

# Village of Bluffton Council Meeting Agenda

Bluffton Town Hall, Third Floor  
154 North Main Street, Bluffton  
December 17 at 7:00 PM



## Opening Ceremonies

Call to Order, Mayor Johnson presiding  
Pledge of Allegiance

## Minutes

Approval of the minutes for the Village Council meeting held on Monday, December 10, 2018.

## Bills

## Committee Reports

## Legislation

### Resolution 25-18

### 3<sup>rd</sup> Reading

A Resolution authorizing the temporary appropriations for the year 2019 for the Village of Bluffton, Ohio.

### Ordinance 11-18

### 2<sup>nd</sup> Reading

An Ordinance to enact a comprehensive Access Management Plan as attached Exhibit 1.

### Ordinance 12-18

### 2<sup>nd</sup> Reading

### Emergency

An Ordinance amending the Income Tax Ordinance of the Village of Bluffton, Ohio, to require landlords of rental or leased properties within the village to report the names of their tenants over the age of 18 to the village on an annual basis.

### Ordinance 13-18

### 1<sup>st</sup> Reading

### Emergency

An Ordinance amending Ordinance No. 05-18 (the Annual Appropriation Ordinance) and declaring an emergency.

## Administrator's Report

- Department of Public Works Report

## Safety Services Reports

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

Council Meeting – Monday, December 17 at 7:00 pm

Council Meeting – Monday, January 14 at 7:00 pm

## Public Comment

Adjournment – Motion and Second

Regular meeting December 10, 2018 at 7:00pm.

Mayor Johnson presiding. Messrs: Cupples, Kingsley, Sehlhorst, Stahl, Steiner and Talavinia present.

Kingsley motioned, seconded by Sehlhorst, to approve the minutes from the regular council meeting held on November 26, 2018. Roll Call: Yes (5) Messrs: Steiner, Talavinia, Kingsley, Sehlhorst and Stahl. No (0), Abstain (1) Cupples, motion approved.

Steiner motioned, seconded by Talavinia, to approve the bills as presented. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Talavinia, Sehlhorst, Stahl and Steiner. No (0), Abstain (0), motion approved.

The fiscal officer gave the following readings:

2<sup>nd</sup> Reading

R-25-18 – A Resolution authorizing the temporary appropriations for the year 2019 for the Village of Bluffton, Ohio. Steiner motioned to approve the first reading, seconded by Talavinia. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Talavinia, Sehlhorst, Stahl and Steiner. No (0), Abstain (0), motion approved.

1<sup>st</sup> Reading

O-11-18 – An Ordinance to enact a comprehensive Access Management Plan as attached in Exhibit 1. Sehlhorst motioned to approve the first reading, seconded by Cupples. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Talavinia, Sehlhorst, Stahl and Steiner. No (0), Abstain (0), motion approved.

O-12-18 – An Ordinance amending the Income Tax Ordinance of the Village of Bluffton, Ohio, to require landlords of rental or leased properties within the village to report the names of their tenants over the age of 18 to the village on an annual basis. Steiner motioned to approve the reading, seconded by Cupples. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Talavinia, Sehlhorst, Stahl and Steiner. No (0), Abstain (0), motion approved.

Kingsley motioned for the Village to award a grant of \$5,000 to the Bluffton Center for Entrepreneurs, seconded by Cupples. Roll Call: Yes (4) Messrs: Cupples, Kingsley, Sehlhorst and Stahl. No (0), Abstain (2) Steiner & Talavinia, motion approved.

Talavinia motioned to enter into executive session to discuss personnel, contracts and property issues, seconded by Cupples. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Talavinia, Sehlhorst, Stahl and Steiner. No (0), Abstain (0), motion approved.

Talavinia motioned to exit executive session and return to regular session.

Steiner motioned for the Village to make an offer to purchase property 10 State Route 103 at no more than \$57,000, seconded by Sehlhorst. Roll Call: Yes (6) Messrs: Cupples, Kingsley, Talavinia, Sehlhorst, Stahl and Steiner. No (0), Abstain (0), motion approved.

Kingsley motioned to adjourn the regular council meeting.

The following meetings/events were included on the agenda and/or scheduled during the meeting:  
Council Meeting – Monday, December 17 at 7:00pm  
Tree Commission – Tuesday, February 12 at 7:00pm

