

**COUNCIL MEETING
AGENDA
April 7, 2014
8:00 PM
BLUFFTON TOWN HALL**

MINUTES March 17, 2014

BILLS

ORDINANCE NO. 04-14 **1ST READING** **Amended-Previously Tabled**
AN AMENDED ORDINANCE ESTABLISHING THAT SIDEWALKS BE
CONSTRUCTED AND MAINTAINED IN ALL RESIDENTIAL AREAS OF THE
VILLAGE OF BLUFFTON, OHIO.

ORDINANCE NO. 04-14 **1ST READING** **EMERGENCY**
AN ORDINANCE REPAYING MONIES ADVANCED TO THE WATER/SEWER
IMPROVEMENT FUND TO COVER EXPENSES ASSOCIATED WITH THE
CURRENT WATERLINE PROJECTS AND DECLARING AN EMERGENCY.

RESOLUTION NO. 04-14 **3RD READING**
A RESOLUTION ADOPTING A WEATHER RELATED CLOSING POLICY FOR
THE VILLAGE OF BLUFFTON, OHIO.

RESOLUTION NO. 06-14 **1ST READING** **EMERGENCY**
A RESOLUTION MAKING CERTAIN TRANSFERS AND DECLARING AN
EMERGENCY.

ADMINISTRATOR'S REPORT

SAFETY

FINANCIALS

MEETING DATES

April 7, 2014	Council	8:00 PM
April 15, 2014	Tree Commission	7:30 PM
April 21, 2014	Council	8:00 PM

Mayor Gallant presiding. Mrs. Augsburger, Messrs: Collier, Burrell, Kingsley, Sehlhorst, and Warren present.

Mr. Sehlhorst moved, seconded by Mr. Kingsley to amend the minutes to reflect language change for the approval of paying the Ottawa water bill. Roll Call: Yeas (6) Messrs: Sehlhorst, Kingsley, Burrell, Collier, Warren, and Mrs. Augsburger. Nays (0), motion approved.

Mr. Kingsley moved, seconded by Mr. Collier to approve the amended minutes of the regular council meeting held on March 3, 2014. Roll Call: Yeas (6) Messrs: Kingsley, Collier, Burrell, Sehlhorst, Warren, and Mrs. Augsburger. Nays (0), motion approved.

Mr. Kingsley moved, seconded by Warren to approve the bills as presented. Total non-payroll of \$103,991.89 and payroll of \$36,994.83. Roll Call: Yeas (6) Messrs: Kingsley, Warren, Burrell, Collier, Sehlhorst, and Mrs. Augsburger. Nays (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Collier to suspend the rules. Roll Call: Yeas (0). Nays (6) Messrs: Sehlhorst, Collier, Burrell, Kingsley, Warren, and Mrs. Augsburger. Motion Failed.

Mr. Sehlhorst moved, seconded by Mr. Warren to table the first reading of Ordinance No. 03-14: AN ORDINANCE AMENDING ORDINANCE NO. 07-17 AND DECLARING AN EMERGENCY. Roll Call: Yeas (6) Messrs: Sehlhorst, Warren, Burrell, Collier, Kingsley, and Mrs. Augsburger. Nays (0), motion approved.

Mr. Burrell moved, seconded by Mr. Collier to approve the second reading of Resolution No. 04-14: A RESOLUTION ADOPTING A WEATHER RELATED CLOSING POLICY FOR THE VILLAGE OF BLUFFTON, OHIO. Roll Call: Yeas (5) Messrs: Burrell, Collier, Kingsley, Sehlhorst, and Mrs. Augsburger. Nays (1) Mr. Warren, motion approved.

Mr. Kingsley moved, seconded by Mr. Collier to suspend the rules. Roll Call: Yeas (6) Messrs: Kingsley, Collier, Burrell, Sehlhorst, Warren, and Mrs. Augsburger. Nays (0), motion approved.

Mr. Collier moved, seconded by Mrs. Augsburger to approve the first reading of Resolution No. 05-14: A RESOLUTION URGING VOTERS TO SUPPORT STATE ISSUE 1, THE RENEWAL OF THE STATE CAPITAL IMPROVEMENTS PROGRAM, ON THE MAY 6, 2014 BALLOT AND DECLARING AN EMERGENCY. Roll Call: Yeas (6) Mr. Collier. Mrs. Augsburger, Messrs: Burrell, Kingsley, Sehlhorst, and Warren. Nays (0), motion approved.

