

Village of Bluffton Council Meeting Agenda
Bluffton Town Hall, 3rd Floor
154 North Main Street, Bluffton
August 28, 2017 at 8:00 PM

Opening Ceremonies

Call to Order
Pledge of Allegiance

Minutes

Approval of the minutes for the Bluffton Village Council meeting held on Monday, August 14, 2017.

Bills

Legislation

Ordinance No. 11-17 2nd Reading

An ordinance to enact establish licensing and regulation of mobile food providers in the village of Bluffton, Ohio.

Ordinance No. 10-17 2nd Reading

An ordinance establishing pay ranges for employees of the Village of Bluffton Police Department, setting forth some of the terms of employment and providing benefits as hereinafter set forth to be effective on January 1, 2018.

Ordinance No. 09-17 3rd Reading

An ordinance authorizing the Mayor to execute an addendum to the contract for the supply of water from the Village of Ottawa to the Village of Bluffton dated December 2, 2005 settling rates paid for water for certain years that have been in dispute and other purposes.

Administrator's Report

Safety Services Reports

Committee Reports

Personnel Committee held on August 21st, 2017.

Public Comment

Meeting Dates (meetings held at the Town Hall unless otherwise noted)

Council Meeting – Monday, August 28th at 8:00pm

Council Meeting – Monday, September 11th, at 8:00 pm

Adjournment – Motion and Second

Minutes of Council Meeting August 14th, 2017

Mayor Augsburger presiding. Messers: Burrell, Johnson, Miller, Sehlhorst, Talavinia, Warren
Mr. Sehlhorst moved, seconded by Mr. Warren to approve the minutes of the regular council meeting held on July 24 2017. Roll call: Yes (5) Messers: Sehlhorst, Warren, Burrell, Johnson, Miller. No (0). Abstain (1) Messer Talavinia, motion approved.

Mr. Miller moved, seconded by Mr. Burrell to approve the bills as presented. Roll call: Yes (6) Messers: Miller, Burrell, Johnson, Sehlhorst, Talavinia, Warren. No (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Johnson to approve the first reading of Ordinance No. 11-17: AN ORDINANCE TO ENACT ESTABLISH LICENSING AND REGULATION OF MOBILE FOOD PROVIDERS IN THE VILLAGE OF BLUFFTON, OHIO. Roll Call: Yes (6) Messers: Sehlhorst, Johnson, Miller, Talavinia, Warren, Burrell. No (0), motion approved.

Mr. Johnson moved, seconded by Mr. Warren to approve the first reading of Ordinance No. 10-17: AN ORDINANCE ESTABLISHING PAY RANGES FOR EMPLOYEES OF THE VILLAGE OF BLUFFTON POLICE DEPARTMENT, SETTING FORTH SOME OF THE TERMS OF EMPLOYMENT AND PROVIDING BENEFITS AS HEREINAFTER SET FORTH TO BE EFFECTIVE ON JANUARY 1, 2018. Roll Call: Yes (4) Messers: Johnson, Warren, Burrell, Miller. No (2) Messers: Sehlhorst, Talavinia, motion approved.

At 8:17 pm Mr. Sehlhorst moved, seconded by Mr. Warren to Exit Regular Council Session and enter a Public Hearing for 2017 Sidewalk Connectivity Project. Mr. Sehlhorst moved to Adjourn the Public Hearing, seconded by Mr. Johnson.

Mr. Sehlhorst moved, seconded by Mr. Warren to approve the second reading of Ordinance No. 09-17. AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO THE CONTRACT FOR THE SUPPLY OF WATER FROM THE VILLAGE OF OTTAWA TO THE VILLAGE OF BLUFFTON DATED DECEMBER 2, 2005 SETTLING RATES PAID FOR WATER FOR CERTAIN YEARS THAT HAVE BEEN IN DISPUTE AND OTHER PURPOSES.

Mr. Johnson moved, seconded by Mr. Mr. Warren to enter into executive session for the discussion of contracts. Council, Mayor, and Solicitor invited to attend. Roll call: Yes (6) Messers: Johnson, Warren, Burrell, Miller, Sehlhorst, Talavinia. No (0), motion approved.

Mr. Johnson moved to exit from executive session.