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MAYOR

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FISCAL OFFICER

VILLAGE OF BLUFFTON  
VOUCHER REPORT 12/17/18

VENDOR	AMOUNT	DEPT	PURPOSE
ALLOWAY	\$127.50	SEWER	LABS
AEP CONSTRUCTION	\$851.93	ADMIN	ELECTRIC AT ALLEY
AEP	\$941.21	MULTIPLE	ELECTRIC
BLUFFTON CENTER FOR ENTRE	\$5,000.00	ECON DEV	GRANT
BLUFFTON STONE	\$7,500.00	PARK	BOULDERS
CHOICE ONE	\$25,968.72	MULTIPLE	ENGINEERING
CITIZENS NAT BANK	\$40,522.56	DEBT	LOAN PAYMENTS
COUNTY ELECTRIC	\$566.66	MULTIPLE	ELECTRIC SVC
GREAT LAKES BILLING	\$845.54	EMS	BILLING SVC
HACKENBERG	\$150.00	PD	PD CASE
KLEEM	\$358.08	STREET	SIGNS
KOI AUTO PARTS	\$152.10	STREET	SUPPLIES
MARSHVIEW ENTERPRISES	\$6,617.00	CEMETERY	FOOTERS/BURIALS
MID AMERICAN CLEANING	\$461.18	L&B	TOWN HALL CLEANING
OHIO PEACE OFFICER TRAINING	\$15.00	PD	TRAINING
PATH MASTER	\$30.00	STREET	TRAFFIC SIGNAL PARTS
PERRY PROTECH	\$946.00	ADMIN	IT
STAPLES	\$86.23	ADMIN	OFFICE SUPPLIES
STRATTON GREENHOUSES	\$300.00	L&B	PLANTERS
TIME WARNER	\$22.39	PD	CABLE
TOWN & COUNTRY FLOWERS	\$50.00	ADMIN	FLOWERS FOR FUNERAL
TREASURER, STATE OF OHIO	\$45.00	WATER	LICENSE
TREASURER, STATE OF OHIO	\$2,600.00	SEWER	DISCHARGE FEE
TSYS	\$11.83	EMS	MERCHANT SVC
USPS	\$100.00	ADMIN	STAMPS
TOTAL	\$94,268.93		

# Village of Bluffton, Ohio

## Statement of Cash from Revenue and Expense

From: 1/1/2018 to 11/30/2018  
 Funds: A1 to H6

Fund	Description	Beginning Balance	Net Revenue YTD	Net Expense YTD	Unexpended Balance	Encumbrance YTD	Ending Balance	Message	Include Inactive Accounts: No
A1	GENERAL FUND	\$3,283,981.84	\$2,951,147.04	\$3,868,222.03	\$2,366,906.85	\$210,800.94	\$2,156,105.91		
B1	STREET FUND	\$90,303.44	\$1,227,524.15	\$539,260.18	\$778,567.41	\$95,679.13	\$682,888.28		
B2	STATE HIGHWAY FUND	\$44,369.06	\$10,995.17	\$0.00	\$55,364.23	\$0.00	\$55,364.23		
B3	CEMETARY FUND	\$25,260.74	\$19,192.75	\$16,333.08	\$28,120.41	\$1,177.38	\$26,943.03		
B4	PARK FUND	\$19,104.12	\$287,346.07	\$212,752.40	\$93,697.79	\$17,480.72	\$76,217.07		
B5	BENROTH MEMORIAL BRIDGE FUND	\$634.63	\$150.00	\$0.00	\$784.63	\$0.00	\$784.63		
B6	FEMA GRANT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
B7	COURT COMPUTER	\$5,113.14	\$0.00	\$0.00	\$5,113.14	\$0.00	\$5,113.14		
B8	DUI ENFORCEMENT & EDUCATION	\$369.01	\$421.00	\$0.00	\$790.01	\$0.00	\$790.01		
B9	PERMISSIVE LICENSE FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
C1	STREET DEBT SERVICE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
C2	SWIMMING POOL DEBT SERVICE	\$863.28	\$0.00	\$0.00	\$863.28	\$0.00	\$863.28		
C4	BLUFFTON IN BLOOM	\$0.00	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$5,000.00		
D1	CAPITAL IMPROVEMENT FUND	\$3,477.57	\$0.00	\$0.00	\$3,477.57	\$0.00	\$3,477.57		
D2	STORM SEWER IMPROVEMENT	\$21,726.96	\$0.00	\$0.00	\$21,726.96	\$750.00	\$20,976.96		
D3	FIRE & RESCUE IMPROVEMENT FUND	\$189,380.95	\$177,552.00	\$264,670.37	\$102,262.58	\$500.00	\$101,762.58		
D4	SWIMMING POOL IMPROVEMENT	\$1,949.94	\$26,000.00	\$25,164.90	\$2,785.04	\$0.00	\$2,785.04		
D5	EQUIPMENT REPLACEMENT	\$942.47	\$110,000.00	\$50,698.50	\$60,243.97	\$330.00	\$59,913.97		
D6	AIRPORT IMPROVEMENT	\$101,204.50	\$207,102.89	\$150,242.42	\$158,064.97	\$102,963.86	\$55,101.11		
D7	STREET IMPROVEMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
D8	TOWN HALL IMPROVEMENT	\$368,749.32	\$0.00	\$51,327.00	\$317,422.32	\$0.00	\$317,422.32		
D9	POLICE EQUIPMENT REPLACEMENT	\$5,916.60	\$60,000.00	\$50,049.55	\$15,867.05	\$5,969.95	\$9,897.10		
E1	WATER FUND	\$356,801.99	\$958,900.42	\$1,168,280.63	\$147,421.78	\$77,667.65	\$69,754.13		
E2	SEWER FUND	\$149,197.27	\$756,922.03	\$721,233.62	\$184,885.68	\$57,105.21	\$127,780.47		
E3	SEWER DEBT SERVICE RESERVE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
E4	SEWER DEBT SERVICE	\$86,685.24	\$0.00	\$86,685.24	\$0.00	\$0.00	\$0.00		
E5	WATER DEBT SERVICE	\$70,886.86	\$0.00	\$70,886.86	\$0.00	\$0.00	\$0.00		
E6	SEWER REPLACEMENT & IMPR.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
E7	REFUSE FUND	\$77,342.64	\$196,345.00	\$191,945.37	\$81,742.27	\$20,245.00	\$61,497.27		
E9	WATER/ SEWER IMPROVEMENT FUND	\$330,202.63	\$1,593,692.33	\$1,117,729.51	\$806,165.45	\$67,308.43	\$738,857.02		
F1	WATER CONSTRUCTION FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
F2	COMMUNITY EVENTS	\$5,880.77	\$0.00	\$0.00	\$5,880.77	\$0.00	\$5,880.77		
F3	COMMUNICATIONS FUND	\$6,960.24	\$0.00	\$0.00	\$6,960.24	\$0.00	\$6,960.24		
F4	POLICE CONTINUING PROFESSIONAL	\$5,126.52	\$3,980.00	\$5,880.77	\$3,225.75	\$0.00	\$3,225.75		

