

RECORD OF PROCEEDINGS
CITY OF BOWLING GREEN CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

MONDAY, JANUARY 19, 2010

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 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, Assistant Utilities Director Paul Brock, and Acting Planning Director Heather Saylor.

Council President Zanfardino declared the minutes of the special meeting held December 30, 2009 and the regular meeting held January 4, 2010 approved as distributed.

CORRESPONDENCE

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

Clerk noted for the record that copies of the Budget Summary Report for the month of December 2009 was distributed to Council prior to this evening's meeting.

OFFICIAL REPORTS

Mayor John Quinn had no report.

Municipal Administrator John Fawcett had no report.

Acting Planning Director Heather Saylor distributed copies of an annual report of Planning Department activities to Council Members.

Parks and Recreation Director Michelle Grigore noted that legislation is on Council's agenda for the renewal of the Parks and Recreation levy and indicated that the levy renewal is for a three year period. Grigore also distributed to Council her department's monthly report December 2009 – January 2010. Grigore pointed out that the Community Center finished the year at the 89% cost recovery point.

Council Member Aspacher expressed his appreciation to Grigore for her efforts to support youth programming and indicated that he feels these programs are important to the community.

Council Member Dunn expressed his concern regarding proposed legislation raising the speed limit on Newton Road and the fact that the Community Center is located on Newton Road and there is a proposed bike/pedestrian path planned for that area.

City Attorney Michael Marsh had no report.

Assistant Utilities Director Paul Brock had no report.

Public Works Director Brian Craft had no report.

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 McOmber, for the Finance Committee, introduced an ordinance 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.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for street, sidewalk curb ramp, and drainage improvements, and other services relating to the improvements on North Main Street, and declaring an emergency.

Council Member McOmber, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to enter into a contract or contracts with specified vendors for work that may exceed \$25,000 annually for calendar year 2010.

Council Member McOmber, for the Finance Committee, introduced an ordinance 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.

Council Member Kuhlman, for the Parks and Recreation Committee, introduced a resolution declaring it necessary to replace an existing tax for the purpose of providing funds for recreational purposes of Bowling Green City Parks and Recreation and requesting the Wood County Auditor to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by that levy.

Council Member Kuhlman, for the Parks and Recreation Committee, introduced a resolution determining to proceed to submit to the electors of the City of Bowling Green the question of a replacement tax in excess of the 10 mill levy limitation for the purpose of providing 1.4 mills for Bowling Green City Parks and Recreation.

Council Member Dunn, for the Public Lands and Buildings Committee, introduced an ordinance 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.

Council Member Zanfardino, for the Committee-of-the-Whole, introduced a resolution honoring Megan Newlove, Member of the Council of the City of Bowling Green, Ohio.

Council Member Zanfardino, for the Committee-of-the-Whole, introduced a resolution honoring Larry Sorrells, Member of the Council of the City of Bowling Green, Ohio.

Council Member Zanfardino, for the Committee-of-the-Whole, introduced a resolution honoring Jacob Redfern, Member of the Council of the City of Bowling Green, Ohio.

Council Member Hollenbaugh, for the Transportation and Safety Committee, introduced an ordinance authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for sidewalk improvements, pavement striping, deicing sale, and improving streets, alleys, and other public ways in the City of Bowling Green, Ohio.

Council Member Hollenbaugh, for the Transportation and Safety Committee, introduced an ordinance amending and adopting Section 73.15(B)(4) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding speed limits.

Council Member Hollenbaugh, for the Transportation and Safety Committee, introduced an ordinance amending and adopting Section 93.99(A) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding fire protection and prevention.

Council Member Hollenbaugh, for the Transportation and Safety Committee, introduced an ordinance amending and adopting Section 38.02(B) & (D) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding civil infractions.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to submit a Surface Water Improvement fund grant application and execute all necessary agreements for said grant, and declaring an emergency.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance accepting an easement for utility purposes from Anthony Wulff.

Council Member Aspacher, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to execute an extension for professional government affairs services with The Ferguson Group.

Council Member Frost, for the Planning, Zoning and Economic Development Committee, introduced an ordinance 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.

COUNCIL COMMITTEE REPORTS

There were no Council committee reports.

LOBBY VISITATIONS

Kim McBroom, Bowling Green State University, addressed Council regarding the Toledo Region Branding Initiative. McBroom explained that the Initiative has been formed through a partnership with Destination Toledo, University of Toledo, City of Toledo, BGSU and a group of Northwest Ohio business and community groups in an effort to support economic growth and vitality for the region by telling the best possible story about the Toledo region and what it has to offer. McBroom invited interested Council Members and members of the Administration to a forum being held on January 28 from 7 to 9 p.m. in the Sky Bank Room of the Bowen-Thompson Student Union at BGSU.

READING OF LEGISLATION

Clerk read Resolution #3421 honoring Megan Newlove, Member of the Council of the City of Bowling Green, Ohio, for first reading.

