

**COUNCIL MEETING
AGENDA
September 15, 2014
8:00 PM
BLUFFTON TOWN HALL**

MINUTES September 3, 2014

BILLS

ORDINANCE NO. 09-14 **2ND READING**

AN ORDINANCE ENACTING COUNCIL RULES SETTING FORTH THE SELF GOVERNING RULES OF PROCEDURE FOR THE COUNCIL OF THE VILLAGE OF BLUFFTON IN THE CONDUCT OF ITS LEGISLATIVE PROCEEDINGS AND OTHER MATTERS.

ADMINISTRATOR'S REPORT

SAFETY

MEETING DATES

September 15, 2014	Streets, Alleys, Lights and Sidewalks Committee	6:00 PM
September 15, 2014	Council	8:00 PM
September 27, 2014	Flag Pole Dedication Ceremony	9:00 AM
October 6, 2014	Council	8:00 PM

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

Mr. Sehlhorst moved, seconded by Mr. Collier to approve the minutes of the regular council meeting held on August 18, 2014. Roll Call: Yeas (5) Messrs: Sehlhorst, Collier, Burrell, Steiner, and Warren. Nays, (0), motion approved.

Mr. Collier moved, seconded by Mr. Steiner to approve the bills as presented. Total non-payroll of \$184,310.76 and payroll of \$43,666.78. Roll Call: Yeas (6) Messrs: Collier, Steiner, Burrell, Sehlhorst, and Warren. Nays (0), motion approved.

Mr. Steiner moved, seconded by Mr. Warren to approve the hiring of DeAngelo Welch as a part-time patrol officer. Roll Call: Yeas (5) Messrs: Steiner, Warren, Burrell, Collier, and Sehlhorst. Nays (0), motion approved.

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

Mr. Steiner moved, seconded by Mr. Burrell to approve the first reading of Ordinance No. 08-14: 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. Roll Call: Yeas (5) Messrs: Steiner, Burrell, Collier, Sehlhorst, and Warren. Nays (0), motion approved.

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

Mr. Burrell moved, seconded by Mr. Warren to approve the first reading of Resolution No. 08-14: A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY. Roll Call: Yeas (5) Messrs: Burrell, Warren, Collier, Sehlhorst, and Steiner. Nays (0), motion approved.

The Fiscal Officer announced the following meetings:

September 4, 2014	Tree Commission	7:30 PM
September 8, 2014	Safety Services	11:30 AM
September 11, 2014	Utilities Committee	4:30 PM
September 15, 2014	Streets, Alleys, Light, & Sidewalks	6:00 PM
September 15, 2014	Council	8:00 PM

Mayor set Trick-or-Treat for Thursday, October 30, 2014 from 6:00-7:30pm.

Mr. Warren moved, seconded by Mr. Sehlhorst to exit from regular session and into public hearing for an alley vacation. Roll Call: Yeas (5) Messrs: Warren, Sehlhorst, Burrell, Collier, and Steiner. Nays (0), motion approved.

Mr. Warren moved, seconded by Mr. Sehlhorst to close the public hearing and return to regular session. Roll Call: Yeas (5) Messrs: Warren, Sehlhorst, Burrell, Collier, and Steiner. Nays (0), motion approved.

Mr. Burrell moved, seconded by Mr. Collier to table the issue of closing the alley as requested by Mittendorf/Althaus. Roll Call: Yeas (5) Messrs: Burrell, Collier, Sehlhorst, Steiner, and Warren. Nays (0), motion approved.

Mr. Burrell moved, seconded by Mr. Collier to declare as surplus, items presented by the village administrator. The items include a vehicle no longer in operation and items damaged during the water leak at Town Hall. Roll Call: Yeas (5) Messrs: Burrell, Collier, Sehlhorst, Steiner, and Warren. Nays (0), motion approved.

Mr. Steiner moved, seconded by Mr. Warren to approve a contract with CT Consultants for design, soil bearing, and easement work associated with the West Side Interceptor project, not to exceed \$85,000.00. Roll Call: Yeas (5) Messrs: Steiner, Warren, Burrell, Collier, and Sehlhorst. Nays (0), motion approved.

Mr. Steiner moved, seconded by Mr. Collier to purchase two (2) firearms from Vance's for full-time officers, at a cost of \$824.00. Roll Call: Yeas (5) Messrs: Steiner, Collier, Burrell, Sehlhorst, and Warren. Nays (0), motion approved.

Mr. Steiner moved, seconded by Mr. Collier to approve a three (3) year commitment of \$1000/year (2015-2017) to the Blanchard River Watershed Partnership. Roll Call: Yeas (5) Messrs: Steiner, Collier, Burrell, Sehlhorst, and Warren. Nays (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Warren to appoint Everett Collier as the council liaison to the Pathway Board. Roll Call: Messrs: Sehlhorst, Warren, Burrell, and Steiner. Nays (0). Mr. Collier abstained, motion approved.

Mr. Warren moved, seconded by Mr. Burrell to appoint Mitch Kingsley as the citizen representative to the Pathway Board. Roll Call: Yeas (5) Messrs: Warren, Burrell, Collier, Sehlhorst, and Steiner. Nays (0), motion approved.

Mr. Steiner moved, seconded by Mr. Sehlhorst to add Ordinance No. 09-14: AN ORDINANCE ENACTING COUNCIL RULES SETTING FORTH THE SELF GOVERNING RULES OF PROCEDURE FOR THE COUNCIL OF THE VILLAGE OF BLUFFTON IN THE CONDUCT OF ITS' LEGISLATIVE PROCEEDINGS AND OTHER MATTERS to the agenda. Roll Call: Yeas (5) Messrs: Steiner, Sehlhorst, Burrell, Collier, and Warren. Nays (0), motion approved.

Mr. Steiner moved, seconded by Mr. Collier to approve the first reading of Ordinance No. 09-14: AN ORDINANCE ENACTING COUNCIL RULES SETTING FORTH THE SELF GOVERNING RULES OF PROCEDURE FOR THE COUNCIL OF THE VILLAGE OF BLUFFTON IN THE CONDUCT OF ITS' LEGISLATIVE PROCEEDINGS AND OTHER MATTERS. Before a vote was taken, Mr. Warren moved, seconded by Mr. Burrell to amend this ordinance, Rule 36, section F regarding presiding officer for executive sessions to state that the mayor presides over executive sessions. Roll Call: Yeas (5) Messrs: Warren, Burrell, Collier, Sehlhorst, and Steiner. Nays (0), motion approved. After the amendment passed, role was called for the passage of the first reading as follows: Yeas (5) Messrs: Steiner, Collier, Burrell, Sehlhorst, and Warren. Nays (0), motion approved.

