

1. April 18, 2021 City Council Agenda

Documents:

[APRIL 18, 2022.AGE.PDF](#)

1.1. Legislation Adopted 4/18/22

Documents:

[APRIL 18, 2022.LEGIS.PDF](#)



CITY COUNCIL  
CITY OF BOWLING GREEN

## CITY COUNCIL MEETING AGENDA MONDAY, APRIL 18, 2022 7:00 P.M.

1. Pledge of Allegiance
2. Roll Call
3. Approval of the minutes from the regular meeting held April 4, 2022
4. Correspondence – Clerk of Council
5. Lobby Visitations – please sign in prior to the beginning of the meeting with Clerk
6. Introduction of New Legislation
7. Official Reports
  - Mayor
  - Municipal Administrator
  - City Attorney
  - Public Services Director
  - Public Infrastructure Director
8. Council Committee Reports
9. Reading of Legislation

**A. First Reading**

Resolution authorizing the Mayor of the City of Bowling Green, Ohio, to file an application and enter into an agreement with the Ohio Department of Natural Resources for the purpose of acquiring financial assistance from the Natureworks Program.

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, 2022 and ending December 31, 2022.

Ordinance enacting and adopting the 2022 S-14 Supplement to the Code of Ordinances for the City of Bowling Green, Ohio.

**A. First Reading (Continued)**

Ordinance authorizing the Utilities Director to purchase replacement pumps for the ATAD process at the Water Pollution Control facility, and declaring an emergency.

Ordinance authorizing the Utilities Director to advertise for bids and enter into a contract or contracts for engineering services for final clarifiers at the Water Pollution Control facility.

Ordinance authorizing the Utilities Director to execute a loan agreement with the Ohio EPA/Ohio Water Development Authority for a Water Pollution Control Loan Fund loan for design and engineering services for final clarifiers at the Water Pollution Control facility.

Ordinance authorizing the Utilities Director to advertise for qualifications and enter into a contract or contracts for engineering services for lighting improvements at Carter Park.

**B. Second Reading**

8998 Ordinance authorizing the Utilities Director to enter into a contract or contracts to complete odor control improvements at the Poe/Mercer Pump Station.  
(Public Utilities Committee-Mark Hollenbaugh)

8999 Ordinance authorizing the Utilities Director to enter into a contract or contracts for repairs to the flocculation tank and sedimentation basin at the Water Treatment Plant.  
(Public Utilities Committee-Mark Hollenbaugh)

**C. Third Reading**

8995 Ordinance authorizing participation in the ODOT road salt contracts awarded in 2022.  
(Finance Committee-Greg Robinette)

8996 Ordinance authorizing the Public Services Director to submit an application to the Ohio Department of Transportation (ODOT) for the Catastrophic Snowfall Program for state fiscal years 2022 and 2023; and giving consent of the City of Bowling Green for ODOT to provide secondary snow and ice removal and to use snow and ice control material on roads within the jurisdiction in the event of 16 or more inches of snowfall within a 24-hour period.  
(Transportation & Safety Committee-Bill Herald)

**D. Tabled Ordinances**

3819 Resolution approving revisions to the Parks and Recreation Department Section of the Comprehensive Master Plan of the City of Bowling Green, Ohio.  
(Planning, Zoning and Economic Development Committee-Rachel Phipps)  
(Scheduled for public hearing on 5/2/22 at 6:00 p.m.)  
(Tabled until 5/2/22)

**D. Tabled Ordinances (Continued)**

- 3820 Resolution approving revisions to the Economic Development Section of the Comprehensive Master Plan of the City of Bowling Green, Ohio.  
(Planning, Zoning and Economic Development Committee-Rachel Phipps)  
(Scheduled for public hearing on 5/2/22 at 6:00 p.m.)  
(Tabled until 5/2/22)

RECORD OF ORDINANCES

1st Reading: 3-21-22

2nd Reading: 4-4-22

3rd Reading: 4-18-22

EMERGENCY CLAUSE ADOPTED 4/18/22

GOVERNMENT FORMS & SUPPLIES (844) 274-3333 FORM NO. 20240

Ordinance No. 8995

Passed April 18, 2022

ORDINANCE AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022, AND DECLARING AN EMERGENCY

WHEREAS, the City of Bowling Green, Ohio, Wood County, Ohio (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and
d. The Political Subdivision's electronic order for sodium chloride (road salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract's effective period; and
f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 29, 2022 by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

City Council Members:
Mark Hollenbaugh
Rachel Phipps
Joel O'Donohue
Nick Rubando
William Herald
Jeff Dennis
Greg Robinette

SECTION 2: This ordinance shall take effect at as an emergency measure. The reason for the emergency is that it is urgently necessary to have legislation in place in order to meet deadlines set forth by the Ohio Department of Transportation, thereby protecting the public health, safety and well- being of our citizens.

