

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

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held MONDAY, JULY 18, 2022 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 7:10 p.m. by Council President Hollenbaugh. The meeting began with the Pledge of Allegiance.

On roll call, Council Members Dennis, Herald, Hollenbaugh, O'Dorisio, Phipps, Robinette, and Rubando were present. Also present were Mayor Mike Aspacher, Municipal Administrator Lori Tretter, City Attorney Michael Marsh, Public Services Bureau Director Joe Fawcett and Public Infrastructure Director Brian O'Connell.

Council Member Herald moved, O'Dorisio seconded, to approve the minutes of the regular meeting held July 5, 2022 as distributed. On unanimous voice vote, Council President Hollenbaugh declared motion carried.

**CORRESPONDENCE**

Received from the Ohio Division of Liquor Control was an application for a D3 and D3A liquor permit for Jesus Vazquez Garcia doing business as Lupita Mexican Taqueria, 425 Wooster St. Clerk stated zoning and police records were requested.

**SPECIAL RECOGNITION**

Mayor Mike Aspacher, along with Steve Langendorfer and on behalf of the Bicycle Safety Commission, announced Don DiBartolomeo as the recipient of the 2022 Bicycle Spokesperson of the Year award. DiBartolomeo has a long history of cycling, advocacy for cycling related issues, and for developing programs to involve the community youth. Langendorfer spoke to Bartolomeo's notability in cycling in Northwest Ohio and touched on the non-profit Right Direction. An annual event each May brings Bartolomeo and other riders to the Bowling Green Community Center to perform for all City school third graders. The riders perform stunts to music and leave the students excited for cycling. This is just one example of Bartolomeo's contribution to cycling in the area.

**LOBBY VISITATIONS**

Kurt Panter, 717 Brittany Avenue, addressed Council regarding bicycle safety concerns. Panter appealed to the City and Council to provide bicycle safety education in Bowling Green, related to both bikers and motor vehicle drivers. Council heard about a specific incident from last week when a vehicle passed Panter close to a stop sign, well within 3 feet. Panter note the police officers handled the situation fine but the officers didn't acknowledge or seem to be aware of the 3 feet rules. Panter is concerned about narrow roads within the City where, after considering required distances, cyclists cannot be passed by motor vehicles and asked if signage could be posted in these areas. Another suggestion was made to create billboard signage that provide reminders of the rules regarding bicycles on roadways.

Rick Busselle, 880 Country Club Drive, an avid cyclist, stated he has given up on issues with vehicles and now carries a round stick off the side of the handlebars. This stick represents the three foot distance rule. The decision to carry this was the result of being hit at the High School and run off the road twice on Fairview since the installation of the sharrows. The stick has been hit by a school bus and semi-truck, which indicates motor vehicle drivers are too close to the rider. Another rider in town was carrying a soft foam pool noodle but that became ineffective because drivers aren't afraid to hit it. He believes there is a lack of awareness and wanted to let Council know about this problem in the City.

Ann Beck, 717 Brittany Avenue, addressed bicycling for transportation versus leisure. Beck stated there are a lot of people in this town who bike for transportation and knows many that typically stay silent on issues involving motor vehicles. Cyclists are often cursed at by motor vehicle drivers. When Beck questioned a police officer recently on what cyclists should do, the answer was to use the sidewalk, which is against the rules.

With gas prices getting higher, Beck believes these shouldn't be issues.

### **NEW LEGISLATION**

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

Council Member Robinette, for the Finance and Ways and Means Committee, introduced the following 3 Ordinances: 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 for cleaning of streets by special assessment. Ordinance amending and adopting section 33.01 (G) pay band 1, 2 and 3 of the codified ordinances of the City of Bowling Green, Ohio, regarding salary schedule established.

Council Member O'Dorisio, for the Community Improvement Committee, introduced a Resolution amending the Designated Outdoor Refreshment Area (DORA) for Downtown Bowling Green and enacting new regulations.

Council Member Phipps, for the Planning, Zoning, and Economic Development Committee, introduced an Ordinance amending the zoning district map of the City of Bowling Green for the property generally known as 220 Manville Avenue from M-1 light industrial to R-2 single family residential zoning.

### **OFFICIAL REPORTS**

Mayor Aspacher announced the composition of the Climate Action Committee and expressed gratitude to those who are willing to serve. The group will have community members and City staff members coming together to assist with the preparation of the Climate Action Plan. The nine member committee will include (from the City) Public Services Director Joe Fawcett, Sustainability and Public Outreach Coordinator Amanda Gamby, Public Works Director Mick Murray, Assistant Utilities Director Jim Odneal; and external members: BGSU Director of Sustainability and citizen Nick Hennessey, BG Economic Development Director and citizen Kati Thompson, TMACOG staff member Marissa Bechstein (representing regional planning and environmental equity), Southeastern Container Plant Manager Tyler Williams (representing industry and business), and citizen representative (retired BGSU Geology professor) Jim Evans. The group is still finalizing the first step which is measuring the initial emissions study and the Mayor hopes to have more to share regarding the group's work later this year.