Roll call in regards to the second reading of Ordinance No. 09-17: Yes (6) Messers: Sehlhorst, Warren, Burrell, Johnson, Miller, Talavinia. No (0), motion approved

Mr. Miller moved, seconded by Mr. Burrell to approve the third reading of Resolution No. 15-17. A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 145 WEST RILEY STREET WITHIN THE CORPORATION LIMITS OF THE VILLAGE OF BLUFFTON, OHIO BE DEEMED TO BE INSECURE, UNSAFE AND STRUCTURALLY DEFECTIVE AND AUTHORIZING THE VILLAGE TO EXPEND PUBLIC FUNDS FOR THE DEMOLITION AND REMOVAL OF SAID STRUCTURE AND TO THEREAFTER CERTIFY THE COSTS INCURRED BY THE VILLAGE TO BE CERTIFIED TO THE APPROPRIATE COUNTY OFFICES FOR PLACEMENT UPON THE TAX ROLLS FOR RECOVERY AND LIEN AGAINST THE SAID REAL PROPERTY UPON WHICH THE STRUCTURE EXISTS. Roll call: Yes (6) Messers: Miller, Burrell, Johnson, Sehlhorst, Talavinia, Warren. No (0), motion approved.

Mr. Johnson moved, seconded by Mr. Warren to authorize the Bluffton Police Department to seek funding from the community for a K-9 unit. Roll call: Yes (6) Messers: Johnson, Warren, Burrell, Miler, Sehlhorst, Talavinia. No (0), motion approved.

Mr. Warren moved, seconded Mr. Talavinia to authorize the Bluffton Fire Department to take the aerial unit to All-American Equipment and replace/repair needed items at a cost of \$24,636.72. Roll call: Yes (6) Messers: Warren, Talavinia, Burrell, Johnson, Miller, Sehlhorst. No (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Warren to proceed with the 2017 Sidewalk Connectivity Plan as presented in the July 31, 2017 Streets, Alleys, Lights & Sidewalk Committee Meeting minutes. Roll call: Yes (6) Messers: Sehlhorst, Warren, Burrell, Johnson, Miller, Talavinia. No (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Johnson to enter into executive session for personnel – hiring. Roll call: Yes (6) Messers: Sehlhorst, Johnson, Miller, Talavinia, Warren, Burrell.

Mr. Johnson moved to exit from executive session.

Mr. Johnson moved, seconded by Mr. Warren to adjourn.

MAYOR

FISCAL OFFICER

ORDINANCE NO. 09-17

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN
ADDENDUM TO THE CONTRACT FOR THE SUPPLY OF WATER FROM
THE VILLAGE OF OTTAWA TO THE VILLAGE OF BLUFFTON DATED
DECEMBER 2, 2005 SETTLING RATES PAID FOR WATER FOR CERTAIN
YEARS THAT HAVE BEEN IN DISPUTE AND OTHER PURPOSES**

WHEREAS the Village of Bluffton and the Village of Ottawa have a mutually beneficial contract for the providing of potable water from the Village of Ottawa to the Village of Bluffton dated December 2, 2005 and the parties have found certain issues need addressed and clarified to make the contract more just and equitable for both contracting parties;

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

SECTION 1. The Mayor is authorized to enter into the attached addendum to the contract between the Village of Bluffton and the Village of Ottawa dated December 2, 2005.

SECTION 2. That the parties agree that Bluffton has paid Ottawa for water for all contract years before 2017. The Village of Bluffton owes no other money for water and those payments constitute a full accord and satisfaction of that matter. The parties also agree that there are no penalties or interest owed for any prior years. The parties also agree that the 2017 rate for water is \$2.29/100 cubic feet.

SECTION 3. That 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 _____, 2017 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

CERTIFICATION

The undersigned hereby certifies that the within is a true and correct copy of Ordinance No. _____, passed by the Council of the Village of Bluffton, Ohio on the _____ day of _____, 2017.

Dated: _____

Fiscal Officer

**ADDENDUM TO THE WATER PURCHASE CONTRACT BETWEEN THE VILLAGE
OF BLUFFTON, OHIO AND THE VILLAGE OF OTTAWA, OHIO,
DATED DECEMBER 2, 2005**

WHEREAS: Article Six – 11 states “That any and all capital improvements made to the water system that are financed shall be recorded and accounted for only in the Water Debt Service accounts of Exhibit “B” and Water Capital Outlay shall only record those expenditures for capital NOT financed,” and;

WHEREAS: The Contract does not contain a definition of Capital Purchases; and

WHEREAS: The parties agree that Bluffton has paid Ottawa for water for all contract years before 2017. The Village of Bluffton and the Village of Ottawa do not owe the other party any other money for water as all payments constitute a full accord and satisfaction of that matter as of the effective date of this addendum. The parties agree that there are no penalties or interest owed for any prior years; and

WHEREAS: Bluffton and Ottawa agree that the following shall be an addendum to the contract.

