

**COUNCIL MEETING  
AGENDA  
March 16, 2015  
8:00 PM  
BLUFFTON TOWN HALL**

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**MINUTES**    March 2, 2015

**BILLS**

**ORDINANCE NO. 05-15**                      **1<sup>ST</sup> READING**  
AN ORDINANCE REPAYING MONIES ADVANCED TO THE WATER/SEWER  
IMPROVEMENT FUND TO COVER THE EXPENSES ASSOCIATED WITH THE  
CURRENT WATERLINE PROJECT.

**ADMINISTRATOR'S REPORT**

**SAFETY**

**MEETING DATES**

|                |         |         |
|----------------|---------|---------|
| March 16, 2015 | Council | 8:00 PM |
| April 6, 2015  | Council | 8:00 PM |

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Mayor Augsburger presiding. Messrs: Burrell, Collier, Sehlhorst, Steiner, Talavinia, and Warren present.

Mr. Sehlhorst moved, seconded by Mr. Talavinia to approve the minutes of the regular council meeting held on February 16, 2015. Roll Call: Yes (4) Messrs: Sehlhorst, Talavinia, Burrell, and Steiner. No (0). Messrs: Collier and Warren abstained, motion approved.

Mr. Collier moved, seconded by Mr. Burrell to approve the bills as presented. Total non-payroll of \$103,038.64 and payroll of \$40,900.17. Roll Call: Yes (6) Messrs: Collier, Burrell, Sehlhorst, Steiner, Talavinia, and Warren. No (0), motion approved.

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

Mr. Collier moved, seconded by Mr. Steiner to approve the second reading of Ordinance No. 03-15: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY LOCATED ON STATE ROUTE 103 WITH THE VILLAGE OF BLUFFTON, OHIO AND DECLARING AN EMERGENCY. Roll Call: Yes (6) Messrs: Collier, Steiner, Burrell, Sehlhorst, Talavinia, and Warren. No (0), motion approved.

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

Mr. Warren moved, seconded by Mr. Burrell to approve the first reading of Ordinance No. 04-15: AN ORDINANCE TO VACATE EWING STREET AS REQUESTED BY JEAN AND THOMAS BERNHOFT AND REBECCA AND JAMES SHEPLER AND DECLARING AN EMERGENCY. Roll Call: Yes (6) Messrs: Warren, Burrell, Collier, Sehlhorst, Steiner, and Talavinia. No (0), motion approved.

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

Mr. Sehlhorst moved, seconded by Mr. Collier to approve the second reading of Resolution No. 02-15: A RESOLUTION OF THE VILLAGE OF BLUFFTON IN SUPPORT OF THE LIMA-ALLEN COUNTY REGIONAL PLANNING COMMISSION SERVING AS THE METROPOLITAN PLANNING ORGANIZATION FOR THE ALLEN COUNTY, OHIO STUDY AREA. Roll Call: Yes (6) Messrs: Sehlhorst, Collier, Burrell, Steiner, Talavinia, and Warren. No (0), motion approved.

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

Mr. Collier moved, seconded by Mr. Steiner to approve the first reading of Resolution No. 03-15: A RESOLUTION ACCEPTING A BID AND AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BLUFFTON TO ENTER INTO A CONTRACT WITH THE BLUFFTON STONE COMPANY/BLUFFTON PAVING, INC. TO ACQUIRE AGGREGATE AND ASPHALT MATERIAL, ASPHALT APPLICATION AND EQUIPMENT RENTAL FOR THE 2015 CONSTRUCTION YEAR IN THE VILLAGE OF BLUFFTON, OHIO AND DECLARING AN EMERGENCY. Roll Call: Yes (6) Messrs: Collier, Steiner, Burrell, Sehlhorst, Talavinia, and Warren. No (0), motion approved.

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

Mr. Steiner moved, seconded by Mr. Collier to approve the first reading of Resolution No. 04-15: A RESOLUTION ACCEPTING BIDS AND AUTHORIZING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF BLUFFTON, OHIO TO ENTER INTO AGREEMENTS WITH ALL TERRA INC., J & D SNYDER EXCAVATING, LLC, GARY LUGIBIHL EXCAVATING, AND BEAVERDAM CONTRACTING INC. FOR THE INSTALLATION AND EXCAVATION FOR WATER, SEWER AND STORM PIPE, MANHOLES, CATCH BASINS, SERVICE TEES AND LATERALS, AGGREGATE AND EARTH BACK-FILL FOR THE 2015 CONSTRUCTION YEAR IN THE VILLAGE OF BLUFFTON AND DECLARING AN EMERGENCY. Roll Call: Yes (6) Messrs: Steiner, Collier, Burrell, Sehlhorst, Talavinia, and Warren. No (0), motion approved.