**Statement of Cash from Revenue and Expense**

**From: 1/1/2018 to 11/30/2018**

Fund	Description	Beginning Balance	Net Revenue YTD	Net Expense YTD	Unexpended Balance	Encumbrance YTD	Ending Balance	Message
F5	UTILITY RECOVERY	\$1,956.12	\$0.00	\$0.00	\$1,956.12	\$0.00	\$1,956.12	
F6	NATIONAL NIGHT OUT	\$3,193.97	\$4,077.73	\$3,793.51	\$3,478.19	\$0.00	\$3,478.19	
F7	Shannon Cemetery Fund	\$300.00	\$0.00	\$0.00	\$300.00	\$0.00	\$300.00	
F8	POLICE K9 FUND	\$14,045.00	\$5,335.80	\$13,811.10	\$5,569.70	\$7,030.00	(\$1,460.30)	
F9	FIRE DEPARTMENT BUILDING FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
G2	UNCLAIMED MONIES TRUST	\$225.20	\$0.00	\$0.00	\$225.20	\$0.00	\$225.20	
G3	INCOME TAX FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
G4	CEMETARY TRUST - C/W	\$1,326.66	\$0.00	\$0.00	\$1,326.66	\$0.00	\$1,326.66	
G5	CEMETARY TRUST - MATTER	\$524.37	\$0.00	\$0.00	\$524.37	\$0.00	\$524.37	
H1	SPECIAL ASSESSMENT - KIBLER	\$897.17	\$0.00	\$0.00	\$897.17	\$0.00	\$897.17	
H2	SPECIAL ASSESSMENT - VANCE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
H4	SPECIAL ASSESSMENT - W COLLEGE	\$849.41	\$0.00	\$0.00	\$849.41	\$0.00	\$849.41	
H5	SPECIAL ASSMT - MAIN ST	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
H6	SPECIAL ASSMT - JACKSON ST	\$119.67	\$0.00	\$0.00	\$119.67	\$0.00	\$119.67	
<b>Grand Total:</b>		<b>\$5,275,869.30</b>	<b>\$8,601,684.38</b>	<b>\$8,608,967.04</b>	<b>\$5,268,586.64</b>	<b>\$665,008.27</b>	<b>\$4,603,578.37</b>	

**RESOLUTION NO. 25 - 18  
VILLAGE OF BLUFFTON, OHIO**

**A RESOLUTION AUTHORIZING THE TEMPORARY APPROPRIATIONS FOR THE YEAR 2019 FOR THE VILLAGE OF BLUFFTON, OHIO.**

**BE IT ORDAINED** by the Council of the Village of Bluffton, State of Ohio, two-thirds (2/3) of all members elected or appointed thereto concurring:

**Section 1:** That for the purposes of Temporary Appropriation until the Final Appropriation is completed; the Council hereby adopts the 2019 Appropriation as if fully rewritten herein to be effective up through March 31, 2019, or until such time as replaced by Final Appropriation Ordinance.

**Section 2:** That to protect the financial integrity of the Village, which is necessary for the protection of the health, safety, and welfare of the Village and its inhabitants.

Passed this \_\_\_\_ day of \_\_\_\_\_ 2018.

\_\_\_\_\_  
Mayor

Attest

\_\_\_\_\_  
Fiscal Officer

Approved

\_\_\_\_\_  
Solicitor

# Village of Bluffton

## ACCESS MANAGEMENT/ DRIVEWAYS

### (1) Purpose

The purpose of these standards is to regulate access to public streets. These standards are designed to minimize safety hazards, traffic congestion, and other negative impacts which can result when land use development is not carefully coordinated with the street and roadway system.

### (2) Applicability

This section shall apply to all development within the Village.

### (3) Variance of Standards

(a) These standards may be varied by the Administrator or designee, in the following situations:

- (i) To accommodate unique safety or design situations; or
- (ii) If indicated by a traffic impact analysis (see 154.10(G)).

(b) The applicant shall be responsible for providing sufficient information to the Administrator or designee, to document a need for such modification.

(c) The standards in this section shall not be used to totally prohibit access to a site that meets all other standards for development under the provisions of this section; however, any access point which is permitted shall meet these access control standards to the maximum extent possible and shall meet all minimum design specifications for access points on arterials.

