

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

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

MONDAY, MARCH 16, 2009

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 Newlove. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Dunn, Frost, Heminger, McOmber, Newlove, Sorrells, 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 Planning Director Rick Ketzenbarger.

Council President Newlove declared the minutes of the meeting held March 2, 2009 approved as distributed.

CORRESPONDENCE

Clerk 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 Frost moved, Sorrells seconded, to approve the transfers as presented. On unanimous voice vote, Council President Newlove declared motion carried. A copy of the transfers is attached and made a part of these minutes.

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

Clerk read from the Ohio Division of Liquor Control the following liquor permit requests:

- A new Class D5I permit for Unity Group, Inc., dba Easy Street Café, located at 104 S. Main Street, Bowling Green, Ohio;
- A transfer of a class D5 from Unity Group, Inc., dba Easy Street Café, located at 104 S. Main Street, Bowling Green, Ohio, to Clazel Enterprises, LLC, dba Checker's Pub, located at 809 S. Main Street, Bowling Green, Ohio.

Clerk reported that a check of the records was requested, but not received at this time.

OFFICIAL REPORTS

Mayor John Quinn acknowledged members of Boy Scout Troup #358 in attendance at this evening's Council meeting in conjunction with their citizenship badge.

Mayor Quinn also reminded Council Members that appointments to City Boards and Commissions will be expiring at the end of May and asked for input on appointments and reappointments.

Council Member McOmber asked the Mayor about the upcoming Ward meetings and questioned the timing of the notification to citizens. Planning Director Rick Ketzenbarger responded that the meetings have been scheduled in response to the Administration desiring to hear input from citizens throughout the community. Ketzenbarger explained that the schedule was determined on Friday and distributed to the media. After some discussion among Council Members and members of the Administration, it was determined that more notice will be given in the future and that all citizens are encouraged to attend any of the ward meetings if they are unable to attend the one in their own ward. It was also decided that a press release would be posted on the City's website.

Municipal Administrator John Fawcett asked Council Members for an Executive Session at the end of this evening's meeting to discuss labor contract issues.

Planning Director Rick Ketzenbarger had no report.

Parks and Recreation Director Michelle Grigore noted that a public meeting will be held on March 24 at 6:30 p.m. in the Simpson Building to hear results of the aquatic facility study. Grigore also noted that the March 2009 monthly report from the Parks and Recreation Department was distributed to Council Members prior to the beginning of the meeting.

City Attorney Michael Marsh had no report.

Utilities Director Kevin Maynard had no report.

Public Works Director Brian Craft reported that the Conneaut Avenue sewer project was started this week and that curbside brush collection will be done the week of April 13.

NEW LEGISLATION

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

Council Member Newlove, 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, 2009 and ending December 31, 2009.

Council Member Newlove, for the Finance Committee, introduced an ordinance amending and adopting Section 33.01 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to the non-bargaining salary schedule, and declaring an emergency.

Council Member Newlove, for the Finance Committee, introduced an ordinance authorizing the Municipal Administrator to participate in the State of Ohio Department of Transportation sodium chloride (rock salt) purchase agreement for the 2009-2010 winter season, and declaring an emergency.

Council Member Newlove, for the Finance Committee, introduced an ordinance certifying unpaid cost of snow removal to the County Auditor for placement on the tax duplicate.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance vacating a portion of a certain easement granted to the City of Bowling Green, and declaring an emergency.

COUNCIL COMMITTEE REPORTS

Council Member Zanfardino reported that the Community Improvement Committee met earlier this evening to discuss possible legislation regarding unlawful discrimination. Zanfardino noted that the committee heard some input from the public and will meet again in the future to continue the discussion.

Les Barber, 303 N. Prospect Street, addressed Council expressing his concern over the short notice given for the upcoming ward meetings that were discussed earlier in the meeting.

Michael Howick, 1521 Finch, addressed Council regarding the status of the BGSU Hockey program and the ice arena. Howick announced that they are forming a group to support the program and have scheduled a meeting at the Elks Club on March 17 at 6:30 p.m. Howick invited interested citizens to attend.

READING OF LEGISLATION

Clerk read Ordinance #7876 providing supplemental appropriations for the current expenses and other expenditures of the City of Bowling Green, Ohio, during the fiscal year beginning January 1, 2009 and ending December 31, 2009, for first reading.

Council Member Newlove moved, McOmber seconded, to suspend the rules and give Ordinance #7876 its second and third reading. On roll call vote, Council Members Frost, Heminger, McOmber, Newlove, Sorrells, Zanfardino, and Dunn voted yes. Council President Newlove declared motion carried, and rules suspended.

Clerk read Ordinance #7876 for second and third reading by number and title only.