The Fiscal Officer announced the following meetings:

March 18, 2014	Tree Commission	7:30 PM
March 20, 2014	Finance	1:30 PM
March 24, 2014	Ordinances	8:00 PM
March 26, 2014	Streets, Alleys, Light, & Sidewalks	7:00 PM
April 7, 2014	Council	8:00 PM

The Mayor presented the February mayor's court report.

Mr. Sehlhorst moved, seconded by Mr. Warren to enter into executive session for the discussion of personnel. Roll Call: Yeas (6) Messrs: Sehlhorst, Warren, Burrell, Collier, Kingsley, and Mrs. Augsburger. Nays (0), motion approved.

Mr. Kingsley moved, seconded by Mr. Sehlhorst to exit from executive session and return to regular session. Roll Call: Yeas (6) Messrs: Kingsley, Sehlhorst, Burrell, Collier, Warren, and Mrs. Augsburger. Nays (0), motion approved. No action taken.

Mr. Kingsley moved to adjourn.

MAYOR

FISCAL OFFICER

Village of Bluffton
 Bills to be paid
 4/7/2014

PAYROLL:

Village \$ 31,137.24

TOTAL PAYROLL \$ 31,137.24

NON-PAYROLL:

85364	All Terra	Snow Removal	\$ 2,437.50
85365	Allen Co Health Dept	2014 Pool Operating License	\$ 280.00
85366	Alloway	Lab Analysis	\$ 2,804.10
85367	All Service Aeration	Portable Toilets & Pumping @ Sportsman's Club	\$ 417.50
85368	Allied Waste	Refuse Service	\$ 16,512.67
85369	Apollo	CPR Cards	\$ 215.00
85370	Armor Fire Protection	Rebuild Fire Pump	\$ 1,825.00
85371	AED Superstore	CPR Supplies	\$ 2,900.00
85372	Bluffton News	Publishing	\$ 24.10
85373	Bluffton Stone Co	Cold Mix	\$ 160.72
85374	Buckeye Pump	Pump Parts	\$ 635.85
85375	F. Stephen Chamberlain	Retainer/Meetings	\$ 1,320.00
85376	Environmental Resources	Federal Lab Test	\$ 122.24
85377	Family True Value Hardware	Heater, Batteries, Towels, Cleaning Brushes	\$ 64.92
85378	Grainger	Air Filters, Gloves	\$ 67.18
85379	H & K Workwear	Boots- Bowers	\$ 125.00
85380	Riley Creek Sign	Uniform Shirts- Service Dept & Lettering- Cruiser	\$ 1,271.95
85381	Kirtland's	Cruiser Maintenance	\$ 116.39
85382	Laerdal	Face Shields	\$ 74.97
85383	Marathon	Gasoline	\$ 196.48
85384	Matheson	Power Switch- Welder	\$ 55.56
85385	NWOHio Security	Elevator & Alarm Monitoring	\$ 104.90
85386	Ohio Calibration Lab	Cable- 596	\$ 60.00
85387	AEP	Electricity	\$ 15,080.31
85388	Overhead Door	Repairs to Middle Door	\$ 174.77
85389	Perry Corp	Copier Maintenance & Back-Up Services	\$ 324.01
85390	Power House Electric	Lamps & Ballasts	\$ 702.16
85391	OPERS	Employer Share	\$ 2,683.17
85392	Rocket Enterprises	Flag Pole- Town Hall	\$ 1,175.00
85393	KOI Enterprises	Vehicle Maintenance	\$ 179.61
85394	Staples- Business	Paper, Toner, Janitorial Supplies	\$ 448.63
85395	St. Rita's Medical Center	Preemployment Screening	\$ 76.00
85396	Time Warner Cable	Internet	\$ 1,013.05
85397	Treasurer of State	2014 Sewage Sludge Fee	\$ 100.00
85398	Tri-County Tower Service	MARCS Communication Tower	\$ 112,300.00
85399	United Healthcare	Hospitalization	\$ 7,488.58
85400	United Healthcare	Life Insurance	\$ 90.00
ACH	Centurylink	Telephone Service	\$ 1,061.18
85401	US Postal Service	PO Box Fee	\$ 140.00
85402	Verizon	Cell Phone & Air Card	\$ 176.27
85403	Vetter	Lumber, Hooks, Trunk Box for Cruiser	\$ 207.39
85404	W.Co.O.I.L.	Internet	\$ 4.95
85405	Dominion	Natural Gas	\$ 3,306.77