The Fiscal Officer announced the following meetings:  
March 16, 2015 Council

8:00 PM

Mr. Steiner moved, seconded by Mr. Sehlhorst to add to the agenda Resolution No. 05-15: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MANAGEMENT AGREEMENT AND LEASE WITH PEGASUS AVIATION GROUP, LLC FOR OPERATION OF THE VILLAGE OF BLUFFTON AIRPORT AND DECLARING AN EMERGENCY. Roll Call: Yes (6) Messrs: Steiner, Sehlhorst, Burrell, Collier, Talavinia, and Warren. No (0), motion approved.

Mr. Burrell moved, seconded by Mr. Warren to approve Chelsea Wood as an administrative intern, pay to be minimum wage. Roll Call: Yes (6) Messrs: Burrell, Warren, Collier, Sehlhorst, Steiner, and Talavinia. No (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Talavinia to approve the hiring of Myles Cartwright as a part-time patrol officer, starting wage per ordinance. Roll Call: Yes (6) Messrs: Sehlhorst, Talavinia, Burrell, Collier, Steiner, and Warren. No (0), motion approved.

Mr. Talavinia moved, seconded by Mr. Warren to enter into executive session for the discussion of real estate and contracts- airport, solicitor, and debt refinancing. Council, Mayor, Solicitor, and Village Administrator to attend to the real estate portion and Fiscal Officer to attend the contract portion regarding refinancing of existing debt. The Solicitor will be excused from the portion of the contract session dealing with the renewal of the Solicitor's contract. Roll Call: Yes (6) Messrs: Talavinia, Warren, Burrell, Collier, Sehlhorst, and Steiner. No (0), motion approved.

Mr. Burrell moved, seconded by Mr. Talavinia to exit from executive session and return to regular session. Roll Call: Yes (6) Messrs: Burrell, Talavinia, Collier, Sehlhorst, Steiner, and Talavinia. No (0), motion approved.

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

Mr. Steiner moved, seconded by Mr. Warren to approve the first reading of Resolution No. 05-15: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MANAGEMENT AGREEMENT AND LEASE WITH PEGASUS AVIATION GROUP, LLC FOR OPERATION OF THE VILLAGE OF BLUFFTON AIRPORT AND DECLARING AN EMERGENCY. Roll Call: Yes (6) Messrs: Steiner, Warren, Burrell, Collier, Sehlhorst, and Talavinia. No (0), motion approved.

Mr. Warren moved to adjourn.

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MAYOR

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FISCAL OFFICER

**Village of Bluffton  
Bills to be paid  
3/16/2015**

**PAYROLL:**

|               |  |              |
|---------------|--|--------------|
| Village       |  | \$ 37,002.84 |
| Fire & Rescue |  | \$ 3,204.02  |