Passed: April 18, 2022 [Signature]  
Date President of Council

**Mark Hollenbaugh**

Attest: [Signature]  
Clerk of Council

**Kay D. Scherreik**

Approved: April 19, 2022 [Signature]  
Date Mayor

**Michael A. Aspacher**

MICHAEL J. MARSH  
CITY ATTORNEY  
kds

CERTIFICATION  
This is to certify that the foregoing is a true copy of Ord No. 8995 passed by the Council of the City of Bowling Green, Ohio, April 18, 2022.  
[Signature]  
Clerk of Council

RECORD OF ORDINANCES

1st Reading: 3-21-22  
2nd Reading: 4-4-2022  
3rd Reading: 4-18-22

GOVERNMENT FORMS & SUPPLIES 844 251-3338 FORM NO. 300-C

Ordinance No. 8996 Passed April 18, 2022

**ORDINANCE AUTHORIZING THE PUBLIC SERVICES DIRECTOR TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE CATASTROPHIC SNOWFALL PROGRAM FOR STATE FISCAL YEARS 2022 AND 2023; AND GIVING CONSENT OF THE CITY OF BOWLING GREEN FOR ODOT TO PROVIDE SECONDARY SNOW AND ICE REMOVAL AND TO USE SNOW AND ICE CONTROL MATERIAL ON ROADS WITHIN THE JURISDICTION IN THE EVENT OF 16 OR MORE INCHES OF SNOWFALL WITHIN A 24-HOUR PERIOD**

**WHEREAS**, Section 755.40 of Amended Substitute House Bill Number 74 provides for the Ohio Department of Transportation (ODOT) to establish a Catastrophic Snowfall Program during State fiscal years 2022 and 2023 to provide supplemental snow removal aid to counties, municipal corporations or townships that receive sixteen or more inches of snow in a twenty-four-hour period and that request aid under the Program; and

**WHEREAS**, ODOT has established a Catastrophic Snowfall Program that requires an application and consent legislation prior to performing any snow removal requested under this Program; and

**WHEREAS**, the legislative authority of the City of Bowling Green, desires to submit an application to ODOT for the Catastrophic Snowfall Program and provide consent for ODOT to provide supplemental snow and ice removal and apply snow and ice control material on roads within the jurisdiction of the City of Bowling Green in the event sixteen or more inches of snow falls in a twenty-four-hour period; and

**WHEREAS**, this ordinance shall not relieve or discharge the City of Bowling Green from any claim or claims of any nature arising from, or growing out of, the work by ODOT under this Program on the roads within this jurisdiction, and the City of Bowling Green shall save ODOT and the State of Ohio harmless from any and all such claims.

**NOW, THEREFORE, BE IT ORDAINED**, by the Council of the City of Bowling Green, County of Wood, and State of Ohio as follows:

**SECTION 1:** It is hereby declared to be in the public interest that the consent of said City of Bowling Green be, and such consent is hereby given to ODOT for said Department to provide supplemental snow and ice removal and apply snow and ice control material on roads within the jurisdiction of the City of Bowling Green in the event sixteen or more inches of snow falls in a twenty-four-hour period in accordance with the standard practices of the Ohio Department of Transportation.

SECTION 2: That the City of Bowling Green Public Services Director is authorized to submit an application to the Ohio Department of Transportation for the Catastrophic Snowfall Program for State fiscal years 2022 and 2023 and to work with the ODOT for supplemental snow removal aid in the event sixteen or more inches of snow falls in a twenty-four-hour period.

SECTION 3: That the City of Bowling Green hereby saves ODOT and the State of Ohio harmless from any and all claims of any nature arising from, or growing out of, the work by ODOT under the Catastrophic Snowfall Program.

SECTION 4: That the Clerk is hereby directed to furnish the Director of Transportation with a certified copy of this ordinance immediately upon execution.

SECTION 5: That this ordinance shall take effect and be in force at the earliest time allowed by law.

SECTION 6: This ordinance shall take effect at the earliest time permitted by law.