Total Non-Payroll \$ 178,523.88

 Mayor/ Council President

X: Then and Now Approved by Council

A: Addition to list submitted on 3/14

Statement of Cash Pos w/MTD

AS OF: 04/01/2014

YEAR: 2014

STARTING ACCOUNT:

ENDING ACCOUNT: z

FUND NO.	FUND DESCRIPTION	BEGINNING BALANCE	M-T-D	Y-T-D	[-----RECEIPTS-----]	M-T-D	Y-T-D	[-----DISBURSMENTS-----]	M-T-D	Y-T-D	UNEXPENDED BALANCE	OUTSTANDING ENCUMBRANCE	ENDING BALANCE
A1	GENERAL FUND	2046293.40	156803.88	560845.26	122663.15	388981.14	2218157.52	334790.56	1883366.96				
B1	STREET FUND	100213.45	11598.09	34096.47	33940.98	90327.46	43982.46	339392.89	295410.43				
B2	STATE HIGHWAY FUND	43914.22	882.15	2710.15	0.00	0.00	46624.37	0.00	46624.37				
B3	CEMETARY FUND	16617.26	1190.00	7790.00	436.53	14473.39	9933.87	5082.03	4851.84				
B4	PARK FUND	9828.64	0.00	0.00	404.12	1223.73	8604.91	11431.51	2826.60				
B5	BENROTH MEMORIAL BR	534.63	0.00	0.00	0.00	0.00	534.63	0.00	534.63				
B6	FEMA GRANT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
B7	COURT COMPUTER	4903.14	42.00	120.00	0.00	0.00	5023.14	0.00	5023.14				
B8	DUI ENFORCEMENT & E	136.01	0.00	0.00	0.00	500.00	363.99	0.00	363.99				
B9	PERMISSIVE LICENSE	0.00	0.00	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	0.00	0.00				
C2	SWIMMING POOL DEBT	863.28	0.00	0.00	0.00	0.00	863.28	0.00	863.28				
D1	CAPITAL IMPROVEMENT	3477.57	0.00	0.00	0.00	0.00	3477.57	0.00	3477.57				
D2	STORM SEWER IMPROVE	4536.44	0.00	0.00	0.00	0.00	4536.44	7000.00	2463.56				
D3	FIRE & RESCUE IMPRO	412733.83	18.84	61.59	95.88	3412.75	409382.67	121204.12	288178.55				
D4	SWIMMING POOL IMPRO	11369.67	0.00	0.00	0.00	0.00	11369.67	3642.74	7726.93				
D5	EQUIPMENT REPLACEMENT	83.98	0.00	0.00	0.00	4800.00	4716.02	10341.50	15057.52				
D6	AIRPORT IMPROVEMENT	55955.38	2.57	8.39	0.00	0.00	55963.77	0.00	55963.77				
D7	STREET IMPROVEMENT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
D8	TOWN HALL IMPROVEME	330856.73	180.85	1406.38	0.00	2000.00	330263.11	0.00	330263.11				
D9	POLICE EQUIPMENT RE	424.71	0.00	0.00	0.00	32057.00	31632.29	1100.00	32732.29				
E1	WATER FUND	221208.33	7200.00	145281.31	85973.27	168358.48	198131.16	366568.27	168437.11				
E2	SEWER FUND	168133.33	3239.50	124656.29	62046.21	211996.55	80793.07	223772.02	142978.95				
E3	SEWER DEBT SERVICE	22527.50	2050.25	6150.75	0.00	0.00	231678.25	0.00	231678.25				
E4	SEWER DEBT SERVICE	41121.59	20500.00	61500.00	0.00	0.00	102621.59	245310.00	142688.41				
E5	WATER DEBT SERVICE	0.00	0.00	0.00	0.00	252614.61	252614.61	266121.03	518735.64				
E6	SEWER REPLACEMENT &	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
E7	REFUSE FUND	62583.19	0.00	33350.32	16596.31	49816.81	46116.70	166718.38	120601.68				
E9	WATER/ SEWER IMPROV	92206.71	20227.85	106753.84	1017.90	4468.75	194491.80	15562.71	178929.09				
F1	WATER CONSTRUCTION	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
F2	COMMUNITY EVENTS	5880.77	0.00	0.00	0.00	0.00	5880.77	0.00	5880.77				
F3	COMMUNICATIONS FUND	4012.24	0.00	0.00	0.00	1140.00	2872.24	2280.00	592.24				
F4	POLICE CONTINUING PR	649.87	0.00	0.00	0.00	0.00	649.87	0.00	649.87				
F5	UTILITY RECOVERY	16459.88	0.00	0.00	0.00	0.00	16459.88	0.00	16459.88				
G2	UNCLAIMED MONIES TR	225.20	0.00	0.00	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	0.00	0.00				
G4	CEMETARY TRUST - C/	1326.66	0.00	0.00	0.00	0.00	1326.66	0.00	1326.66				
G5	CEMETARY TRUST - MA	524.37	0.00	0.00	0.00	0.00	524.37	0.00	524.37				
H1	SPECIAL ASSESSMENT	897.17	0.00	0.00	0.00	0.00	897.17	0.00	897.17				
H2	SPECIAL ASSESSMENT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
H4	SPECIAL ASSESSMENT	849.41	0.00	0.00	0.00	0.00	849.41	0.00	849.41				
H5	SPECIAL ASSMT - MAI	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
H6	SPECIAL ASSMT - JAC	119.67	0.00	0.00	0.00	0.00	119.67	0.00	119.67				
	TOTAL:	3884468.23	223935.98	1084730.75	355231.35	1226170.67	3743028.31	2120317.76	1622710.55				

