

**COUNCIL MEETING
AGENDA
December 23, 2013
8:00 PM
BLUFFTON TOWN HALL**

MINUTES December 9, 2013

BILLS

ORDINANCE NO. 29-13 **1ST READING** **EMERGENCY**
AN ORDINANCE CHANGING THE PAY FREQUENCY FROM QUARTERLY TO
MONTHLY FOR CERTAIN EMPLOYEES AND DECLARING AN EMERGENCY.

ORDINANCE NO. 30-13 **1ST READING** **EMERGENCY**
AN ORDINANCE AMENDING ORDINANCE NO. 18-12 (THE ANNUAL
APPROPRIATION ORDINANCE) AND DECLARING AN EMERGENCY.

RESOLUTION NO. 17-13 **1ST READING** **EMERGENCY**
A RESOLUTION OF THE VILLAGE OF BLUFFTON IN SUPPORT OF THE LIMA-
ALLEN COUNTY REGIONAL PLANNING COMMISSION SERVING AS THE
METROPOLITAN PLANNING ORGANIZATION FOR THE ALLEN COUNTY,
OHIO STUDY AREA AND DECLARING AN EMERGENCY.

ADMINISTRATOR'S REPORT

SAFETY

FINANCIALS

MEETING DATES

December 23, 2013	Council	8:00 PM
January 6, 2014	Council	8:00 PM

December 9, 2013

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

Mr. Sehlhorst moved, seconded by Mr. McGarrity to approve the minutes of the regular council meeting held on November 25, 2013. Roll Call: Yeas (6) Messrs: Sehlhorst, McGarrity, Burrell, Collier, Kingsley, and Steiner. Nays (0), motion approved.

Mr. Kingsley moved, seconded by Mr. Steiner to approve the bills as presented. Total non-payroll of \$59,592.88 and payroll of \$36,696.50. Roll Call: Yeas (6) Messrs: Kingsley, Steiner, Burrell, Collier, McGarrity, and Sehlhorst. Nays (0), motion approved.

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

Mr. Steiner moved, seconded by Mr. Burrell to approve the third and final reading of Ordinance No. 27-13: AN ORDINANCE APPROVING THE ANNUAL APPROPRIATIONS FOR THE 2014 FISCAL YEAR FOR THE VILLAGE OF BLUFFTON, OHIO AND DECLARING AN EMERGENCY. Roll Call: Yeas (6) Messrs: Steiner, Burrell, Collier, Kingsley, McGarrity, and Sehlhorst. Nays (0), motion approved.

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

Mr. Burrell moved, seconded by Mr. Collier to approve the first reading of Ordinance No. 28-13: AN ORDINANCE AMENDING ORDINANCE NO. 18-12 (THE ANNUAL APPROPRIATION ORDINANCE) AND DECLARING AN EMERGENCY. Roll Call: Yeas (6) Messrs: Burrell, Collier, Kingsley, McGarrity, Sehlhorst, and Steiner. Nays (0), motion approved.

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

The Fiscal Officer announced the following meetings:

December 16, 2013	Planning Commission	5:00 PM
December 23, 2013	Board of Building and Zoning Appeals	6:00 PM
December 23, 2013	Council	8:00 PM
January 6, 2013	Council	8:00 PM

Mr. Steiner moved, seconded by Mr. Sehlhorst to approve Hope Hannah and Abigail Michael as full-time police officers, effective January 5, 2014, starting pay of \$13/hr + credit for education, if applicable. Both are currently part-time 1 police officers (30 hr/week), thus earning leave time-both will be allowed to carry existing leave accumulation until eligible for full-time leave benefits. Roll Call: Yeas (6) Messrs: Steiner, Sehlhorst, Burrell, Collier, Kingsley, and McGarrity. Nays (0), motion approved.

Mr. Sehlhorst moved, seconded by Mr. Kingsley to approve the resignation of Lucas Probst from the EMS and Fire departments, as he will be beginning basic training. Roll Call: Yeas (6) Messrs: Sehlhorst, Kingsley, Burrell, Collier, McGarrity, and Steiner. Nays (0), motion approved.

The Mayor presented the November mayor's court report.

Mr. Kingsley moved, seconded by Mr. Collier to approve an agreement with Blanchard Valley Health System to provide healthcare services to low income individuals (no financial obligation to the Village). Roll Call: Yeas (6) Messrs: Kingsley, Collier, Burrell, McGarrity, Sehlhorst, and Steiner. Nays (0), motion approved.

Mr. Steiner moved, seconded by Mr. Burrell to enter into executive session for the discussion of contracts and real estate. Roll Call: Yeas (6) Messrs: Steiner, Burrell, Collier, Kingsley, McGarrity, and Sehlhorst. Nays (0), motion approved.