The following shall be added to Article One Definitions:

1. Capital Purchases: A capital purchase is a purchase of lands, buildings, furniture or equipment with an estimated life of five years or more, and a value of over \$500.00. Individual purchases are not to be aggregated unless they are a part of one project. The threshold value of a purchase to be considered a Capital Purchase shall correspond with the threshold for Capital Purchases as set by the Auditor of the State of Ohio (Auditor). The threshold shall be indexed up or down according to changes made to the threshold by the Auditor. As of the time of the signing of this Addendum, the Auditor’s threshold to qualify as a Capital Purchase is \$500.00 with a useful life of 5 years. Purchases below the Auditor’s threshold for Capital Purchases shall be expensed as supplies.

2. Cost To Qualify For Financing: In order to qualify to be classified as a financed project the project cost must exceed \$75,000.00 unless otherwise agreed in writing between Bluffton and Ottawa. The threshold of \$75,000.00 shall be in effect as of the date of the signing of this Addendum. The threshold of \$75,000.00 shall be adjusted annually starting in 2023, for inflation using the U.S. Department of Labor Bureau of Labor Statistics Consumer Price Index, All Urban Consumers – (CPI- U), U.S., city average, all items. The threshold adjustment shall be made and put into effect and the beginning of each new fiscal year. The adjustments made pursuant to this provision shall not be compounded.

3. Cost: means total cost of an asset or project regardless of the source of funding. Cost would include, but not be limited to cash, grants, loans gifts or donations. If the cost of a Capital Purchase is under the threshold to be considered a Cost to Qualify for Financing, the cost shall be accounted for under the accounting category “Capital Outlay”. If the cost of a Capital Purchase is over the threshold for a Cost to Qualify for Financing, it shall be accounted for as being financed. If Ottawa chooses not to finance a project over the Cost to Qualify for Financing Threshold, Ottawa may elect to self-finance the Capital Purchase. When a Capital Purchase or project is self-financed by Ottawa, the cost of the Capital Purchase or project shall be amortized over a five year period using an interest rate equal to the 10 year U.S. Treasury not rate (3.2% at June 28, 2013). The annual principle and interest payments will be entered under the “Water Debt Service” section of Exhibit B of the contract.

Bluffton and Ottawa agree to an exception to the preceding paragraph. The exception is for the EPA mandated PAX system which is needed to lower the TTHM's in the water. A new Exhibit F shall be added to the contract. The Village of Bluffton and Ottawa agree that the maintenance expenses as summarized therein for the Clearwell, the East Tower and the West Tower shall be included in the "Water Supply" section of Exhibit B for the following amounts and years:

2017 \$79,362.00
2018 \$79,362.00

No other cost or expense for the PAX system shall be included in Exhibit B of the contract.

The following shall be added to: ARTICLE FIFTEEN: ENTIRE CONTRACT, MODIFICATION

Exhibit "D": Map of Water Lines affecting the Bluffton Regional Water System (as per the Addendum to the Water Purchase Contract which was adopted by Council on _____.)

Exhibit "E": Map of the Bluffton Regional Water System indicating the locations of the following:

- a. The Project Start Point*
- b. The Point of Supply*
- c. The Parts of the Line that are owned by Ottawa and Bluffton respectively.*

Exhibit "F": Formula to calculate self-financing threshold

Date: _____

Village of Ottawa, Ohio

Village of Bluffton, Ohio

J. Dean Meyer, Mayor

Judy Augsburger, Mayor

Barbara J. Hermiller, Clerk-Treasurer

Fiscal Officer

Approved as to Form:

Joseph C. Schroeder, Law Director

F. Stephen Chamberlain
Bluffton Village Solicitor

To: Council Members

Street Maintenance

Sealcoating: Maple Grove Cemetery and the Wastewater Treatment Plant drives have been seal coated by Nonnemaker Asphalt Seal Coating, LLC.

Spray patching: Settled street cuts and other pavement defects have been spray patched by Premier Patching Inc.

Service Department

Sampling of work accomplished:

Check out high usage meter reads

Mosquito spray

Pick up brush

Sewer camera work

Load mulch, push back brush pile

Water sampling

Weed-eat cemetery, pool, and town hall

Test pool water and add chemicals

Pick up trash and clean restrooms at parks

Water service hookups

Storm line tap-in

Equipment maintenance

Storm line repair

Shut down pool for the season

Repair wiring for lights at Buckeye Park

Level dirt at pool

Install safety lighting and toolbox on new dump truck

Raise meter pits to grade

Lift station repair

Check sewer backup complaint

Weed spray

Line striping of crosswalks

Deliver water samples to lab

Delinquent account turn-offs/turn-ons

Install dehumidifier