Council Member Newlove moved, Sorrells seconded, to adopt Ordinance #7876. On roll call vote, Council Members Heminger, McOmber, Newlove, Sorrells, Zanfardino, Dunn, and Frost voted yes. Council President Newlove declared motion carried, and Ordinance #7876 adopted.

Clerk read Ordinance #7877 amending and adopting Section 33.01 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to the non-bargaining salary schedule, and declaring an emergency, for first reading.

Clerk read Ordinance #7878 authorizing the Municipal Administrator to participate in the State of Ohio Department of Transportation sodium chloride (rock salt) purchase agreement for the 2009-2010 winter season, and declaring an emergency, for first reading.

Council Member Newlove moved, Heminger seconded, to suspend the rules and give Ordinance #7878 its second reading. On roll call vote, Council Members McOmber, Newlove, Sorrells, Zanfardino, Dunn, Frost, and Heminger voted yes. Council President Newlove declared motion carried, and rules suspended.

Clerk read Ordinance #7878 for second and third reading by number and title only.

Council Member Newlove moved, Frost seconded, to adopt the emergency clause for Ordinance #7878. On roll call vote, Council Members Newlove, Sorrells, Zanfardino, Dunn, Frost, Heminger, and McOmber voted yes. Council President Newlove declared motion carried, and the emergency clause adopted.

Council Member Newlove moved, Dunn seconded, to adopt Ordinance #7878. On roll call vote, Council Members Sorrells, Zanfardino, Dunn, Frost, Heminger, McOmber, and Newlove voted yes. Council President Newlove declared motion carried, and Ordinance #7878 adopted.

Clerk read Ordinance #7879 certifying unpaid cost of snow removal to the County Auditor for placement on the tax duplicate, for first reading.

Clerk read Ordinance #7880 vacating a portion of a certain easement granted to the City of Bowling Green, and declaring an emergency, for first reading.

Council Member McOmber moved, Dunn seconded, to suspend the rules and give Ordinance #7880 its second and third reading. On roll call vote, Council Members Zanfardino, Dunn, Frost, Heminger, McOmber, and Sorrells voted yes. Council President Newlove abstained. Council President Newlove declared motion carried, and rules suspended.

Clerk read Ordinance #7880 for second and third reading by number and title only.

Council Member McOmber moved, Dunn seconded, to adopt Ordinance #7880 without the emergency clause. On roll call vote, Council Members Dunn, Frost, Heminger, McOmber, Sorrells, and Zanfardino voted yes. Council President Newlove abstained. Council President Newlove declared motion carried, and Ordinance #7880 adopted.

Clerk read Resolution #3389 adopting a Community Development Block Grant Citizen Participation Plan for the City of Bowling Green, for second reading.

Clerk read Ordinance #7875 authorizing the Municipal Administrator to seek proposals and enter into a contract or contracts for income tax processing software, installation, configuration, and data conversion for the City Income Tax Division, for second reading.

Clerk read Resolution #3388 approving revision to the Housing Section of the Comprehensive Master Plan of the City of Bowling Green, Ohio, by adding Section 6.4(O) relating strategies and recommendations and required property maintenance standards and enforcement, for third reading.

Council Member Frost moved, Heminger seconded, to adopt Resolution #3388. On roll call vote, Council Members Frost, Heminger, McOmber, Newlove, Sorrells, Zanfardino, and Dunn voted yes. Council President Newlove declared motion carried, and Resolution #3388 adopted.

Clerk read Ordinance #7867 authorizing the Utilities Director to apply for and enter into a contract or contracts with the Ohio EPA DEFA for a construction loan in the amount of \$1,730,000 and to accept an OPWC Issue One Grant of \$400,000 for the purchase of equipment and the construction of the ultra-violet disinfection replacement and Parshall flume project at the Wastewater Treatment Plant, for third reading.

Council Member McOmber moved, Dunn seconded, to adopt Ordinance #7867. On roll call vote, Council Members Heminger, McOmber, Newlove, Sorrells, Zanfardino, Dunn, and Frost voted yes. Council President Newlove declared motion carried, and Ordinance #7867 adopted.

Clerk read Ordinance #7868 authorizing the Utilities Director to enter into a contract or contracts for engineering services with Poggemeyer Design Group, Inc., in the amount of \$124,000 for bidding and construction services of the ultra-violet disinfection replacement project, and to advertise for bids and enter into a contract or contracts for the equipment and construction of the ultra-violet disinfection system to treat 30 million gallons per day at the Wastewater Treatment Plant, for third reading.

Council Member McOmber moved, Heminger seconded, to adopt Ordinance #7868. On roll call vote, Council Members McOmber, Newlove, Sorrells, Zanfardino, Dunn, Frost, and Heminger voted yes. Council President Newlove declared motion carried, and Ordinance #7868 adopted.