Jerry Cupples spoke to Council in regards to the flag pole dedication at Town Hall. The dedication will be held September 27, 2014 at 9am. Mr. Cupples encouraged all of Council and the Mayor to attend.

Mr. Warren moved, seconded by Mr. Burrell to enter into executive session for the discussion of personnel-discipline of employee(s), Council, Mayor, and Solicitor only. Roll Call: Yeas (2) Messrs: Warren and Burrell. Nays (3), Messrs: Collier, Sehlhorst, and Steiner. Motion failed.

Mr. Burrell moved to adjourn.

MAYOR

FISCAL OFFICER

Village of Bluffton
Bills to be paid
9/15/2014

PAYROLL:

Village	\$ 36,342.02
Fire & Rescue	\$ 4,246.03
TOTAL PAYROLL	\$ 40,588.05

NON-PAYROLL:

Allen Co Engineer	2014 Striping & Painting	\$ 6,403.20	X
Alloway	Lab Analysis	\$ 127.50	
Bailey's	Police Uniforms	\$ 226.00	
Bluffton Flying Service	Management Fee	\$ 4,500.00	
Bluffton Stone	Stone	\$ 146.72	
Masterpiece Signs	Sign- Park	\$ 125.62	
Great Lakes Billing	EMS Run Collection Fees	\$ 546.98	
Hancock- Wood	Electricity	\$ 208.16	
Marsh View	Burials & Foundations	\$ 8,606.00	
AEP	Electricity	\$ 6,127.81	
Oleson's Concrete	Alley Approach Repair	\$ 1,288.00	
Village of Ottawa	Water Usage	\$ 35,250.03	
Overhead Door Co	Hanger Door #2 Repair	\$ 277.50	
Ohio Police & Fire Pension	Employer Share- August	\$ 7,510.77	
KOI Enterprises	Vehicle Maintenance	\$ 272.34	
Time Warner Cable	Internet	\$ 683.15	
Treasurer of State	2014 Fiscal Officer Training	\$ 65.00	
Treasurer of State	VFFDF Assessment	\$ 150.00	
Utility Sales Agency	Water Line Parts	\$ 673.43	
W.C.O.I.L.	Internet	\$ 4.95	
Total Non-Payroll		\$ 73,193.16	

 Mayor/ Council President

X: Then and Now Approved by Council
 A: Addition to list

ORDINANCE NO. 9-14

AN ORDINANCE ENACTING COUNCIL RULES SETTING FORTH THE SELF GOVERNING RULES OF PROCEDURE FOR THE COUNCIL OF THE VILLAGE OF BLUFFTON IN THE CONDUCT OF ITS LEGISLATIVE PROCEEDINGS AND OTHER MATTERS

WHEREAS, the Council of the Village of Bluffton Ohio finds is necessary to provide for rules governing its own procedures, the conduct of meetings and other matters essential for the clear and orderly conduct of public business, it is

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

SECTION 1: There shall be rule of procedure for the Village of Bluffton Council known as and referred to as "Council Rules" a true and accurate copy of which is attached hereto and incorporated herein by reference.

SECTION 2: 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

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Council Rules
Village of Bluffton, Ohio
Adopted October of 2014

Rule 1 – Legislative Authority

The legislative power of the Village shall be vested in, and exercised by, Bluffton Village Council, composed of six members, who shall be elected by the electors of the Village at large, for terms of four years (RC 731.09)

The powers of Bluffton Village Council shall be legislative only, it shall perform no administrative or operational duties, and it shall neither appoint nor confirm any officer or employee in the Village government except those of its own body, except those specifically provided for by law in Title VII of the Ohio Revised Code (RC). All contracts requiring the authority of the legislative authority for their execution shall be entered into and conducted to performance by the board or officers having charge of the matters to which they relate. After the authority to make such contracts has been given and the necessary appropriation made, the legislative authority shall take no further action thereon.

Each member of Bluffton Village Council shall have resided in the Village one year immediately preceding the member's election, and shall be an elector of the Village. No member of Bluffton Village Council shall hold any other public office, be interested in any contract with the Village, or hold employment with the Village, except that such member may be a notary public, a member of the state militia, or a volunteer fireman or volunteer EMS of the Village, provided that such member shall not receive any compensation for his services as a volunteer fireman of the Village. Any member who ceases to possess any of such qualifications or who removes from the Village shall forfeit the member's office. (RC 731.12)

Members of Bluffton Village Council shall not receive any compensation beyond their regular council payment. A member of Bluffton Village Council who is a volunteer firefighter or volunteer EMS is **prohibited** from participating in the following areas: matters that have a definite and direct impact upon the individual officials and employees of the fire department; voting, discussing, deliberating, or taking any other action on matters that affect the individual interests of any member of the Village Fire Department personnel (i.e., the council member would be prohibited from discussing, deliberating about or otherwise participating in decisions before Council affecting the employment, compensation, or benefits for the Fire Chief or other fire personnel); matters such as changes in compensation or benefits determined by individual working conditions, the assignment of duties, evaluations, and actions involving promotions, discipline, lay-offs, termination, the signing of warrants and checks, that directly involve the individual interests of any official or employee of the fire department.

A member of Bluffton Village Council who is a volunteer firefighter **may participate** in matters that affect all fire department personnel, uniformly and without unique or special benefit to any particular fire official or employee. The Council member may participate in the following matters: general budgetary matters and appropriations of funds to the fire department; and the purchase of equipment so long as there is no definite and direct unique or particular benefit, for the individual members of the fire department.

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Rule 2 – President Pro Tempore or Council President

At the first regular meeting in January of each year, the Council shall immediately proceed to elect a President Pro Tempore, who shall be titled Council President, from its own number, who shall serve until the first meeting in January next after his or her election. When the Mayor is absent from the Village or is unable, for any cause, to perform his or her duties, the President Pro Tempore shall be the Acting Mayor, and shall have the same powers and perform the same duties as the Mayor. (RC 731.10)

When the President Pro Tempore becomes the Mayor, the Council shall elect another President Pro Tempore from its own number, who shall serve until the first meeting in January next after their election and have the same rights, powers, and duties as his or her predecessor. (RC 731.11) R.C. 731.43(A) (1) provides that under this circumstance, “the successor shall hold office *only* for the period the President Pro Tempore of Bluffton Village Council holds the office of Mayor.” Therefore, if the President Pro Tempore is not elected Mayor, that individual would return to their former council seat and the person appointed to fill the position when the President Pro Tempore became Mayor would no longer be a council member.

