

Village of Bluffton Council Meeting Agenda
Bluffton Town Hall, 3rd Floor
154 North Main Street, Bluffton
October 3, 2016
8:00 PM

1. Opening Ceremonies

- a. Call to Order
- b. Pledge of Allegiance

2. Minutes

- a. Approval of the minutes for the Bluffton Village Council meeting held on Monday, September 19, 2016.

3. Bills

4. Legislation

Ordinance No. 15-16 2nd Reading

An Ordinance setting forth the terms, conditions and regulations for indigent burials for the Village of Bluffton, Ohio.

5. Administrator's Report

6. Safety Services

7. Committee Reports

8. Public Comment

9. Meeting Dates (meetings held at the Town Hall unless otherwise noted)

- a. Pathway Board- Thursday, October 6, 2016 at 12:00 PM at BU
- b. Council- Monday, October 17, 2016 at 8:00 PM

10. Adjournment – Motion and Second

Mayor Augsburger presiding. Messrs: Burrell, Johnson, Miller, Sehlhorst, Talavinia, and Warren present.

Mr. Talavinia moved, seconded by Mr. Johnson to approve the minutes of the regular council meeting held on September 6, 2016. Roll Call: Yes (6) Messrs: Talavinia, Johnson, Burrell, Miller, Sehlhorst, and Warren. No (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Miller to approve the bills as presented. Total payroll of \$43,917.44 and non-payroll of \$160,844.66. Roll Call: Yes (6) Messrs: Sehlhorst, Miller, Burrell, Johnson, Talavinia, and Warren. No (0), motion approved.

Mr. Talavinia moved, seconded by Mr. Warren to suspend the rules and declare an emergency. Roll Call: Yes (6) Messrs: Warren, Talavinia, Burrell, Johnson, Miller, and Sehlhorst. No (0), motion approved.

Mr. Burrell moved, seconded by Mr. Sehlhorst to approve the first reading of Ordinance No. 14-16: AN ORDINANCE TO ADOPT THE SOLID WASTE MANGEMENT PLAN FOR THE ALLEN-CHAMPAIGN-HARDIN-MADISON-SHELBY-UNION JOINT SOLID WASTE MANAGEMENT DISTRICT AND DECLARING AN EMERGENCY. Roll Call: Yes (6) Messrs: Burrell, Sehlhorst, Johnson, Miller, Talavinia, and Warren. No (0), motion approved.

Mr. Warren moved, seconded by Mr. Talavinia to approve the first reading of Ordinance No. 15-16: AN ORDINANCE SETTING FORTH THE TERMS, CONDITIONS AND REGULATIONS FOR INDIGENT BURIALS FOR THE VILLAGE OF BLUFFTON, OHIO. Roll Call: Yes (6) Messrs: Warren, Talavinia, Burrell, Johnson, Miller, and Sehlhorst. No (0), motion approved.

Mr. Miller moved, seconded by Mr. Warren to approve a change order for the WWTP Headworks Improvement project, in the amount of \$104,402 for an upgraded integration package. Roll Call: Yes (6) Messrs: Miller, Warren, Burrell, Johnson, Sehlhorst, and Talavinia. No (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Talavinia to close Main Street on September 23, from 5:00-7:00pm for the Homecoming parade. Roll Call: Yes (6) Messrs: Sehlhorst, Talavinia, Burrell, Johnson, Miller, and Warren. No (0), motion approved.

The Mayor announced a donation of \$200.00 from the Shannon Service Club for the Shannon Cemetery.

Mr. Johnson moved, seconded by Mr. Warren to approve Braden Skilliter as a part/time police officer at a rate of \$10.10/hour. Roll Call: (6) Messrs: Johnson, Warren, Burrell, Miller, Sehlhorst, and Talavinia. No (0), motion approved.

Mr. Warren moved, seconded by Mr. Talavinia to approve selling Chief Skilliter his duty weapon for \$1.00, due to his retirement. Roll Call: Yes (6) Messrs: Warren, Talavinia, Burrell, Johnson, Miller, and Sehlhorst. No (0), motion approved.

Mr. Warren moved, seconded by Mr. Johnson to approve a letter of intent being sent to Statewide Ford for the purchase of a 2017 police cruiser, total purchase price of \$34,287.00. Roll Call: Yes (6) Messrs: Warren, Johnson, Burrell, Miller, Sehlhorst, and Talavinia. No (0), motion approved.

