

RECORD OF RESOLUTIONS

1st Reading: 6-21-10
2nd Reading: 7-6-10
3rd Reading: 7-19-10

Dayton Legal Blank, Inc., Form No. 39045

Resolution No. 3437

Passed July 19, 2010

RESOLUTION AUTHORIZING THE FILING OF (A) PROPOSAL(S) AND/OR (AN) APPLICATION(S) WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR GRANTS THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION 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 2011 OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM, AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON GRANT PROPOSAL AND/OR APPLICATION APPROVAL

WHEREAS, the Director of the Ohio Department of Transportation is authorized to make grants for a public transportation program;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Section 5311 the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BOWLING GREEN, WOOD COUNTY, OHIO:

SECTION 1: That the Mayor of the City of Bowling Green, Ohio is authorized to execute and file (a) proposal(s) and/or (an) application(s) on behalf of the City of Bowling Green, Ohio with the Ohio Department of Transportation to aid in the financing of capital and operating assistance projects pursuant to 49 USC Section 5311 and the Ohio Public Transportation Grant Program.

SECTION 2: That the Mayor of the City of Bowling Green, Ohio is authorized to execute and file with such proposals and/or applications and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

SECTION 3: That the Mayor of the City of Bowling Green, Ohio is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the proposal and/or application for the program of projects submitted to FTA.

SECTION 4: That the Mayor of the City of Bowling Green, Ohio is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.

SECTION 5: That the Mayor of the City of Bowling Green, Ohio is authorized to execute grant agreements on behalf of the City of Bowling Green, Ohio with the Ohio Department of Transportation for aid in the financing of operating and capital assistance projects.

SECTION 6: That the Mayor of the City of Bowling Green, Ohio, is hereby authorized to execute a contract/grant for the FY 2011 Ohio Elderly and Disabled Transit Fare Assistance Program and execute and file any assurances or any other documentation required by the Ohio Department of Transportation on behalf of the City of Bowling Green, Ohio.

SECTION 7: This resolution shall take effect at the earliest time permitted by law.

Passed: July 19, 2010
Date President of Council

Attest: [Signature]
Clerk of Council

Approved: July 20, 2010
Date Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Res. No 3437 passed by the Council of the City of Bowling Green, Ohio.
July 19, 2010
[Signature]
Clerk of City Council

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 3439 Passed July 19, 2010

**RESOLUTION TRANSFERRING PREVIOUSLY
 APPROPRIATED FUNDS**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, STATE OF OHIO:

SECTION 1. That the following transfers be made in the Finance Director's account:

Fund	Dept.	Account	Description	From	To
2020	545	71240.00	CDBG - Recovery, CDBG Block Grant, Non-Bargaining	\$ 20.00	
2020	545	90100.00	CDBG - Recovery, CDBG Block Grant, Support - Outside Programs		\$ 20.00
2021	410	73430	ODOT Transportation Grant (Taxi), Taxi Transportation, Advertising	\$ 2,000.00	
2021	410	74410	ODOT Transportation Grant (Taxi), Taxi Transportation, Supplies and Parts for Maintenance and Repair of Motor Vehicles		\$ 2,000.00

SECTION 2: This resolution shall take effect at the earliest time permitted by law.

Passed: July 19, 2010 _____
 Date President of Council

Attest: [Signature] _____
 Clerk of Council

Approved: July 20, 2010 _____
 Date Mayor

MICHAEL J. MARSH
 CITY ATTORNEY
 kds

CERTIFICATION
 This is to certify that the foregoing is a true copy of Res. No. 3439 passed by the Council of the City of Bowling Green, Ohio. July 19, 2010
[Signature]
 Clerk of City Council

PUBLIC HEARING SCHEDULED
Date 7/19/10 Time 7:45pm

RECORD OF ORDINANCES

1st Reading: 6-7-10
2nd Reading: 6-21-10
3rd Reading: 7-6-10

Tabled until 7/19/10

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8023

Passed July 19, 2010

**ORDINANCE APPROVING THE S-DISTRICT
SITE PLAN FOR THE PROPOSED SKATE PARK
TO BE LOCATED IN CITY PARK**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That the S-District Site Plan for the proposed skate park to be located in City Park is hereby approved in substantial accordance with the plans on file in the office of the Planning Director.