Rule 3 – Presiding Officer

The Mayor shall be the Presiding Officer of Bluffton Village Council and shall preside at all regular and special meetings thereof, but shall have no vote except in case of a tie. (RC 733.24)

When the Mayor is absent from the Village or is unable, for any cause, to perform his or her duties, the President Pro Tempore shall be the Presiding Officer. (RC 733.25)

The Mayor or Presiding Officer may, during the Council meeting, call any member of the Council to the Chair to serve as Presiding Officer, but this substitution shall not continue beyond adjournment.

In the absence of both the Mayor and President Pro Tempore, the Council shall appoint a temporary presiding officer by a majority of the members present not to continue beyond adjournment.

The Mayor or Presiding Officer shall take the chair at the hour appointed for the Council meeting to start, and shall immediately call the Council members to order. The Presiding Officer shall then determine if a quorum is present and the Village Fiscal Officer shall enter on the minutes the names of the members present.

Rule 4 – Mayor

The Mayor of the Village shall be elected for a term of four years, commencing on the first day of January next after his or her election. The Mayor shall be an elector of the Village and shall have resided in the Village for at least one year immediately preceding his or her election. The Mayor shall be the chief conservator of the peace therein and shall have the powers and duties provided by laws. The Mayor shall be the Presiding Officer of Bluffton Village Council. The

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Mayor shall preside at all regular and special council meetings thereof, but shall have no vote except in cases of a tie vote. (RC 733.24)

The Mayor shall be sworn into office on or prior to the beginning of his or her term. When the Mayor is absent from the Village, or is unable for any cause to perform his or her duties, the President Pro Tempore of Bluffton Village Council shall be acting Mayor. In the case of the death, resignation or removal of the Mayor, the President Pro Tempore shall become the Mayor and shall hold the office until his or her successor is elected and qualified. Such successor shall be elected to the office for the unexpired term, at the first regular municipal election that occurs more than forty days after the vacancy has occurred; except that when the unexpired term ends within one year immediately following the date of such election, an election to fill such unexpired term shall not be held and the President Pro Tempore of the Council shall hold the office for such unexpired term. (RC 733.25)

When the President Pro Tempore becomes the Mayor, a successor shall be appointed to Council to hold office only for the period the President Pro Tempore of Bluffton Village Council holds the office of Mayor. (RC 731.43)

Rule 5 – Village Fiscal Officer

The Village Fiscal Officer shall be appointed under this section and shall perform the duties provided by law for the Village Clerk and Treasurer and any other duties consistent with the nature of the office that are provided for by Village ordinance.

The Village Fiscal Officer shall be appointed by the Mayor of the Village, but that appointment does not become effective until it is approved by a majority vote of the Bluffton Village Council. The Village Fiscal Officer need not be an elector of the village or reside in the village at the time of appointment; however, the Village Fiscal Officer shall become a resident of the village within six months after the appointment takes effect, unless an ordinance is passed approving the Village Fiscal Officer's residence outside of the village.

The Village Fiscal Officer may be removed without cause either by the Mayor with the consent of a majority of the members of the Bluffton Village Council or by a three-fourths vote of Bluffton Village Council with or without the consent of the Mayor. (R.C. 733.262)

Rule 6 – Council Vacancies

When the office of a member of Council becomes vacant, the vacancy shall be filled by election by Council for the unexpired term. If Council fails to act within thirty days to fill such vacancy, the Mayor shall fill the vacancy by appointment. (RC 731.43)

The thirty day period commences either on the effective date of the member's resignation, the date of the member's expulsion or the member's date of death.

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Whenever a vacancy exists in the membership of Council, the Village Fiscal Officer shall notify the local newspaper within 5 days that such vacancy exists and that the Mayor and Council will accept applications from qualified citizens who desire to fill the vacancy. Such notification shall also be published in a newspaper of general circulation within the in the Village. Individual interviews for the position shall be conducted at a special meeting in executive session with candidates called by the Council as a committee of the whole prior to the thirty day deadline. Provided, however, that a majority of the remaining members of the Bluffton Village Council may suspend this part of the rule by vote taken at a regular meeting.

Rule 7 – Council Resignation

Any member of Council who desires to resign their term of office shall submit their resignation in writing to the Mayor and Council and such resignation shall take effect when the same has been accepted by a vote of the majority of the members present, exclusive of the person tendering their resignation. The effective date of the resignation is either the date the resignation is accepted by the Council or the date the member indicates in writing that their resignation is effective, whichever is later.

Rule 8 – Standing and Special Committees

There shall be eight standing committees appointed of one or two members each. All standing and special committee chairmen and members shall be appointed by the Mayor. Whenever possible the Mayor shall ensure that the previous committee chairman remains on the committee for at least one year after being replaced as chairman.

The standing committees are as follows:

- Finance Committee
- Safety Services
- Utilities
- Recreation
- Streets, Alleys, Lights and Sidewalks
- Personnel
- Insurance
- Ordinance

The following are commissions and boards established by Council that have independent standing and jurisdiction over specific subject matters:

- Tree Commission
- Cultural Affairs
- Planning Commission
- Allen County Health Board
- Regional Planning
- Airport Commission

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Joint Water Advisory Board
Sidewalk Review Board
Pathway Board

Special and ad hoc committees shall be formed whenever deemed appropriate by the Mayor.

The Mayor may appoint any elector to serve as a non-voting auxiliary member of any Standing, Special or Ad Hoc committee when, in the Mayor's discretion, that appointment would aid the committee with special knowledge, skill or experience and would be in the best interests of the Village of Bluffton. Such auxiliary members shall participate fully in the work of the committee but cannot vote on any proposal before the committee unless authorized by law or ordinance.

The Mayor, by virtue of his or her office, shall be an ex officio member of all standing, special and ad hoc committees.

Rule 9 – Committee Responsibilities

A committee shall:

_ Follow Council direction in matters referred to it

_ Normally be expected to investigate or study a given problem or need, taking no decisive action itself but to submit a report and recommendations to Council

_ Within its area of responsibility assume both short and long range study plans and needs, work to establish desirable economic, budgetary, and work standards

_ Act in an advisory capacity, reporting to Council for action. The committee shall assume no direction nor issue any orders in conflict with the executive officers of the Village, or the law.

_ The members of a committee shall meet on the call of the chairman, who shall be the first named person on the committee assignment listing appointed by the Mayor. In the case of the absence of the chairman, the person named second on the committee listing shall be recognized as chairman.