Council Member Dunn moved, Frost seconded, to suspend the rules and give Resolution #3421 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 #3421 for second and third reading by number and title only.

Council Member Dunn moved, Aspacher seconded, to adopt Resolution #3421. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dun voted yes. Council President Zanfardino, declared motion carried, and Resolution #3421 adopted.

Clerk read Resolution #3422 honoring Larry Sorrells, Member of the Council of the City of Bowling Green, Ohio, for first reading.

Council Member Frost moved, Dunn seconded, to suspend the rules and give Resolution #3422 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 Resolution #3422 for second and third reading by number and title only.

Council Member Dunn moved, McOmber seconded, to adopt Resolution #3422. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and Resolution #3422 adopted.

Clerk read Resolution #3423 honoring Jacob Redfern, Member of the Council of the City of Bowling Green, Ohio, for first reading.

Council Member Frost moved, Aspacher seconded, to suspend the rules and give Resolution #3423 its second and third reading. On roll call vote, Council Members McOmber, Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3423 for second and third reading by number and title only.

Council Member Dunn moved, Frost seconded, to adopt Resolution #3423. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and McOmber voted yes. Council President Zanfardino declared motion carried, and Resolution #3423 adopted.

Clerk read Resolution #3424 declaring it necessary to replace an existing tax for the purpose of providing funds for recreational purposes of Bowling Green City Parks and Recreation and requesting the Wood County Auditor to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by that levy, for first reading.

Council Member Dunn moved, Aspacher seconded, to suspend the rules and give Resolution #3424 its second and third reading. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3424 for second and third reading by number and title only.

Council Member Kuhlman moved, McOmber seconded, to adopt Resolution #3424. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Resolution #3424 adopted.

Clerk read Resolution #3425 determining to proceed to submit to the electors of the City of Bowling Green the question of a replacement tax in excess of the 10 mill levy limitation for the purpose of providing 1.4 mills for Bowling Green City Parks and Recreation, for first reading.

Council Member Kuhlman moved, Dunn seconded, to suspend the rules and give Resolution #3425 its second and third reading. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Resolution #3425 for second and third reading by number and title only.

Council Member Kuhlman moved, Frost seconded, to adopt Resolution #3425. On roll call vote, Council Members Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and Resolution #3425 adopted.

Clerk read Ordinance #7962 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, Dunn seconded, to suspend the rules and give Ordinance #7962 its second and third reading. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #7962 for second and third reading by number and title only.

Council Member McOmber moved, Frost seconded, to adopt Ordinance #7962. On roll call vote, Council Members McOmber, Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, an Ordinance #7962 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 first reading.

Clerk read Ordinance #7964 authorizing the Municipal Administrator to advertise for bids and enter into a contract or contracts for street, sidewalk curb ramp, and drainage improvements, and other services relating to the improvements on North Main Street, and declaring an emergency, for first reading.

Council Member McOmber moved, Dunn seconded, to suspend the rules and give Ordinance #7964 its second and third reading. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and McOmber voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #7964 for second and third reading by number and title only.

Council Member McOmber moved, Frost seconded, to adopt the emergency clause for Ordinance #7964. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member McOmber moved, Dunn seconded, to adopt Ordinance #7964. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #7964 adopted.

Clerk read Ordinance #7965 authorizing the Municipal Administrator to enter into a contract or contracts with specified vendors for work that may exceed \$25,000 annually for calendar year 2010, for first 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 first 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 first 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 sale, and improving streets, alleys, and other public ways in the City of Bowling Green, Ohio, for first 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 first 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 first 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 first reading.

Clerk read Ordinance #7972 authorizing the Utilities Director to submit a Surface Water Improvement fund grant application and execute all necessary agreements for said grant, and declaring an emergency, for first reading.

Council Member Aspacher moved, McOmber seconded, to suspend the rules and give Ordinance #7972 its second and third reading. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dunn voted yes. Council President Zanfardino declared motion carried, and rules suspended.

Clerk read Ordinance #7972 for second and third reading by number and title only.

Council Member Aspacher moved, Frost seconded, to adopt the emergency clause for Ordinance #7972. On roll call vote, Council Members Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and the emergency clause adopted.

Council Member Aspacher moved, McOmber seconded, to adopt Ordinance #7972. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and Ordinance #7972 adopted.

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

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

Council Member Frost announced that a public hearing will be held for Ordinance #7975 on March 1, 2010 at 7:45 p.m. in the Council Chamber.

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 second reading.

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

Clerk read Ordinance #7953 amending and adopting Section 33.27(N) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to vacations, for third reading.

Council Member McOmber moved, Frost seconded, to adopt Ordinance #7953. On roll call vote, Council Members McOmber, Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, and Kuhlman voted yes. Council President Zanfardino declared motion carried, and Ordinance #7953 adopted.