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: July 19, 2010
Date

President of Council

Attest: [Signature]
Clerk of Council

Approved: July 20, 2010
Date

Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Ord No. 8023 passed by the Council of the City of Bowling Green, Ohio.

July 19, 2010
[Signature]
Clerk of City Council

1st Reading: 6-21-10
2nd Reading: 7-6-10
3rd Reading: 7-19-10

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8025 Passed July 19, 2010

**ORDINANCE AMENDING AND ADOPTING
SECTIONS 33.20(E), (F) AND (G) OF THE CODIFIED
ORDINANCES OF THE CITY OF BOWLING GREEN,
OHIO RELATING TO HOLIDAY PAY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That Sections 33.20(E), (F) and (G) of the Codified Ordinances of the City of Bowling Green, Ohio are hereby amended and enacted to read as follows:

Section 33.20 Holiday Pay

(E) On each of the holidays listed in division (A) of this section, all full-time non-seasonal, non-bargaining employees not listed as supervisory under Section 33.18 shall be credited and paid for **8 or 10 hours, depending upon the schedule to which he/she is assigned**, of work at regular straight time rates of pay if they do not work.

(F) The **8 or 10 regular** hours credited in this section for holidays not worked shall be counted as hours worked in computing entitlement to overtime pay as provided in Section 33.19.

(G) If any nonsupervisory employees as described in division (D) of this section are required to work on any of the holidays listed in division (A) of this section, they shall be paid for the first **8 or 10 regular** hours worked, or any portion thereof, at regular straight time hourly rates of pay in addition to the pay previously granted because of the holiday. If the nonsupervisory employees work more than **8 or 10 regular** hours on any of the holidays listed in division (A) of this section, they shall be paid for those hours worked in excess of **8 or 10** hours at twice the regular straight time rates of pay, and the hours worked on a holiday in excess of **8 or 10** shall not be counted in computing entitlement to overtime pay.

SECTION 2: All other existing portions of Section 33.20 remain unchanged.

SECTION 3: This ordinance shall take effect at the earliest time permitted by law.

Passed: July 19, 2010
Date

President of Council

Attest: [Signature]
Clerk of Council

Approved: July 20, 2010
Date

Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION

This is to certify that the foregoing is a true copy of
Ord No. 8025 passed
by the Council of the City
of Bowling Green, Ohio.

July 19, 2010
[Signature]
Clerk of City Council

Ordinance No. 8026

Passed July 19, 2010

**ORDINANCE FOR CLEANING OF STREETS
BY SPECIAL ASSESSMENT**

WHEREAS, the City of Bowling Green has for many years financed the cleaning of its streets by special assessment levied on the lots and lands in Bowling Green, Ohio, by a percentage of the tax valuation of the property assessed, and

WHEREAS, it is deemed advisable to continue to have the cleaning of streets in the City of Bowling Green financed by special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO:

SECTION 1: That the cost and expense of cleaning the streets, alleys, lanes, squares, and public places in the City be paid for by special assessments levied upon non-tax exempt lots and lands within said City of Bowling Green, Ohio.

SECTION 2: Said special assessment shall be based upon a percentage of the tax valuation of all non-tax exempt lots and lands within the City of Bowling Green, Ohio, to produce the sum of \$395,000.00 and shall be payable annually in two equal installments during the period of the assessment; that said assessments are hereby levied on all non-tax exempt lots and lands in the City of Bowling Green for the year 2010. The City Finance Director is authorized and directed to certify the same to the County Auditor of Wood County, Ohio, to be collected as other taxes are collected and paid.

SECTION 3: This ordinance shall take effect at the earliest time permitted by law.

