

VILLAGE OF MINSTER, OHIO
COUNCIL MEETING MINUTES
Tuesday, September 1, 2020

Council Meeting: Council convened at the Four Seasons Park Shelter House #2 at 6:30 p.m. with five council members present: Tom Herkenhoff, 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: Duane Stienecker, 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 August 18, 2020. Motion passed on five aye votes.

Albers and Enneking motioned to excuse Craig Oldiges from the meeting. Motion passed on five aye votes.

Auglaize County Commissioner Candidate: Duane Stienecker is running as an independent for Auglaize County Commissioner in the November 3, 2020 general election. Duane has served on the New Knoxville CIC board for 10 years, New Knoxville Council for 7 years, and worked at Crown Equipment for 28 years. He would appreciate your vote in the general election. Council thanked him for his time.

ORDINANCES & RESOLUTIONS:

Seventh Street Speed Limit Change: At the previous council meeting, property owners at Stonegate Subdivision expressed concerns about vehicles driving too fast as they enter town from the east. The current speed limit is 35 mph as you enter the corporation limits and changes to 25 mph at Hamilton Street. Although this section of the street is not developed, it is zoned residential and will be developed in the near term. Clune and Enneking motioned for the 2nd reading of **Ordinance 20-08-01** changed the speed limit from 35 mph to 25 mph on east Seventh Street. Motion passed on five aye votes.

Refinance 30-year Sewer Bonds: Ten years ago, the Village took out \$6,050,000 in sewer system improvement bonds. These bonds are callable after 10 years and the Village has the ability to refinance the bonds at a lower rate. The current interest rate is from 4.5% to 6.0% and Andrew Brossart and Brenda Wehner of Bradley Payne Advisors believe we can reduce our interest rate to around 2% and reduce the length from 20 years remaining to 15 years. Schwartz and Herkenhoff motioned to suspend the rule of three readings. Motion passed on five aye votes. Schwartz and Enneking motioned to pass and adopt **Ordinance 20-09-01** providing for the issuance of not to exceed \$4,695,000 sewer system improvement refunding bonds. Motion passed on four aye votes.

Inside the 10-mil Limit on Property Tax: Annually Council approves the County Budget Commissions estimates for inside the 10-mil limit and 3.0 mills outside the 10-mil limit on property tax. The County Budget Commission's estimate for 2021 is again 2.2 mills, identical to past years and the 3.0 mills outside the 10-mil limit is for the Fire and EMS levy. Albers and Clune motioned to suspend the rule of three readings. Motion passed on five aye votes. Enneking and Herkenhoff

motioned to pass and adopt **Resolution 20-09-01** approving the county estimate for inside and outside the ten-mill limit tax. Motion passed on five aye votes.

Local Government Fund: Each year the village receives a plan of distribution of the Local Government Fund from the Auglaize County Budget Commission. As in previous years the village will receive approximately 5% of the funds distributed to Auglaize County for 2021. Schwarz and Herkenhoff motioned to suspend the rule of three readings. Motion passed on five aye votes. Clune and Albers motioned to pass and adopt **Resolution 20-09-02** to accept the rates as proposed from the Auglaize County Budget Commission. Motion passed on five aye votes.

Zoning Classification for Ripploh / Weigandt Annexation: Recently Ripploh / Weigandt property located at the north east corner of Seventh Street and Main Street has been annexed into the Village of Minster. The Planning Commission held a public hearing and recommended that the property be zoned General Commercial (C-2) along Main Street and Single and Double Family Central Residential (R-1) along Seventh Street. The zoning code sets a public hearing date for zoning classifications. Herkenhoff and Schwartz motioned to pass and adopt **Resolution 20-09-03** accepting the recommendation of the Planning Commission and to set a public hearing date of October 20, 2020. Motion passed on five aye votes.