December 9, 2013

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

Mr. Kingsley moved to adjourn.

MAYOR

FISCAL OFFICER

Village of Bluffton
Bills to be paid
12/23/2013

PAYROLL:

Village	\$ 32,475.12
Quarterly	\$ 7,528.90

TOTAL PAYROLL	\$ 40,004.02
----------------------	---------------------

NON-PAYROLL:

85083	OPERS	Employer Share	\$ 3,901.45
85084	Allen County Awards	Recognition & Appreciation Awards	\$ 170.00
85085	Alloway	Lab Analysis	\$ 2,064.90
85086	Atlas Butler.com	HVAC Unit- MARCS Tower	\$ 5,173.50
85087	Automotive Electronic	Battery- 596	\$ 268.96
85088	Bluffton Flying Service	Management Fee	\$ 4,500.00
85089	Chief	Boots- Cupples	\$ 117.64
85090	Choice One Engineering	Engineering- Garmatter, Kibler, Easement	\$ 5,120.30
85091	Colonial Surface Solutions	Slide Resurfacing	\$ 264.73
85092	Community Markets	Appreciation Supplies	\$ 90.69
85093	Great Lakes Billing	EMS Run Collection Fees	\$ 690.47
85094	Hancock-Wood	Electricity	\$ 146.16
85095	Info Rad	Paging System	\$ 512.00
85096	Ohio Dept of Job & Family Serv.	Unemployment	\$ 8.91
85097	Operator Training Committee	Advanced Water Course- J. Bowers	\$ 560.00
85098	Village of Ottawa	Water Usage	\$ 34,246.37
85099	Patriot Concrete	Handicap Ramp- Swiss Circle	\$ 750.00
85100	Petty Cash	Admin	\$ 136.63
85101	Petty Cash	Police	\$ 38.52
85102	Ohio Police & Fire Pension	November Employer Share	\$ 4,188.50
85103	Richland Engineering	Engineering Services- Airport	\$ 41,616.66
85104	David Shafer	On-line Tax For Update	\$ 58.33
85105	Shell	Gasoline	\$ 2,639.70
85106	Staples- Business	Toner, File Folders, Labels, SD Card	\$ 437.57
85107	Stump's	Fire Extinguisher Maintenance	\$ 824.40
85108	Technicore	AED Maintenance	\$ 202.50
85109	United Fire Apparatus	Annual Pump Test	\$ 2,475.54
85110	United Healthcare	Hospitalization	\$ 7,279.41
85111	United Healthcare	Life Insurance	\$ 84.00

Total Non-Payroll	\$ 118,567.84
--------------------------	----------------------

 Mayor/ Council President

X: Then and Now Approved by Council

ORDINANCE NO. 29-13

AN ORDINANCE CHANGING THE PAY FREQUENCY FROM QUARTERLY TO MONTHLY FOR CERTAIN EMPLOYEES AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined by the Council of the Village of Bluffton that it is necessary to change the frequency of pay for council members, fire department and EMS department officers, EMS doctor, and cemetery sexton due to reporting requirements established by the Ohio Public Employees Retirement System (OPERS); and

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

SECTION 1: That currently council members, fire department and EMS department officers, EMS doctor, and cemetery sexton are paid on a quarterly basis. These employees will now be paid on a monthly basis to insure reporting compliance with OPERS.

SECTION 2: That an emergency exists and that this Ordinance shall be in full force and in effect starting January 1, 2014.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed and Adopted this _____ day of _____, 2013 by the governing body of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Noes: _____ Abstain: _____

Attest:

FISCAL OFFICER

MAYOR

Approved as to Form:

SOLICITOR

ORDINANCE NO. 30-13

AN ORDINANCE: AMENDING ORDINANCE NO. 18-12 (THE ANNUAL APPROPRIATION ORDINANCE) AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to appropriate funds and amend Ordinance No. 18-12 (The Annual Appropriation Ordinance).

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

SECTION 1: That monies are appropriated for the General Fund, Street Fund, State Highway Fund, Cemetery Fund, and Sewer Fund as follows:

Supplemental Appropriations:

General Fund:

A1-6X-52390	Misc. Services	+\$40,000.00
A1-7A-52390	Misc. Services	+\$6,000.00
A1-7C-52390	Court Costs	+\$894.00

Street Fund:

B1-6B-52110	Payroll	+\$3,000.00
-------------	---------	-------------

Cemetery Fund:

B3-2A-52122	PERS	+\$20.00
-------------	------	----------

Sewer Fund:

E2-5C-52312	Electricity	+8,000.00
-------------	-------------	-----------

SECTION 2: That an emergency exists in the daily operation of the Village whereby failure to act will be detrimental to the public health, welfare and safety of the inhabitants thereof, and for the further reason that this appropriation transfer is needed so expenditures can be made.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed and Adopted this _____ day of _____, 2013 by the governing board of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Nays: _____ Abstain: _____

Attest:

FISCAL OFFICER

MAYOR

Approved as to Form:

SOLICITOR

RESOLUTION NO. 17-13

A RESOLUTION OF THE VILLAGE OF BLUFFTON IN SUPPORT OF THE LIMA-ALLEN COUNTY REGIONAL PLANNING COMMISSION SERVING AS THE METROPOLITAN PLANNING ORGANIZATION FOR THE ALLEN COUNTY, OHIO STUDY AREA AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Transportation (ODOT) has named the Lima-Allen County Regional Planning Commission (LACRPC) as the Metropolitan Planning Organization (MPO) for the Allen County, Ohio Study Area; and,

WHEREAS, the MPO is to work collaboratively with ODOT and the FHWA, FTA and the EPA to facilitate the comprehensive transportation planning within Allen County, Ohio; and,

WHEREAS, Village of Bluffton is a member of the LACRPC and wishes to pledge its support and cooperation, together with the other members of LACRPC, to LACRPC as the MPO for the urbanized area of Allen County, Ohio; and,

WHEREAS, Village of Bluffton also agrees to maintain its membership in the LACRPC and to comply with the Bylaws of the LACRPC and the Bylaws of the Transportation Coordinating Committee of the LACRPC; and,

WHEREAS, Village of Bluffton agrees to participate in the transportation planning process, and to actively support the public involvement process as it relates to the development and adoption of the MPO's Long Range Transportation Plan, Transportation Improvement Program, Annual Unified Planning Work Program and the publication of an Annual Report.

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

Section 1. That Village of Bluffton joins with other political subdivisions in Allen County, Ohio in pledging its support and cooperation with such other political subdivisions within Allen County, Ohio of the LACRPC as the MPO for the Lima, Ohio Urbanized Area (Allen County, Ohio).

Section 2. That the Village of Bluffton will maintain its membership in LACRPC in compliance with the Bylaws of the LACRPC and the Bylaws of the Transportation Coordinating Committee.

Section 3. That the Village of Bluffton shall participate in the transportation planning process and actively support the public involvement process as it relates to the development and adoption of the MPO's Long Range Transportation Plan, the Transportation Improvement Program, the Annual Unified Planning Work Program and the publication of the Annual Report.

Section 4. That the Village of Bluffton will comply with the Bylaws of the LACRPC and the Bylaws of the Transportation Coordinating Committee.

Section 5. That the Village of Bluffton understands that any member government may withdraw its agreement and pledge of support for the LACRPC at any time by adoption of a Resolution indicating that the Village of Bluffton is withdrawing its support for the programs and delivering a copy of the Resolution to the Executive Director of the LACRPC, not less than one hundred eighty (180) days prior to the actual date of withdrawal. The withdrawal shall be effective on the one hundred eightieth (180th) day after the date on which the Executive Director receives the copy of the Resolution to withdraw.

Section 6. That the presentation of the Resolution to withdraw shall not relieve the withdrawing member of its obligations as a member for the year in which the withdrawal occurs, nor shall the withdrawing party withdraw its area from the study area of the LACRPC during the year of withdrawal.

Section 7. That this Resolution shall be effective at the earliest date permitted by law, provided, however, that the Village of Bluffton shall not be bound by the agreements set forth in this Resolution if there is not sufficient participation from the other political subdivisions in the Allen County, Ohio area to make the existence of the LACRPC feasible.

Section 8. That the Executive Director of the LACRPC shall, upon receipt of the certified copy of this Resolution, include the Village of Bluffton as a member of the LACRPC and that a copy of this resolution will be forwarded to ODOT as testimony of the relationship between the LACRPC and Village of Bluffton.

Section 9. That an emergency exists in the operation of the Village whereby failure to act will be detrimental to the public health, welfare and safety of the inhabitants thereof.

Section 10. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Passed and Adopted the _____ day of _____, 2013, by the governing board of the Village of Bluffton, Ohio by the following vote:

Ayes: _____ Noes: _____ Abstain: _____

Attest:

FISCAL OFFICER

MAYOR

Approved as to Form:

VILLAGE SOLICITOR

**To: Mayor Gallant
Council Members**

Resolution No. 17-13

Resolution No. 17-13 is a Memorandum of Understanding supporting the Lima-Allen County Regional Planning Commission as the Metropolitan Planning Organization. The Memorandum of Understanding is a requirement of the Ohio Department of Transportation in order for local political jurisdictions to be eligible to utilize federal monies. We have approved this on an annual basis as requested by the LACRPC.