The following meetings were included on the agenda and/or scheduled during the meeting:

September 22, 2016	Streets, Alleys, Lights, & Sidewalks	8:00 PM
October 3, 2016	Council	8:00 PM
October 12, 2016	Tree Commission	7:30 PM

Mr. Burrell moved, seconded by Mr. Johnson to approve the rezoning request of the property located at 565 Harmon Road from R1 to R2. Roll Call: Yes (6) Messrs: Burrell, Johnson, Miller, Sehlhorst, Talavinia, and Warren. No (0), motion approved.

Mr. Warren moved, seconded by Mr. Burrell to enter into executive session for the discussion of personnel- wages and job descriptions. Council, Mayor, and Village Solicitor invited to attend. Roll Call: Yes (6) Messrs: Warren, Burrell, Johnson, Miller, Sehlhorst, and Talavinia. No (0), motion approved.

Mr. Warren moved to exit from executive session.

Mr. Burrell moved, seconded by Mr. Johnson to adjourn.

MAYOR

FISCAL OFFICER

Village of Bluffton
October 3, 2016 Bills Paid

Remit To	Description	Total Value
Alloway Testing	LAB ANALYSIS	\$1,421.60
Alloway Testing	LAB ANALYSIS	\$75.00
Alloway Testing	LAB ANALYSIS	\$125.00
Allied Waste Services #388	REFUSE SERVICE	\$17,528.70
Bluffton Hospital	AMBULANCE SUPPLIES	\$165.19
Bluffton Flying Service	Tire & Rim	\$540.02
F. Stephen Chamberlain	RETAINER/MEETINGS	\$1,320.00
Citizens National Bank	PRINCIPAL	\$21,671.31
D & J Golf Carts	Golf Cart Repair	\$410.75
First National Bank	Line of Credit- Interest	\$17.78
Riley Creek Sign	Cruiser Decals	\$875.00
Nathan Jordan	Reimburse- CEU's	\$132.70
Keneco Distributors, Inc.	Oil & Grease	\$287.45
Nancy Kindle	Reimbursement- Postage & Open House	\$388.00
Operator Training Committee	Backflow Training- Lloyd & Phillips	\$360.00
Operator Training Committee	BACKFLOW TRAINING- BLACKBURN	\$180.00
Perry Corporation	COMPUTER/COPIER BACK-UP	\$603.69
Perry Corporation	COMPUTER/COPIER BACK-UP	\$343.31
Perry Corporation	COMPUTER/COPIER BACK-UP	\$119.08
Sherwin Williams	Paint	\$2,958.88
Smartbill	UTILITY BILL PRINTING & POSTAG	\$726.57
Staples Business Advantage	Paper & Office Supplies	\$70.57
Staples Business Advantage	Calendars & USB Cable	\$51.12
Staples Business Advantage	Paper Products & Hand Sanitizer	\$69.79
Time Warner Cable	INTERNET	\$314.90
United Healthcare Plan Of The	HOSPITALIZATION	\$11,039.34
United Healthcare Insurance Co	LIFE INSURANCE	\$96.00
Utility Sales Agency, Llc	WATER LINE PARTS	\$306.90
Dominion East Gas	NATURAL GAS	\$191.06
Dominion East Gas	Natural Gas	\$27.36
Peterson Construction Co.	WWTP Headworks	\$142,186.00
 TOTAL		 \$204,603.07

ORDINANCE NO. 15-16

AN ORDINANCE SETTING FORTH THE TERMS, CONDITIONS AND REGULATIONS FOR INDIGENT BURIALS FOR THE VILLAGE OF BLUFFTON, OHIO

WHEREAS: It is deemed necessary by the Council of the Village of Bluffton to set forth the terms, conditions and regulations for the Village's responsibilities regarding the burial of indigents pursuant to Ohio Law, especially the responsibilities set forth in Ohio Revised Code Section 9.15.

BE IT THEREFORE ORDAINED BY THE COUNCIL OF THE VILLAGE OF BLUFFTON, OHIO THAT:

Section 1: PURPOSE.

This Indigent Burial Policy is enacted to comply with the provisions of ORC 9.15 pertaining to the burial of indigent persons found within the Village who are not claimed by any person for private interment or cremation at the person's own expense, or interment or cremation when the body of an indigent person is claimed by an indigent person. The purpose of this policy is to provide for the burial of indigents, or the burial of an indigent person claimed by an indigent person, for reasons of public health and sensibilities.

Section 2: APPLICATION OF POLICY.

