

VILLAGE OF MINSTER, OHIO  
COUNCIL MEETING MINUTES  
Tuesday, June 16, 2020

**Council Meeting:** Council convened at the Four Seasons Park Shelter House #3 at 6:30 p.m. with six council members present: Tom Herkenhoff, Craig Oldiges, Curt Albers, Nicole Clune, Rick Schwartz, and Paul Enneking. Also present were Dennis Kitzmiller (Mayor), Don Harrod (Administrator), Jim Hearn (Village Solicitor), and John Stechschulte (Fiscal Officer).

**Attendance:** Craig Sherman, Mark Bernhold, Nick Sherman, Todd and Lynn Kitzmiller, Ed and Lisa Goebel, Bob and Joan Schnabel, Jeff Lynch (Buds Pizza), Wes Farno, Sandy Schwieterman (Sidney Daily), Tom Millhouse (Daily Standard), and David Friend (Police Chief).

Mayor Dennis Kitzmiller called the Council Meeting to order with the Pledge of Allegiance.

**Approval of Minutes:** Herkenhoff and Clune motioned to approve the minutes from the regular meeting of June 2, 2020. Motion passed on five aye votes and one abstention by Oldiges.

**Follow-up on Dannon Odor:** Craig Sherman asked for feedback as to the cause of the most recent incident. Don read a statement from Dave Merritt, who stated that the incident was the result of a failed air conditioner. Mr. Merritt said they are committed to increased inspections and will work with Viola for more improvements. In addition, Don had a lengthy conversation with representatives from three divisions of the Ohio EPA including Elizabeth Wick who advised that the village should require Dannon to self-monitor for odors. Don is also looking into various meters to test for gasses. Further Don said there were 27 communications received from 20 people and he did send a letter to Dannon head office stating our concerns.

**Follow-up on Dannon Noise:** Todd Kitzmiller stated noise from the Dannon plant continues to be a problem. The main concern is the truck back-up noise and suggested there are alternatives such as blue light or spotters. He is asking for village assistance to solve the problem. Per Council suggestion, Don will schedule a meeting with Dannon to discuss odor and noise.

## **ORDINANCES & RESOLUTIONS:**

**2020 Minor Street Resurfacing Project:** Three bids were received for the 2020 Minor Street Resurfacing Project. The street committee has determined the following areas be considered for resurfacing with an engineering estimate of \$230,069.00. The appropriations for the street resurfacing project are \$220,000.00.

1. Hamilton Street from Third Street to Fifth Street, \$75,160.45
2. Third Street from Main Street to Paris Street, \$90,634.80
3. Fifth Street from Main Street to Garfield Street, \$20,729.30
4. Bensman Road from State Route 66 to the East Corporation Line \$43,544.45

The low bid was from Barrett Paving for \$191,391.25. Enneking and Oldiges motioned for the 2<sup>nd</sup> reading of **Ordinance 20-05-01** awarding a contract to Barrett Paving for the 2020 Street Resurfacing Project. Motion passed on six aye votes. Barrett has agreed to resurface the poor job on Fifth Street from two years ago.

**Ripploh & Weigandt Annexation:** Todd Realty and Michael and Susan Ripploh petitioned the Auglaize County Commissioners to annex 18.441 acres at the northeast corner of Seventh Street and Main Street into Village of Minster corporation limits. The required 60 days waiting period is complete. Schwartz and Oldiges motioned for the 2<sup>nd</sup> reading of **Ordinance 20-06-01** annexing 18.441 acres in Jackson Township into the Village of Minster. Motion passed on six aye votes.

**Stonegate Sub-division:** Received a letter from Todd Weigandt of Todd Realty stating he would like to dedicate Phase I of the Stonegate Sub-division so that the Village would be responsible for ownership and maintenance of the street and utilities. Clune and Albers motioned for the 2<sup>nd</sup> reading of **Ordinance 20-06-02** dedicating Phase I of Stonegate Sub-division into the village for public use. Motion passed on six aye votes.

**Revise Appropriations:** The Industrial Park fund and the Electric System Upgrade require additional appropriations. The revised appropriations are as follows:

403 Industrial Park \$125,686.20 increase of \$20,000.00  
507 Electric System Upgrade \$1,100,000.00 increase of \$600,000.00

Herkenhoff and Enneking motioned to suspend the rule of three readings. Motion passed on six aye votes. Oldiges and Clune motioned to pass and adopt **Resolution 20-06-02** authorizing the changes in appropriations. Motion passed on six aye votes.

**Transfer of Funds:** The Pickleball / Basketball Grant requires an additional transfer to match anticipated expenditures. The transfers are as follows:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund	Pickleball/Basketball Grant	\$160,000.00

Enneking and Albers motioned to suspend the rule of three readings. Motion passed on six aye votes. Oldiges and Clune motioned to pass and adopt **Resolution 20-06-02** authorizing the transfer of funds. Motion passed on six aye votes.

