

**COUNCIL MEETING
AGENDA
May 5, 2014
8:00 PM
BLUFFTON TOWN HALL**

MINUTES April 21, 2014

BILLS

ORDINANCE NO. 03-14 **3rd READING**
AN AMENDED ORDINANCE ESTABLISHING THAT SIDEWALKS BE
CONSTRUCTED AND MAINTAINED IN ALL RESIDENTIAL AREAS OF THE
VILLAGE OF BLUFFTON, OHIO.

ADMINISTRATOR'S REPORT

SAFETY

FINANCIALS

MEETING DATES

May 5, 2014	Council	8:00 PM
May 19, 2014	Council	8:00 PM

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

Mr. Kingsley moved, seconded by Mr. Collier to approve the minutes of the regular council meeting held on April 7, 2014. Roll Call: Yeas (6) Messrs: Kingsley, Collier, Burrell, Sehlhorst, Warren, and Mrs. Augsburger. Nays (0), motion approved.

Mr. Sehlhorst moved, seconded by Mrs. Augsburger to approve the bills as presented. Total non-payroll of \$66,856.02 and payroll of \$37,932.20. Roll Call: Yeas (6) Mr. Sehlhorst, Mrs. Augsburger, Messrs: Burrell, Collier, Kingsley, Sehlhorst, and Warren. Nays (0), motion approved.

Mr. Kingsley moved, seconded by Mr. Sehlhorst to replace certain language contained in Ordinance No. 03-14: AN AMENDED ORDINANCE ESTABLISHING THAT SIDEWALKS BE CONSTRUCTED AND MAINTAINED IN ALL RESIDENTIAL AREAS OF THE VILLAGE OF BLUFFTON, OHIO, with language suggested by Mr. Kingsley. Roll Call: Yeas (5) Messrs: Burrell, Collier, Kingsley, Sehlhorst, and Warren. Nays (1): Mrs. Augsburger, motion approved.

Mr. Warren moved, seconded by Mr. Sehlhorst to approve the second reading Ordinance No. 03-14: AN AMENDED ORDINANCE ESTABLISHING THAT SIDEWALKS BE CONSTRUCTED AND MAINTAINED IN ALL RESIDENTIAL AREAS OF THE VILLAGE OF BLUFFTON, OHIO. Roll Call: Yeas (4) Messrs: Warren, Sehlhorst, Burrell, and Kingsley. Nays (2) Mrs. Augsburger and Mr. Collier, motion approved.

The Fiscal Officer announced the following meetings:

April 23, 2014	Utilities	8:00 PM
April 26, 2014	Arbor Day Planting	10:00 AM
May 5, 2014	Council	8:00 PM

Mr. Sehlhorst moved, seconded by Mr. Collier to approve the listing of 2014 seasonal pool employees as presented. Roll Call: Yeas (6) Messrs: Sehlhorst, Collier, Burrell, Kingsley, Warren, and Mrs. Augsburger. Nays (0), motion approved.

Mr. Warren moved, seconded by Mr. Kingsley to approve Luke Brodman as a full-time police officer, effective April 27, 2014, at a rate of \$13.50/hour (starting wage of \$13/hr. plus \$.50/hr. for Associates degree). Roll Call: Yeas (6) Messrs: Warren, Kingsley, Burrell, Collier, Sehlhorst, and Mrs. Augsburger. Nays (0), motion approved.

The Mayor presented the Arbor Day Proclamation and the March mayor's court report.

Mr. Kingsley moved to adjourn.