Clerk read Ordinance #7869 accepting utility easements for the Fort Drive sewer project and the cathodic anode installation, for third reading.

Council Member McOmber moved, Frost seconded, to adopt Ordinance #7869. On roll call vote, Council Members Newlove, Sorrells, Zanfardino, Dunn, Frost, Heminger, and McOmber voted yes. Council President Newlove declared motion carried, and Ordinance #7869 adopted.

Clerk read Ordinance #7871 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for construction and installation services for the Water Treatment Plant microfiltration and low pressure reverse osmosis improvements to the Water Treatment Plant, for third reading.

Council Member McOmber moved, Heminger seconded, to adopt Ordinance #7871. On roll call vote, Council Members Sorrells, Zanfardino, Dunn, Frost, Heminger, McOmber, and Newlove voted yes. Council President Newlove declared motion carried, and Ordinance #7871 adopted.

Clerk read Ordinance #7873 accepting annexation of certain territory in Center Township, Wood County, Ohio, from Dana M. Frank, et al, petitioners, for third reading.

Council Member Frost moved, Sorrells seconded, to adopt Ordinance #7873. On roll call vote, Council Members Zanfardino, Dunn, Frost, Heminger, McOmber, Newlove, and Sorrells voted yes. Council President Newlove declared motion carried, and Ordinance #7873 adopted.

Clerk read Ordinance #7874 establishing interim zoning of R-2 Residential zoning for the properties on the south side of East Gypsy Lane Road recently annexed to the City by the Dana M. Frank, et al, petitioners annexation, for third reading.

Council Member Frost commented that a public hearing is scheduled for Ordinance #7874 and moved to table the ordinance until that date. Council Member Sorrells seconded the motion. On roll call vote, Council Members Dunn, Frost, Heminger, McOmber, Newlove, Sorrells, and Zanfardino voted yes. Council President Newlove declared motion carried, and Ordinance #7874 tabled until April 6, 2009.

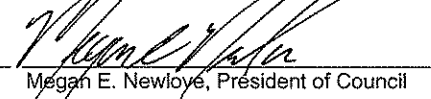
Council Member Newlove moved, Heminger seconded, to move Council into Executive Session at 8:40 p.m. to discuss labor negotiations. On roll call vote, Council Members Frost, Heminger, McOmber, Newlove, Sorrells, Zanfardino, and Dunn voted yes. Council President Newlove declared motion carried.

Council Member Newlove moved, Dunn seconded, to move Council out of Executive Session at 9:40 p.m. On roll call vote, Council Members Heminger, McOmber, Newlove, Sorrells, Zanfardino, Dunn, and Frost voted yes. Council President Newlove declared motion carried.

Council Member Dunn moved, Heminger seconded, to adjourn. On unanimous voice vote, Council President Newlove adjourned the March 16, 2009 regular meeting of the City Council at 9:40 p.m., subject to call.



Kay D. Scherrek, Clerk of Council



Megan E. Newlove, President of Council



March 16, 2009

TO: Bowling Green City Council

FROM: Brian Bushong, Finance Director

Transfers requested for the month of March include:

| Fund | Dept. | Account | Description | From | To |
|------|-------|---------|---|---------------|--------------|
| 5111 | 651 | 92500 | Electric Revenue, Administrative and General, Transfer To Enterprise | \$ 156,821.08 | |
| 5112 | 000 | 69450 | Electric Capital Reserve, Revenue, Transfer From Enterprise | | \$ 83,520.83 |
| 5113 | 000 | 69450 | Electric Depreciation, Revenue, Transfer From Enterprise | | \$ 73,300.25 |
| 5221 | 651 | 92500 | Water Revenue, Administrative and General, Transfer To Enterprise | \$ 10,500.00 | |
| 5222 | 000 | 69450 | Water Capital Reserve, Revenue, Transfer From Enterprise | | \$ 1,833.33 |
| 5223 | 000 | 69450 | Water Depreciation, Revenue, Transfer From Enterprise | | \$ 8,666.67 |
| 5331 | 651 | 92500 | Sewer Revenue, Administrative and General, Transfer To Enterprise | \$ 10,666.66 | |
| 5332 | 000 | 69450 | Sewer Capital Reserve, Revenue, Transfer From Enterprise | | \$ 1,833.33 |
| 5333 | 000 | 69450 | Sewer Depreciation, Revenue, Transfer From Enterprise | | \$ 8,833.33 |
| 2024 | 545 | 92200 | Community Development, CDBG Block, Transfer To Special Revenue | \$ 38,103.00 | |
| 2021 | 000 | 69420 | ODOT Transportation Grant (Taxi), Revenue, Transfer From Special Revenue | | \$ 38,103.00 |
| 1010 | 190 | 92200 | General, Miscellaneous, Transfer To Special Revenue | \$ 21,874.97 | |
| 2021 | 410 | 69410 | ODOT Transportation Grant (Taxi), Taxi Transportation, Transfer From General | | \$ 7,500.00 |
| 2016 | 710 | 69410 | Park, Playground and Recreation, Recreation Department, Transfer From General | | \$ 14,374.97 |
| 1010 | 190 | 92300 | General, Miscellaneous, Transfer To Debt Service | \$ 106,378.22 | |