### Permit Application Process

Application for permit for access to roadways within the Village will be completed with the submission of the required Application for Zoning & Building Permit which may be obtained from the Village Administration.

### (4) Street Access

#### (a) Permitted Access

(i) All residential uses are permitted to take direct access to local access streets or minor collector streets.

(ii) Nonresidential uses in a residential zoning district may be permitted direct access to a local access street only if such access would, in the opinion of the Administrator or designee, improve traffic safety, as, for example, on sites located at the intersection of a local access and any type of collector street, or if a traffic impact analysis conducted pursuant to the provisions of 154.10(G) indicates that such use would have no negative impact on the residential street.

(iii) Where a new use will be located on a corner lot, the Administrator or designee shall have the authority to determine where the driveway may access the adjacent street system.

(iv) If there are single-family or two-family dwellings located on a corner lot as of the effective date of this code that have driveway access to a major collector, such use is encouraged to

relocate the driveway access to a lower volume side street (e.g., to a local access street or minor collector street), closing off the driveway that accesses the major collector wherever possible.

**(b) Alignment and Separation of Driveways**

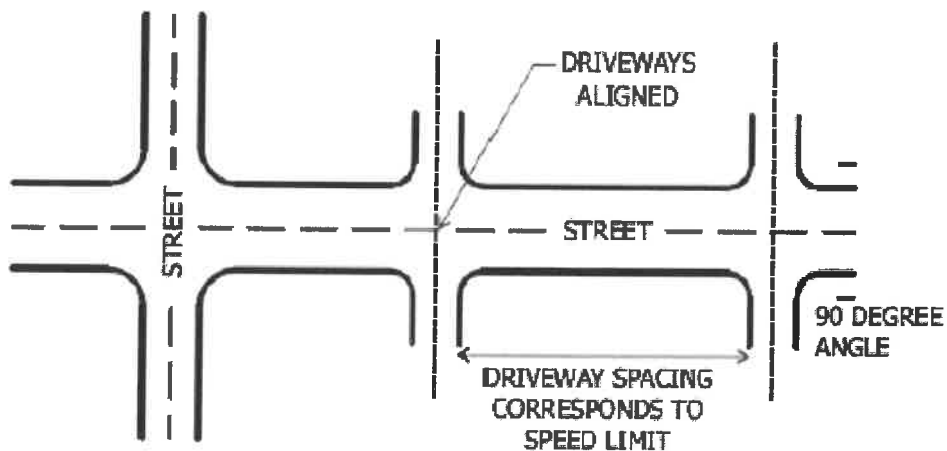
(i) Driveways shall either be directly opposite other driveways or street intersections or shall be offset by the minimum driveway spacing distances shown in Table 154.10-5, except in locations where there is a raised median in the street.

(ii) A driveway shall intersect a cross-street at, or nearly at, a right, 90 degree angle. In no case shall any intersection have an angle less than 75 degrees.

(iii) The spaces established in Table 154.10-5 shall be measured from edge of pavement to edge of pavement between the 2 closest edges of the driveways. See Figure 154.10-E.

(iv) Single-family and two-family residential uses shall be exempt from this provision

<b>TABLE 154.10-5: MINIMUM DRIVEWAY SPACING</b>	
<b>Posted Speed Limit (Miles Per Hour)</b>	<b>Minimum Driveway Spacing (Feet)</b>
25	105
30	125
35	150
40	185
45	230
50	275



*Figure 154.10-E: Illustration of minimum driveway spacing requirements.*



**(c) Driveway Setbacks**

- (i) Driveways for residential dwellings shall be set back a minimum of 3 feet from all shared lot lines.
- (ii) Driveways for nonresidential uses shall be set back a minimum of 10 feet from all shared lot lines unless shared parking or joint parking arrangements are made. This setback shall be increased to 25 feet if the use is adjacent to a lot in a residential zoning district.
- (iii) All driveways that access vehicular use areas where there is parking for 5 or more vehicles shall be set back a minimum of 100 feet from any stop sign as measured from the sign pole to the closest edge of the driveway pavement.

**(d) Dimensions of a Driveway**

**(i) Multi-Family Dwellings and Nonresidential Uses**

- A. All driveways shall have a minimum five-foot flare.
- B. In no case shall any driveway exceed 30 feet in width.

**(ii) Single-Family Dwellings**

- A. All driveways shall have a minimum width of 8 feet and a minimum three-foot flare.
- B. In no case shall a driveway exceed 30 feet in width along its full length with the exception of any turnaround areas used for maneuverability.

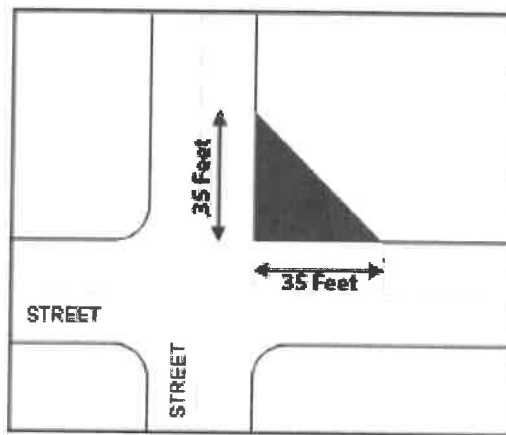
**(e) Additional Standards**

- (i) All Driveways shall be constructed to the latest versions of the Ohio Department of Transportation design and construction standards, and shall be approved by the Village Administrator or designee prior to drive construction.
- (ii) Driveways shall be set back from an intersection of 2 roadways to the maximum extent feasible.