MAYOR

FISCAL OFFICER

Village of Bluffton
Bills to be paid
5/5/2014

PAYROLL:

Village \$ 32,020.45

TOTAL PAYROLL \$ 32,020.45

NON-PAYROLL:

Alloway	Lab Analysis	\$	1,608.60	
All Service Aeration	Portable Toilets	\$	317.50	
Allied Waste	Refuse Service	\$	16,504.96	
Apollo	CPR Cards	\$	20.00	
Aramark	Uniforms- Service Dept	\$	392.74	
Bacon & Assoc	Boundary Surveys	\$	7,430.00	X
Bailey's	Uniforms- Police Dept	\$	66.00	
Bluffton Aeration	Jetting: Harmon & Garau; Main & Kibler	\$	1,475.00	
Buckeye Pump	Lift Station Pump	\$	3,296.00	
F. Stephen Chamberlain	Retainer	\$	1,320.00	
Grainger	Bearing & Pipe Fittings	\$	155.41	
Hawthorne-Seving	Lawn Roller	\$	895.00	
Kleem	Street Signs	\$	383.25	
Marathon	Gasoline	\$	430.72	
NWOhio Security	Elevator & Alarm Monitoring	\$	104.90	
AEP	Electricity	\$	15,861.37	
Perry Corp	Copier Maintenance	\$	71.18	
Safeguard Business	Accounts Payable Checks	\$	241.17	
Time Warner Cable	Internet	\$	998.05	
United Healthcare	Hospitalization	\$	7,531.72	
United Healthcare	Life Insurance	\$	100.46	
ACH Centurylink	Telephone Service	\$	1,061.53	
Verizon	Air Card	\$	120.17	

Total Non-Payroll \$ 60,385.73

 Mayor/ Council President

X: Then and Now Approved by Council

Statement of Cash Pos w/MTD

AS OF: 04/30/2014

YEAR: 2014

STARTING ACCOUNT:

ENDING ACCOUNT: z

FUND NO.	FUND DESCRIPTION	BEGINNING BALANCE	[-----RECEIPTS-----] M-T-D	[-----DISBURSMENTS-----] M-T-D	Y-T-D	Y-T-D	UNEXPENDED BALANCE	OUTSTANDING ENCUMBRANCE	ENDING BALANCE
A1	GENERAL FUND	2046293.40	415332.90	976178.16	969793.02	1358774.16	1663597.40	329347.77	1334349.63
B1	STREET FUND	100213.45	360586.35	394682.82	16979.50	107306.96	387589.31	337026.19	50563.12
B2	STATE HIGHWAY FUND	43914.22	860.55	3570.70	0.00	0.00	47484.92	0.00	47484.92
B3	CEMETARY FUND	16617.26	300.00	8090.00	735.37	15208.76	9498.50	5082.03	4416.47
B4	PARK FUND	9828.64	0.00	0.00	432.38	1656.11	8172.53	11038.34	2865.81-
B5	BENROTH MEMORIAL BR	534.63	0.00	0.00	0.00	0.00	534.63	0.00	534.63
B6	FEWA GRANT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
B7	COURT COMPUTER	4903.14	36.00	156.00	0.00	0.00	5059.14	0.00	5059.14
B8	DUI ENFORCEMENT & E	136.01	435.00	435.00	0.00	500.00	71.01	0.00	71.01
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	55000.00	0.00	930.00	0.00	58606.44	6070.00	52536.44
D3	FIRE & RESCUE IMPRO	412733.83	90020.88	90082.47	112300.00	115712.75	387103.55	8904.12	378199.43
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	35000.00	10341.50	15141.50	0.00	19942.48	0.00	19942.48
D6	AIRPORT IMPROVEMENT	55955.38	2.85	11.24	0.00	0.00	55966.62	0.00	55966.62
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	93.60	1499.98	0.00	2000.00	330356.71	0.00	330356.71
D9	POLICE EQUIPMENT RE	424.71	52000.00	52000.00	875.00	32932.00	19492.71	100.00	19392.71
E1	WATER FUND	221208.33	250000.00	395281.31	266081.76	434440.24	182049.40	363392.04	181342.64-
E2	SEWER FUND	168133.33	232.50	124888.79	62242.49	274239.04	18783.08	208056.07	189272.99-
E3	SEWER DEBT SERVICE	225527.50	2050.25	8201.00	0.00	0.00	233728.50	0.00	233728.50
E4	SEWER DEBT SERVICE	41121.59	20500.00	82000.00	0.00	0.00	123121.59	245310.00	122188.41-
E5	WATER DEBT SERVICE	0.00	255000.00	0.00	0.00	252614.61	2385.39	266121.03	263735.64-
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	16512.67	66329.48	29604.03	150205.71	120601.68-
E9	WATER/ SEWER IMPROV	92206.71	59299.95	166053.79	100000.00	104468.75	153791.75	15562.71	138229.04
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:	388468.23	1596750.83	2681481.58	1557223.69	2783394.36	3782555.45	1952138.75	1830416.70