_ The chair of the committee shall designate a committee member or Village employee to keep a record of the proceedings, and of all motions and other matters passed or adopted, including committee members and staff present.

_ Absent extenuating circumstances, a draft of such record, also referred to as the minutes, shall be sent to the Village Fiscal Officer within five calendar days of the meeting but no later than the deadline for inclusion with the Council packet for the next regular meeting of Village Council and shall indicate the preparer of such draft minutes. Upon receipt of the draft minutes, the Village Fiscal Officer shall promptly arrange for them to be made available for public inspection.

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The reports of all committees shall be in writing, shall be agreed to in committee assembled, and shall not be presented unless approved by a majority of the committee, and the papers referred shall be returned with the report. Nothing in this section shall be construed to prevent the introduction of minority reports. Any minutes submitted herein shall be placed in the Official Proceedings of the Village and are public record for all purposes.

Rule 10 – Council Meetings

Council meetings may be held at such time and place as is prescribed by ordinance and shall, at all times, be open to the public. (RC 731.46)

Regular meetings of the Council shall be held in the Council Chambers of the Town Hall at 8:00 p.m. official time, on the first and third Monday of each month. When any regular meeting of the Council falls on a legal holiday, or on an election day, the Council shall meet in regular session on a pre-determined date, place and time. The Mayor shall provide a schedule of regular meetings for the year at the first Council meeting of each year. Special meetings may be called by the Mayor or any three members of Council providing at least twelve hours' notice is given to each member, served personally, made by one of email or text message to the member's address or phone number or left at their usual place of residence. Members shall be advised when any special meeting is cancelled promptly. (RC 731.46)

At the first Regular Council meeting in January of each year, and at such other times as the Mayor deems expedient, the Mayor shall report to Council Concerning the Affairs of the Village and recommend such measures as seem proper to the Mayor. (RC 733.41)

Council shall adjourn its meetings no later than 11:00 p.m. official time, and in the event that business has not been completed, Council shall adjourn on a day to day basis until the same is completed.

Any member of the public desiring to be heard before Council or to introduce any business before Council, must notify the Village Fiscal Officer in writing by the Friday or the last business day of the week prior to the Regular or Special Council meeting in order to be placed on the agenda for the meeting setting forth their name and general topic to be addressed. Each person shall be granted five minutes to address the council.

The Mayor or Presiding Officer may at their discretion recognize members of the public without prior notification. Discussion by any individual shall be limited to five minutes, or longer at the discretion of the Mayor or Presiding Officer or Council by vote of a majority of those present.

The Village Fiscal Officer shall keep a record of the proceedings, and of all motions, rules, by-laws, ordinances and resolutions passed or adopted. Absent extenuating circumstances, a draft of such record, also referred to as the minutes, shall be sent to the Village Council Members, Mayor, Department Heads and made available for public inspection on the Friday or the last business day of the week prior to each regular council meeting absent extenuating circumstances.

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The minutes of a meeting shall be reviewed, amended and approved at the next regular council meeting.

The Village Fiscal Officer shall provide public documents for inspection by interested members of the public. In the case of the absence of the Village Fiscal Officer during a Council meeting, such legislative authority may appoint an alternate person to record minutes of the meeting.

The Village Administrator shall be notified by the Mayor, Committee Chairmen, Department Heads or the Village Solicitor of matters to be presented, including ordinances and resolutions, in order that they may be listed on the meeting agendas, and placed in Council packets prior to the Council meeting. It is the intent of Council that it will consider only those items included in the agenda on the Friday or last business day of the week prior to the Regular Council meetings. Items received later than the Friday or last business day of the week prior to the Regular Council meetings, with the exception of bills to be paid, may be added to the agenda by motion passed by a majority of Council.

The Village Administrator shall prepare an agenda for every meeting, include any proposed legislation, written committee reports, written reports of any official, and other information deemed necessary for the conduct of business of the Council and such other matters as requested by Council.

Rule 11 – Attendance at Council Meetings

In addition to Council members and the Mayor, attendance at regular Council meetings shall ordinarily include the Village Fiscal Officer, Village Administrator, Assistant to the Administrator, Solicitor, Police Chief, Fire Chief and EMS Chief. It is encouraged that any listed person not able to attend a Council meeting notify the Mayor and Village Administrator at as soon as possible prior to the meeting.

Rule 12 – Order of Business

The business of regular council meetings shall be transacted in the following order unless agreed to by a majority of Council members:

- _ Call to Order by gavel or bell
- _ Stand for Pledge of Allegiance
- _ Establishment that a quorum is present
- _ Presentation of preliminary agenda and approval of any changes
- _ Public Hearings as required at pre-announced times.
- _ Approval of the minutes of prior meetings of the Council_
- _ Approval of bills.
- _ Old business – legislative items carried over from the prior meeting (readings, tabled items, second or third read of ordinances, etc.)
- _ New business – new ordinances and resolutions
- _ Reports:

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- Administrator
- Chiefs – Police, Fire, and EMS
- Standing Committees
- Special Committees
- Mayor

- _ Miscellaneous Business – Discussion of matters of general interest.
- _ Public presentations (The Presiding Officer may allow a member of the public to speak regarding specific matters out of order at his/her discretion..
- _ Meeting announcement by the Village Fiscal Officer
- _ Set up future committee meetings.
- _ Adjournment.

The Presiding Officer may at any time permit a member to introduce an ordinance, motion or resolution out of the regular order for the same unless it is objected to by a majority of the Council members present. At the start of each meeting, the Village Fiscal Officer will provide a register sheet to be signed at the door to show the name and address, of persons attending the meeting and give the sheet to the Presiding Officer during the meeting and then given, for deposit, to the Fiscal Officer for preservation with the records of the Village. The business of all meetings will commence at the point where the order of business at the preceding meeting was interrupted by its prior adjournment. This section does not apply to meetings called for purposes specially named. At those meetings, no other business except that specifically named in the call will be in order. All questions are to be stated and put by the chair, who shall decide all votes. In doubtful cases he or she may direct, or any member may call for, a division, which shall be taken by a rising vote.

Rule 13 – Council Quorum

A majority of all the members elected shall be a quorum, but a less number may adjourn from day to day and compel attendance of absent members in such manner and under such penalties as are prescribed by ordinance. (RC 731.44)

Rule 14 – Order and Decorum at Council Meetings – Regular Order

Regular Order shall be at the discretion of the Presiding Officer.