* End of Report: VILLAGE OF BLUFFTON *

FULLY AMENDED FOR REVIEW

ORDINANCE NO. 03-14

**AN AMENDED ORDINANCE ESTABLISHING THAT SIDEWALKS BE
CONSTRUCTED AND MAINTAINED IN ALL RESIDENTIAL AREAS OF THE
VILLAGE OF BLUFFTON, OHIO**

WHEREAS: the Council of the Village of Bluffton finds that there exists a need in the Village of Bluffton, Ohio that residential areas of the Village have available for the public use and public good, properly constructed and maintained sidewalks, and;

WHEREAS: the Council of the Village of Bluffton specifically finds that a comprehensive program of maintenance, repair, construction and reconstruction must take place and costs thereof be assessed against the several property owners and the Village of Bluffton as set forth herein, and;

WHEREAS: the Council finds that a series of resolutions and ordinances may be required to complete this program, of which, this ordinance is deemed to be the initiating or primary ordinance;

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

SECTION 1: any and all existing sidewalks within the Village of Bluffton Ohio shall be maintained and repaired in good order pursuant to the standards and designs as specified in Exhibit "A" that is attached hereto, which may from time to time be amended upon recommendation of the Village Administrator to the Village Council or by the Village Council at its discretion.

SECTION 2: the Village of Bluffton Council hereby directs the Village Administrator to enforce sidewalk construction along street frontages of property owners and builders as required any subdivision covenants according to the specifications as set forth in exhibit A herein.

SECTION 3: the Village of Bluffton requires that any and all new subdivision developments or other construction developments within the Village corporation limit shall have sidewalks as specified in Exhibit "A" as attached.

SECTION 4: the Village of Bluffton requires that any block, being an area in the Village containing private property surrounded by public rights of way and usually containing several buildings where there is at least one of the buildings is a residential structure, within the Village of Bluffton, Ohio as designated by the Village Council pursuant to this Ordinance or any area that has existing sidewalks comply with the design standards set forth herein.

SECTION 5: any area of the Village where there is a residential structure existing that does not currently have a sidewalk will have a sidewalk installed at the initial expense of the Village of

Bluffton, Ohio and thereafter to be maintained by the property owner as provided in this ordinance as determined by the Council of the Village of Bluffton.