* 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; and

WHEREAS: the stated objective of this Ordinance shall be that: The residential areas of the Village should, as much as possible, be accessible by pedestrian traffic by means of sidewalks; The costs of any new construction shall be made by the Village; and Where sidewalks exist or have been newly installed, they shall be maintained by the property owners in compliance with the specification and standards of this 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 be amended from time to time upon recommendation of the Village Administrator to the Village Council or by the Village Council at its discretion.

SECTION 2: 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 the Subdivision Ordinance for the Village of Bluffton.

SECTION 3: the Village of Bluffton intends to have sidewalks in every residential block, meaning a length of street between two intersections on which there is at least one residential structure; to that end the Village will designate, according to its financial ability and construction

schedule, which sidewalks to construct at its expense; following their construction, maintenance of the sidewalks will be the responsibility of the property owner.

SECTION 4: 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. Any sidewalk constructed of brick that exists in the Village as of January 1, 2014 shall be considered a grandfathered sidewalk. Such grandfathered sidewalk may be maintained, repaired and rebuilt in brick; but, except for its composition in other than concrete, such sidewalk shall be subject to the same surface standards as set forth in Exhibit "A".

B. CONSTRUCTION AND INSTALLATION OF CONNECTING SIDEWALKS: Connecting sidewalk is defined as that section of sidewalk required to complete and make continuous existing sidewalk sections that have gaps in them. The Village Administrator or his designee shall designate missing sidewalks as either connecting sidewalks or new sidewalks based on the length of the gap between existing sidewalks -- or the non-existence of sidewalks altogether.

The Village Administrator shall provide a list and map of the parcels and areas where he believes Connecting Sidewalks should be built 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: New sidewalks consist of areas where sidewalk would benefit the Village but the gap between existing sidewalks is long or sidewalks do not exist. The Village Administrator or his designee shall identify those residential areas of the Village of Bluffton where new sidewalks should be installed.

The Village Administrator shall provide a list and map of the parcels and areas where he believes New Sidewalk should be installed 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: the Village Administrator or his designee shall survey all existing sidewalks in the SOUTH EASTERN ONE HALF of the Village and determine whether they need to be repaired or replaced using the following criteria: Stumbling hazard from Cracks; Unevenness; Water pocketing; or Slipperiness.

Notice shall 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 described in Section 5 and Section 6 below. It is the goal to have Phase One completed at the end of the 2014 construction season.

Phase Two: the Village Administrator or his designee shall survey all existing sidewalks in the NORTH WESTERN ONE HALF of the Village and determine whether they need to be repaired or replaced using the following criteria: Stumbling hazard from Cracks; Unevenness; Water pocketing; or Slipperiness.

Notice shall 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 described in Section 5 and Section 6 below. 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 be constructed and installed in accordance with the procedure set forth above and funded pursuant to Section 4(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 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 Streets and Alleys Committee based upon the funding appropriated by the Village Council for that year.

SECTION 5: when a property owner fails to undertake the repair or replacement of a sidewalk as required in Section 4.D. Phase 1 and Phase 2 above 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 engage contractors to complete sidewalk repairs or replacement according to designs set forth in Exhibit "A."

SECTION 6: when a property owner undertakes construction to repair or replace their sidewalk pursuant to notice in Phase 1 or Phase 2 noted above; and without excuse of Acts of God or other factors beyond his or her control the owner does not complete repair or replacement within the time required; and as a direct result of such tardiness the Village of Bluffton fails to include that project in its contracted projects, the Village of Bluffton may assess that owner for front footage, a sum equal to an additional 10% of the total cost to the Village for that frontage to compensate for the additional change orders and amendments to the Village contracts.