Municipal Administrator Lori Tretter had no report

City Attorney Mike Marsh had no report.

Public Services Bureau Director Joe Fawcett provided an update on the East Wooster Street paving project. Unexpected delays in the project have pushed back the start date to September 19, with anticipated completion in October.

Public Infrastructure Bureau Director Brian O'Connell had no report.

### **COUNCIL COMMITTEE REPORTS**

Council Member Robinette reported that the Finance Committee met earlier this evening and heard the quarterly update report from the Finance Director regarding the City's finances.

Council Member O'Dorisio noted that the Community Improvement Committee also met this evening to receive public comment and discuss the proposed legislation related to E-Scooters. It was decided that after the third reading of this legislation at tonight's 7:00 pm meeting, this item would be tabled to give time for suggested amendments to be vetted through the City Administration and City Attorney. An additional public meeting will be announced and held.

Council President Hollenbaugh reported on the July 12<sup>th</sup> Committee of the Whole meeting where discussion took place on the procedure for the ARPA funding. A date will be coming soon for the next meeting. Robinette read an email from Denise Niese, Wood

County Committee on Aging. The purpose of the email was to notify Council of the decision to withdraw the WCCOA request for ARPA funding at this time.

### READING OF LEGISLATION

Clerk read Resolution #3827 amending the Designated Outdoor Refreshment Area (DORA) for Downtown Bowling Green and enacting new regulations for first reading.

Clerk Ordinance #9017 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 for first reading.

Council Member Robinette moved, Herald seconded, to suspend the rules and give Ordinance #9017 its second and third reading. On roll call vote, Council Members Herald, Hollenbaugh, O'Dorisio, Phipps, Robinette, Rubando, and Dennis voted yes. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Ordinance #9017 for second and third reading by number and title only.

Council Member Robinette moved, Herald seconded, to adopt Ordinance #9017. On roll call vote, Council Members Hollenbaugh, O'Dorisio, Phipps, Robinette, Rubando, Dennis, and Herald voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #9017 adopted.

Clerk read Ordinance #9018 for cleaning of streets by special assessment for first reading.

Clerk read Ordinance #9019 amending and adopting section 33.01 (G) pay bands 1, 2, and 3 of the codified ordinances of the City of Bowling Green, Ohio, regarding salary schedule established for first reading.

Clerk read Ordinance #9020 amending the zoning district map of the City of Bowling Green for the property generally known as 220 Manville Avenue from M-1 light industrial to R-2 single family residential zoning for first reading.

Phipps stated that a Public Hearing is required for Ordinance #9020 and notified Council that this hearing will take place on Tuesday, September 6, 2022, at 6:30 p.m.

Clerk read Ordinance #9016 Ordinance authorizing the Public Services Director to contract with Penchura LLC for improvements at Carter Park associated with the inclusive playground project, for the second reading.

Council Member Rubando moved, O'Dorisio seconded, to suspend the rules and give Ordinance #9016 its third reading. On roll call vote, Council Members O'Dorisio, Phipps, Robinette, Rubando, Dennis, Herald, and Hollenbaugh voted yes. Council President Hollenbaugh declared motion carried, and rules suspended.

Clerk read Ordinance #9016 for third reading by number and title only.


Council Member Rubando moved, Hollenbaugh seconded, to adopt the emergency clause for Ordinance #9016. On roll call vote, Council Members Phipps, Robinette, Rubando, Dennis, Herald, Hollenbaugh, and O'Dorisio, voted yes. Council President Hollenbaugh declared motion carried, and the emergency clause adopted.

Council Member Rubando moved, O'Dorisio seconded, to adopt Ordinance #9016. On roll call vote, Council Members Robinette, Rubando, Dennis, Herald, Hollenbaugh, O'Dorisio, and Phipps voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #9016 adopted.

Clerk read Ordinance #9015 creating Section 123 of the Codified Ordinances of the City of Bowling Green, concerning Electronic Scooters (E-Scooters), for third reading.

Council Member O'Dorizio moved, Herald seconded, to table Ordinance #9015 until August 15, 2022 to give the Community Improvement Committee time to schedule and hold a meeting to discuss potential amendments to the proposed legislation. On roll call vote, Council Members Rubando, Dennis, Herald, Hollenbaugh, O'Dorizio, Phipps, and Robinette voted yes. Council President Hollenbaugh declared motion carried, and Ordinance #9015 tabled until August 15, 2022.

Council Member Herald moved, Rubando seconded, to adjourn. On unanimous voice vote, Council President Hollenbaugh adjourned the July 18, 2021 regular meeting of the City Council at 7:39 p.m., subject to call.

  
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Jodi Sickler, Clerk of Council

  
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Mark Hollenbaugh, President of Council