**(5) Intersection Visibility**

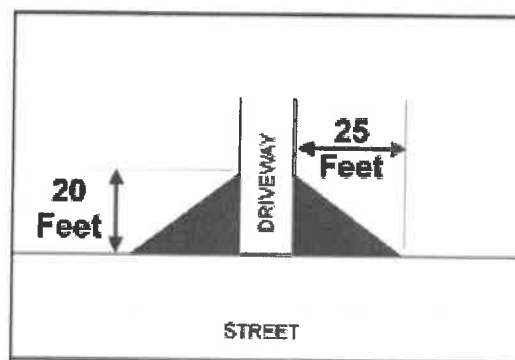
- (a) In order to provide a clear view to the motorist there shall be a triangular area of clear visibility that is free of any obstructions where there is an intersection of 2 or more streets and/or where a driveway intersects with a street.

- (b) Where a street intersects with another street, the triangular areas shall be defined by measuring 35 feet from the intersection of the extension of the front and side street curb lines (or the edge of pavement where there is no curb) and connecting the lines across the property. See [Figure 154.10-F](#).



*Figure 154.10-F: Intersection visibility area for 2 intersecting streets.*

- (c) Where a driveway intersects a street, the triangular areas shall be defined by measuring 25 feet from the edge of the driveway along the street and 20 feet along the driveway, perpendicular from the street. See [Figure 154.10-G](#).



*Figure 154.10-G: Traffic safety visibility triangle for driveway and street intersections.*

- (d) Section 5(c) shall not apply to driveways for single-family or two-family dwellings.
- (e) The Administrator or designee may reduce the distance requirement where it is determined that a narrow parcel frontage would excessively reduce buildable area.

- (f) No structure, sign, or landscape element shall exceed 36 inches in height, measured from the top of the curb, within the area established above, unless approved by the Administrator or designee. Trees may be located within these areas provided they are pruned and/or the canopy is trimmed to provide clear visibility (with the exception of the tree trunk) up to 10 feet above the top of the curb.
- (g) Where no curb exists, the height shall be measured from the top of the pavement.

## **TRAFFIC IMPACT ANALYSIS (TIA)**

### **(1) Intent**

A Traffic Impact Analysis (TIA) is intended to identify the transportation impacts which are likely to be generated by a proposed use and to identify improvements required to ensure safe ingress to and egress from a proposed development, maintenance of adequate street capacity, and elimination of hazardous conditions.

### **(2) Applicability**

A TIA shall be required in the following cases:

- (a) Any use, re-use, expansion, or new development that at its access point will generate, or add more than 60 peak hour trips.
- (b) The development is expected to reduce the level of service (LOS) on adjacent roadways and/or intersections to below a level of service below D, as noted or defined in the Highway Capacity Manual; as determined by the Village Administrator or Designee.
- (c) Any use that due to its size, density, traffic generation rates, or location can reasonably be expected to create traffic issues, as determined by the Administrator or designee are required to submit a TIA. As determined by the Village Administrator or Designee.

### **(3) Contents of a TIA**

The TIA shall be prepared and certified by a professional engineer and shall include, at a minimum, the following data and information. Information and statistics required by this section may, when available, be obtained from the Village.

#### **(a) Study Area**

- (i) The minimum study area shall include all proposed and existing site access locations and major intersections (signalized and unsignalized) adjacent to the site. Depending on the overall size of the development, as well as the nature of the development, the Administrator may require that additional areas be included in the study, based upon, but not limited to, local or site-specific issues, local policy, and impacts that are likely to occur to residential areas. Final determination of the study area shall be agreed upon by the Administrator and the developer.

#### **(b) Existing Conditions**

The report shall contain information clearly describing, in written or graphic form, the existing and proposed conditions including:

- (i) The proposed land use of the site and anticipated stages of construction;
- (ii) The existing street system including major intersections, ingress and egress locations, roadway and right-of-way widths, traffic signals and traffic control devices and public transportation facilities;
- (iii) Any proposed changes in the street system; and
- (iv) The highest average peak hour volume for any weekday hour between 3:00 p.m. and 6:00 p.m.

**(c) Development Impact**

The report shall include information on the average weekday trip generation rate (trip ends) and the highest average hourly weekday trip generation rate between 3:00 p.m. and 6:00 p.m. for the proposed use as determined from figures provided by a professional engineer.

**(d) Determination of the Capacity of the Roadway**

- (i) Data and procedures contained in the Ohio Department of Transportation's Access Management Manual (latest edition) and ITE Trip Generation Manual (latest edition) shall be utilized to calculate the level of service of roadways as required for this TIA. Roadway service volumes shall be calculated at level of service D for roads identified as collectors.
- (ii) All collector roadways operating below level of service D (inclusive of levels E and F) shall be identified as congested locations.