(a) Unclaimed: When the body of a dead person is found within the Village and such person was not an inmate of a correctional, benevolent, or charitable institution of this State; and the body is not claimed by any person for private interment or cremation at the person's own expense; or delivered for the purpose of medical or surgical study or dissection in accordance with ORC 1713.34, the Village shall be liable for the cremation and inurnment expenses, in the amounts set forth herein, if:

- (1) The deceased is determined to be an indigent person; and
- (2) The person was a legal resident of the Village of Bluffton at the time of death.

(b) Claimed: When the body is claimed by an indigent person simply as that of a loved one, without undertaking to arrange and pay for private interment, the Village shall be liable for the cremation and inurnment expenses, in the amounts set forth herein, if:

- (1) The deceased is determined to be an indigent person; and
- (2) The person was a legal resident of the Village of Bluffton at the time of death; and
- (3) The claimant is determined to be an indigent person.

The Village Administrator is hereby appointed as the proper officer of the Village, in accordance with ORC 9.15, to be responsible for the administration of this indigent burial policy. If the next-of-kin of the deceased are not available or are unknown, the Village Administrator shall have the authority to sign all documents necessary for the cremation.

Section 3: DETERMINING INDIGENCE.

(a) Determination: Prior to the cremation authorization, the Village Administrator shall make reasonable attempt to determine whether the deceased person is in fact indigent and, where the deceased person is claimed by an indigent person, whether the claimant is in fact indigent.

(b) Definitions:

(1) "Indigent decedent" means a person who dies without leaving an ascertainable estate sufficient to pay part or all of the person's burial expenses and whose burial expenses are not payable by the State or County Veteran's Administration. The estate of the decedent shall include, but is not limited to, the ready availability of real or personal property owned; employment benefits; pensions; annuities; social security; unemployment compensation; inheritances; number and age of dependents; outstanding debts, obligations and liabilities; and any other relevant considerations concerning the financial condition of the individual.

(2) The term "indigent claimant" encompasses individuals who are poor, needy, destitute, or in poverty. The criteria for determining whether an individual is indigent include the ready availability of real or personal property owned; employment benefits; pensions; annuities; social security; unemployment compensation; inheritances; number and age of dependents; outstanding debts, obligations and liabilities; and any other relevant considerations concerning the financial condition of the individual.

Section 4: DETERMINING LEGAL RESIDENCY.

(a) Determination: Prior to the cremation authorization, the Village Administrator shall make reasonable attempt to determine whether the deceased person was a legal resident of the Village.

(b) Definitions: "Legal Residency" means a physical presence in a particular location, coupled with the present intent to make that place a permanent residence for a period of time.

(c) Nursing Homes: In cases where the decedent was living in a nursing home or hospital located within the Village, legal residence shall mean an intent to make the nursing home or hospital a permanent residence.

Section 5: BURIAL POLICY.

(a) Authorization: Upon finding that the deceased was a legal resident of the Village and an indigent person, and where the deceased person is claimed by an indigent person, that the claimant is indigent, the Village Administrator shall authorize the funeral director or other party to cremate the decedent.

(b) Cost of Cremation: The Village shall dispose of the remains of indigent persons by cremation only. The Village shall pay a maximum of five hundred dollars (\$500.00) for the cremation and inurnment of the remains of the deceased. Said services shall include transportation of the deceased to the funeral home, necessary supplies and procedures, and provide a temporary urn for the storage of the deceased's cremated remains. The Finance Director is hereby authorized to pay such expenses, upon certification from the Village Administrator and receipt of an invoice or bill from the funeral director.

(c) Release to Family: The cremated remains of the deceased may be released to the decedent's family.

(d) Burial for Unclaimed: If the cremated remains are not claimed, the Village shall cause the remains to be buried, and the Finance Director is hereby authorized to pay such expenses, upon certification from the Village Administrator and receipt of an invoice or bill for the burial. The Village shall also provide at the grave of the person's cremated remains, if such remains are buried, a metal stone or concrete marker on which the person's name, date of birth (if known), age (if known), and date of death shall be inscribed.

Section 6: LIMITATIONS.

(a) No Payment for Funeral Expenses: If the body of an indigent person is claimed by relatives or friends who arrange for the funeral according to their wishes, the Village shall not pay all or any part of the expenses for the same.

