participate in State of Ohio purchase programs for the purchase of vehicles and equipment as well as the trade-in or outright sale of vehicles and equipment being replaced, for second reading.

Clerk read Ordinance #7967 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for facility repairs, improvements or rehabilitations for City-owned buildings, for second reading.

Clerk read Ordinance #7968 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for sidewalk improvements, pavement striping, deicing salt, and improving streets, alleys, and other public ways in the City of Bowling Green, Ohio, for second reading.

Clerk read Ordinance #7969 amending and adopting Section 73.15(B)(4) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding speed limits, for second reading.

Clerk read Ordinance #7970 amending and adopting Section 93.99(A) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding fire protection and prevention, for second reading.

Clerk read Ordinance #7971 amending and adopting Section 38.02(B) & (D) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding civil infractions, for second reading.

Clerk read Ordinance #7973 accepting an easement for utility purposes from Anthony Wulff, for second reading.

Clerk read Ordinance #7974 authorizing the Utilities Director to execute an extension for professional government affairs services with The Ferguson Group, for second reading.

Clerk read Ordinance #7975 amending the Zoning District Map of the City of Bowling Green, Ohio, for the Wintergarden Park/St. John's Nature Preserve from S-3 Planned Institutional and R-1 Single Family Residential zoning to I-1 Institutional zoning, for second reading.

Clerk read Ordinance #7960 to provide for the issuance and sale of notes in an amount not to exceed \$2,200,000 in anticipation of the issuance of bonds for the purpose of paying costs of improving North Main Street and the North Main Street/Poe Road intersection by constructing, reconstructing, widening, paving, resurfacing, grading, draining, constructing curbs, sidewalks, access ramps, driveway approaches, gutters and related drainage improvements, installing signalization and lighting, and acquiring the necessary real estate and interest therein, together with necessary and incidental appurtenances and such other costs of those improvements as are permitted by Revised Code Section 133.15 to be funded from the proceeds of securities, for third reading.

Council Member McOmber moved, Frost seconded, to adopt Ordinance #7960. On roll call vote, Council Members McOmber, Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and Ordinance #7960 adopted.

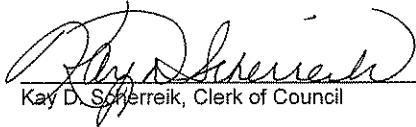
Clerk read Ordinance #7961 authorizing an agreement between the City of Bowling Green, Ohio, and the Wood County Regional Airport Authority, for third reading.

Council Member McOmber moved, Dunn seconded, to adopt Ordinance #7961. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and McOmber voted yes. Council Member Kuhlman abstained. Council President Zanfardino declared motion carried, and Ordinance #7961 adopted.

Council Member McOmber moved, Frost seconded, to move Council into Executive Session at 8:45 p.m. for the purpose of discussing land acquisition. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried.

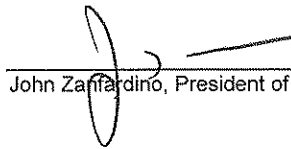
Council Member McOmber moved, Kuhlman seconded, to move Council out of Executive Session at 9:10 p.m. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried.

Council Member Frost moved, Aspacher seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the February 1, 2010 regular meeting of the City Council at 9:11 p.m., subject to call.



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Kay D. Scherrek, Clerk of Council



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John Zanfardino, President of Council