**TOTAL PAYROLL** **\$ 40,206.86**

**NON-PAYROLL:**

|                            |   |               |
|----------------------------|---|---------------|
| All Terra                  | Snow Removal                                  | \$ 6,762.50   |
| Alloway                    | Lab Analysis                                  | \$ 285.00     |
| AED Superstore             | Mannequin Lungs                               | \$ 57.99      |
| Bluffton Flying Service    | Management Fee                                | \$ 5,000.00   |
| Bluffton News              | Publishing                                    | \$ 163.63     |
| Choice One                 | Engineering- Kibler                           | \$ 755.00     |
| Community Markets          | Cleaning Supplies                             | \$ 18.58      |
| CompManagement             | Enrollment Fee- 2016                          | \$ 3,355.00 X |
| Josh Brown/ Custom Auto    | Brakes- 110 & Cruiser Maintenance             | \$ 944.02     |
| Family True Value Hardware | Vacuum Cleaner, Tray Liners, Rollers          | \$ 121.86     |
| Ferno                      | Child Restraint                               | \$ 324.53     |
| Grainger                   | Oil   | \$ 167.40     |
| Great Lakes Billing        | EMS Run Collection Fees                       | \$ 848.67     |
| Hancock-Wood               | Electricity                                   | \$ 216.16     |
| K-T Equipment Rental       | Grinder Rental                                | \$ 69.00      |
| M&R Plumbing               | Water Heater Flex Lines                       | \$ 81.35      |
| Northern Safety            | Safety Glasses                                | \$ 119.44     |
| Northern Tool              | Inverter                                      | \$ 51.99      |
| AEP                        | Electricity                                   | \$ 5,555.26   |
| OUPS                       | Manual Call Outs                              | \$ 16.00      |
| Village of Ottawa          | Water Usage                                   | \$ 42,815.81  |
| Ohio Police & Fire Pension | February Employer Share                       | \$ 5,179.01   |
| OPERS                      | Employer Share                                | \$ 21.09      |
| Shell                      | Gasoline                                      | \$ 4,070.40   |
| KOI                        | Batteries- Floor Cleaner, Vehicle Maintenance | \$ 672.11     |
| Staples- Business          | Office & Cleaning Supplies                    | \$ 92.11      |
| Time Warner Cable          | Internet                                      | \$ 683.15     |
| ACH Centurylink            | Telephone Service                             | \$ 1,068.91   |
| USA Blue Book              | Hose  | \$ 111.50     |
| Utility Sales Agency       | Water Line Parts                              | \$ 193.92     |
| Vetter                     | Paint, Floor Trim, Window Foam Seal           | \$ 614.34     |
| Wagner Overhead Door       | Door Parts                                    | \$ 88.00      |

**Total Non-Payroll** **\$ 80,523.73**

\_\_\_\_\_  
Mayor/ Council President

X: Then and Now Approved by Council

A: Addition to list

ORDINANCE NO. 05-15

AN ORDINANCE REPAYING MONIES ADVANCED TO THE WATER/SEWER IMPROVEMENT FUND TO COVER THE EXPENSES ASSOCIATED WITH THE CURRENT WATERLINE PROJECT.

WHEREAS, it was necessary to advance monies to the Water/Sewer Improvement Fund for the purpose of covering expenses associated with the waterline projects with the expectation that the Water/Sewer Improvement Fund will advance the monies back to the General Fund as income tax monies are collected.

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

SECTION 1: That monies are repaid to the General Fund from the Water/Sewer Improvement Fund as follows:

|                          |                               |
|--------------------------|-------------------------------|
| General Fund:            | Water/Sewer Improvement Fund: |
| Advances In:             | Advances Out:                 |
| A1-0I-41930 +\$41,000.00 | E9-5B-52730 -\$41,000.00      |

SECTION 2: 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 \_\_\_\_\_, 2015 by the governing board of the Village of Bluffton, Ohio by the following vote:

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_ Abstain: \_\_\_\_\_

Attest:

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

\_\_\_\_\_  
MAYOR

Approved as to Form:

\_\_\_\_\_  
SOLICITOR

**To: Mayor Augsburg  
Council Members**

**Projects**

Beaverdam Contracting is scheduled to pressure test the newly installed on Garmatter today (Friday) and are planning on performing the bacteriological testing next week. Once the testing is successfully completed they will be able to connect services to the new water main. Additionally, they have completed the off-road storm water work on the Kibler project and are scheduled to begin on the water main installation. They will be starting with the tie-in at Main Street and working towards the Grove Street intersection.

**Notice**

The attached Drinking Water Notice will be included in the upcoming mailings of the utility bills. The average level that is in violation of the maximum contaminant level for TTHM is based on the last four quarters of sampling. Ottawa's Trihalomethane Removal System (TRS) was not installed and operating during the first two quarters of the date used in the calculation of the average. We anticipate that the annual average numbers will improve as additional samples are taken with the TRS in full operation and as both the Village of Ottawa and us continue to modify the operating parameters of the two water systems to maximize TTHM removal and optimize system efficiency and the age of water.

**Spring Thaw**

As the weather is warming up, the overnight freeze and thaw cycle has created some pot holes on various streets throughout town. The Service Department addressed a number of those pot holes this past week with cold mix. If you notice additional areas that need attention, please don't hesitate to let us know. Additionally, as the forecast allows, the Service Department will be beginning the process of opening up the facilities at the parks.