SECTION 7: 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 8: 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 repair or replace 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 it deems proper and shall specifically consider the following: 1) the difference in cost per foot of the repair or replacement of a particular section of sidewalk from the average costs, and 2) financial hardship for a particular owner to complete the repair or replacement.

SECTION 9: it 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

**To: Mayor Gallant
Council Members**

Mulch

Go Green should complete the mulching by Monday.

Hydrant Flushing

The Service Department has completed the semi-annual hydrant flushing.

Street Maintenance Program

Bluffton Paving has been given the green light on the Village's Street Maintenance Program. I have submitted requests to allocate and encumber portions of the Village's Permissive Motor Vehicle License Tax monies from both the Allen and Hancock County Commissioners. The Allen County Commissioners approved the resolution this past week, and I am hopeful that the Hancock County Commissioners will be able to approve it at their next meeting. These monies will be used on the paving on County Line Road between SR 103 and the railroad tracks. PMVLT monies are held by the counties and can only be used on qualified roadways. While it is the Village's money, the ORC requires that the Village request the County Commissioners allocate and encumber the funds after we supply them with a copy of the quote to perform the work. Once the work is completed, we must submit a copy of the invoice for the work, and then the County will reimburse the Village with our funds.

Alleys

The Service Department was able to dress all of the Village's stone alleys in town this past week. This process used to take upwards of two to three weeks. With the equipment that Council purchased last year this process now takes approximately two days and provides a better end-result. If, due to settling or weather events, any of you see or hear about an alley that needs to be revisited, please let me know. However, we have found out that simply adding more stone to an alley does not improve the alley, and actually has the potential to be detrimental.

USDA Inspection

This past week we had our required Compliance Review, Security Inspection and Financials Review by the USDA on the Waste Water Treatment Plant. This inspection is required every three years until the USDA Loan that was borrowed to finance the WWTP Improvements Project is paid off.

Time Warner

Attached is a letter that I received this week from Time Warner Cable concerning the future provider of service in our community. Essentially, as part of the Comcast-Time Warner merger, Time Warner Cable will be divesting certain markets and our community is part of the territory that will be divested to Charter Communications.

Upcoming Events

The Village will be extremely busy for the foreseeable future. This weekend will welcome the Bluffton University May Day events and Commencement

Ceremony, as well as the Sportsmen's Club's Annual Trout Derby. The Bluffton High School Seniors are scheduled to paint College Avenue on the evening of May 7th. The weekend of May 10th-11th includes the Chamber of Commerce's Annual Arts and Crafts Festival downtown, Bluffton Soccer Club's American Cup Tournament at the University, and the Special Olympics of Ohio's 2014 Area 3 Spring Games at Salzman Stadium. The Spring Cleanup will run from May 17th – 26th. Bluffton High School's Graduation is scheduled for Saturday, May 24th. The American Legion's Memorial Day Parade will be on Monday, May 26th. The month of May will end with the A Beaver Triathlon on May 31st.

Committee Meeting Request

I am requesting a meeting of the Streets and Alleys Committee prior to the next Council meeting to discuss alley vacation requests.

Executive Session Request

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



April 28, 2014

James Mehaffie, Village Administrator
The Village of Bluffton
100 East Elm Street
Bluffton, Ohio 45817

Dear Mr. Mehaffie:

When we announced Comcast Corporation and Time Warner Cable's agreement to merge, we committed to keeping you updated so I wanted to provide you with a copy of the attached press release that went out this morning and related materials. It announces that Comcast Corporation and Charter Communications have reached an Agreement on a series of tax-efficient transactions, whereby the combined Comcast-Time Warner Cable entity, following completion of Comcast's previously announced merger with Time Warner Cable, will divest systems resulting in a net reduction of approximately 3.9 million video customers. The Time Warner Cable systems in the states of Indiana, Kentucky, Ohio and Wisconsin, including the TWC cable system serving your community, will be included in those systems going to Charter as referenced in the attached press release. The divestiture follows through on Comcast's willingness to reduce its post-merger managed subscriber total to less than 30 percent of total national MVPD (Multichannel Video Programming Distributor) subscribers, while maintaining the compelling strategic and financial rationale of its proposed merger with Time Warner Cable. As more information becomes available, I will reach out to you to provide an update and answer any questions you may have.