Planning Commission Recommendation

The Village Planning Commission held a public hearing on Monday, December 16, 2013 to consider a request from Jon and Mandy Kinn to change the zoning classification of a property located at 422 N. Main Street from R-II to C-I for the purpose of utilizing the existing building to establish a service oriented business at the address. The Village Planning Commission unanimously approved a motion to recommend to the Village Council that the property located at 422 N. Main Street be changed to a C-I zoning classification. We will need to schedule a public hearing before the Village Council on January 20, 2014 at 8:15 PM to consider the recommendation of the Village Planning Commission.

Annual Bids

The Village will be advertising for the annual bids for Installation and Excavation and for Aggregate and Asphalt for the 2014 Construction Year. The bids will be due on Friday, January 17, 2014 by 11:00 AM.

Allen Soil and Water Conservation District Hearing

The Village was notified of a Viewing and Preliminary Hearing being conducted by the All Soil and Water Conservation District for the Kimmet Farm Drainage Group Project. The Viewing and Preliminary Hearing is scheduled to be held on Wednesday, January 15, 2014 at 2:00 PM at the Bluffton Town Hall, Third Floor Community Room. The Soil and Water Conservation District was seeking a suitable location and I offered the Town Hall. According to the notice, the proposed improvement is to address drainage problems between the abandoned railroad tracks and Riley Creek, west of Spring Street, due west of DTR Industries, on land owned by James Benroth.

Certified Records Training

Just another reminder of the Certified Public Records Training that the Village is Hosting on Friday, January 24, 2014. If you are in contact with any additional elected officials, please make them aware of this local training opportunity.

Snow

Now that we have experienced our first significant snowfall of the year, an annual review of snow removal issues is due.

Each year we have a small handful of residents who use their snow blowers to clear the snow from their sidewalk and driveway into the street. Already this winter season we had one resident blow the entire contents from their driveway across Main Street, creating a driving hazard. When removing snow from sidewalks and driveways, please ensure that the snow is not placed into the roadway by utilizing yards and tree lawns.

Additionally, the Village does have regulations requiring that owners and/or occupants clean sidewalks of snow and ice “within a reasonable time” following a snow event.

As a reminder, the following is an excerpt from a previously published article that appeared in the Bluffton News regarding snow emergencies:

What is a Snow Emergency? According to Village Ordinance 03-99, passed by Council in March of 1999, “The Bluffton Village Council shall consider the Village in a snow emergency when freezing rain or 2” or more of snow has fallen whereas constituting a serious public hazard.” So, if we get freezing rain or two or more inches of snow, we are technically under a snow emergency. The Village will be advising the local media when the Village is under a Snow Emergency and utilize these outlets to notify residents.

What do I do with my vehicle during a snow emergency and why do I have to do it? The Ordinance states that, during a snow emergency, “vehicles will be legally parked on all Village streets except for the downtown business districts between College Avenue and Jefferson Street and Jackson Street and Vance Street, and any streets which currently restrict parking to one side of the street only, when: A. On odd-numbered calendar days, vehicles are parked on the side of the street which has odd-numbered building addresses, and B. On even-numbered calendar days, vehicles are parked on the side of the street which has even-numbered building addresses.” Additionally, “no vehicles shall be permitted to park in Village parking lots or in the downtown business districts between College Avenue and Jefferson Street and Jackson Street and Vance Street, or any streets which currently restrict parking to one side of the street only, for a longer continuous time than twenty-four hours until such time that the snow has been cleaned up.” The reasoning behind the Ordinance is so that the Village streets may be properly cleaned. By restricting parking to one side of the street one day, and the other side of the street the next, it makes it possible for the snowplows to clean the entire street within a two-day period. Especially during this time of the year, when the snow we get tends to stay with us for a while, it is important to be able to get the snow off of the streets before we receive additional accumulation. Otherwise, there will be no place to push the new snow.

How long is the snow emergency in effect? The snow emergency is in effect until the freezing rain or the two or more inches of snow is cleaned up.

What happens if I don't follow the rules of the snow emergency? The Ordinance provides that "whenever any police officer finds a vehicle parked in violation of this Ordinance, such officer may require the driver or other person in charge of the vehicle to move the same, to a position off the street or parking lot, or such officer may cause the vehicle to be moved or impounded at the owner's expense." Additionally, a violation of the Ordinance is a minor misdemeanor with a possible fine of \$100.00.

How long do I have to move my vehicle? Ideally, if snow is in the forecast, residents should take action to either remove their vehicle from the street in advance of the snow or at least park it on the required side of the street. If a vehicle is not moved in accordance with the provisions of the snow emergency ordinance within a reasonable amount of time, the vehicle will be moved.