The Presiding Officer shall preserve order and decorum and confine members in debate to the question, subject to an appeal to the Council. Only those members who are recognized by the Presiding Officer may speak at any one time. Only Members of Council and the Presiding Officer may speak on public business before Council unless permitted by the Presiding Officer.

The Village Solicitor shall not participate in debates, however, with the permission of the Presiding Officer, the Village Solicitor may orally provide an opinion or comment upon a matter

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before Council. From time to time, the Presiding Officer may call upon the Village Solicitor for advice and counsel on procedure or other questions of law.

All remarks shall be directed to the Presiding Officer alone. Members shall not engage in cross debate, one with the other, or with other officials or persons in attendance at meetings. Any member may ask the Presiding Officer to address a question directly to another member or official of the Village but must receive approval before such question may be posed during a meeting.

In case of an appeal being taken, the question is: "Shall the decision of the chair stand as the decision of the Council?" If any member transgresses the Council Rules, the Council, the Mayor shall, or any Council member may, call him or her to order, in which case the member called to order shall cease any further debate and await the permission of the Presiding Officer before speaking again. In the case of an appeal, the member called to order and the Presiding Officer shall have the same right to make a statement. A majority vote of Council Members present shall decide the appeal.

The Presiding Officer shall have the right to suspend these rules at his or her discretion, however, upon the Presiding Officer calling for Regular Order, all members shall suspend debate and discussion and follow the procedure set forth in this rule.

At any Committee Meeting or Board Meeting, the Presiding Officer of that Meeting may also call for Regular Order and the forgoing rules shall be in effect for that meeting.

Rule 15 – Discipline of Council Members

The Council may punish or expel any member for disorderly conduct or violation of its rules, and declare his or her seat vacant for absence without valid excuse, where such absence has continued for two months. No expulsion shall take place without the concurrence of two thirds of the members elected and until the delinquent member has been notified of the charge against him or her and has had an opportunity to be heard. (RC 731.45)

The Presiding Officer shall warn any member of his or her violation and take corrective action as deemed appropriate. Should the conduct or violation continue, the Presiding Officer may suspend debate and the question to expel a member from the meeting shall be immediately in order without a second. Thereupon, the question of expulsion shall be up for debate with each member, including the offending member, being given two minutes to address the question. Thereafter, there shall be a roll call and expulsion shall only take place with the concurrence of two thirds of the members elected to Council.

Rule 16 – Council Rules

Bluffton Village Council shall determine its own rules and keep a journal of its proceedings. (RC 731.45)

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At the January organizational meeting of Council each year it shall be in order to make any amendments to the Council Rules. Should such amendments be approved by a majority of the Council, these rules shall be amended and such amendment shall be in full force and effect upon passage. The Council Rules must be in compliance with applicable Ohio Revised Code and Ohio Attorney General Opinions.

The Village Solicitor or in his or her absence the Village Fiscal Officer shall serve as parliamentarian during Council meetings however, the Presiding Officer's decision controls.

Rule 17 – Precedence

The order of precedence governing the conducting of business by Bluffton Village Council is as follows: Ohio Revised Code, Council Rules, and Robert's Rules of Order.

Rule 18 – Robert's Rules of Order

When Robert's Rules of Order are mentioned in this document they refer to Robert's Rules of Order, Newly Revised (the latest edition available). The Bluffton Village Council may suspend Robert's Rules of Order by a two-thirds vote of the members present.

Rule 19 – Suspension of Council Rules

Council shall have the authority to suspend Council Rules at any time they feel it is necessary by a vote of three-fourths of the members of the members present which shall be considered without debate. Provided, however, that Council cannot suspend any rule that incorporates the authority of the Ohio Revised Code unless the Ohio Revised Code provided that such rule may be suspended.

Rule 20 – Hearings before Council

When the Council is about to decide on an important issue, it may invite the public to appear and offer their views on the subject being discussed. They can also invite non-residents who have expertise in the subject. This is usually referred to as a hearing or town meeting. While under the main obligation of conducting its scheduled business within normal time limits, Council customarily accommodates visitors by providing a time of five minutes to each individual to hear their concerns or requests. When electors or any other persons desire to address Council and the time required may exceed the time usually available, Council may schedule a public hearing for such by arranging for a special time and place therefore. No person may speak until recognized by the Presiding Officer.

Rule 21 – Referral to Committee

Any new business brought before Council shall be referred to the proper committee, if such referral is deemed necessary or proper. If such referral is not needed, and the matter can be disposed of quickly, then such action should be taken at once. When communications are read, they may referred to committee immediately after being read by the Village Fiscal Officer. Prolonged argument, discussion and debate shall be avoided in the Council meeting. If the matter

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under consideration requires investigation and study or is of such a nature that long discussion may be required, it shall be referred to committee promptly by the Presiding Officer.

If any matters referred by the Council to any committee or officer are to be reported upon at the next regularly scheduled meeting as old business, such matters shall be brought by the Village Administrator to the attention of the Council by inclusion in the next meeting's agenda. Council may accept or reject any committee report in whole or in part.

Rule 22 – Referral to Committee of the Whole

There are times when a matter brought before Council will be referred to the Committee of the Whole. At any meeting of the Committee of the Whole, the Mayor shall preside. The Mayor shall inform the public in advance of the time and place of the meeting. Referral to this committee may take place when a major situation or problem arises on which it is felt that every member of the Council should have an opportunity to express themselves and debate the issue; discussion in the Regular Council meeting would consume too much time and interfere with the regular order of business; and the Council wants to ensure the participation of all Council members. The committee of the whole shall be governed by the Council Rules in deliberations, except that no limit is placed on time or frequency of speaking, that the previous question cannot be moved, and that the roll call cannot be demanded. The committee of the whole will report its recommendations or findings to Council. If the committee believes that further study or investigation is indicated, it may recommend to Council that the matter be referred to a standing or special or ad hoc committee. Any report of this committee shall be presented to Council, just as in the case of any other committee report.