(b) Not Supplemental: The Village's Indigent Burial Policy is not supplemental. The funeral director or funeral home personnel shall not ask for nor accept any funds above the amounts set forth herein. Upon completion of the cremation, the funeral director shall submit an itemized bill to the Village Administrator containing the following information:

- (1) Name and age of the deceased;
- (2) Place of burial;
- (3) Services performed;
- (4) Total costs of services;
- (5) Amount received from other sources; and
- (6) Amount due from the Village.

(c) Refund by Funeral Director when Funds are Otherwise Received: The funeral director or funeral home shall reduce the cost to the Village by the amount of funds received from any other source. If additional funds are paid to the funeral director or funeral home after the Village has paid as herein provided, the Village shall be refunded the exact amount of the additional funds paid to the funeral director or funeral home within thirty (30) days of the receipt thereof. The funeral director shall submit a notarized statement to the Village Administrator indicating his understanding and compliance with the provisions of this Policy.

(d) Reimbursement for Expenses: In the event that it is found after the cremation of the deceased and payment of the cremation and/or burial expenses by the Village, that such indigent decedent and/or indigent claimant had means, assets, insurance or other benefits or allowances available for the payment of all or part of such expenses, such proceedings may be taken to recover such costs and expenses as may be authorized by law.

Section 7. That the Council of the Village of Bluffton finds that all discussion and debate regarding this matter was done in public sessions of the Council in compliance with the Laws of the State of Ohio.

PASSED THIS _____ day of _____, 20_____.

Fiscal Officer

Mayor

Village Solicitor

**To: Mayor Augsburg
Council Members**

Streets Recommendation

Attached to this report is the recommendation that was presented to the Streets, Alleys, Lights and Sidewalks Committee at their meeting on September 22nd that they asked that I include in the packet for Council's review. It is my understanding that the committee will have a recommendation for Council based on the discussion at that meeting.

Flushing

The Service Department is scheduled to begin the semi-annual hydrant flushing the week of October 3rd. The Fall flushing usually takes a little longer than the Spring flushing as the hydrants need to be pumped down following the flushing to prevent damage during the upcoming Winter season.

Salt

Brion Rhodes, Allen County Engineer, notified the Village of the salt prices for the upcoming 2016-2017 Winter season. This year, the cost will be \$57.45 per delivered ton. We paid \$57.00 per delivered ton for the 2015-2016 season. Thanks to the mild Winter we experienced last year, we are able to begin the season with the salt bins full and we reserved 150 tons through the County Engineer's Office for the upcoming season. We began partnering with the Allen County Engineer's Office a number of years ago to be able to secure salt quantities at a better rate than we could on our own based on the volume and quantities of scale and this program has been very beneficial to the Village.

Augsburger Pathway

The contractors have begun construction on the Augsburg Pathway project. Tree Tech is scheduled to begin removing the remaining trees on Monday, October 3rd.

Shannon Cemetery Update

Attached to this report is a copy of an email that I received from Ray Mumma detailing the work that has been ongoing concerning the mapping for the Shannon Cemetery and the eventual placement of tombstones.

Flu Shots

Once again this year, Greg's Pharmacy is willing to partner with us to administer flu shots to Village employees. Each employee will receive a form to take with them to receive the shot at Greg's and they will invoice us. Per the information on the form, employees will have until October 31st to take advantage of the program.

Surplus Equipment

Attached is a list of Service Department surplus equipment that I am recommending Council declare as surplus so that they may be disposed of. I am recommending that we seek sealed bids for the items.

Executive Session Request

I would like to request an Executive Session at Monday evening's Council Meeting to discuss contracts.

Bluffton Paving Estimates 9-8-16	Estimate	
Citizens Parkway	\$ 38,085.00	From Earlier in the year
East Elm Street- Huber to County Line	\$ 28,254.90	
College Avenue- Albert to Main	\$ 57,343.50	
Jared Circle	\$ 13,234.70	
Franklin- Jackson to Spring	\$ 17,151.50	
Washington- Spring to Main	\$ 19,255.00	After Sewer Project
Berne	\$ 11,131.25	
Lausanne	\$ 24,694.45	
Basel	\$ 16,362.35	\$ 52,188.05
Twp Road 51- SR 103 to Corp Limit	\$ 37,405.00	
Riley Creek Court	\$ 17,542.50	
Richland (Riley Cr. Crt)	\$ 22,505.50	\$ 40,048.00
Shannon- Riley to Garmatter	\$ 22,713.40	
Dead end of N. Jackson from Kibler	\$ 14,157.60	
Eastland/Westland	\$ 32,417.10	
Alley behind Funeral home- Harmon to Poplar	\$ 11,041.00	
	\$ 383,294.75	

