

VILLAGE OF MINSTER, OHIO  
COUNCIL MEETING MINUTES  
Tuesday, February 17, 2015

**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), Don Harrod (Administrator), Jim Hearn (Village Solicitor), and John Stechschulte (Fiscal Officer). Mayor Dennis Kitzmiller called the meeting to order with the Pledge of Allegiance.

**Attendance:** Janice Barniak (Evening Leader), Jared Mauch (Daily Standard), David Dwyer and Suzanne Csejtey (American Renewable Energy and Power), and David Friend (Police Chief).

**Approval of Minutes:** N. Clune and P. Enneking motioned to approve the minutes from the February 3, 2015 regular meeting. Motion passed on four aye votes.

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

**VISITOR COMMENTS:**

**ORDINANCES & RESOLUTIONS:**

**Official Zoning Map:** Jay & Shirley James own the Cottage Café located at 278 S. Main Street and are requesting an amendment to the official zoning map, so that the property located on Lot 142 and the south part of Lot 141 of Block A be rezoned from single and double family residential to general commercial. The James' currently have a conditional use permit to operate a commercial establishment in a residential zoned area, similar to two other businesses on South Main Street and also located in the residential district. The Planning Commission previously held a similar public hearing and voted to deny the request. The Planning Commission has recommended to council that the request be denied. Adjacent property owners also are objecting, stating that any business such as fast food or gas station could then locate at the property in the future. The Village of Minster Zoning Code states that the Village Council shall favorably consider an application for an amendment to the Zoning Map, only if the request for a change meets the following conditions:

- (1) A manifest error in the original Zoning Regulations Text or designations on the Official Zoning District Map.
- (2) Accordance with or more appropriate conformance to any existing Land Use Plans for the area under consideration.
- (3) Substantial change in area conditions,
- (4) Legitimate requirement for additional land area for the particular Zoning District

In looking at the four criteria above, it doesn't appear that the request would meet any of them. C. Oldiges and T. Herkenhoff motioned for the 3<sup>rd</sup> reading to pass and adopt **Ordinance 15-01-02** denying a petition to amend the Zoning Map. Motion passed on four aye votes.

**Miami Erie Medical Center Annexation:** Joint Township Memorial Hospital owns Miami Erie Medical Center and wish to be annexed into the Village. Council needs to authorize the execution of an annexation agreement between the Village and Jackson Township for a parcel of land located along State Route 66.

Ohio annexation laws provide for a special property annexation procedure when all parties involved consent. Under these special procedures an annexation agreement between the municipal corporation and any township involved must be approved. These annexation agreements may provide for the territory to be annexed; the provision of services and improvements to the property and who is responsible; payment of services fees; payment in lieu of taxes; and changes in township boundaries among other items. In some instances, where the township and the community do not have a good working relationship getting both parties to agree can be challenging. In our situation, where we work closely with Jackson Township, the agreement can be fairly simple. The agreement is a mirror copy of the agreements developed by Jim Hearn and approved previously. As with those agreements, this agreement simply states that both the Village and the Township consent to the annexation; that the Village will provide services to the property upon annexation; that the Village is responsible for zoning the property; and that the Township will continue to receive the real estate tax revenue. P. Enneking and N. Clune motioned for the 2<sup>nd</sup> reading of **Ordinance 15-02-02** approving an Annexation agreement with Jackson Township Trustees. Motion passed on four aye votes.

**Amended Purchase Power Agreement:** There have been discussions concerning an Energy Storage System being built in conjunction with the solar field project. John Courtney, Gregg Ottinger, Jim Hearn, and Don Harrod have been working on details to an addendum to the purchase power agreement with American Renewable Energy and Power which would allow both projects to move forward. The agreement would be to lease property at the north substation to house the system and allow the developer to install the system at no cost to the Village. Council toured an energy storage system located in Dayton. Don Harrod stated the trip answered questions concerning safety and noise. Dennis Kitzmiller reiterated that the village would not be responsible for maintenance. Tom Herkenhoff concurs with the remarks. T. Herkenhoff and N. Clune motioned for the 2<sup>nd</sup> reading of **Ordinance 15-02-04** entering into an addendum to the Power Purchase Agreement. Motion passed on four aye votes.