Rule 23 – Legislation Presented to Council

Bluffton Village Council may amend or change the number, shape, area, or regulations of any zoning ordinance, but no such amendment or change shall become effective unless the ordinance proposing it is first submitted to the planning commission and the commission is allowed a reasonable time, not less than thirty days, for consideration and report. (RC 713.10)

Before any zoning ordinance, measure, regulation, or amendments thereto, authorized by the Revised Code, may be passed, Bluffton Village Council shall hold a public hearing thereon, and shall give at least thirty days' notice of the time and place thereof provided, however, that the Zoning Ordinance of the Village of Bluffton shall control the proceedings for these matters. (RC 713.12)

The Solicitor or Village Administrator has the primary responsibility of preparing legislation for Council consideration in the manner prescribed by law. Usually ordinances and resolutions will be introduced during a Council meeting by the Mayor. Members of the Council present may also introduce ordinances and resolutions. In addition, ordinances and resolutions may be presented to the Council upon written recommendation of a committee of the Council. When ordinances and resolutions are prepared they may be referred directly to Council or to the committee concerned with the subject matter of the ordinance or resolution. When they are submitted directly to the Council for action, the Council may refer the pending legislation to the appropriate committee or

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take action at the Council meeting. When applicable, the committee will only determine whether the subject matter has been fully covered. The committee will then report on the ordinance or resolution at the next Regular Council meeting. The committee will also furnish a copy of the ordinance or resolution to the Village Administrator for review and inclusion of the agenda for the next meeting.

Rule 24 – Passage of Ordinances and Resolutions

Each ordinance and resolution shall be read by title only, provided the Council may require any reading to be in full by a majority vote of the members elected thereto. Each ordinance or resolution shall be read on three different days, provided the Council may dispense with the rule by a vote of at least three-fourths of its members elected thereto. The vote on the passage of each ordinance or resolution shall be taken by roll call and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by laws, by a vote of at least a majority of all the members of the Council.

Actions by the Council, **not** required by law to be by ordinance or resolution, may be taken by motion approved by at least a majority vote of the members present at the meeting when the action is taken. (RC 731.17)

No ordinance, resolution, or bylaw shall contain more than one subject, which shall be clearly expressed in its title. No bylaw or ordinance, or section thereof, shall be revived or amended, unless the bylaw, ordinance, or section so amended shall be repealed. Each such bylaw, resolution and ordinance shall be adopted or passed by a separate vote of Bluffton Village Council and the roll call shall be entered upon the journal. (RC 731.19)

Ordinances, resolutions, and bylaws shall be authenticated by the signature of the Presiding Officer and Village Fiscal Officer. Such Ordinances and Resolutions shall be approved as to form by the Village Solicitor. Ordinances of a general nature or providing for improvements shall be published as provided by sections RC 731.21 and 731.22 of the Revised Code before going into operation. No ordinance shall take effect until the expiration of ten days after the first publication of such notice. As soon as a bylaw, resolution or ordinance is passed and signed, it shall be recorded by the in a book furnished by Bluffton Village Council for that purpose. (RC 731.20)

A succinct summary of each Village ordinance or resolution and all statements, orders, proclamations, notices, and reports required by law or ordinance to be published shall be published in a newspaper of general circulation in the Village of Bluffton, Ohio.

Proof of the publication and required circulation of any newspaper used as a medium of publication as provided by this section shall be made by affidavit of the proprietor of the newspaper, and shall be filed with the Fiscal Officer.

The publication shall contain the following notice:

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“The complete text of each ordinance or resolution may be obtained or viewed at the Bluffton Village Fiscal Officer’s office and on the Village web site”

The village solicitor shall review the summary of an ordinance or resolution published under this section prior to forwarding it for publication, to ensure that the summary is legally accurate and sufficient.

Upon publication of a summary of an ordinance or resolution in accordance with this section, the Fiscal Officer shall supply a copy of the complete text of each such ordinance or resolution to any person, upon request, and may charge a reasonable fee, set by the legislative authority, for each copy supplied. The clerk shall post a copy of the text at the clerk's office and at every other location designated by the legislative authority. (R.C. 731.21).

The publications required shall be for the following times: (RC 731.22):

- Ordinances and resolutions, or summaries of ordinances or resolutions, and proclamations of elections, once a week for two consecutive weeks
- Notices, once a week for two consecutive weeks
- All other matters shall be published once

Immediately after the expiration of the period of publication for ordinances or summaries of ordinances required by section 731.22 of the Ohio Revised Code, the Village Fiscal Officer shall enter on the record of ordinances, in a blank to be left for such purpose under the recorded ordinance, a certificate stating in which newspapers and on what dates such publication was made, and shall sign his or her name thereto officially. Such certificates shall be prima-facie evidence that legal publication of the ordinance or summary of the ordinance was made. (RC 731.24)

Every member present when a question is put shall vote, unless the member notifies the Council of their intention and reason for abstaining in lieu of their vote. Any member may demand the division of a question when the sense will admit thereof. Any member shall have the liberty to dissent from and protest against any ordinance, resolution, or order of the Council, and have the reason for their dissent entered upon the minutes. Each motion shall be seconded before discussion or further action thereon. (RRO 255)

Rule 25 – Reading of Ordinances and Resolutions

When ordinances and resolutions are presented to the Council, they shall be given a first reading at the Regular Council meeting or a special meeting called for such purpose. Resolutions shall be voted and acted upon in the same manner as ordinances. When an ordinance or resolution is presented, it shall be read by title by the Village Fiscal Officer. After debate, the roll call shall be called and it shall be set aside for second reading at the next meeting. When an ordinance or

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resolution is presented for a second reading, it shall be read by title by the Village Fiscal Officer. After debate, a roll call vote shall be called and it shall be set aside for third reading at the next meeting. When an ordinance or resolution is presented for a third reading, it shall be read by title by the Village Fiscal Officer. After debate, the roll call shall be called and the vote on the third reading shall be final.

Rule 26 – Majority Defined

Each ordinance or resolution shall be passed, except as otherwise provided by laws, by a vote of at least a majority of all the members of the Council. Actions by the Council, not required by law to be by ordinance or resolution, may be taken by motion approved by at least a majority vote of the members present at the meeting when the action is taken. (RC 731.17)

Rule 27 – Emergency Ordinances or Resolutions

Ordinances or other measures providing for appropriations for the current expenses of the Village, or for street improvements petitioned for by the owners of a majority of the feet front of the property benefited and to be especially assessed for the cost thereof, and emergency ordinances or measures necessary for the immediate preservation of the public peace, health, or safety in such municipal corporation, shall go into immediate effect. Such emergency ordinances or measures must, upon a roll call, receive a two-thirds vote of all the members elected to Bluffton Village Council, and the reasons for such necessity shall be set forth in one section of the ordinance or other measure. (RC 731.30)

Rule 28 – Amending Resolutions or Ordinances

It shall be in Order to amend a resolution or ordinance at any time, but if such ordinance or resolution is of a general or permanent nature and a material amendment is made any member may move to hold the resolution or ordinance over to the next regular meeting.