Clerk read Ordinance #7954 amending and adopting Section 94.07(A) of the Codified Ordinances of the City of Bowling Green, Ohio, concerning tree clippings collected, for third reading.

Council Member Dunn moved, Frost seconded, to adopt Ordinance #7954. On roll call vote, Council Members Zanfardino, Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, and McOmber voted yes. Council President Zanfardino declared motion carried, and Ordinance #7954 adopted.

Clerk read Ordinance #7955 authorizing the Utilities Director to accept utility easements for the East Wooster Street water main improvements and also for electric line extensions and maintenance, for third reading.

Council Member Aspacher moved, McOmber seconded, to adopt Ordinance #7955. On roll call vote, Council Members Aspacher, Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, and Zanfardino voted yes. Council President Zanfardino declared motion carried, and Ordinance #7955 adopted.

Clerk read Ordinance #7956 authorizing the Utilities Director to approve the form and execute a Wind Project II Schedule with American Municipal Power, Inc., and taking all other actions necessary in connection with said schedule regarding wind electric generation, for third reading.

Council Member Aspacher moved, Dunn seconded, to adopt Ordinance #7956. On roll call vote, Council Members Dunn, Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, and Aspacher voted yes. Council President Zanfardino declared motion carried, and Ordinance #7956 adopted.

Clerk read Ordinance #7958 authorizing the Utilities Director to enter into a contract or contracts for operation and maintenance agreements with Northwestern Water and Sewer District and the Wood County Solid Waste District, for third reading.

Council Member Aspacher moved, Frost seconded, to adopt Ordinance #7958. On roll call vote, Council Members Frost, Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, and Dun voted yes. Council President Zanfardino declared motion carried, and Ordinance #7958 adopted.

Clerk read Ordinance #7959 authorizing the Utilities Director to contract for design services and to solicit bids and enter into a contract or contracts for construction of the East Gypsy Lane Road Water Main Extension project, Phase 1, for third reading.

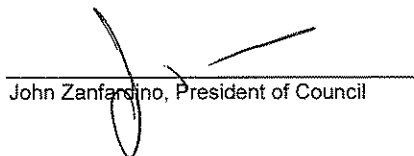
Council Member Aspacher moved, Frost seconded, to adopt Ordinance #7959. On roll call vote, Council Members Hollenbaugh, Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, and Frost voted yes. Council President Zanfardino declared motion carried, and Ordinance #7959 adopted.

Council Member Frost moved, Dunn seconded, to adopt Ordinance #7951 amending and adopting Section 150.03, Section 150.10(F), Section 150.16 and Section 150.28(A) & (C) of the Codified Ordinances of the City of Bowling Green, Ohio, changing the B-1 Neighborhood Commercial zoning classification to B-1 Limited Commercial. On roll call vote, Council Members Kuhlman, McOmber, Zanfardino, Aspacher, Dunn, Frost, and Hollenbaugh voted yes. Council President Zanfardino declared motion carried, and Ordinance #7951 adopted.

Council Member McOmber moved, Dunn seconded, to adjourn. On unanimous voice vote, Council President Zanfardino adjourned the January 19, 2010 regular meeting of the City Council at 8:45 p.m., subject to call.



Kay D. Scherfrik, Clerk of Council



John Zanfardino, President of Council



January 19, 2010

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of January include:

Fund	Dept.	Account	Description	From	To
2024	545	92200	Community Development, CDBG Block Grant, Transfer To Special Revenue	\$ 50,000.00	
2021	000	69420	ODOT Transportation Grant (Taxi), Revenue, Transfer From Special Revenue		\$ 50,000.00
1010	190	92200	General, Miscellaneous, Transfer To Special Revenue	\$ 1,770.00	
2021	000	69410	ODOT Transportation Grant (Taxi), Revenue, Transfer From General		\$ 1,770.00
1010	190	92400	General, Miscellaneous, Transfer To Capital Projects	\$ 2,898.37	
4030	000	69410	Green Space Acquisition Fund, Revenue, Transfer From General		\$ 2,898.37
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	\$ 35,427.12	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 35,427.12
4018	810	92400	Capital Improvement, Capital Improvement, 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	\$ 14,789.62	
3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 14,789.62
4052	810	92300	Community Center, Capital Improvement, Transfer To Debt Service	\$ 22,899.00	

3025	000	69440	Debt Service, Revenue, Transfer From Capital Projects		\$ 22,899.00
5111	651	92500	Electric Revenue, Administrative and General, Transfer To Enterprise	\$ 142,033.33	
5112	000	69450	Electric Capital Reserve, Revenue, Transfer From Enterprise		\$ 142,033.33
5331	651	92500	Sewer Revenue, Administrative and General, Transfer To Enterprise	\$ 1,833.33	
5332	000	69450	Sewer Capital Reserve, Revenue, Transfer From Enterprise		\$ 1,833.33
Total				\$ 281,234.14	\$ 281,234.14