There is no action required from your community at this time – this is just an informational update. Please do not hesitate to reach out to me with any questions or concerns.

Thanks.

Brian

A handwritten signature in cursive script that reads "B. Young".

Brian Young, Director of Government Relations
Time Warner Cable
Phone: 419.429.7450
Email: brian.young@twcable.com

Enclosure: April 28 Press Release



Comcast and Charter Reach Agreement on Divestitures

Comcast to Divest 3.9 Million Customers of Merged Comcast - Time Warner Cable

Charter to Enhance Scale and Improve Geographic Footprint

Divestiture will be Executed through Three Separate Transactions, Including the Creation of a New, Independent, Publicly-Traded Cable Provider

Philadelphia and Stamford – April 28, 2014 – Comcast Corporation (Nasdaq: CMCSA, CMCSK) and Charter Communications (Nasdaq: CHTR) today announced that the companies have reached an agreement (the “Agreement”) on a series of tax-efficient transactions, whereby the combined Comcast-Time Warner Cable entity, following completion of Comcast’s previously announced merger with Time Warner Cable, will divest systems resulting in a net reduction of approximately 3.9 million video customers. The divestiture follows through on Comcast’s willingness to reduce its post-merger managed subscriber total to less than 30 percent of total national MVPD subscribers, while maintaining the compelling strategic and financial rationale of its proposed merger with Time Warner Cable.

Pursuant to the Agreement, and following the close of the Comcast-Time Warner Cable merger, Charter will acquire approximately 1.4 million existing Time Warner Cable subscribers, increasing Charter’s current residential and commercial video customer base from 4.4 million to approximately 5.7 million, and making Charter the second largest cable operator in the United States.¹ Charter and Comcast will also each transfer approximately 1.6 million customers respectively. In addition, Charter, through a tax free reorganization, will form a new holding company (New Charter) that will own 100% of Charter, and acquire an approximate 33 percent stake in a new publicly-traded cable provider to be spun-off by Comcast serving approximately 2.5 million customers (“SpinCo”). Charter will provide management services to SpinCo. In aggregate, today’s announced transactions will significantly enhance Charter’s scale and improve both companies geographic footprint, driving operational efficiencies for Comcast, Charter and SpinCo.

The Agreement has been approved by the Boards of Directors of both companies and Time Warner Cable’s Board has consented to the Agreement as required under the Comcast-Time Warner Cable merger agreement.

¹Charter customer count is based on its reporting methodologies; net additions and SpinCo on respective TWC and Comcast reporting methodologies, where there may be small definitional differences. Totals may not recalculate due to rounding.

The Agreement will be executed via three separate transactions, which are subject to the completion of the proposed Comcast-Time Warner Cable merger:

1. Comcast will divest Time Warner Cable systems serving approximately 1.4 million existing Time Warner Cable customers directly to Charter for cash. Charter expects to fund the purchase with proceeds from debt, and to have approximately a 5 times debt to EBITDA leverage ratio at closing.
2. Comcast and Charter will transfer assets serving approximately 1.6 million existing Time Warner Cable customers and 1.6 million Charter customers in a tax-efficient like kind exchange, improving the geographic presence of both companies, leading to greater operational efficiencies, improved technology deployment and enhanced customer service.
3. Comcast will form and spin off to its shareholders a new, independent, publicly-traded company that will operate systems serving approximately 2.5 million existing Comcast customers. Comcast shareholders, including the former Time Warner Cable shareholders, are expected to own approximately 67 percent of SpinCo, while New Charter is expected to directly own approximately 33 percent of SpinCo. SpinCo expects to incur leverage of approximately 5 times estimated pro-forma EBITDA, and New Charter will then acquire its interest in SpinCo by issuing New Charter stock to Comcast shareholders (including former Time Warner Cable shareholders). SpinCo's nine-member Board of Directors will include six independent directors and three directors designated by Charter. Comcast will hold no ownership interest in SpinCo (or Charter) and will have no role in managing SpinCo.