SECTION 6: OVERALL PLAN AND IMPLEMENTATION OF SIDEWALK CONSTRUCTION AND REPAIR:

A. EXISTING SIDEWALK REPAIR AND REPLACEMENT: Any and all *existing sidewalks* within the Village of Bluffton will be reviewed by the Village Administrator or his designee to determine if the said *existing sidewalk* is in need of repair or replacement. Should that sidewalk need repair or replacement, the same shall be completed within the times and manner as set forth in this ordinance. It is the consensus of council that any sidewalk in the Village of Bluffton, Ohio that exists as of January 1, 2014 and is constructed of brick shall be considered a grandfathered sidewalk and shall be deemed to be a properly installed sidewalk for purposes of this ordinance provided that the same can be maintained and repaired by the property owner in such a manner as to eliminate any and all tripping hazards and be otherwise deemed safe and passable for pedestrian traffic by the Village of Bluffton. Compliance of existing brick sidewalks shall be determined with reference to the Public Sidewalk Repair Policy attached to this Ordinance.

B. CONSTRUCTION AND INSTALLATION OF CONNECTING SIDEWALKS: The Village Administrator or his designee shall identify those residential areas of the Village of Bluffton where sidewalks do not, as of the date of this Ordinance, exist, but where there are shorter areas fronting streets where sidewalks would, in the judgment of the Village Administrator or his designee, be an extension of existing sidewalks. These shall be deemed *Connecting Sidewalks* for purposes of this project. Any and all *connecting sidewalks* within the Village of Bluffton will be reviewed by the Village Administrator or his designee to determine if the said *connecting sidewalk* should be constructed and installed. Thereafter, the Village Administrator shall provide a list and map of the parcels and areas where he believes that there will be a need for a Connecting Sidewalk to the Streets and Alleys Committee of council for its review and recommendation. Within 45 days of the Village Administrator providing a list and map, the Streets and Alleys Committee of Council shall forward its recommendations and amendments to the Village Council as a whole for review and public comment. The Owner of any parcel that is considered for installation of a connecting sidewalk shall be notified by regular mail not less than 30 days prior to a public hearing of Council. Council shall accept any and all comments from those parcel owners submitted in writing before the date of the public hearing and any comments from parcel owners or the public at the public hearing. After the close of the public hearing, the Council shall determine, by majority vote, which parcels should have a connecting sidewalk pursuant to this ordinance.

C. CONSTRUCTION AND INSTALLATION NEW SIDEWALKS: The Village Administrator or his designee shall identify those residential areas of the Village of Bluffton where sidewalks do not, as of the date of this Ordinance, exist in residential areas but would, in the judgment of the Village Administrator or his designee, be an area where sidewalks should be installed (also being areas not included in Phase One or Phase Two). These shall be deemed *New Sidewalks* for purposes of this project. Thereafter, the Village Administrator shall provide a list and map of the parcels and areas where he believes that there will be a need for a New Sidewalk to the Streets

and Alleys Committee of council for its review and recommendation. Within 45 days of the Village Administrator providing a list and map, the Streets and Alleys Committee of Council shall forward its recommendations and amendments to the Village Council as a whole for review and public comment. The Owner of any parcel that is considered for installation of a new sidewalk shall be notified by regular mail not less than 30 days prior to a public hearing of Council. Council shall accept any and all comments from those parcel owners submitted in writing before the date of the public hearing and any comments from parcel owners or the public at the public hearing. After the close of the public hearing, the Council shall determine, by majority vote, which parcels should have a new sidewalk pursuant to this ordinance.

D. Installation Phases for Sidewalks:

Phase One: Notice shall then be provided in 2013 to each property owner of any *existing sidewalk* deemed in need of repair or replacement in the SOUTH EASTERN ONE HALF of the Village of Bluffton, Ohio. The Notice shall advise the property owner that they have until October 1, 2014 to complete any required repair or replacement of such existing sidewalk. If the said repair or replacement is not completed by October 1, 2014 then the Village shall undertake such repair and replacement and proceed to assess the property owner the costs thereof as provided by law. It is the goal to have Phase One completed at the end of the 2014 construction season.

Phase Two: Notice shall then be provided in 2014 to each property owner of any *existing sidewalk* deemed in need of repair or replacement in the NORTH WESTERN ONE HALF of the Village of Bluffton, Ohio. The Notice shall advise the property owner that they have until May 1, 2015 to complete any required repair or replacement. If the said repair or replacement is not completed by May 1, 2015 then the Village shall undertake such repair and replacement and proceed to assess the property owner the costs thereof as provided by law. It is the goal to have Phase Two completed at the end of the 2015 construction season.

Phase Three: Any and all *Connecting Sidewalks and New Sidewalks* within the Village of Bluffton will constructed and installed in accordance with the procedure set forth above and funded pursuant to Section 6(E) below.