**(e) Conclusions**

The projected total future peak hour traffic demand shall be calculated for all roads fronting on a proposed site and all intersections within the study area. This demand shall consist of an assumed normal increase of traffic volume of 1 % per year (or the Lima Allen County Regional Planning Commission projections, whichever is less) and the anticipated traffic that will be generated by the proposed development. An analysis shall be undertaken to determine if roadways and intersections will operate at the appropriate level of service following completion of the development, given the future peak hour traffic that will be generated by the proposed development. This analysis consists of the comparison of the total future peak hour intersection and roadway traffic demand with the service volumes for level D computed in 154.10(G)(3)(d) above. All roadways and intersections that would operate below the required level of service following completion of the development shall be considered deficient.

**(4) Mitigating Traffic Impacts**

If the TIA results in the conclusion that the level of service of adjacent roadways and/or intersections is or will become deficient prior to the proposed development and will not be able to accommodate the increased traffic load generated by the proposed development, any or all of the following mitigating steps may be required, at the developer's expense, by the Administrator or designee. The Administrator or designee shall make their determination prior to approval of a site plan or zoning permit.

- (a) Limitation of the number and/or location of access points;
- (b) Design of access points to prevent certain turn movements;
- (c) Dedication of and/or improvement to the right-of-way abutting the development of improvements in the immediate vicinity of the development to add turn lane, through traffic lanes or allow redesign of intersections or access points to accommodate additional traffic or turning movements;
- (d) Installation of traffic signals or other traffic control devices as may be warranted by the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).
- (e) Development of the site at a lower intensity than originally proposed.

#### **(5) Responsibility for Improvements**

The Developer shall be responsible for all proposed improvements. The responsibility includes (but not limited to) planning, financial commitment, and construction of the proposed improvements. Additionally, the Developer will be required to provide a performance bond in the amount of the proposed project's final engineers estimate plus a minimum of twenty percent (total amount of performance bond shall be a minimum of 120% of project estimate). Furthermore, right-of-way dedication shall be required in all cases.

#### **(6) Appeals Procedure**

**Any and all appeals from the Village Administrator's decision** may be taken by any person aggrieved by any decision of the Administrator or designee to the Village of Bluffton, Ohio's Board of Building and Zoning Appeals.

Such appeal shall be taken within 20 days after the decision, by filing with the Village of Bluffton, a written notice of appeal specifying the grounds thereof and otherwise comply with the appeals process set forth in Article 26 of the Zoning Ordinance.

The Administrator or designee shall review the appeal and take into consideration the grounds of the appeal. If, upon review of the grounds of the appeal, the Village Administrator or designee and the appealing party can craft a solution that addresses the appeal, then, the Village Administrator and the party appealing shall sign a document setting forth the solution and file the same with the records of the Village and the appeal shall be dismissed.

If an equitable solution to the appeal is not reached, the matter will be forwarded to the Board of Building and Zoning Appeals for hearing and decision. The Board of Building and Zoning Appeals shall conduct a public hearing on the appeal. The Board of Building and Zoning Appeals shall reduce their decision to writing signed by Chair of the said Board. Further appeals, if any, shall be had, according to law, with the Common Pleas Court of Allen County, Ohio.

**ORDINANCE NO. 12-18**

**AN ORDINANCE AMENDING THE INCOME TAX ORDINANCE OF THE VILLAGE OF BLUFFTON, OHIO, TO REQUIRE LANDLORDS OF RENTAL OR LEASED PROPERTIES WITHIN THE VILLAGE TO REPORT THE NAMES OF THEIR TENANTS OVER THE AGE OF 18 TO THE VILLAGE ON AN ANNUAL BASIS AND DECLARING AN EMERGENCY**

WHEREAS; the Village of Bluffton has determined that it needs to have a system in place whereby those persons receiving taxable income from rent or leases of property located within the village to report the names of all of tenants over the age of 18 to the Village of Bluffton, Ohio on an annual basis;

WHEREAS; an emergency exists in that time is needed in order to notify the landlords, owners or agents of this requirement and to get this system in place for this tax year which requires immediate action by council for the preservation of the health, safety and welfare of the Village of Bluffton Ohio.

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

Section 1. That the income tax ordinance for the Village of Bluffton shall be amended to include the following language, to wit:

***INFORMATION SUBMISSION BY LANDLORDS.***

*(A) On or before March 1st of each year, all property owners who rent or lease to tenants of residential, commercial or industrial premises, shall file with the Income Tax Administrator, a report showing the name(s) and address (and phone number, if available) of each such tenant who occupies residential, commercial or industrial premises within the Municipality.*

*The list shall also include all name(s) and address (and phone number, if available) of any tenant who has vacated the property in the preceding twelve (12) month period and must include date vacated and forwarding address. This information may also be requested at any time under audit by the Income Tax Administrator.*

*(B) Such report shall be in writing, and shall be delivered to the Income Tax Administrator at the Village of Bluffton by one of the following methods:*

- (1) Regular US mail delivery*
- (2) Delivered by electronic mail (E-mail)*
- (3) Facsimile transmission*
- (4) Hand delivery*

*Forms and instruction for reporting shall be made available on the municipality's website.*

*(C) For purposes of this section, "tenant" means:*

- (1) If there is a written lease or rental agreement, the person(s) who signed the written lease or rental agreement with the owner or their agent.*

(2) *If there is an oral lease or rental agreement, the person(s) who entered into the oral lease or rental agreement with the owner or their agent.*

