

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

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 16146

MONDAY, SEPTEMBER 21, 2009

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 Newlove. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Dunn, Frost, McOmber, Newlove, Redfern, and Sorrells responded. Council Member Zanfardino was not present. 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 Planning Director Rick Ketzenbarger. Utilities Director Kevin Maynard was not present.

Council President Newlove declared the minutes of the meeting held September 8, 2009 approved as distributed.

CORRESPONDENCE

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

OFFICIAL REPORTS

Mayor John Quinn introduced Barbara Keller, chair of the Human Relations Commission, who presented the City with the Diamante Award statuette which the Commission received in acknowledgement of sponsorship of the Cinco de Mayo event in the City and the money given in scholarship funds for Latino students at BGSU. Mayor Quinn noted that the statuette will be displayed in the City's display case along with an explanation of the award.

Mayor Quinn also introduced Wendy Stram, Executive Director of the Bowling Green Convention and Visitor's Bureau, who presented a framed aerial photograph taken in July when the Family Motor Coach Association held its convention in Bowling Green. Ms. Stram thanked the City for their support and added that the framed photo was a memento to be displayed at City Hall. Mayor Quinn praised Stram for her work in bringing this event to the City and noted that he is still hearing good things from those who attended the convention.

Mayor Quinn noted that Doug Merrill recently resigned from the Zoning Board of Appeals and is in need of a replacement.

Municipal Administrator John Fawcett reported that the City will be assisting BGSU and Bowling Green High School with their upcoming homecoming parades. Fawcett discussed the timing of necessary road closures for those events.

Fawcett announced that the Administration has asked the Finance Committee of City Council and some members of the Board of Public Utilities to meet on Friday, October 16, at 9:30 a.m. to discuss economic development strategies.

Fawcett also noted that a report was distributed to Council on Friday regarding strategies and recommendations that can be employed to deal with the budget shortfall for 2010. Fawcett said that the Administration is ready to answer any questions that Council may have concerning the report.

Council Member McOmber asked how the Administration plans to get the word out to the public in order for them to understand the ramifications of the vote on the proposed income tax increase in November. Fawcett responded that this is the launch of that public notice and that the report will be released to the press tonight.

McOmber further commented that he thought the report represented a very good effort from the City regarding steps that are being taken for the 2010 budget. McOmber pointed out that he liked the portion of the letter that states "the reductions we have projected are not intended to be punitive. We are trying to maintain as many essential services as possible and these reductions are designed to eliminate and/or reduce items that may be more discretionary." He felt that it shows that the City will work with what they have and that the public gets to make the choice. He stated that he thought the report was a very good effort.

Planning Director Rick Ketzenbarger had no report.

Parks and Recreation Director Michelle Grigore reported that the Save the Woods campaign is up over \$300,000 and noted that the annual Wine & Cheese event is coming up on September 25. Grigore also noted that she distributed to Council copies of the monthly report from the Parks and Recreation Department for the month of September 2009.

City Attorney Michael Marsh had no report.

Assistant Utilities Director Paul Brock had no report.

Public Works Director Brian Craft reported that unlimited brush pickup will be done the week of October 5. Craft noted that they plan to make just one pass through the City beginning in Ward 1.

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 a resolution transferring previously appropriated funds.

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(G) of the Codified Ordinances of the City of Bowling Green, Ohio, relative to the non-bargaining salary schedule.

Council Member Newlove, for the Finance Committee, introduced an ordinance amending and adopting Section 33.18 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to salaried employees not subject to overtime pay.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance accepting utility easement from Hartung Brothers, Inc.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to execute an agreement with the Bowling Green City Schools for installation and maintenance of fiber optic communications cable.

Council Member McOmber, for the Public Utilities Committee, introduced an ordinance authorizing the Utilities Director to execute an agreement with the Village of Tontogany for wholesale electric service.

Council Member Frost, for the Community Improvement Committee, introduced a resolution adopting and authoring an amended B.G. Transit Drug and Alcohol Testing Policy.

COUNCIL COMMITTEE REPORTS

There were no Council committee reports.

LOBBY VISITATIONS

Dan Caldwell, 1309 E. Wooster Street, representing the Undergraduate Student Government reported to Council that they are holding a planned community service event this Saturday beginning at 11:30 and invited interested citizens to come out and join in on the project.

READING OF LEGISLATION

Clerk read Resolution #3408 transferring previously appropriated funds, for first reading.

Council Member Newlove moved, Dunn seconded, to suspend the rules and give Resolution #3408 its second and third reading. On roll call vote, Council Members Frost, McOmber, Newlove, Redfern, Sorrells, and Dunn voted yes. Council President Newlove declared motion carried, and rules suspended.

Clerk read Resolution #3408 for second and third reading by number and title only.

Council Member Newlove moved, Redfern seconded, to adopt Resolution #3408. On roll call vote, Council Members McOmber, Newlove, Redfern, Sorrells, Dunn, and Frost voted yes. Council President Newlove declared motion carried, and Resolution #3408 adopted.

Clerk read Resolution #3409 adopting and authoring an amended B.G. Transit Drug and Alcohol Testing Policy, for first reading.

Clerk read Ordinance #7935 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 #7935 its second and third reading. On roll call vote, Council Members Newlove, Redfern, Sorrells, Dunn, Frost, McOmber voted yes. Council President Newlove declared motion carried, and rules suspended.

Clerk read Ordinance #7935 for second and third reading by number and title only.

Council Member Newlove moved, Frost seconded, to adopt Ordinance #7935. On roll call vote, Council Members Redfern, Sorrells, Zanfardino, Dunn, Frost, McOmber, and Newlove voted yes. Council President Newlove declared motion carried, and Ordinance #7935 adopted.