COMMITTEE REPORTS:

Street Committee: Curt Albers reported a concern about speeding in the alley from Fourth Street at the Post Office to the St. Augustine parking lot. The speed limit is 15 mph and the committee are considering ways to control the speed including a speed bump. Tom Herkenhoff stated he did not see a big problem and Mayor Kitzmiller stated a speed bump is not needed. Curt asked if the speed could be monitored. Don will check with Choice One to see if they can set a device to record the speed and then determine a future plan of action.

OLD BUSINESS: None.

NEW BUSINESS:

New Part-time Police Officer: The Police Department continues to look for part-time police officers to fill some gaps. Chief David Friend has interviewed Riley Gibson for a part-time position in the department. Riley graduated from Wright State Police Academy and passed his pre-employment background check. Schwartz and Herkenhoff motioned to accept Mayor Kitzmiller's recommendation to hire Riley Gibson as a part-time Police Officer at \$16.05 per hour. Motion passed on five aye votes.

Purchases over \$3,000 Dollars: Council reviewed a list of invoices which were over \$3,000. Council has authorized the Administrator to purchase items up to \$25,000, however, per the State Auditor; the purchases over \$3,000 and under \$25,000 require Council approval. Enneking and Clune motioned to approve the payment of invoices over \$3,000. Motion passed on five aye votes.

ADMINISTRATOR REPORT:

- 1) Last week, we had Lake County Sewer in the village to clean and re-grout the sewer line from 2nd to 4th street that lies between Hanover Street and Lincoln Street. Part of this line is an old cast iron line that was restricting flow and part of it is a concrete pipe that was

infiltrated by roots. Lake County Sewer cleaned the old cast iron line out reducing the restriction and cleaned the concrete pipe of roots and grouted the joints to prevent other roots from penetrating the pipe

- 2) Last Thursday, we had a meeting with CDM to discuss the results of the hydraulic study and to begin discussions on possible tank designs and locations. CDM continues to work on the modeling and will have preliminary reports to us in the future.
- 3) Barrett Paving is scheduled to begin the 2020 minor street resurfacing project this week. They will start grinding the streets and plan on having the streets resurfaced before the weekend, weather permitting.
- 4) Posts have been set for both of the entrance signs which will be on State Route 66 north and south. This week, the actual signs will be installed. We will be ordering lights and will have the signs landscaped in the near future.
- 5) The last day at the pool was August 24th. Crews will begin preparing the pool for this winter.
- 6) A couple of street lights were installed last week on East Seventh Street. This should light up this area a little better.
- 7) Electrical crews continue to work on the north substation. Crews have installed all of the ground grid and have backfilled everything with stone. They will begin to run wire between the switch house and the transformers next.

Invoices: Herkenhoff and Albers motioned to approve the payment of invoices totaling \$1,004,377.06. Motion passed on five aye votes.

COMMENTS & CORRESPONDENCE:

Trick or Treat: Schwartz questioned if the village will have the annual Halloween Trick or Treat night in light of the Covid19 situation? Don has received calls concerning trick or treat night and he will check with the Auglaize County Health Department.

Enneking and Albers motioned to enter into executive session at 7:01 p.m. to discuss land acquisition and pending litigation with action anticipated. Motion passed on five aye votes. Herkenhoff and Schwartz motioned to return to regular session at 7:36 p.m. Motion passed on five aye votes.

Lawsuit on Solar Project Phase II: At a previous meeting, Council terminated a contract with Empower Energy for the construction of the second phase of the solar project. Empower Energy failed to reach deadlines outlined in the contract and the project was completely past contract start up timing. Due to the delays no benefit from the solar field was realized during the summer of 2020. Minster MinMun2, LLC (Empower Energy) has file a lawsuit against the village for breach of this contract. Enneking and Schwartz motioned to suspend the rule of three readings. Motion passed on five aye votes. Schwartz and Albers motioned to pass and adopt **Resolution 20-09-04** appointing Duncan & Allen as legal counsel in the lawsuit with Minster Min Mun2, LLC. Motion passed on five aye votes.

Schwartz and Clune motioned to adjourn at 7:49 p.m. Motion passed on five aye votes.

Recorded & typed by John Stechschulte