

VILLAGE OF MINSTER, OHIO
COUNCIL MEETING MINUTES
Tuesday, March 15, 2016

Council Meeting: Council convened at 6:30 p.m., in Council Chambers with four council members present: Tom Herkenhoff, Craig Oldiges, Nicole Clune, and Paul Enneking. Also present were Dennis Kitzmiller (Mayor), Jim Hearn (Village Solicitor), Don Harrod (Administrator), and Kyle Gusching (Deputy Clerk), Mayor Dennis Kitzmiller called the meeting to order with the Pledge of Allegiance.

Attendance: Eric Adams (Evening Leader), Jared Mauch (Daily Standard), Brian Smith (Community Post), and David Friend (Police Chief). Also present were Ben Baumer, Kurt Baumer, Matt Quinter, Richard Weigandt, Todd Weigandt, Kevin Meyer, Jeff Stammen, Amy Korte, Ted Wuebker, Jed Kohne, Stephanie Kohne, Jon Dwenger, Gail Dwenger, David Dwyer, Susan Csejtey, Jim Fullenkamp, and Ruth Fullenkamp

Approval of Minutes: T. Herkenhoff and N. Clune motioned to approve the minutes from the regular meeting of February 16, 2016. Motion passed on four aye votes.

C. Oldiges and N. Clune motioned to excuse Curt Albers and Rick Schwartz from the meeting. Motion passed on four aye votes.

Rescue Squad: Kevin Meyer presented the monthly EMS report to council. He informed council that they passed legislation which makes the day shift workers employees of the rescue squad. The rescue squad also added a chief's position with Kevin Meyer accepting this position. Bridgette Sharp will become President, Travis Sudhoff, Vice President and Jessica Wuebker the Secretary. The rescue squad was also named Agency of the Month by Greater Miami Valley EMS Council.

Northeast Development: Stephanie Kohne expressed her concerns to council about the installation of Fifth Street from Hamilton Street to Paris Street. She stated that she was not opposed to the development that may occur to the north of what would be Fifth Street but she did ask council to consider not allowing the installation of Fifth Street. She stated that she would like to see Fifth Street remain undeveloped similar to the way Second Street is between Garfield Street and Hamilton Street. Also, she was opposed to having to pay for a portion of the street, sidewalks and curb and gutter, when she does not want Fifth Street to be installed

119 Sidewalks: Jeff Stammen once again asked council that status of the sidewalks along SR119 west. He stated that he heard that a resolution to proceed with the sidewalks was not approved. Don Harrod explained to him that Choice One Engineering was continuing to develop plans that were trying to address any drainage issues that could be created by installing sidewalks. Mr. Stammen expressed the need to have sidewalks installed along this route so that individuals from RoseBud Subdivision has access to the bike path. Richard Weigandt expressed concern about the need for sidewalks but more importantly it was his opinion that a significant amount of dirt work would be needed to properly install sidewalks along this route. Mr. Stammen expressed his desire to see council develop some sort of plan that would result in sidewalks being installed along this road.

ORDINANCES & RESOLUTIONS:

Non-Pool Power Sales Schedule with AMP: The Village entered into an agreement with AMP that allowed AMP to purchase blocks of power for the Village. The agreement allowed AMP to buy non-pool power up to 3 megawatts for the village without going through a three reading ordinance passed by council but rather with approval from the Village Administrator. The last block was purchased from TEA at \$38 a megawatt and has expired at the end of 2015. Don approved AMP to purchase an additional 3 megawatts for 2016 and 2017 at \$33 a megawatt. AMP, Don, and John Courtney believe it is a good opportunity to purchase another block at \$33 or lower for a longer length of time up to 2020. T. Herkenhoff and P. Enneking motioned for the 3rd reading to pass and adopt **Ordinance 16-02-03** authorizing the execution of the first amendment for to the 2012 – 2017 non-pool power sales schedule with AMP to allow purchased through 2020. Motion passed on four aye votes.