**Participation in the Local Government Innovation Fund Program:** The City of St. Mary's is heading an effort to partner with other local governments along the Miami-Erie Canal to apply for a \$50,000.00 Local Government Innovation Fund Grant to create development/tourism plan for the canal between Ft. Loramie and Delphos. The program offers a \$50,000.00 grant for planning and a zero interest loan of \$100,000.00 per partner for implementation. The goal is to develop a plan which would raise awareness of the value of the canal and develop a plan for physical improvements. Tom Herkenhoff expressed reservations concerning the participation in the program. He isn't convinced the \$4,000 to \$5,000 dollars is a good investment. Nicole Clune would like to see the path go to Ft. Loramie. She suggested inviting Poggemeyer Design to the next meeting to present their ideas answer questions. Craig Oldiges believes it could benefit Minster in an unknown way and may look outside the bubble as we see development associated with the canal. N. Clune and C. Oldiges motioned for the 2<sup>nd</sup> reading of **Resolution 15-02-01** to authorize the City of St. Marys to file an application to the State of Ohio to participate in the Local Government

Innovation Fund program. Motion passed on three aye votes and one nay vote by Tom Herkenhoff. Other members participating are Ft. Loramie, New Bremen, Spencerville, and St. Marys.

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

- \$307,000.00 from General Fund to Public Works Department
- \$198,000.00 from General Fund to Parks Department
- \$62,000.00 from General Fund to Pool
- \$97,346.93 from General Fund to WWTP Renovation
- \$901,853.07 from General Fund to Capital Improvements
- \$34,040.63 from Brownfield Grant to Capital Improvements
- \$110,000.00 from Boulder Lane Construction to Capital Improvements
- \$60,640.18 from Webster Street Project to Capital Improvements
- \$350,000.00 from WWTP Fund to Debt Service for WWTP Renovation
- \$200,000.00 from WWTP Fund to WWTP renovation
- \$1,100,000.00 from Electric Fund to Electric System Upgrade
- \$600,000.00 from Water Fund to Water Plant Expansion
- \$125,000.00 from Water Fund to Well Field Development

P. Enneking and T. Herkenhoff motioned for the 1<sup>st</sup> reading of **Resolution 15-02-02** authorizing the transfer of funds. Motion passed on four aye votes.

**Speed Limit on State Route 119:** The Street Committee met to discuss the possibility of installing sidewalks along State Route 119 west from Main Street (State Route 66). Choice One has completed their preliminary design work and has made a recommendation to install the sidewalks in the existing right-of-way which would locate the most of the sidewalks seven feet from the road. The current speed limits are between 50 and 55 mph. Before proceeding with the project, the Street Committee would like to see if the State of Ohio would reduce the speed limit. A speed study needs to be conducted in order for ODOT analyze the data to make a determination if the speed limit should be reduced. Choice One has submitted a proposal for \$3,980.00 to compile the data and submit the necessary paperwork to ODOT for their review. N. Clune and C. Oldiges motioned for the 1<sup>st</sup> reading of **Resolution 15-02-03** requesting to modify the speed limits on State Route 119 West beginning at Canal Road and ending at State Route 66. Motion passed on four aye votes.

#### **COMMITTEE REPORTS:**

**Parks:** David Friend, Police Chief, reported the individuals who vandalized the shelter house at Four Seasons Park have been identified. Pictures were posted on the village Facebook page were identified and the suspects admitted guilt.

**OLD BUSINESS:** None.

#### **NEW BUSINESS:**

**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. T. Herkenhoff and P. Enneking motioned to approve the invoices over \$3,000. Motion passed on four aye votes.

**Income Tax:** Council reviewed the January 2015 monthly income tax report of \$232,638.58 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. N. Clune and C. Oldiges motioned to approve the monthly income tax report. Motion passed on four aye votes.

**ADMINISTRATOR REPORT:**

- The State Auditors have been in the village conducting the annual audit.
- We are currently reviewing the resumes for the open position of administrative assistant. We will be setting up interviews sometime this week or early next week and would like to have a recommendation to council at one of the meetings in March.
- Village employees have picked up the steps to the high dive at the pool. These steps were taken down late last year to be re-powder coated. Once the weather improves, crews will reassemble the steps to the high dive.
- The water department has the list of those needing their water meters changed out down to just a handful of both commercial and residential customers. Most of the meters left to be replaced involve the need for a plumber to make changes to accommodate a new meter. We will be working with these customers to get these last few wrapped up.
- Electrical crews are also replacing the three phase demand and single phase demand electrical meters to accommodate the new meter reading system as well. We are replacing these meters with digital demand meters which will make it easier to read the demand usage and which can be downloaded into the meter reader handheld units.
- Work at the south electrical substation by the Golf Course is now complete. Crews finished pouring the concrete steps that go up to the new switch house building last week to bring the project to a close.

**Receipts:** Council reviewed the monthly cash receipt ledger of \$1,300,616.24. C. Oldiges and P. Enneking motioned to approve the report. Motion passed on four aye votes.

**Invoices:** T. Herkenhoff and N. Clune motioned to approve the invoices totaling \$156,000.86. Motion passed on four aye votes.

**COMMENTS & CORRESPONDENCE:** None.

P. Enneking and C. Oldiges motioned to adjourn at 7:10 p.m. Motion passed on four aye votes.

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Dennis Kitzmiller, Mayor

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John Stechschulte, Clerk

Recorded & typed by John Stechschulte