The transfer of systems, asset purchase and SpinCo acquisition will be valued at a 7.125 times 2014 EBITDA multiple (as defined by the parties), and Charter will make additional payments to Comcast over time as tax benefits from the asset sale are realized.

As a result of these transactions, following the completion of the merger between Comcast and Time Warner Cable, Comcast's managed residential subscribers will be below 30 percent of the total MVPD subscribers in the United States, and approximately the same market share as Comcast's subscriber base after its completion of both the 2002 AT&T Broadband transaction and the 2006 Adelphia transaction – and Charter's subscriber base will increase by 1.4 million to a total of 5.7 million.

Comcast has reaffirmed that, after taking into account the transactions with Charter, it continues to expect its merger with Time Warner Cable to generate approximately \$1.5 billion in operating efficiencies. Comcast shareholders will receive meaningful value with shares in New Charter, as well as new shares in SpinCo. In addition, Comcast intends to use proceeds from these transactions to reduce its debt in a leverage-neutral manner and expand its share buyback program.

"Today's Agreement follows through on our willingness to divest subscribers, while also marking an important step in our merger with Time Warner Cable," said Brian Roberts, Chairman and Chief Executive Officer, Comcast Corporation. "These transactions enable us to deliver meaningful value to our shareholders. The realignment of key cable markets achieved in these transactions will enable Comcast to fill in our footprint and deliver operational efficiencies and technology improvements. We look forward to working with the management teams at Time Warner Cable, Charter and the new entity to close these transactions and ensure a smooth transition for the customers and employees of all companies."

"Charter's new customers will benefit from our philosophy of providing highly valued products, featuring enhanced on-demand, interactive video and increased broadband speeds, all in a simplified package designed to provide better value and service," said Tom Rutledge, President and Chief Executive Officer of Charter Communications. "The transactions announced today will provide Charter with greater scale, growth opportunities and improved geographical rationalization of our cable systems, which in turn will drive value for shareholders and more effective customer service. And through our meaningful ownership in and board representation at SpinCo, we can help it achieve similar market share growth in the markets it serves."

The transactions are subject to a number of conditions, including the closing of the Comcast-Time Warner Cable merger, receipt of Hart-Scott-Rodino, FCC and other required regulatory approvals, Charter shareholder approval, and various other matters.

J.P. Morgan and Paul J. Taubman acted as financial advisors to Comcast and Davis Polk & Wardwell LLP and Willkie Farr & Gallagher LLP are its legal advisors.

Goldman Sachs and LionTree Advisors are serving as lead financial advisors to Charter in connection with this transaction. Guggenheim Securities is also a financial advisor to Charter. BofA Merrill Lynch, Credit Suisse, and Deutsche Bank Securities Inc. are also financial advisors to Charter, and together with Goldman Sachs, are leading the financing for the transaction. The law firms Wachtell, Lipton, Rosen & Katz and Kirkland & Ellis LLP are also representing Charter.

Teleconference and Webcast for Financial Community

Charter and Comcast will host a conference call on Monday, April 28, 2014 at 8:00 a.m. Eastern Time (ET) related to the contents of this release.

The conference call will be webcast live via Charter's website at charter.com. The webcast can be accessed by selecting "Investor & News Center" from the lower menu on the home page. The call will be archived in the "Investor & News Center" in the "Financial Information" section on the left beginning two hours after completion of the call. Participants should go to the webcast link no later than 10 minutes prior to the start time to register.

The conference call and related materials will also be broadcast live and posted on Comcast's Investor Relations website at www.cmcsa.com or www.cmcsk.com.

Those participating via telephone should dial 866-919-0894 no later than 10 minutes prior to the call. International participants should dial 706-679-9379. The conference ID code for the call is 35997372. A replay of the call will be available at 855-859-2056 or 404-537-3406 beginning two hours after the completion of the call through the end of business on May 28, 2014. The conference ID code for the replay is 35997372.