(D) *Failure to comply with this section will result in:*

(1) *Notification sent by regular US mail to the landlord, owner or agent requiring compliance within 30 days.*

(2) *Second notification sent by Certified Mail to the landlord, owner or agent requiring compliance within 14 days.*

(3) *Third notification will be a Subpoena hand delivered by a police officer to the landlord, owner or agent to appear before the Income Tax Administrator with the required documentation.*

(a) *Whoever violates or fails to comply with any provision of this section is guilty of a minor misdemeanor and shall be fined not more than \$100.00. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.*

(b) *Whoever violates or fails to comply with any provision of this section, and has a previous conviction under this chapter, is guilty of a misdemeanor of the third degree and shall be fined not more than \$500.00 or imprisoned not more than sixty (60) days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.*

Section 2. That is found and determined that all formal actions of the Council concerning and relating to the adoption of this ordinance were made in open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements of the Open Meetings Law including Section 121.22 of the Ohio Revised Code.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by the Council of the Village of Bluffton, Ohio by the following vote:

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

Approved as to form:

\_\_\_\_\_  
F. Stephen Chamberlain  
Village Solicitor

ORDINANCE NO. 13 - 18

AN ORDINANCE: AMENDING ORDINANCE NO. 05-18 (THE ANNUAL APPROPRIATION ORDINANCE) AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to appropriate funds and amend Ordinance No. 05-18 (The Annual Appropriation Ordinance).

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

SECTION 1: That monies are appropriated for the various funds as follows:

Supplemental Appropriations:

<b>K9 Fund</b>		
<b>F8-1A-52390</b>	<b>Contractual Svc</b>	<b>+\$17,000</b>
<b>National Night Out</b>		
<b>F7-1A-52390</b>	<b>Misc. Svc</b>	<b>+\$600.00</b>
<b>Water Fund</b>		
<b>E1-5X-52420</b>	<b>Operating Supplies</b>	<b>+\$50,000</b>
<b>Town Hall Improvement</b>		
<b>D8-7E-52510</b>	<b>Building Impr</b>	<b>+\$25,000</b>
<b>Park Fund</b>		
<b>B4-3B-52510</b>	<b>Land &amp; Building</b>	<b>+20,000</b>

SECTION 2: That an emergency exists in the daily operation of the Village whereby failure to act will be detrimental to the public health, welfare and safety of the inhabitants thereof, and for the further reason that this appropriation increase is needed so expenditures can be made.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed and Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by the governing board of the Village of Bluffton, Ohio by the following vote:

Yes: \_\_\_\_\_ No: \_\_\_\_\_ Abstain: \_\_\_\_\_  
Attest:

\_\_\_\_\_  
FISCAL OFFICER

\_\_\_\_\_  
MAYOR

Approved as to Form:

\_\_\_\_\_  
SOLICITOR



## Administrator's Report

To: Mayor Johnson & Council Members



12-17-18

**Manhole Rehabilitation Project:** Preconstruction meeting has been scheduled for Thursday, Dec. 20<sup>th</sup>.

**Grob Tour:** On December 11<sup>th</sup>, Mayor Johnson, Bryan Lloyd and I were provided a tour of the Grob plant that was arranged by the Allen Economic Development Group. In addition to the Village of Bluffton and the Allen Economic Development Group, members from RGP Northwest Ohio/Jobs Ohio were also present. The tour included an overview of the Grob company, their apprenticeship program for new employees, and a plant tour.

### **Ordinance Codification:**

One copy of the draft manuscript of the Bluffton Code of Ordinances has been received from American Legal Publishing for review purposes. A Legal and Editorial Report will also be received in approximately 60 days which will explain all editorial revisions made to the code, as well as any editorial and legal comments and questions regarding specific code sections. Once both documents have been received, we will have 60 days to review the draft before returning everything for completion of the first edition.

### **SR 103 Bridge Replacement: ALL - 103 - 1.52:**

Preconstruction meeting on the 13<sup>th</sup> was productive as Eagle Bridge, ODOT, Choice One Engineering and the Village of Bluffton began the coordination of the various projects to occur along St. Rt. 103 in 2019. Tree trimming/removal by ODOT is scheduled to begin next week (12/17) in preparation for utility pole relocation. Eagle Bridge is planning to begin clearing and grubbing efforts along the construction site in March.

### **Johnny Appleseed Cooperative Park Improvements Grant:**

At the review team meeting on the 12<sup>th</sup>, the 10 participating groups cut over \$43,000.00 from the presented projects resulting in each group receiving funding to make needed improvements to their park facilities. It was necessary to reduce the amount of requested funding for every project to fairly disperse the \$100,000.00 available. It was once again a pleasure to participate in this grant program and collaborate with the eligible applicants listed below:

Auglaize Township Park District

Village of Harrod

Monroe Township

Village of Beaverdam

Jackson Township Park District

Spencer Township

Village of Bluffton

Village of Lafayette

Village of Spencerville

Village of Cairo

City of Lima

Sugar Creek Township

City of Delphos

Funding for this is grant is provided as part of the .75 additional levy passed in May 2015.