Transfer of Funds: Various funds require transfers of money to allow expenditures from the funds. The transfers are as follows:

- \$480,000.00 from General Fund to Public Works Department
- \$140,000.00 from General Fund to Pool
- \$1,156,000.00 from General Fund to Capital Improvements
- \$25,000.00 from Capital Improvements to Sanitary Sewer Replacement
- \$31,303.34 from Brownfield Grant to Capital Improvements
- \$507,837.00 from Water Plant Expansion to Water Fund
- \$1,550,000.00 from Capital Improvements to Northeast Development
- \$350,000.00 from WWTP Fund to Debt Service for WWTP Renovation
- \$200,000.00 from WWTP to WWTP Renovation
- \$1,100,000.00 from Electric Fund to Electric System Upgrade
- \$3,212.32 from Bullet Proof Vests Grant to General Fund

N. Clune and C. Oldiges motioned for the 1st reading of **Resolution 16-03-01** authorizing the transfer of funds. Motion passed on four aye votes.

Revise Appropriations and Estimated Resources: Various funds require adjustment of appropriations. The revised appropriations are as follows:

- 101 General \$4,332,255.00 increases \$296,100.00
- 204 Parks \$0.00 decreases \$296,100.00

In addition, various funds require adjustments to the estimated resources. The revised estimated resources are as follows:

- 101 General \$4,650,341.71 increase \$1,700.00
- 204 Parks \$0.00 decreases \$297,145.53

T. Herkenhoff and P. Enneking motioned for the 1st reading of **Resolution 16-03-02** authorizing the changes in appropriations and resources. Motion passed on four aye votes.

COMMITTEE REPORTS: The Parks Committee met and informed council that the three canopies for the little league diamonds have been delivered and will be erected in the next few weeks. The canopies on Diamond 1 and 4 will be completely erected and the canopy of Diamond 3 will only have the poles installed and once girls' softball has finished, they will install the canopy on the poles.

OLD BUSINESS:

American Renewable Energy and Power to gauge the public's interest in Community Solar:

Dave Dwyer has talked to Council about his desire to start a community solar program in the Village. He has pointed out there are a number of benefits to both the Village and the residents of having such a program. Dave has asked us to allow him to go out and to try to see what type of interest there may be from residents and businesses in participating in a community solar program.

Jim Hearn has suggested that the Council should pass a motion granting Dave and American Renewable Energy and Power the ability to go out and to poll the residents and the businesses to see if there is any interest before passing an exclusive agreement with American Renewable Energy and Power. Once Dave has determined if there is interest or not, council can then begin discussions about an exclusive agreement. C. Oldiges and P. Enneking motioned to allow American Renewable Energy and Power to gauge the public's interest in Community Solar. Motion passed on four aye votes.

Northeast Development: Jim Hearn provided his legal opinion to council regarding the legality of previous passed ordinance relating to street and utility installations as well as his legal opinion on who covers costs for future street installation. Mr. Hearn stated that due to the codification of the village ordinance in 2001 all previous ordinances pertaining to the subjects treated in the codified ordinances were deemed repealed, thus any previous ordinances dealing with street and utility installations were null and void. Mr. Hearn went on to further state that since the village passed Ordinance 96-2-3 the subdivision regulations for the village and because this ordinance was codified and incorporated within the codified ordinances in 2001, that these regulations would apply to future subdivisions and re-plats. In the subdivision regulations there are a number of sections that address who is responsible for the installation of various improvements that are part of a development or redevelopment of a subdivision. Sections 152.74, 125.75, 152.76, 152.77, and 152.64 determine law dictating financial responsibility for the various aspects of subdivision development onto the developer. Todd Weigandt expressed he has no conflict with the northeast development but rather expressed concern that when he developed Park Place Drive all the cost incurred were at his expense. No action was taken by council at this time, but they did indicate that they would take Mr. Hearn's opinion under advisement and get back to both the Argus Groups and the Weigandts with a decision.

NEW BUSINESS:

Administrator Vehicle: The Administrator has a 2002 Ford Expedition with approximately 111,000 miles. State purchasing offers a 2016 Ford Expedition for \$35,975.00. T. Herkenhoff and N. Clune motioned to purchase the 2016 Ford Expedition from state purchase at approximately \$35,975.00. Motion passed on four aye votes.

Dump Truck: The PWD currently has a 1997 International chassis with a steel dump bed. State purchasing offers a 2016 Freightliner chassis with a Cummins Diesel engine for \$84,463.00 and a 10 foot stainless steel dump bed for \$40,034.00. PWD would also like to purchase a snow plow which would fit the new truck. The cost for the plow through state purchasing would be \$7,985.00. C. Oldiges and T. Herkenhoff motioned to purchase the chassis, dump bed and snow plow from state purchasing for approximately \$132,482.00. Motion passed on four aye votes.