**Mittendorf Letter**

Attached to this report is a letter that I received from Steve and Allison Mittendorf that was requested to be passed along to Council.

**Brush Grinding**

Go Green was in today (Friday) to service their equipment and they are planning on grinding beginning on Monday.



# DRINKING WATER NOTICE

## Bluffton Village Water Has Levels of TTHM above Drinking Water Standards

Our water system recently violated the maximum contaminant level (MCL) for total trihalomethanes (TTHM). The average level of TTHM over the last four quarters was 0.098 mg/L. The standard for TTHM is 0.080 mg/L.

### What are TTHMs?

TTHMs are byproducts of the disinfection process. When chlorine is added to water that contains organic matter (such as algae, or decaying leaves), the chlorine reacts with this harmless organic matter to form these compounds known as Total Trihalomethanes (TTHMs).

### What should I do?

- **You do not need to use an alternate (e.g., bottled) water supply.** However, if you have specific health concerns, consult your doctor.

### What does this mean?

The levels detected do not pose an immediate risk to your health. However, some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of getting cancer.

### What is being done?

The Village of Bluffton is working with the Village of Ottawa, the Ohio EPA, and Utility Services/PAX Water Technologies to reduce the TTHM levels through system optimization, organics removal, and the utilization of a Trihalomethane Removal System (TRS) that was recently installed in Ottawa's water system. TTHM levels are being monitored on a frequent basis as we work towards achieving compliant levels.

Additional information may be obtained by contacting:

Contact Person: James R. Mehaffie

Phone Number: (419)358-2066

Mailing Address: 154 N. Main St. Bluffton, OH 45817

March 13, 2015

Council Members:

In July of 2014 our petition to vacate the alley between our property and the Althaus was tabled after one meeting. Since then there has been no movement from council on our request. There also have been other alley vacations in the village since our request was tabled. In addition, to my knowledge there has been no plans put forth by our neighbors to resolve any of the issues they have with the alley being vacated even though they have had ample time to do so. We, on the other hand have invested \$600 on a plot map, easement and attorney fees to make sure we were doing this properly.

With the warmer weather, the alley between our house and the Althaus becomes busier and the dead end alley gets used more even though residents ignore they are driving over our private property to use it. In addition, even though the village at this time owns the alley there has been no maintenance of the alley.

At this point we are asking that if the village wants to keep this alley, then the alley needs to be maintained (see image on page 2). If not, we are asking the village to please vacate the alley so we can maintain it and move forward.

On Monday, March 16th we will return to council and ask the village council members to do their job and govern. We are asking that council members go on the record and vote. We can live with the vote no matter which way it goes but I think we all deserve closure on this issue.

On page 2 is the letter we submitted back in July that outlined the reasons for our alley vacation request. I have included this for any new council members.

Steve and Allison Mittendorf  
356 S Jackson Street





As you all know at the last council meeting our petition to vacate the alley between our property and the Althaus was tabled. In addition we were asked to arrange and meet with six other property owners to discuss making our private property a shared drive. While I am sure that would be beneficial for council because it puts the burden on us, we at this time have no desire to take our private property and make it a shared drive. In addition, we also feel it is not council's responsibility to make us meet with our neighbors regarding their properties in exchange for further consideration to have the alley vacated. What our neighboring property owners would like to do with their private property that leads to the active alley that exits to Grove Street is their responsibility.

Again our reasons to vacate the alley are the following and align with the Althaus's reasons:

- It is an alley to nowhere. It abuts to personal property and is, for all intents and purposes, is a dead end.
- We have a concern for the safety of our children and our neighbors' children.
- The alley is not used by some and is hardly used by others who are disputing the alley vacation.
- Closing the alley **would not** prevent other property owners from reaching their property and it's up to them to work out an agreement that allows them to exit the rear of their properties to Grove Street and that does not include us.
- Closing the alley **would** prevent the consistent but more careless use by out of state/town/non neighborhood traffic from traveling across private property.
- Lastly and most importantly to us; we are protecting our investment in our property. There is a big difference between having a public alley next to our house as opposed to a private drive.

As stated earlier we understand that some of the property owners may have a personal property dispute north of the alley. However, these properties are not directly adjacent to the platted alley in question and therefore should not affect the closing of this "alley to nowhere" nor is it the responsibility of council to litigate that for them.

Steve and Allison Mittendorf  
356 S Jackson Street