

**COUNCIL MEETING
AGENDA
July 22, 2013
8:00 PM
BLUFFTON TOWN HALL**

MINUTES July 8, 2013

BILLS

ADMINISTRATOR'S REPORT

SAFETY

FINANCIALS

MEETING DATES

July 22, 2013	Records Commission	7:30 PM
July 22, 2013	Council	8:00 PM
August 8, 2013	Board of Building and Zoning Appeals	7:00 PM
August 12, 2013	Council	8:00 PM

Regular Council

July 8, 2013

Mayor Gallant presiding. Messrs: Burrell, Collier, Kingsley, McGarrity, and Sehlhorst present.
Mr. Steiner absent.

Mr. Sehlhorst moved, seconded by Mr. Collier to approve the minutes of the regular council meeting held on June 24, 2013. Roll Call: Yeas (5) Messrs: Sehlhorst, Collier, Burrell, Kingsley, and McGarrity. Nays (0), motion approved.

Mr. McGarrity moved, seconded by Mr. Kingsley to approve the bills as presented. Total non-payroll of \$400,836.75 and payroll of \$44,248.83. Roll Call: Yeas (5) Messrs: McGarrity, Kingsley, Burrell, Collier, and Sehlhorst. Nays (0), motion approved.

Mr. McGarrity moved, seconded by Mr. Burrell to suspend the rules. Roll Call: Yeas (5) Messrs: McGarrity, Burrell, Collier, Kingsley, and Sehlhorst. Nays (0), motion approved.

Mr. Kingsley moved, seconded by Mr. Collier to approve Resolution No. 06-13: A RESOLUTION MAKING CERTAIN TRANSFERS AND DECLARING AN EMERGENCY. Roll Call: Yeas (5) Messrs: Kingsley, Collier, Burrell, McGarrity, and Sehlhorst. Nays (0), motion approved.

The Fiscal Officer announced the following meetings:

July 11, 2013	Park Board	4:00 PM
July 22, 2013	Records Committee	7:30 PM
July 22, 2013	Council	8:00 PM

Mr. Sehlhorst moved, seconded by Mr. Collier to accept the resignation of Drew Probst, seasonal service department/park employee, effective July 5, 2013. Roll Call: Yeas (5) Messrs: Sehlhorst, Collier, Burrell, Kingsley, and McGarrity.

The Mayor presented the June Mayor's Court report.

Mr. McGarrity moved, seconded by Mr. Collier to adjourn for the public hearing for the 2014 budget. Roll Call: Yeas (5) Messrs: McGarrity, Collier, Burrell, Kingsley, and Sehlhorst. Nays (0), motion approved.

Mr. Burrell moved, seconded by Mr. Collier to end the public hearing and return to regular session. Yeas (5) Messrs: Burrell, Collier, Kingsley, McGarrity, and Sehlhorst. Nays (0), motion approved.

Mr. Steiner moved, seconded by Mr. Sehlhorst to exit from executive session. Roll Call: Yeas (6) Messrs: Steiner, Sehlhorst, Burrell, Collier, Kingsley, and McGarrity. Nays (0), motion approved.

Mr. McGarrity moved, seconded by Mr. Burrell to approve the 2014 budget as presented. Roll Call: Yeas (5) Messrs: McGarrity, Burrell, Collier, Kingsley, and Sehlhorst. Nays (0), motion approved.

Mr. Kingsley moved to adjourn.

MAYOR

FISCAL OFFICER

Village of Bluffton
Bills to be paid
7/22/2013

PAYROLL:

Village \$ 38,147.22

TOTAL PAYROLL \$ 38,147.22

NON-PAYROLL:

Aramark	Uniforms	\$	396.85
BP	Gasoline	\$	2,261.21
Bluffton Chamber of Commerce	Membership Investment	\$	120.00
Bluffton Flying Service	Management Fee	\$	4,500.00
Bluffton Precast Concrete	Adjusting Ring	\$	45.00
Choice One	Bikepath Engineering	\$	10,360.70
Community Markets	Training Supplies	\$	44.68
Engelhardt Landscaping	Landscaping- Snider & Kibler	\$	2,597.00
Gary's Repair	Equipment Maintenance	\$	79.92
Hancock-Wood	Electricity	\$	198.16
Jobes Henderson	Environmental Study- Communication Tower	\$	11,015.00
Nancy Kindle	Reimburse Supplies- Pool	\$	134.64
Kleem	Street Signs	\$	195.94
Abigail Michael	Reimburse Pre-employment Physical	\$	63.25
OP Aquatics	Chlorine	\$	1,140.83
Petty Cash	Police	\$	44.00
Ohio Police & Fire Pension	June Employer Share	\$	4,176.86
Sam's Club	Vending Items	\$	1,493.55
Shell Fleet Plus	Gasoline	\$	723.70
Sherwin Williams	Road Paint	\$	195.00
Staples- Business	Janitorial Supplies	\$	1,030.07
Stratton Greenhouses	Tree Gator	\$	432.00
ACH Treasurer of State	Court Costs	\$	397.50
Verizon	Cell Phone- Service Dept	\$	51.82
Dominion	Natural Gas	\$	281.47

Total Non-Payroll \$ 41,979.15

Mayor/ Council President

X: Then and Now Approved by Council

**To: Mayor Gallant
Council Members**

Sidewalks

The recently enacted Sidewalk Ordinance and specifications is now available on the Village's website (www.bluffton-ohio.com). In addition to these documents, there is also a document containing frequently asked questions concerning the sidewalk program. This document is also attached to this report and is available at the Town Hall as well.

Aggregation Opt-Out Letters

Bill Bradish from Palmer Energy has confirmed that First Energy is scheduled to mail the opt-out letters to eligible residents in Bluffton the week of July 22, 2013. This long awaited mailing will finally initiate the Village's participation in the electrical aggregation contract with First Energy through the County Commissioners Association of Ohio's contract.

Survey Work

Representatives from Bacon and Associates are currently working on surveying and pinning the public right-of-way of streets where new sidewalks are to be installed so that the Village and property owners have an accurate point of reference as to the limits of the right-of-way.

Bentley Road Culvert

The Allen County Engineer has advised the Village that the culvert on Bentley Road South of I-75 needs to be replaced. The culvert is located within the corporation limits and is therefore our responsibility to maintain. The Allen County Engineer's Office has offered its' assistance by designing the project and is willing to perform the replacement project at the Village's cost if so approved. Attached is an estimate for the cost of the work. Due to the condition of the culvert, it is recommended that the project be completed sooner rather than later. County officials are inspecting the culvert on a near daily basis. I would recommend that we accept the Engineer's Office's proposal to replace the culvert. It is estimated that the project would take a week to complete and I would like to have it completed prior to the school year starting and the added school bus traffic.

Sewer Camera

The Service Department's Pipeline Inspection Camera (sewer camera) has reached the point that it needs to be replaced- it is currently inoperable. The current unit is nearly ten years old and the cost to repair it, coupled with its age and technological level (VCR tapes), leads me to recommend that we replace the unit. The Service Department received four estimates on a comparable unit- the industry standard now is digital recording rather than a VCR- and the lowest estimate was for the Electric Eel model for \$8,325. The other three ranged from \$8,500 to \$9,900. I am recommending that the Village purchase the new sewer camera to replace the current unit that is inoperable.

Swimming Pool

We have now passed the mid-way point of the pool season. In past years, the Village has offered half-season passes at this time at a reduced price. I am recommending that the Village repeat this practice and offer season passes starting on July 23rd at a 50% reduced price for the remainder of the 2013 pool season.

On Thursday, July 25th, the Pool will be hosting a “Christmas In July” day complete with decorations, music and other holiday favorites.

On Sunday, August 4th the pool will be holding the inaugural “Season Pass Appreciation Swim Night”. This is a new event this year to thank individuals and families for their support of the Bluffton Community Swimming Pool through their patronage and purchase of Season Passes. While details of the event are still being finalized, the Mayor and members of Council are invited to participate in the event if they would like to.

Certified Public Record Training

The Village of Bluffton will be sponsoring a Certified Public Record Training seminar on Friday, January 24, 2014 at the Town Hall from 10:00 AM – 1:15 PM. There is no cost for the required training. The seminar will be conducted by the Auditor of State’s office. This training is a requirement of elected government officials pursuant to ORC §109.43. Per statute the training is a mandatory 3 hours in length and must be attended by that official (or attendance by their selected designee) once per term in office. Individuals attending must attend the entire three hours to be considered completed. In the past, due to traveling to locations for the required seminar, I have been the designated attendee on behalf of Village elected officials. I contacted the Auditor’s Office and offered to host the seminar since we have the facilities to do so and to negate the traveling. We will need to have at least 35 registered attendees to hold the seminar. Considering the training will take place right after the terms of those elected officials elected in the November 2013 elections start, I think the timing will be ideal for adequate attendance. The Auditor’s Office will advertise the seminar on their website, and we can get the word out locally. Online registration will be available through the Auditor of State’s website.