E. INSTALLATION OF SIDEWALKS BY THE VILLAGE OF BLUFFTON: The Village of Bluffton, after notice and hearings set forth herein, shall construct sidewalks on and in those areas as determined by the council at the cost to the Village of Bluffton, Ohio at times and under such conditions that the Village Council shall deem appropriate. To that end, the Village will commit funds for the installation of sidewalks within the Village each year as deemed appropriate by council. Said commitment shall be by appropriation made or motion made to designate the total funding for each fiscal year.

i. New construction of sidewalks shall be in compliance with the specification that are made a part of this ordinance.

ii. The Village of Bluffton shall remain responsible for any defect in installation and workmanship for a period of ONE year from the date of construction.

iii. Thereafter, the Parcel Owner shall be responsible for any repair and replacement of any sidewalk installed by the Village in the future.

iv. The installation of sidewalks for each fiscal year shall be determined by the Village Administrator based upon the funding appropriated by the Village Council for that year.

SECTION 7: the Village Administrator or his designee shall cause to be published by means of newspaper or other public notice the intention of the Village of Bluffton Ohio to begin a sidewalk improvement repair and construction program commencing in 2013. Set noticed shall not be construed to be a legal notice triggering timelines for construction however the same shall be advisory in nature and shall advise residents that sidewalk repairs instructions will be reviewed by the Village for possible assessment at a later date.

SECTION 8: the Village Administrator or his designee shall conduct a survey of all properties the street frontage within the Village of Bluffton Ohio and create a master document indicating the name of the owner, the tax parcel number, the approximate front Street footage, and the current condition of said sidewalk at the time of review. The Village Administrator or his designee shall use the following criteria in the determination of whether sidewalks shall be repaired or replaced: 1. Cracks 2. Unevenness 3. Water pocketing 4. Stumbling blocks 5. Slipperiness.

SECTION 8(A): when a property owner obtains a sidewalk permit to undertake construction or repair of their own sidewalk, and such construction is not completed before the start of the Village of Bluffton commencing the project for sidewalks, the said property owner shall pay, in addition to any assessment for front footage, a sum equal to an additional 10% of the total assessment to the Village to compensate for the additional change orders and amendments to the Village contracts.

SECTION 9: the Village of Bluffton Shall thereafter undertake procedures pursuant to Ohio Revised Code Chapters 727, 729 or any other means provided by current or future law to finance and enforce construction repair or replacement of sidewalks pursuant to designs set forth in Exhibit "A" and thereafter provide requisite legal notices to residents and engage contractors for purposes of completing repair sidewalks wherein the owners are noncompliant with repair and replacement notices.

SECTION 10: the Village Administrator or his designee shall provide a report to the Village council on a quarterly basis regarding the progress of the master sidewalk repair and improvement plan.

SECTION 11: the Mayor shall, designate two (2) members of the Council and one (1) elector of the Village of Bluffton, Ohio to act as a Review Board for the Sidewalk Project.

a) The Mayor may make such appointments on an ad hoc basis as required.

b) Any property owner who wishes to appeal the order or determination of the Village Administrator or his designee as to this project shall provide, in writing, such objections and deliver it to the Village Administrator within 90 days of receiving a notice to construct or repair sidewalks. Upon receipt, the matter will be scheduled for a hearing before the Review Board.

c) The Review Board shall have the power to review the orders of the Village Administrator and may, but is not required to make recommendations or modification as may be deemed appropriate. In determining what is appropriate, the Review Board shall consider any matter deemed proper and shall specifically consider the following: 1) the difference in cost per foot of the installation of a particular section of sidewalk from the average costs, 2) the overall intent that any residential area of the Village be accessible by sidewalks.

SECTION 13: That the stated objective of this Ordinance shall be as follows: Where sidewalks exist or shall be installed, the same shall be maintained by the property owners in compliance with the specification and standards of this ordinance. The residential areas of the Village should, as much as possible, be accessible by pedestrian traffic by means of sidewalks. That the costs of any new construction shall be made by the Village. That after new construction, and in consideration for their not being an assessment for such construction, the property owners shall assume any and all maintenance and repair responsibilities thereafter.