Rule 29– Limitations on debate

No member of the Council, while Council is in session, shall engage in debate or discussion with anyone save another member of the Council or the Mayor or a person who has been granted by the Presiding Officer the privilege to address the Council. All remarks shall be directed to the Presiding Officer unless otherwise permitted by the Presiding Officer.

It is the intent that all such debate or discussion shall be guided by Roberts Rules of Order (RRO). Every member when about to speak on a question, or make a motion, shall respectfully address the Presiding Officer, who shall pronounce the name of the member entitled to the floor. The member shall confine himself to the question under debate and shall avoid personalities. Discourteous language, personal attacks or other disruptive behavior shall be out of order and such member may have his or her debate suspended for such violations by the Presiding Officer.

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No member shall be allowed to speak, except from his own seat, nor more than once until every member choosing to speak shall have spoken, nor more than twice on the same subject without consent from the Presiding Officer.

Rule 30– Adjourned Meetings

When the business of council is not completed within the available time at a given meeting, the meeting, by motion, may be recessed to a definite time. When the council reconvenes at the appointed time, if a quorum is present, it takes up the business where it left off at its former meeting. A recessed meeting is merely a continuation of the meeting from which it was recessed and not for the introduction of new business.

Rule 31 – Motions; when Debatable; Withdrawal

When a motion is made and seconded, it shall, before debate, be stated by the presiding officer. Every motion shall be reduced to writing, if the Mayor or any members require it, and cannot be withdrawn after acknowledgement by the presiding officer without the consent of the Council.

Rule 32 – To refer; Precedence

When there is a question of referring a given subject to a standing committee or to a special committee, the question of reference to a standing committee shall be first. A motion to refer shall preclude debate or amendment of the main question. A motion to refer it to a standing committee shall have preference. All petitions shall be presented and read by the Mayor or Village Fiscal Officer, or by a member in his place, and the contents being briefly stated, shall be referred to a committee.

Rule 33 – Adjournment-Unqualified-Qualified

A motion to adjourn shall always be in order except upon immediate repetition or when a member has the floor, or when the previous question has been ordered, or when the Council is engaged in voting. When any business is pending the motion must be made in its simplest form, and is not subject to amendment or debate, but if made when no other business is pending, it can be amended the same as other questions. When the consideration of a question is interrupted by an adjournment it is removed from before the Council and must be brought forward in the usual way. A motion to lay on the table shall preclude all debate or amendments. If the motion prevails, the consideration of the subject cannot be resumed, except as unfinished business, without the consent of a majority of the members present.

Rule 34 – Acceptable Motions; Order of Precedence

When a question or motion is before council or under debate, no motion shall be received except the following:

- _ To adjourn (unqualified)
- _ To lay, matter of business on the table
- _ For the previous question (request that discussion end and vote taken)
- _ To postpone definitely to a certain time or day

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- _ To commit (to refer back to standing or special committee)
- _ To amend the motion on the floor
- _ To postpone indefinitely
- _ To recess

The several motions shall have precedence in the order in which they are herein arranged.

Rule 35 – Excusal from Attendance

Council members are expected to attend all regular meetings unless the member informs the Mayor and Village Administrator of his or her absence as provided in these rules. Should a member have more than three absences, the Mayor or Council President shall inquire into the causes and report to the Council at the next regular meeting for action, if any.

Rule 36 – Executive Sessions – Solicitor and Mayor always unless not invited

The Council may hold an executive session only after a majority of a quorum of the Council determines, by a roll call vote, to hold an executive session and only at a Regular or Special Council meeting for the sole purpose of the consideration of any of the following matters:

A. EXECUTIVE SESSION - PERSONNEL - To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.

B. EXECUTIVE SESSION - REAL ESTATE - To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

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C. EXECUTIVE SESSION - LEGAL - Conferences with an attorney for the public body concerning disputes involving the public body that is the subject of pending or imminent court action;

D. EXECUTIVE SESSION - PERSONNEL - Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;

E. EXECUTIVE SESSION - CONFIDENTIAL MATTERS BY LAW - Matters required to be kept confidential by federal law or regulations or state statutes;

F. EXECUTIVE SESSION - SECURITY ARRANGEMENTS - Details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office; If a public body holds an executive session to consider any of the matters listed in this section, the motion and vote to hold that executive session shall state which one or more of the approved matters listed in those divisions are to be considered at the executive session. A resolution, rule, or formal action of any kind is invalid unless adopted in an open meeting of the public body. A resolution, rule, or formal action adopted in an open meeting that results from deliberations in a meeting not open to the public is invalid unless the deliberations were for a purpose specifically authorized in this section and conducted at an executive session held in compliance with this section. A resolution, rule, or formal action adopted in an open meeting is invalid if the public body that adopted the resolution, rule, or formal action violated this section. (RC 121-22)

The topic must be clearly stated in the meeting minutes. Prior to commencing the executive session, a motion will be made and seconded to adjourn the Regular Council meeting into an executive session. All Council Members present shall attend the executive session with the Mayor and the Village Solicitor.

The Mayor shall be excluded only in cases where disciplinary action against the Mayor is being considered by Council.

The Village Solicitor shall be excluded only in cases where his or her contract is the subject of debate or upon the concurrence of a majority of the Council Members present at a meeting.

During executive sessions, the Mayor shall preside unless not present.

All other persons in attendance, including audience members, Village Fiscal Officer, Village Administrator, Police Chief and Fire Chief, and EMS Chief will be excused from the meeting unless authorized to stay by a majority of Council members. Any person invited to the executive session will be excused after the need for that person's attendance has concluded.

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There shall be no minutes of any executive session made except to record a vote and second to adjourn back into regular session.

All discussion, debate and information provided in an executive session are considered non-public material and information. Should a council member wish to disclose information or a public record is requested that was part of an executive session, before such dissemination or release, the advice and counsel of the Village Solicitor shall be obtained to insure that no non-public record or information is released. Each person attending shall maintain this confidential nature of the meeting. Violation of this rule shall be considered out of order and subject to discipline as provided by rule or law.

At the conclusion of the executive session, a motion will be made and seconded to adjourn the executive session and go back into the Regular Council meeting which shall be reported to the Village Fiscal Officer by the Presiding Officer for inclusion in the Regular Meeting Minutes.

Rule 37 – Sunshine Law; Open Meetings

Public officials are required to take official action and to conduct all deliberations upon official business only in open meetings unless the subject matter is specifically exempted by law.

Meetings mean any prearranged discussion of the public business of the Council by its members.

This section does not apply to an audit conference conducted by the auditor of state or independent certified public accountants with officials of the public office that is the subject of the audit or executive sessions as set forth herein.