## **COMMITTEE REPORTS:**

**Parks Committee:** The Minster Girls High School Softball would like to build a storage building for their equipment. Council would like the building to be relatively maintenance free, agree with the design, and have Ryan Geise agree with the idea and location.

## **OLD BUSINESS:**

## **NEW BUSINESS:**

**Income Tax:** Council reviewed the May 2020 monthly income tax report of \$392,089.75 as distributed by the City of St. Marys Income Tax Department. The Village of Minster contracts with the City of St. Marys to administer the income tax collection for the Village. Schwartz and Herkenhoff motioned to approve the monthly income tax report. Motion passed on six aye votes.

**Bud's Pizza:** Jeff Lynch of Bud's Pizza would like to be able to sell wine at his business. He is applying for an economic development transfer (TREX), which would allow him to buy a license from within the State of Ohio and transfer it to Bud's as long as the project was for an economic development purpose. Albers and Herkenhoff motioned that Bud's Pizza has met the guidelines for economic development and authorize the Mayor to complete the TREX transfer form. Motion passed on six aye votes.

#### **ADMINISTRATOR REPORT:**

- 1) Helms and Sons have completed the Garfield Street/Second Street project. The area has been seeded and we will begin installing street lights shortly. We need to do a punch list walk through with Helms to identify any unresolved issues.
- 2) Shinn Brothers continue to work on the pickleball and basketball courts at the Four Seasons Park. We are now waiting for the 15-day curing time for the concrete to end so that the concrete can be painted. Crews are working on installing the lights and the fencing.
- 3) Last Wednesday, the village was hit by a heavy storm which resulted in a number of trees being damaged throughout the village. In addition, the electrical department had one pole north of Nidec Minster's annex building damaged. Crews repaired the pole the next day. Public works Department crews spent the next Thursday and Friday picking up brush and limbs through the village.
- 4) The state has completed the audit for 2019. The state should be issuing their final report within the next couple of weeks. They did comment that this was one of the best villages that they have audited.
- 5) A couple of meetings ago, it was brought up about the sidewalks that are owned by individuals but remain empty lots. I have prepared a resolution of necessity to install sidewalks on those properties, but I thought that before we do that resolution, we look at other areas of the village where sidewalk may need to be repaired due to excessive cracking or trip hazards. With the second street project nearly wrapped up, Scott Langenkamp can do a walk through the village and identify those places where repairs are needed and we can add those to the resolution.

**Invoices:** Herkenhoff and Oldiges motioned to approve the invoices totaling \$392,089.75. Motion passed on six aye votes.

**Electric Project:** Jon Neuman, Electric Superintendent, would like to replace the poles and wire behind Precision Strip. The line is 40 years old and is the last section of the loop that needs upgraded. Vaughn Electric is in town and will be able to string the wire as our equipment does not go high enough. Vaughn has proposed a price of \$24,000 per week for labor and the wire would be approximately \$15,000.00. Schwartz and Clune motioned to allow Vaughn to perform the work and issue a purchase order. Motion passed on six aye votes.

#### **COMMENTS & CORRESPONDENCE:**

**Fourth and Main Street Parking:** There are continuing discussions about the need for additional parking for the businesses near Fourth Street and Main Street. Oldiges reported the old Mobile Oil gas station and now veterinary business is being razed and will be converted for parking by Garmann and Miller. The lot will be available for parking after 5:00 o'clock pm for public use.

Herkenhoff and Schwartz motioned to enter into executive session at 7:45 p.m. to discuss pending litigation with action anticipated. Motion passed on six aye votes. Albers and Schwartz motioned to return to regular session at 7:50 p.m. Motion passed on six aye votes.

**Phase II Solar Project:** Jim Hearn updated Council on the status of phase II of the solar project. He stated Council terminated the contract with Empower in April and no permits, financing, and progress report has been received. Council continues to want to move forward with the solar field Phase II. Don stated the terminated Empower contract was for 5.9 cents per kWh fixed for 25 years. Empower did submit a new proposal of 4.8 cents with a three percent escalator over 30 years. In addition, we received a proposal from Etri Foundry / Vaughn Electric proposed 6.4 cents per kWh fixed for 30 years. Dickman proposed 7.66 / kWh and Cherry Street proposed 8.25 / kWh. Council does not like the idea of an escalator and does wants the project completed as soon as possible as the original agreement with Empower was to be completed June 2020. Oldiges and Albers motioned to suspend the rule of three readings. Motion passed on six aye votes. Enneking and Clune motioned to pass and adopt **Ordinance 20-06-03** entering into a contract with Etri Foundry and Vaughan Electric for Phase II of the Solar Project. Motion passed on six aye votes.

Schwartz and Enneking motioned to adjourn at 8:48 p.m. Motion passed on six aye votes.

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Dennis Kitzmiller, Mayor

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John Stechschulte, Clerk

Recorded & typed by John Stechschulte