Additional 2016 Paving Recommendations

Bluffton Paving Estimates 9-8-16	Estimate
Citizens Parkway	\$ 38,085.00
Jared Circle	\$ 13,234.70
Franklin- Jackson to Spring	\$ 17,151.50
Dead end of N. Jackson from Kibler	\$ 14,157.60
Alley behind Funeral home- Harmon to Poplar	\$ 11,041.00
	\$ 93,669.80

2017

Bluffton Paving Estimates 9-8-16	Estimate
College Avenue- Albert to Main	\$ 57,343.50
Berne	\$ 11,131.25
Lausanne	\$ 24,694.45
Basel	\$ 16,362.35
Riley Creek Court	\$ 17,542.50
Richland (Riley Cr. Crt)	\$ 22,505.50
Twp Road 51- SR 103 to Corp Limit	\$ 37,405.00
East Elm Street- Huber to County Line	\$ 28,254.90
Eastland/Westland	\$ 32,417.10
Vine- Main to Jackson	\$ 13,000.00
Striping	\$ 7,500.00
	\$ 268,156.55

2018

Riverbend	\$ 40,000.00
Locust	\$ 20,000.00
Hawthorne	\$ 20,000.00
Sycamore	\$ 20,000.00
Birch	\$ 20,000.00
Elm Street- Spring to Bentley	\$ 60,000.00
Washington- Spring to Main	\$ 19,255.00
Brookwood	\$ 15,000.00
Shannon- Riley to Garmatter	\$ 22,713.40
Cherry- RR to Vance	\$ 15,000.00
Striping	\$ 8,000.00
	\$ 259,968.40

2019

Albert	\$ 20,000.00
Sara	\$ 8,000.00
Garau	\$ 20,000.00
County Line Road-RR Tracks to Main	\$ 60,000.00
Susan	\$ 20,000.00
Tower	\$ 50,000.00
High Street	\$ 30,000.00
	\$ 208,000.00

Jamie Mehaffie

From: Ray Mumma <raypennymumma@embarqmail.com>
Sent: Wednesday, September 28, 2016 6:21 PM
To: Jamie Mehaffie; Jesse Blackburn
Cc: Save Shannon Cemetery
Subject: Update: Shannon Cemetery 9/28/2016

Jamie, Here is an update which was posted on the Save Shannon Cemetery Facebook .

UPDATE: Shannon Cemetery 9/28/2016

We have been working diligently with James Cramer, former Bluffton resident, who is our mapping expert and his trained archaeologist friend Joel to have the mapping layout of the cemetery completed, and they are close. It takes time as both of these gentlemen are donating their services on their own time. They have been given a lot of data to go over and they are taking all this information from local, county and government sources, including Nate Ulrey's data, as well as the Bacon survey of the Ground Penetrating Radar (G.P.R.) scan of the cemetery to do this properly. They want to be as precise as they can to reestablish the rows and to place as many of the stones we can back on their known graves. The rows are being adjusted to allow for the mowing and upkeep of the cemetery, especially with the modern day use of a 52 inch lawn mower, so please bear with us. We just did not want to slap the stones down but we want to be as precise and accurate as can be in replacing the stones on their known graves. We want this done correctly. Of the 40 plus stones removed, it appears that at least a dozen will be put in a separate memorial area within Shannon Cemetery as their burial locations are not yet known. When the mapping is completed we will be requesting from the Village Administrator that a surveyor be allowed to come in and use the mapping to reestablish the grave sites. These grave sites will be permanently marked with ground stakes we provide. We will also be requesting that Mark Morton, Cemetery Preservationist and Conservationist be allowed to conduct a training class in Shannon Cemetery to properly instruct and train volunteers in the proper methods and techniques to return, restore and clean the Shannon Cemetery stones. We have not given up and I apologize for leaving you all in the dark for so long. But we want to make the end results as accurate as we can, giving the Bluffton and area community a cemetery, Shannon Cemetery, which we all can be proud of; an historic gem to the entrance of downtown Bluffton along the State Route 103 corridor. Thanks to all your continued support and help which encourage us to "Save Shannon Cemetery".

Ray

Ray F. Mumma



Fall 2016 Surplus Items

- US Army Surplus generator
- Sewer rodding machine
- Pushing rod machine
- Jail cell
- 4 well pumps, misc horsepower, unknown working condition
- 1995 F150, VIN # 1FTDF15Y95LB43017