Flat Bed Truck: In the appropriations for the electric department money was budgeted to purchase a new flatbed truck for the department. The current model is a 2009 Ford Truck. It is our intention to give the current vehicle to the parks department to replace a 1997 Ford Flat Bed that the parks department is currently using. Once the swap has been completed, we would then proceed to sell the 1997 truck that the parks department is currently using.

State Purchase offers a 2016 Ford F-550 chassis for \$41,789.24 and a utility bed for \$14,350.00. P. Enneking and C. Oldiges motioned to purchase the 2016 Ford F-550 from state purchasing for approximately \$56,139.24. Motion passed on four aye votes.

Income Tax: Council reviewed the February 2016 monthly income tax reports of \$341,861.17 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 collections for the Village. T. Herkenhoff and N. Clune motioned to approve the monthly income tax reports. Motion passed on four 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 under \$25,000, however, per the State Auditor; the purchases over \$3,000 and under \$25,000 require Council approval. C. Oldiges and P. Enneking motioned to approve the invoices over \$3,000. Motion passed on four aye votes.

ADMINISTRATOR REPORT:

- At the Waste Water Treatment Plant, Peterson Construction has nearly completed all of the work that can be done until more of the equipment is delivered. Last week, Peterson installed the polymer system and drum containment, continued to work on the HVAC and did some minor electrical items. We are still waiting for the PLC and diverter gate for the Centrifuge, electrical switchgear and the conveyor. All equipment is supposed to be delivered by the end of March.
- Two weeks ago, S & C did a series of tests to the energy storage system. On Thursday, the 25th of February, they ran a series of tests which charged and discharged the batteries. A full 7MW was charged and discharged onto the system at that time. Last week, the electric department was provided some brief training on the operation of the energy storage system. A more detailed training session is scheduled for the 5th of April.
- At the last meeting, I reported that Well #6 was blowing water from the top of the well. It was discovered that a portion of the Certa-Lok pipe came loose at a coupler. Plans are underway to make the necessary repairs to the well, however, while we have the pipe, motor and wire out of the well, we are going to take the necessary steps to clean the well. It has been approximately six years since this well has been cleaned and while everything is out of the well, it makes the opportune time to clean the well.
- The three new canopies for the little league diamonds have been delivered to the parks department. We will immediately begin to get them erected weather permitting. We will install the two complete canopies on Diamond 1 and 4 and only install the poles on Diamond #3 to allow for the girls softball to utilize the press box area. Once the girls' softball has finished using Diamond #3, we will install the canopy on the poles.
- Work on the pool bath house floor is expected to begin within the next few weeks. Crews will be cleaning the walls inside the bath house as well as doing some minor painting.
- After some extensive cleaning of the street sweeper, Public Works employees have discovered that the catch tub on the vehicle is severely rusted on the inside. We are going to look at what our options are to replace the catch tub on the vehicle.

- Beginning on April 1, 2016, Efficiency Smart will be launching a new initiative to offer discounted lighting products to residents. Through a partnership with Western Ohio True Value and Greenlite Lighting Corporation, residential electric customers of the Village of Minster Utilities Department will have the opportunity to purchase ENERGY STAR Certified LED bulbs for \$1.00, as well as ENERGY STAR Certified CFL 4-packs for \$1.00 at Western Ohio True Value.
- The Village will be performing Tornado Safety Drills on March 23rd at 9:50 a.m. unless expecting inclement weather.

Receipts: Council reviewed the monthly cash receipt ledger of \$2,417,166.31. N. Clune and P. Enneking motioned to approve the report. Motion passed on four aye votes.

Invoices: T. Herkenhoff and C. Oldiges motioned to approve the invoices totaling \$1,792,343.22. Motion passed on four aye votes.

COMMENTS & CORRESPONDENCE: None.

N. Clune and C. Oldiges motioned to enter into executive session at 7:52 p.m. to discuss the purchase of land with no action anticipated. Motion passed on four aye votes. N. Clune and T. Herkenhoff motioned to return to regular session at 8:34 p.m. Motion passed on four aye votes

P. Enneking and N. Clune motioned to adjourn at 8:36 p.m. Motion passed on four aye votes.

Dennis Kitzmiller, Mayor

John Stechschulte, Clerk

Recorded & typed by Kyle Gusching