**Council Committee Meetings:** I would like to schedule a meeting with the following committees:  
Utilities and Finance Committee ■ Streets, Alleys, Lights and Sidewalks ■ Ordinance Committee

*Merry  
Christmas*  
& **HAPPY NEW YEAR**



To: Mayor and Village Council Members

### **Work completed**

- Lift Station maintenance
- Leaf Pickup
- No parking signs (Bentley & Augsburger)
- Main Line sewer backup
- Replaced residential meters
- Water Service line installation
- Fire Hydrant repair
- Valve turning
- Sanitary trouble shooting

### **Upcoming projects**

- Replace Large Meters (SRK & GROB) 26<sup>th</sup>-28<sup>th</sup>
- Read meters
- Manhole inspections
- Valve turning
- Map sorting
- Fire Hydrant replacement (University)
- Water service line installation
- Asset management inventory

### **Future planning**

- Valve turning (On going)
- Large meter replacement (McDonald's, Tower, Grob)
- Catch basin cleaning
- Grading under I-75 - Triplet path & Lions path
- Manhole inspections (on going)

### **Cherry St. Gas line installation “Grob Betterment”**

Dominion gas is scheduled to install new 8” gas service from Geiger St. to Co. Line Rd. there projected completion date is January 31, 2019. The line is to be directionally bored on the south side of the road.

### **WWTP Pump & Blower Failures**

The Waste Water Treatment Plant has experienced some faults in pumps and blowers recently at the WWTP. The best explanation provided by Global Electric states that fluctuations in power are faulting out the controls of these units.

### **Brush Grinding**

Contacts have been made with 4 companies in regards of contracts to grind the brush. The companies have been given until January 4<sup>th</sup> to submit their bids.



**MERRY CHRISTMAS**





**BLUFFTON POLICE DEPARTMENT**

**154 N. MAIN STREET  
BLUFFTON, OHIO 45817  
(419) 358- 2961  
FAX (419) 358-2963**

**Police Activity Summary  
November 2018**

**Police Calls for Service – 496  
Traffic Stops – 101  
Citations – 27**

**Citations**

Expired Plates	-	3
Improper Starting / Backing	-	1
Unauthorized Plates	-	1
OVI	-	3
Speed	-	14
Seat Belts	-	1
Stop Sign	-	4
<b>Total Violations</b>	<b>-</b>	<b>27</b>

**Reports**

Assault	-	1
Civil	-	1
Criminal Damaging	-	2
Drug Offense	-	6
Miscellaneous	-	5
O.V.I	-	3
K-9 Sniff	-	2
Recovered Property	-	1
Suspicious Person	-	1
Theft	-	4
Warrant	-	4
<b>Total</b>	<b>-</b>	<b>30</b>

- Theft loss for November is \$1,711.00 and \$1,680.00 recovered.





<b>Building Checks</b>	223	127	118	141	127	125	89	111	200	118	117		1496
<b>Wall Being Check</b>	0	0	0	1	0	0	0	0	0	0	0		1
<b>Warrant Service - Attempted</b>	6	1	0	4	0	2	3	2	0	0	1		19
<b>Receiving Stolen Property</b>	0	0	0	0	0	0	0	1	0	0	0		1
<b>Deceased Person</b>	0	0	2	1	1	0	0	0	0	0	1		5
<b>Urgent Call</b>	0	0	0	0	0	0	0	0	0	0	0		0
<b>Assist Officer</b>	0	0	0	0	0	0	0	0	0	0	0		0
<b>Foot Patrol</b>	3	4	2	1	0	1	2	4	1	3	2		23
<b>Bike Patrol</b>	0	0	0	0	0	0	0	0	0	0	0		0
<b>Court Assignment / Duties</b>	0	0	0	17	13	8	11	14	4	1	0		68
<b>Request Canine Assistance</b>	0	0	0	0	4	5	5	4	3	5	2		28
<b>Total</b>	879	710	773	683	622	518	544	644	605	549	496		7023

Bluffton Police Department's K9 Kato has received donation of body armor

Bluffton Police Department's K9 Kato has received a bullet and stab protective vest thanks to a charitable donation from non-profit organization Vested Interest in K9s, Inc. The vest was embroidered with the sentiment "In memory of K9 Ty, California City Police Department".

Vested Interest in K9s, Inc. is a 501c(3) charity located in East Taunton, MA whose mission is to provide bullet and stab protective vests and other assistance to dogs of law enforcement and related agencies throughout the United States. The non-profit was established in 2009 to assist law enforcement agencies with this potentially lifesaving body armor for their four-legged K9 officers. Since its inception, Vested Interest in K9s, Inc. provided over 3,100 protective vests in 50 states, through private and corporate donations, at a value of \$5.7 million dollars.

The program is open to dogs actively employed in the U.S. with law enforcement or related agencies who are certified and at least 20 months of age. New K9 graduates, as well as K9s with expired vests, are eligible to participate.

The donation to provide one protective vest for a law enforcement K9 is \$950.00. Each vest has a value between \$1,744 – \$2,283, and a five-year warranty and an average weight of 4-5 lbs. There is an estimated 30,000 law enforcement K9s throughout the United States. For more information or to learn about volunteer opportunities, please call 508-824-6978. Vested Interest in K9s, Inc. provides information, lists events, and accepts tax-deductible donations of any denomination at [www.vik9s.org](http://www.vik9s.org) or mailed to P.O. Box 9 East Taunton, MA 02718.