Executive Session Request

I would like to request an Executive Session for Contracts during Monday evening’s Council Meeting.

Sidewalks FAQ

1. Why is the Village telling me to repair or replace my sidewalk?

The Village Council, after much debate and discussion, determined that having safe, well constructed and repaired sidewalks in residential areas of the Village will enhance safety, provide for unobstructed pedestrian traffic and contribute to a better overall quality of life for residents of the Village. All residential areas of the Village will have sidewalks within 3 to 4 years under this plan.

2. I don't see any problems with my sidewalks? Why did I get a letter?

The Village's inspector has looked at your sidewalk and made a determination that it does not meet current standards for safety, repair and/or meet current design specifications. These criteria attempt to be uniform throughout the Village.

3. My property has never had sidewalks, why do I need to install them now?

This is part of the overall plan for residential areas. Even if no sidewalks exist, residential areas will be expected to have sidewalks as part of this 3 to 4 year program.

4. How long do I have to repair, replace or install sidewalks?

You will have approximately one building season to repair or install sidewalks ON YOUR OWN. If you do not, then your sidewalk will be repaired or installed by the Village under a contracted project for your area during the NEXT building/construction season. After that, the costs will be assessed to the property taxes and paid in a lump sum or over 7 years, with a 2% administrative fee charged by Allen County, with property taxes

5. Do I have to hire a contractor to perform the work?

You do not have to hire a contractor if you can do the work yourself and meet all of the specifications for sidewalks. Unless you are skilled in this kind of concrete work, however, the Village would advise that you hire a reputable contractor of your choice to avoid having to have the work rejected and redone at your cost.

6. What happens if I don't repair, replace or install my sidewalks?

As stated above, the Village will do it as part of a public works project and assess the property owner according to law.

7. The Village tried this before and didn't follow through- why will it be any different this time?

The Village understands that this was attempted before with little success. This time, a plan with specific time lines has been enacted, a means to address individual concerns or complaints has been put in place independent of the Village Administration and the Village has hired an employee whose main job will be spearheading this project through to completion.

8. Who owns the sidewalks: the Village or the property owner?

Sidewalks are part of the Right of Way for public roadways. Even where not paved, there is a part of the Right of Way that “looks” like your property but is accurately owned by the Village. Most deeds will have a clause that excepts out any easements or rights of way. The rights of way are established by plat of and area or subdivision and are of record in the County Recorder's Office.

9. Who is responsible for maintaining my sidewalks?

Sidewalk maintenance, even on public rights of way, can, and usually is, the responsibility of the adjacent property owner under Ohio Law.

10. How do I know where to install the sidewalks?

The Village will direct the proper placement of sidewalks. Once a property owner applies for a permit, the Village will issue instructions as to the placement of the sidewalk.

11. Does the walk have to go in a straight line?

Not necessarily, however, the sidewalk plan is to run with the street. If there are reasons for not having a straight sidewalk, the Village will allow it, within reason, or if the Village and the owner do not agree, it will be decided by an Appeals Board.

12. I have just a few cracks- do I have to replace my entire sidewalk?

Depending on the age and if the sidewalk is otherwise within the specifications established by the Village, replacement may be only of part of the entire sidewalk.

13. I have one section that has settled and I have a tripping hazard- how do I repair it?

This is part of the overall plan. To fix the problem, the owner or contractor should refer to the specifications passed by the Village and follow the advice of a knowledgeable contractor.

14. If the Village contracts the work and bills me, will there be any additional charges?

There could be some higher costs associated with the Village doing the work since an individual repair job might be cheaper when done individually rather than part of a large project. Assessment for sidewalks can be by the front foot. Until bids are let and accepted, there is no easy way to answer this question.

15. If it goes on my taxes for seven years is there any interest?

There is a 2% fee assessed by the County Auditor and the Costs of Assessment may include the costs of borrowing by the Village before the amount is placed on the property tax bill.