Passed July 19, 2010 _____
Date President of Council

Attest: [Signature]
Clerk of Council

Approved: July 20, 2010 _____
Date Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8026 passed by the Council of the City of Bowling Green, Ohio. July 19, 2010
[Signature]
Clerk of City Council

Ordinance No. 8027

Passed July 19 2010

ORDINANCE ADOPTING SECTION 95.01(C)(3), AND AMENDING SECTION 95.03(A), AND ADOPTING SECTION 95.13(G) OF THE CODIFIED ORDINANCES OF THE CITY OF BOWLING GREEN, OHIO, AS AMENDED AND PRESENTLY WRITTEN, INCREASING THE RATE OF MUNICIPAL INCOME TAX BY 0.08% EFFECTIVE JANUARY 1, 2011 UNTIL REPEALED IN ACCORDANCE WITH LAW TO PROVIDE ADDITIONAL FUNDS TO PROVIDE FOR FIREFIGHTERS/EMERGENCY MEDICAL TECHNICIANS AND STAFF AND EQUIPMENT TO PROVIDE FIRE AND AMBULANCE SERVICE FOR THE CITY OF BOWLING GREEN, AND PROVIDING FOR THE FORM OF THE BALLOT LANGUAGE, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That Section 95.01(C)(3) of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby adopted as follows:

- (3) Of the municipal income tax rate, 0.08% shall be solely to provide funds associated with maintenance and operation of the Fire Division, including, but not limited to, providing for firefighters/emergency medical technicians and staff and equipment, for providing fire protection and ambulance service to the City of Bowling Green, Ohio.

(remaining portions of Section 95.01 remain unchanged)

SECTION 2: That Section 95.03(A) of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted as follows:

- (A) **Taxable Income**
Subject to the provisions of Section 95.15 of this Chapter, an annual tax for the purposes specified in Section 95.01 shall be imposed on and after January 1, 2010, at the rate of 1.5% per annum for the purposes specified in 95.01; 0.14% for the purposes described in Section 95.01; at the rate of 0.09% for the purposes described in Section 95.01; at the rate of 0.19% for the purposes described in Section 95.01; and at the rate of 0.08% for the purposes described in Section 95.01 upon the following:

(remaining portions of Section 95.03 remain unchanged)

SECTION 3: That Section 95.13(G) of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby adopted as follows:

- (G) Funds collected under the provisions of Section 95.01(C)(3) shall be deposited solely for the purpose of providing and maintaining fire and ambulance protection, including, but not limited to firefighters/emergency medical technicians and staff and equipment for providing fire protection and ambulance to the City of Bowling Green, Ohio.

(remaining portions of Section 95.13 remain unchanged)

SECTION 4: This ordinance shall be effective January 1, 2011, subject to the approval of the electors of the City of Bowling Green, Ohio, as provided in Section 718.01 of the Revised Code of Ohio. It is the desire of this Council that the ballots presented to the electors of the City of Bowling Green, Ohio, at the general election on November 3, 2010, shall be in substantially the following form:

Shall Ordinance No. 8027 of the City of Bowling Green, Ohio, providing for an increase in the municipal income tax rate of 0.08% for the purpose of providing and maintaining firefighters/emergency medical technicians, staff and equipment to provide fire protection and ambulance service for the City of Bowling Green, Ohio, effective January 1, 2011, be passed?

Yes _____ No _____

SECTION 5: This ordinance shall take effect as an emergency measure. The reason for the emergency is to allow for the prompt effectiveness of the measure in order to submit the issue to the Board of Elections prior to the August 4, 2010 deadline for the November 2010 ballot, thereby protecting the public peace, safety, and well-being of our citizens.

Passed: July 19, 2010 _____
Date President of Council
Attest: [Signature] _____
Clerk of Council
Approved: July 20, 2010 _____
Date Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8027 passed by the Council of the City of Bowling Green, Ohio. July 19, 2010
[Signature]
Clerk of City Council

Ordinance No. 8029 Passed July 19, 2010

**ORDINANCE AMENDING AND ADOPTING
SECTION 115.02(B) & (E)(2) OF THE
CODIFIED ORDINANCES OF THE CITY
OF BOWLING GREEN, OHIO, RELATING TO
ADVERTISING ON PUBLIC PROPERTY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That Section 115.02(B) of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted to read as follows:

SECTION 115.02 ADVERTISING ON PUBLIC PROPERTY

(B) A **horizontal** banner may be erected over the public right-of-way in accordance with the following specifications:
(all other portions of subsection B remain unchanged)

(E) (2) An installation fee in the amount of **\$100** shall be paid to the **City of Bowling Green** for a **temporary horizontal banner** and for the **first four (4) vertical banners**. For each **additional vertical banner**, an **additional \$5 fee** is charged.