About Comcast Corporation

Comcast Corporation (Nasdaq: CMCSA, CMCSK) is a global media and technology company with two primary businesses, Comcast Cable and NBCUniversal. Comcast Cable is the nation's largest video, high-speed Internet and phone provider to residential customers under the XFINITY brand and also provides these services to businesses. NBCUniversal operates 30 news, entertainment and sports cable networks, the NBC and Telemundo broadcast networks, television production operations, television station

groups, Universal Pictures and Universal Parks and Resorts. Visit www.comcastcorporation.com for more information.

About Charter Communications

Charter (NASDAQ: CHTR) is a leading broadband communications company and the fourth-largest cable operator in the United States. Charter provides a full range of advanced broadband services, including advanced Charter TV® video entertainment programming, Charter Internet® access, and Charter Phone®. Charter Business® similarly provides scalable, tailored, and cost-effective broadband communications solutions to business organizations, such as business-to-business Internet access, data networking, business telephone, video and music entertainment services, and wireless backhaul. Charter's advertising sales and production services are sold under the Charter Media® brand. More information about Charter can be found at charter.com.

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Important Information For Investors And Shareholders

This communication does not constitute an offer to sell or the solicitation of an offer to buy any securities or a solicitation of any vote or approval. In connection with the proposed transaction between Comcast Corporation ("Comcast") and Charter Communications, Inc. ("Charter"), Charter will file with the Securities and Exchange Commission ("SEC") a registration statement on Form S-4 that will include a proxy statement of Charter that also constitutes a prospectus of Charter, and a definitive proxy statement/prospectus will be mailed to shareholders of Charter. INVESTORS AND SECURITY HOLDERS OF COMCAST AND CHARTER ARE URGED TO READ THE PROXY STATEMENT/PROSPECTUS AND OTHER DOCUMENTS THAT WILL BE FILED WITH THE SEC CAREFULLY AND IN THEIR ENTIRETY BECAUSE THEY WILL CONTAIN IMPORTANT INFORMATION. Investors and security holders will be able to obtain free copies of the registration statement and the proxy statement/prospectus (when available) and other documents filed with the SEC by Comcast or Charter through the website maintained by the SEC at <http://www.sec.gov>. Copies of the

documents filed with the SEC by Comcast are available free of charge on Comcast's website at <http://cmcsa.com> or by contacting Comcast's Investor Relations Department at 866-281-2100. Copies of the documents filed with the SEC by Charter will be available free of charge on Charter's website at charter.com, in the "Investor and News Center" near the bottom of the page, or by contacting Charter's Investor Relations Department at 203-905-7955.

In addition, in connection with the proposed transaction between Comcast and Time Warner Cable Inc. ("Time Warner Cable"), on March 20, 2014, Comcast filed with the SEC a registration statement on Form S-4 containing a preliminary joint proxy statement of Comcast and Time Warner Cable that also constitutes a preliminary prospectus of Comcast. The registration statement has not yet become effective. After the registration statement is declared effective by the SEC, a definitive joint proxy statement/prospectus will be mailed to shareholders of Comcast and Time Warner Cable. INVESTORS AND SECURITY HOLDERS OF COMCAST AND TIME WARNER CABLE ARE URGED TO READ THE JOINT PROXY STATEMENT/PROSPECTUS AND OTHER DOCUMENTS FILED OR THAT WILL BE FILED WITH THE SEC CAREFULLY AND IN THEIR ENTIRETY BECAUSE THEY CONTAIN OR WILL CONTAIN IMPORTANT INFORMATION. Investors and security holders may obtain free copies of the registration statement and the joint proxy statement/prospectus and other documents filed with the SEC by Comcast or Time Warner Cable through the website maintained by the SEC at <http://www.sec.gov>. Copies of the documents filed with the SEC by Comcast are available free of charge on Comcast's website at <http://cmcsa.com> or by contacting Comcast's Investor Relations Department at 866-281-2100. Copies of the documents filed with the SEC by Time Warner Cable will be available free of charge on Time Warner Cable's website at <http://ir.timewarnercable.com> or by contacting Time Warner Cable's Investor Relations Department at 877-446-3689.