| | | | | | |
|------|-----|-------|---|---------------|---------------|
| 3025 | 000 | 69410 | Debt Service, Revenue, Transfer From General | | \$ 106,378.22 |
| 1010 | 190 | 92400 | General, Miscellaneous, Transfer To Capital Projects | \$ 9,750.00 | |
| 4030 | 000 | 69410 | Green Space Acquisition Fund, Revenue, Transfer From General | | \$ 9,750.00 |
| 2007 | 190 | 92100 | Payroll Stabilization, Miscellaneous, Transfer To General | \$ 93,097.50 | |
| 1010 | 000 | 69420 | General, Revenue, Transfer From Special Revenue | | \$ 91,480.00 |
| 1011 | 000 | 69420 | Income Tax, Revenue, Transfer From Special Revenue | | \$ 1,597.50 |
| 2007 | 190 | 92200 | Payroll Stabilization, Miscellaneous, Transfer To Special Revenue | \$ 30,871.69 | |
| 2012 | 000 | 69420 | Street Construction, Maintenance and Repair, Revenue, Transfer From Special Revenue | | \$ 2,613.47 |
| 2016 | 000 | 69420 | Park, Playground and Recreation, Revenue, Transfer From Special Revenue | | \$ 3,394.22 |
| 2030 | 000 | 69420 | Parking , Revenue, Transfer From Special Revenue | | \$ 733.97 |
| 2031 | 000 | 69420 | Police Levy, Revenue, Transfer From Special Revenue | | \$ 7,672.03 |
| 2032 | 000 | 69420 | Fire Levy, Revenue, Transfer From Special Revenue | | \$ 15,959.53 |
| 2080 | 000 | 69420 | Municipal Probation Services, Revenue, Transfer From Special Revenue | | \$ 498.47 |
| 2007 | 190 | 92600 | Payroll Stabilization, Miscellaneous, Transfer To Internal Service | \$ 2,629.47 | |
| 6036 | 000 | 69420 | Engineering, Revenue, Transfer From Special Revenue | | \$ 2,629.47 |
| 2016 | 710 | 92100 | Park, Playground and Recreation, Recreation Department, Transfer To General | \$ 14,487.47 | |
| 1010 | 000 | 69420 | General, Revenue, Transfer From Special Revenue | | \$ 14,487.47 |
| 2033 | 920 | 92100 | Unclaimed Money , Unclaimed Money, Transfer To General | \$ 4,685.00 | |
| 1010 | 000 | 69420 | General, Revenue, Transfer From Special Revenue | | \$ 4,685.00 |
| 2078 | 170 | 92300 | Municipal Court Special Projects, Municipal Court, Transfer To Debt Service | \$ 22,500.00 | |
| 3025 | 000 | 69420 | Debt Service, Revenue, Transfer From Special Revenue | | \$ 22,500.00 |
| 4015 | 820 | 92400 | Roadway Capital Reserve, Street Improvement, Transfer To Capital Projects | \$ 150,000.00 | |

| | | | | | |
|--------------|-----|-------|--|---------------|---------------|
| 4029 | 000 | 69440 | Street Repair, Revenue, Transfer From Capital Projects | | \$ 150,000.00 |
| 4018 | 810 | 92300 | Capital Improvement, Capital Improvement, Transfer To Debt Service | \$ 69,662.53 | |
| 3025 | 000 | 69440 | Debt Service, Revenue, Transfer From Capital Projects | | \$ 69,662.53 |
| 4018 | 810 | 92400 | Capital Improvement, Capital Improvement, Transfer To Capital Projects | \$ 43,750.03 | |
| 4005 | 000 | 69440 | Equipment Capital Reserve, Revenue, Transfer From Capital Projects | | \$ 43,750.03 |
| 4029 | 423 | 92300 | Street Repair, Street Repair, Transfer To Debt Service | \$ 45,531.28 | |
| 3025 | 000 | 69440 | Debt Service, Revenue, Transfer From Capital Projects | | \$ 45,531.28 |
| | | | | | |
| | | | | | |
| Total | | | | \$ 831,308.90 | \$ 831,288.90 |