Passed: April 18, 2022 \_\_\_\_\_  
Date President of Council

**Mark Hollenbaugh**

Attest: Kay D. Scherreik  
Clerk of Council

**Kay D. Scherreik**

Approved: April 19, 2022 \_\_\_\_\_  
Date Mayor

**Michael A. Aspacher**

MICHAEL J. MARSH  
CITY ATTORNEY  
kds

**CERTIFICATION**

This is to certify that the foregoing is a true copy of Ord No. 8996 passed by the Council of the City of Bowling Green, Ohio,

April 18, 2022.  
Kay D. Scherreik  
Clerk of Council



RECORD OF ORDINANCES

1st Reading: 4-18-22  
2nd Reading: 4-18-22  
3rd Reading: 4-18-22

GOVERNMENT FORMS & SUPPLIES (344) 22-3335 FORM NO. 30043

Ordinance No. 9001 Passed April 18, 2022

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, 2022 AND ENDING DECEMBER 31, 2022

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

SECTION 1. That the following sums be appropriated as follows:

Table with 4 columns: Fund, Dept., Description, Amount. Rows include Street Construction, Local American Rescue Plan Act, General, Data Processing, Electric Revenue, Water Revenue, and Sewer Revenue.

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

Passed: April 18, 2022 Date President of Council

Mark Hollenbaugh

Attest: Kay D. Scherreik Clerk of Council

Kay D. Scherreik

Approved: April 19, 2022 Date Mayor

Michael A. Aspacher

MICHAEL J. MARSH CITY ATTORNEY kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Ord. No. 9001 passed by the Council of the City of Bowling Green, Ohio, April 18, 2022

Kay D. Scherreik Clerk of Council

RECORD OF ORDINANCES

1st Reading: 4-18-22

2nd Reading: 4-18-22

3rd Reading: 4-18-22

GOVERNMENT FORMS & SUPPLIES (344) 224-3333 FORM NO. 30043

Ordinance No. 9002

Passed April 18, 2022

ORDINANCE ENACTING AND ADOPTING THE 2022 S-14 SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF BOWLING GREEN, OHIO

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the fourteenth (14th) supplement to the Code of Ordinances of the City of Bowling Green, which supplement contains all ordinances of a general and permanent nature enacted since the recodification of the City's Code of Ordinances; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or reference sections of the Ohio Revised Code; and

WHEREAS, it is the intent of the Council of the City of Bowling Green, Ohio to accept these updated sections in accordance with the changes of the law of the State of Ohio; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

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

SECTION 1: That the fourteenth (14th) supplement to the Code of Ordinances of the City of Bowling Green, Ohio, as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, is hereby adopted by reference as if set out in its entirety.

SECTION 2: Such supplement shall be deemed published as of the day of its adoption and approval by the Council of the City of Bowling Green, Ohio, and the Clerk of Council is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

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

Passed: April 18, 2022 Date President of Council Mark Hollenbaugh

Attest: Kay D. Scherreik Clerk of Council

Approved: April 19, 2022 Date Mayor Michael A. Aspacher

MICHAEL J. MARSH CITY ATTORNEY kds

CERTIFICATION This is to certify that the foregoing is a true copy of Ord. No. 9002 passed by the Council of the City of Bowling Green, Ohio, April 18, 2022 Kay D. Scherreik Clerk of Council

**RECORD OF ORDINANCES**

1st Reading: 4-18-22  
2nd Reading: 4-18-22  
3rd Reading: 4-18-22

**EMERGENCY CLAUSE ADOPTED 4/18/22**

GOVERNMENT FORMS & SUPPLIES (844) 224-3333 FORM NO. 5000

Ordinance No. 9003 Passed April 18, 2022

**ORDINANCE AUTHORIZING THE UTILITIES DIRECTOR TO PURCHASE REPLACEMENT PUMPS FOR THE ATAD PROCESS AT THE WATER POLLUTION CONTROL FACILITY, AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, 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 purchase of replacement pumps for the ATAD process at the Water Pollution Control facility.

SECTION 2: This ordinance shall take effect as an emergency measure. The reason for the emergency is the prompt effectiveness of this measure is necessary in order to obtain pumps in time for the safe and secure operation of the Water Pollution Control Facility given the long delivery estimate for the arrival of said equipment, and thereby protect the public health, safety and well-being of our citizens.

Passed: April 18, 2022 [Signature]  
Date President of Council

**Mark Hollenbaugh**

Attest: [Signature]  
Clerk of Council  
**Kay D. Scherreik**

Approved: April 19, 2022 [Signature]  
Date Mayor

**Michael A. Aspacher**

MICHAEL J. MARSH  
CITY ATTORNEY  
kds

**CERTIFICATION**

This is to certify that the foregoing is a true copy of Ord No. 9003 passed by the Council of the City of Bowling Green, Ohio,

April 18, 2022  
[Signature]  
Clerk of Council