Clerk read Ordinance #7936 amending and adopting Section 33.01(G) of the Codified Ordinances of the City of Bowling Green, Ohio, relative to the non-bargaining salary schedule, for first reading.

Clerk read Ordinance #7937 amending and adopting Section 33.18 of the Codified Ordinances of the City of Bowling Green, Ohio, relative to salaried employees not subject to overtime pay, for first reading.

Clerk read Ordinance #7938 accepting utility easement from Hartung Brothers, Inc., for first reading.

Clerk read Ordinance #7939 authorizing the Utilities Director to execute an agreement with the Bowling Green City Schools for installation and maintenance of fiber optic communications cable, for first reading.

Clerk read Ordinance #7940 authorizing the Utilities Director to execute an agreement with the Village of Tontogany for wholesale electric service, for first reading.

Clerk read Ordinance #7928 amending and adopting Section 33.09(A) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to the Fire Division Composition, for second reading.

Clerk read Ordinance #7929 amending and adopting Section 33.08(A) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to the Police Division Composition, for second reading.

Clerk read Ordinance #7930 authorizing the Mayor of the City of Bowling Green, Ohio, to enter into a Housing Revolving Loan Fund Administration Agreement, for second reading.

Clerk read Ordinance #7931 authorizing the Municipal Administrator and/or the Utilities Director to seek bids and enter into a contract or contracts for street and sidewalk improvements, street lighting improvements, aerial utility work, and other services relating to improvements on East Wooster Street, for second reading.

Council Member Sorrells moved, Dunn seconded, to amend Ordinance #7931 by adding an emergency clause. On roll call vote, Council Members Sorrells, Dunn, Frost, McOmber, Newlove, and Redfern voted yes. Council President Newlove declared motion carried, and Ordinance #7931 amended.

Council Member Sorrells moved, Frost seconded, to suspend the rules and give amended Ordinance #7931 its third reading. On roll call vote, Council Members Dunn, Frost, McOmber, Newlove, Redfern, and Sorrells voted yes. Council President Newlove declared motion carried, and rules suspended.

Clerk read Ordinance #7931 for third reading by number and title only.

Council Member Sorrells moved, Dunn seconded, to adopt the emergency clause for amended Ordinance #7931. On roll call vote, Council Members Frost, McOmber, Newlove, Redfern, Sorrells, and Dunn voted yes. Council President Newlove declared motion carried, and the emergency clause adopted.

Council Member Sorrells moved, McOmber seconded, to adopt Ordinance #7931 as amended. On roll call vote, Council Members McOmber, Newlove, Redfern, Sorrells, Dunn, and Frost voted yes. Council President Newlove declared motion carried, and Ordinance #7931 adopted as amended.

Clerk read Ordinance #7932 authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for the construction and/or replacement of sub-standard waterlines, for second reading.

Clerk read Ordinance #7933 amending and adopting Section 150.03 and 150.17(E) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding rain gardens, for second reading.

Clerk read Ordinance #7934 amending and adopting Section 150.107(D), Section 151.27(L)(3) and Section 151.28(F) of the Codified Ordinances of the City of Bowling Green, Ohio, regarding storm water management, for second reading.

Clerk read Resolution #3403 authorizing the City Attorney to petition the Board of County Commissioners of Wood County, Ohio, to change township lines, for third reading.

Council Member Frost moved, Sorrells seconded, to adopt Resolution #3403. On roll call vote, Council Members Newlove, Redfern, Sorrells, Zanfardino, Dunn, Frost, McOmber voted yes. Council President Newlove declared motion carried, and Resolution #3403 adopted.

Clerk read Ordinance #7924 amending and adopting Section 150.40(D) of the Codified Ordinances of the City of Bowling Green, Ohio, relating to the fee for processing an S-District Site Plan, for third reading.

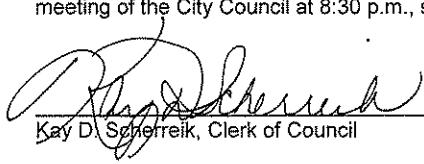
Council Member Frost moved, Redfern seconded, to table Ordinance #7924 until October 5, 2009. On roll call vote, Council Members Redfern, Sorrells, Dunn, Frost, McOmber, and Newlove voted yes. Council President Newlove declared motion carried, and Ordinance #7924 tabled until October 5, 2009.

Clerk read Ordinance #7925 amending and adopting Sections 150.03 and 150.33 of the Codified Ordinances of the City of Bowling Green, Ohio, concerning agricultural animals, for third reading.

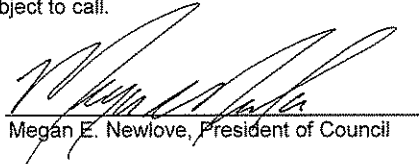
Council Member Frost moved, Dunn seconded, to table Ordinance #7925 until October 5, 2009. On roll call vote, Council Members Sorrells, Dunn, Frost, McOmber, Newlove, and Redfern voted yes. Council President Newlove declared motion carried, and Ordinance #7925 tabled until October 5, 2009.

Council Member Sorrells moved, Dunn seconded, to excuse Council Member Zanfardino from this evening's meeting. On unanimous voice vote, Council President Newlove declared motion carried.

Council Member Redfern moved, Dunn seconded, to adjourn. On unanimous voice vote, Council President Newlove adjourned the September 21, 2009 regular meeting of the City Council at 8:30 p.m., subject to call.



Kay D. Schreffik, Clerk of Council



Megan E. Newlove, President of Council