16. What about objects in the way: trees, landscaping, fire hydrants, utility poles, etc.?

These issues will be dealt with on an individual basis based upon the type of object and cost of movement of the object. Fire hydrants are examples of objects that would most likely NOT be moved. Minor landscaping would be moved. Trees would have to be individually assessed during the permitting process.

17. Who is responsible for the sidewalk leading to shared driveways and alleys?

Alleys are the responsibility of the Village. Shared driveways are the responsibility of the property owners and should be worked out by agreement or by reference to the parties shared drive way agreements.

18. Why does my brick sidewalk need to be replaced when the Village has bricks on Main Street?

The Bricks on Main Street were installed as part of an overall plan for the Downtown Business district and installed professionally to specifications that insure they will not be a hazard. They should last as long as the concrete. Additionally, the bricks on Main Street are separate from the five-foot wide sidewalk- on a residential street their location would be considered in the tree lawn. If a neighborhood presents a comprehensive plan for brick sidewalks that can be shown to be as safe and durable as the sidewalks as set forth in the Village's specifications, that could be a possibility, however, alternating brick and concrete sidewalks would not be practical or safe.

19. Will sidewalks be required on every street in Bluffton?

With very few exceptions, any area of the Village where there are homes or apartments will have sidewalks.

20. How much does a sidewalk permit cost and why do I need one?

A sidewalk permit costs nothing. It is needed for record keeping and inspection to make sure that any sidewalk put in by a property owner is installed correctly and that it is not make part of a later project.

21. A tree planted by the Village caused my sidewalk damage- do I have to pay for repairs?

Sidewalks are the responsibility of the property owner regardless of the "cause" of the problem. So, yes. However, if the tree would continue to cause issues with any new sidewalk, the Village may remove it so that no issues are caused in the coming years.

22. Where can I get a copy of the sidewalk construction specifications?

Sidewalk construction specifications are available at the Bluffton Town Hall and on the Village's website at www.bluffton-ohio.com.

23. What if I do not agree with the Village's determination to repair, replace or install a sidewalk?

An Appeals Board has been established by the Village Council to address disagreement with the Village's determination to repair, replace or install a sidewalk. To initiate the appeals process, a property owner should submit a letter stating their case to the Village Administrator.

24. General questions regarding the sidewalk program should be directed to whom?

General questions regarding the sidewalk should be directed to Jerry Cupples, Inspector. He can be reached at 419-358-2066 Ext: 102 or at cupplesj@bluffton-ohio.com.



Project Maintenance Estimate

Allen County Engineer
1501 N. Sugar Street

Lima, Ohio 45802-1138
Phone: 419-228-3196 Fax: 419-227-2920



Billed To: BLU
Village of Bluffton
100 E. Elm Street
Bluffton, OH 45817-

Invoice Date 7/15/2013

JobID	180	Job Location	Bentley Road just south of Gratz Road. Structure # RIC-239-1.04.
Job Started	9/9/2013	Job Description	Remove existing flagstone culvert and replace with 48"x76" elliptical reinforced concrete pipe equivalent to 60" round pipe. This structure will have concrete cradels on each end and riprap around the inlet and outlet of the new pipe. Flowable fill will be placed around the pipe under the roadway. Seeding and mulching the project will also be done.
Job Completed	9/13/2013		

Stone and Materials Used

<i>Drainage Item Description</i>	<i>Quantity</i>	<i>Unit Price</i>	<i>Subtotal</i>
Reinf. Conc. Pipe Elliptical 48"x 75"	72	\$216.30	\$15,573.60
Pitch 5 gallon	2	\$50.00	\$100.00
Flowable Fill (LSM) 100	20	\$72.50	\$1,450.00
Rip-Rap (Type B & C)	40	\$15.00	\$600.00
Straw	10	\$3.50	\$35.00
Seed - Grass	50	\$1.56	\$78.00
Asphalt	10	\$65.00	\$650.00
Stone	120	\$7.55	\$906.00
Misc. Materials	5	\$100.00	\$500.00
Half-Headwall	2	\$500.00	\$1,000.00
Drainage Material Total			\$20,892.60

Stone Cost	\$0.00
Material Cost	\$20,892.60
Labor Cost	\$4,256.40
Equipment Cost	\$3,593.00
Total Cost	\$28,742.00

Total Estimate of Job	\$28,742.00
------------------------------	-------------