SECTION 2: All remaining portions of Section 115.02 remain unchanged.

SECTION 3: This ordinance shall take effect at the earliest time permitted by law.

Passed: July 19, 2010 _____
Date President of Council

Attest: [Signature]
Clerk of Council

Approved: July 20, 2010 _____
Date Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8029 passed by the Council of the City of Bowling Green, Ohio. July 19, 2010
[Signature]
Clerk of City Council

1st Reading: 6-21-10
RECORD OF ORDINANCES 2nd Reading: 7-6-10
3rd Reading: 7-19-10

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8031

Passed July 19, 2010

**ORDINANCE AUTHORIZING THE UTILITIES DIRECTOR
TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT OR CONTRACTS FOR THE POE/MERCER
ROAD PUMP STATION IMPROVEMENTS AND
INSTALLATION OF A THIRD SCREW PUMP AT
THE WATER POLLUTION CONTROL FACILITY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING
GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That the Utilities Director is hereby authorized to
advertise for bids and enter into a contract or contracts for the Poe/Mercer
Road Pump Station improvements and installation of a third screw pump at
the Water Pollution Control facility.

SECTION 2: This ordinance shall take effect at the earliest time
permitted by law.

Passed: July 19, 2010
Date

President of Council

Attest: [Signature]
Clerk of Council

Approved: July 20, 2010
Date

Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION

This is to certify that the
foregoing is a true copy of
Ord. No. 8031 passed
by the Council of the City
of Bowling Green, Ohio.

July 19, 2010
[Signature]
Clerk of City Council

1st Reading: 6-21-10
2nd Reading: 7-6-10
3rd Reading: 7-19-10

Ordinance No. 8032 Passed July 19, 2010

ORDINANCE AUTHORIZING THE UTILITIES DIRECTOR TO ACCEPT ELECTRIC AND UTILITY EASEMENTS FROM NIETZ AND GREEN, LLC, NIETZ AND GREEN PARTNERSHIP, AND SCOTT A. ROOT AND MARK W. ROOT FOR VARIOUS ELECTRIC RELOCATION PROJECTS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That the Utilities Director is hereby authorized to accept electric and utility easements from Nietz and Green, LLC, Nietz and Green Partnership, and Scott A. Root and Mark W. Root for various electric relocation projects.

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: July 19, 2010 _____
Date President of Council

Attest: [Signature]
Clerk of Council

Approved: July 20, 2010 _____
Date Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8032 passed by the Council of the City of Bowling Green, Ohio. July 19, 2010
[Signature]
Clerk of City Council

1st Reading: 7-19-10
2nd Reading: 7-19-10
3rd Reading: 7-19-10
EMERGENCY CLAUSE ADOPTED 7/19/10

Duyton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8036 Passed July 19, 2010

ORDINANCE AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO SIGN A CONTRACT WITH THE BOWLING GREEN MUNICIPAL EMPLOYEES ASSOCIATION (BGMEA), AND DECLARING AN EMERGENCY

WHEREAS, representatives of the City of Bowling Green and representatives of the Bowling Green Municipal Employees Association have negotiated wages for the third year of the contract, and

WHEREAS, the Bowling Green Municipal Employees Association has ratified said contract adjustment for the third year of the contract.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, OHIO:

SECTION 1: The Municipal Administrator is hereby authorized to sign and enter into a contract with the Bowling Green Municipal Employees Association, for wages for the third year of the three-year contract. Said contract is on file in the Personnel Department of the City of Bowling Green.

SECTION 2: The ordinance shall take effect as an emergency measure. The reason for the emergency is that the prompt implementation of said contract is necessary in order to maintain continuity with Bowling Green Municipal Employees Association, and in that manner protect the public health, safety, and welfare of our citizens.

Passed: July 19, 2010 _____
Date President of Council

Attest: [Signature]
Clerk of Council

Approved: July 20, 2010 _____
Date Mayor

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8036 passed by the Council of the City of Bowling Green, Ohio.
July 19, 2010
[Signature]
Clerk of City Council