SECTION 12: 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 _____, 2014 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. 04-14

AN ORDINANCE REPAYING MONIES ADVANCED TO THE WATER/SEWER IMPROVEMENT FUND TO COVER THE EXPENSES ASSOCIATED WITH THE CURRENT WATERLINE PROJECTS AND DECLARING AN EMERGENCY.

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 +\$100,000	E9-5B-52730 -\$100,000

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 these appropriations are needed before expenditures may 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 _____, 2014 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

RESOLUTION NO 06-14

A RESOLUTION: MAKING CERTAIN TRANSFERS AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to make certain transfers between funds of the Village of Bluffton.

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

SECTION 1: That the following transfers are hereby made:

TO:

Street	B1-01-41920	+\$350,000	
DUI Enforcement	B8-01-41920	+\$400	
Storm Sewer Improvement	D2-01-41920	+\$55,000	
Fire & Rescue Improvement	D3-01-41920	+\$90,000	
Equipment Replacement	D5-01-41920	+\$35,000	
Police Equipment Replacement	D9-01-41920	+\$52,000	
Water	E1-01-41920	+\$250,000	
	FROM: General Fund	A1-7X-52710	-\$832,400

TO:

Water Debt Service	E5-01-41920	+\$255,000	
	FROM: Water	E1-5X-52710	-\$255,000

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 transfer 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 Resolution 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 action 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 _____, 2014 by the governing body of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Noes: _____ Abstain: _____

Attest:

FISCAL OFFICER

MAYOR

Approved as to Form:

SOLICITOR

**To: Mayor Gallant
Council Members**

Sportsmen's Club Update

After the Sportsmen's Club removed their sump pump drain line from the sanitary sewer lateral, the Service Department was able to camera and trace out the building's sanitary sewer laterals. While inspecting the lines with the sewer camera, the Service Department discovered that one lateral has a belly in it, preventing the proper flow of waste to the main line. Additionally, the second lateral is badly occluded with a buildup of grease that has apparently been dumped down the sink leading to this lateral. Furthermore, the Service Department discovered and removed debris from this lateral (prior to the main sewer line) that most likely was the cause of the flooding issue that the building experienced in December. In the picture below, you can see the debris that was removed by the Service Department. It is a conglomeration of RV dump-line tubing, fishing line, grease, and miscellaneous debris, none of which should have been discovered in a sanitary sewer lateral.



I spoke with Tom Augsburger from the Sportsmen Club and advised him that they really need to have their laterals jetted and cleaned to remove the debris in the one line due to the belly and to remove the grease in the second line. Additionally, the grease generated in the building should not be dumped down the drain. Tom advised me today that they have a contractor scheduled to clean the laterals.

Spring Clean-up

The annual Spring Clean-up has been scheduled to begin May 17th and end on May 26th. Republic will deliver the dumpsters to the Service Department Garage at 455 N. Spring Street on Friday, May 16th and remove them on Tuesday, May 27th. This will provide residents with the opportunity over two weekends (including a holiday weekend) to utilize the service. As always, no tires, batteries, paint or other hazardous household materials are permitted to be disposed of during the Spring Clean-up. Residents with these items should contact the North Central Ohio Solid Waste District at 1-800-553-6763, or visit their website: www.ncowaste.org, for information on the proper manner to dispose of those items.

Mulch

Go Green is scheduled to be this coming week to grind the brush dump.

Park Utilities

The forecast will finally permit the Service Department to turn the water on at the Village parks in the coming week. Due to the construction of the buildings, the absence of heat, and the location of the plumbing within the buildings, we are unable to turn the water on each year until freezing temperatures are no longer in the forecast.

Personnel

I am recommending that Council hire the following two Seasonal Employees to mow and maintain Village properties: Robert Badertscher (\$10.00/hr) and Ken Von Lehmden (\$8.49/hr). This will be Bob's fourteenth mowing season with the Village and Ken's second.

Frozen Water Services

On March 31st, the last of the previously frozen service lines finally thawed.

Town Hall Flag Pole Update

We are awaiting delivery of the flag pole for the Town Hall that the Bluffton Post of the American Legion donated to the Village. The Legion gave the money for the pole to the Village and the Village will be sending the payment to the vendor. The pole is scheduled for a Spring delivery, but no definite date is known. The Service Department will be installing the flag pole in the front of the Town Hall.

Executive Session Request

I would like to request an Executive Session for Personnel and Contracts during Monday evening's Council meeting.