Shareholders of Comcast and Time Warner Cable are not being asked to vote on the proposed transaction between Comcast and Charter, and the proposed transaction between Comcast and Time Warner Cable is not contingent upon the proposed transaction between Comcast and Charter.

Comcast, Time Warner Cable, Charter and their respective directors and certain of their respective executive officers may be considered participants in the solicitation of proxies in connection with the proposed transaction between Comcast and Time Warner Cable, and Comcast, Charter and their respective directors and certain of their respective executive officers may be considered participants in the solicitation of proxies in connection with the proposed transaction between Comcast and Charter. Information about the directors and executive officers of Time Warner Cable is set forth in its Annual Report on Form 10-K for the year ended December 31, 2013, which was filed with the SEC on February 18, 2014, and its preliminary proxy statement for its 2014 annual meeting of stockholders, which was filed with the SEC on April 8, 2014. Information about the directors and executive officers of Comcast is set forth in its Annual Report on Form 10-K for the year ended December 31, 2013, which was filed with the SEC on February 12, 2014, and its proxy statement for its 2014 annual meeting of stockholders, which was filed with the SEC on April 11, 2014. Information about the directors and executive officers of Charter is set forth in its Annual Report on Form 10-K for the year ended December 31, 2013, which was filed with the SEC on February 21, 2014, and its proxy statement for its 2014 annual meeting of stockholders, which was filed with the SEC on March 27, 2014. These documents can be obtained free of charge from the sources indicated above. Additional information regarding the participants in the proxy solicitations and a description of their direct and indirect interests, by security holdings or otherwise, are contained in the preliminary joint proxy statement/prospectus of Comcast and Time Warner Cable filed with the SEC and will be contained in the definitive joint proxy statement/prospectus of Comcast and Time Warner Cable and other relevant materials to be filed with the SEC when they become available, and will also be contained in the preliminary proxy statement/prospectus of Charter when it becomes available.

Cautionary Statement Regarding Forward-Looking Statements

Certain statements in this communication regarding the proposed acquisition of Time Warner Cable by Comcast and the proposed transaction between Comcast and Charter, including any statements regarding the expected timetable for completing the transactions, benefits and synergies of the transactions, future opportunities for the respective companies and products, and any other statements regarding Comcast's, Time Warner Cable's and Charter's future expectations, beliefs, plans, objectives, financial conditions, assumptions or future events or performance that are not historical facts are "forward-looking" statements made within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended. These statements are often, but not always, made through the use of words or phrases such as "may," "believe," "anticipate," "could," "should," "intend," "plan," "will," "expect(s)," "estimate(s)," "project(s)," "forecast(s)," "positioned," "strategy," "outlook" and similar expressions. All such forward-looking statements involve estimates and assumptions that are subject to risks, uncertainties and other factors that could cause actual results to differ materially from the results expressed in the statements. Among the key factors that could cause actual results to differ materially from those projected in the forward-looking statements are the following: the timing to consummate the proposed transactions; the risk that a condition to closing either of the proposed transactions may not be satisfied; the risk that a regulatory approval that may be required for either of the proposed transactions is not obtained or is obtained subject to conditions that are not anticipated; the parties' ability to achieve the synergies and value creation contemplated by the proposed transactions; the parties' ability to promptly, efficiently and effectively integrate acquired operations into their own operations; and the diversion of management time on transaction-related issues. Additional information concerning these and other factors can be found in Comcast's, Time Warner Cable's and Charter's respective filings with the SEC, including Comcast's, Time Warner Cable's and Charter's most recent Annual Reports on Form 10-K, Quarterly Reports on Form 10-Q and Current Reports on Form 8-K. Comcast, Time Warner Cable and Charter assume no obligation to update any forward-looking statements. Readers are cautioned not to place undue reliance on these forward-looking statements that speak only as of the date hereof.