The Bluffton Village Council shall have regular meetings as set forth herein. Other meetings, committee meetings or special meetings may be scheduled by announcement made at any regular or special meeting. The Village Fiscal Officer shall maintain a calendar of any scheduled meeting that is available to the public during regular business hours. Every effort will also be made to provide notice via the Village website.

Unless otherwise stated, all meetings shall be held at the Bluffton Town Hall, 3rd Floor Council Chamber.

Any special meeting not announced during a regular or special meeting shall not be held unless twenty-four hours' advance notice to the news media that have requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the member or members calling the meeting shall notify the news media that have requested notification immediately of the time, place, and purpose of the meeting.

The Bluffton Village Council shall provide that any person, upon request and payment of a reasonable fee, may obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed. Provisions for advance notification may include, but

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are not limited to, mailing the agenda of meetings to all subscribers on a mailing list or mailing notices in self-addressed, stamped envelopes provided by the person. (RC 121.22)

The Village Fiscal Officer shall post a statement of the time and place of Regular and Special meetings of Council, or any other public meetings being held not later than the second day preceding the meeting on the bulletin board in the main lobby of the Town Hall and on the Village web site for the public to be notified. The Village Fiscal Officer shall post a statement of the time and place of any organizational meeting of the Council at least twenty-four hours before the time of such organizational meeting. Upon qualified adjournment of any regular or special meeting to another day, the Village Fiscal Officer shall promptly post notice of the time and place of such adjourned meeting. Except in the case of emergency special meetings, the Village Fiscal Officer shall, no later than twenty-four hours before the time of a special meeting, post a statement of the time, place and purpose of such special meeting on the bulletin board in the main lobby of the Town Hall and on the Village web site for the public to read. Any news medium organization that desires to be given advance notification of special meetings of any municipal body shall file with the Village Fiscal Officer a written request thereof. Except in event of an emergency requiring immediate action, a special meeting shall not be held unless at least twenty-four hours advance notice of the time, place and purpose of such meeting is given to the news media requesting advance notification.

Media requests for such advance notification of special meetings shall specify; the name of the media; the name and address of person to whom notification may be sent or delivered; the names, addresses and telephone numbers and email addresses (both during and after business hours) of at least two persons, to either of whom oral notifications to the media may be given and at least one telephone number which the request identifies as being manned and which can be called at any hour for the purpose of giving oral notification to such medium. Such request shall be effective for one year from date of filing with the Village Fiscal Office. Each news medium shall be informed of such period of effectiveness at the time it files its request. Any notification provided herein to be given by the Village Fiscal Officer may be given by or under authority of the Village Fiscal Officer and a reasonable attempt at notification shall constitute notification in compliance with these rules.

All ordinances, resolutions, statements, orders, proclamations, notices, and reports now and hereafter requiring publication shall be published in a newspaper of general circulation within the Village of Bluffton and the Village Website, unless otherwise required by law or directed by Council.

Rule 38 – Public Records

It is the policy of the Village of Bluffton that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Village of Bluffton, Ohio to adhere to the State's Public Records Act, R.C. §149.43. As required by the Ohio Revised Code, records will be organized and maintained so that they are available for inspection and copying. The Village shall have a copy of its current records retention schedule

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readily available to the public at its administrative office and shall post a summary of the policy in that office. The Village recognizes that failure to comply with a request may result in remedies and damages according to R.C. §149.43. The Council and all members thereof are committed to comply with all aspects of the State's Public Records Act and with the Village's Public Records Policy and Retention Schedule.

Rule 39 – Appointment of Village Solicitor

Whenever the Village Solicitor resigns his or her term of office, he or she shall submit their resignation in writing to the Council and such resignation shall take effect on the effective date of the resignation letter. When appropriate the Council may notify the local newspaper; as well as, post a notice on the designated bulletin boards in the community and Village Website that such vacancy exists and that the Council will accept applications from qualified citizens who desire to fill the vacancy for the remaining appointed term. The Council may at its discretion conduct individual interviews for the position at a committee of the whole in executive session.

Rule 40 – Council Confirmation of Appointments

Whenever the Council is required to confirm any Mayor's appointment the Council may at its discretion, conduct an interview with the selected appointee prior to confirmation of the appointment.

Rule 41 – Memorialization of Council Rules

The Council Rules shall be memorialized by an Ordinance of Council.

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ADOPTION OF RULES: The foregoing rules have been reviewed and are adopted by the Council of the Village of Bluffton, Ohio and shall remain in full force and effect until amended, repealed or replaced.

Passed: ___ day of October, 2014
Ordinance No. 9-14

It is so ORDERED:

President of Council

Mayor

Fiscal Officer

Approved as to Form:

Village Solicitor

**To: Mayor Augsburg
Council Members**

Third Floor Flooring

We have reserved the third floor the last week in September through the first week in October for Diller Flooring to install the new floor. They are updating their previous estimate to include the installation of a sound-dampening membrane under the proposed tile floor to reduce the noise infiltration on the second floor. This is the only time between now and next February that there is sufficient time to install the floor without having to cancel someone's reservation, as the third floor is booked nearly every weekend between now and the end of the year.

Homecoming Parade

The Bluffton High School will be holding their homecoming parade on Friday, September 26, 2014. The parade lineup will begin at 5:30 PM at The Centre with the parade scheduled to start at 6:00 PM. The past few years, the Police Department has posted signs and restricted parking on Main Street the afternoon prior to the parade.

Lion's Way Pathway

The official ribbon cutting ceremony for the Lion's Way Pathway is scheduled for October 21st at 4:00 PM. I believe the ceremony will be held near the Commerce Lane entrance to the pathway.

Flu Shots

Since 2008, the Village has provided for flu shots for Village employees, including Volunteer Fire and EMS personnel, the Mayor and members of Council. If Council is willing to continue this practice, Greg's Pharmacy is prepared to continue working with the Village to administer the shots. This is a voluntary program and nobody is required to receive the vaccination. Part of the reasoning behind providing the vaccination is that, due to our smaller number of employees per department, it would only take a couple of people per department to get sick with the flu to hamper the effectiveness of the department and the small cost for the vaccination is minor compared to the lost-time potential that the flu presents.

To: Mayor Augsburg
Council Members

Fire Department Purchases

A report will be ready for the council meeting regarding a number of items discussed at the Safety Committee meeting on September 8, 2014. We are still finalizing a presentation that will address three main topics:

- Replacing fire hose
- Replacing structural firefighting clothing
- Purchasing a replacement fire truck