

January 3, 2023
Tuesday- 6:30 p.m.
Village of Minster Council Chambers

- 1) Call to Order
- 2) Approval of December 20, 2022 meeting minutes TH/CS
- 3) Introduction of Visitors:
 - a)
- 4) Ordinances and Resolutions:
 - a) Ordinance 22-12-01: Discussion, third and final reading of an ordinance to amend Chapter 95 of the Village of Minster's Codified Ordinances and enact legislation relating to cats running at large.
TABLES → CO/TW
 - b) Ordinance 22-12-04: Discussion, and second reading of an ordinance establishing the rates to be charged water consumers for services supplied by the water system of the Village of Minster, Ohio. TH/CA
 - c) Ordinance 23-01-01: Discussion, suspend, pass and adopt an ordinance authorizing the issuance of a 10 year note for the 2022 East Seventh Street Reconstruction Project and to declare an emergency.
SUSPEND - NC/TW PASS - CO/CS
 - d) Resolution 23-01-01: Discussion and first reading of a resolution authorizing the Village's participation in the Ohio Department of Administrative Service's Cooperative Purchasing Program for 2023.
SUSPEND - TH/NC PASS - CA/CO
 - e) Resolution 23-01-02: Discussion, and first reading of a resolution authorizing the sale of excess personal property by internet sales. SUSPEND - CO/TW PASS - CE/CA
- 5) Committee Reports and Discussion Items:

Streets: Nicole, Craig S., Craig O. Safety: Nicole, Craig O., Travis Parks: Craig O., Curt, Tom Personnel: Curt, Nicole, Craig S.	Finance/Audit: Tom, Nicole, Travis Utilities: Travis, Curt, Tom Econ. Development: Tom, Curt, Craig S. Community Engagement and Development: Craig S., Craig O., Curt
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- 6) Old Business:
 - a) Discussion and motion to approve the payment of an invoice from Duncan and Allen for legal services. NC/TH
 - b) Discussion and motion to seek bids for the 2023 Sidewalk Repair Project. CS/TW
 - c) Discussion and motion to seek bids for the State Route 119 Water and Sewer Extension project. CO/NC
- 7) New Business:
 - a) Discussion and motion to appoint a council president. CS/CA
 - b) Discussion and motion to accept the resignation of Adam Bergman from the Minster Police Department. TW/TH
 - c) Discussion and motion to appoint Parker Maurer as a full time police officer with the Minster Police Department.
CS/TH
- 8) Administrator's Report
- 9) Discussion and Motion to enter into executive session to discuss pending litigation. CO/NC
- 10) Motion to adjourn

CA/TW - out of
749
CO/TH - Accused
749

VILLAGE OF MINSTER, OHIO
COUNCIL MEETING MINUTES
Tuesday, December 6, 2022

Council Meeting: Council convened at 6:30 p.m. in Council Chambers with five council members present: Craig Oldiges, Curt Albers, Tom Herkenhoff, Craig Sherman, and Nicole Clune. Also, present were Dennis Kitzmiller (Mayor), Don Harrod (Administrator), Brittany Hemmelgarn (Fiscal Officer).

Attendance: Tom Millhouse (Daily Standard) and Brent Melton (Community Post/Evening Leader).

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

Approval of Minutes: Albers and Clune motioned to approve the minutes from the regular meeting of December 6, 2022. Motion passed on four aye votes and one abstention from Herkenhoff.

Oldiges and Sherman motioned to excuse Wilges from the meeting. Motion passed on five aye votes

ORDINANCES & RESOLUTIONS:

Discussion and second reading of an ordinance to amend Chapter 95 of the Village of Minster's codified ordinances and enact legislation relating to cats running at large. This ordinance amends Chapter 95 of the Village of Minster's codified ordinance and establishes rules and regulations regarding cats roaming at large. Several months ago, Don received a call from some concerned residents regarding neighborhood cats causing a nuisance to their property. They asked if the village would consider an ordinance regarding "at large" cats. After talking with a couple of committees of council and doing some research on what other communities have done regarding "at large cats," Don has developed some regulations relating to cats running at large.

Basically, the ordinance, which is modeled after an ordinance enacted by the Village of Coldwater, defines that an "at large" cat is a cat off of the property of the owner or the person having the right of property or custody of a cat. It also defines that a nuisance created by an "at large" cat means that a cat damages, soils, defiles or defecates on private property other than the owners; causes unsanitary, dangerous or offensive conditions; or causes a disturbance. The ordinance goes on to state that the owner of a cat shall not permit the cat to roam off the premises of the owner's property and that no cat shall be allowed to cause a nuisance. Any person who fails to comply with the provisions of this section can be charged a minor misdemeanor and be subject a \$50.00 fine. If a cat is found to be "at large" and its ownership is verified, the authority may exercise the option of serving the owner with a notice of violation in lieu of impounding the animal.

Since the initial call that Don received and since the topic has been out in public, Don has received several additional calls from residents expressing a need for some type of ordinance because they too have had issues with neighboring cats. Oldiges and Sherman motioned to approve the second reading of **Ordinance 22-12-01** amending Chapter 95 of the Village of Minster's Codified Ordinances and enacting legislation relating to cats running at large. Motion passed on four aye votes and one no vote from Clune.

Discussion, suspend, pass and adopt an ordinance adopting interim appropriations for 2023:

An ordinance establishing interim appropriations for 2023 by fund accounts rather than individual line items. These interim appropriations will be used as a budget until a final appropriations budget is passed in early 2023. This budgeting process allows the Village to calculate final numbers for 2022 before compiling the final 2023 budget. It also allows the village to continue to operate during the time the final budget is being prepared. Total interim appropriations for 2023 are set at \$7,101,950.00. Clune and Herkenhoff motioned to suspend the rule of three readings. Motion passed on five aye votes. Albers and Oldiges motioned to pass and adopt **Ordinance 22-12-03** adopting the 2023 Interim Appropriations. Motion passed on five aye votes.

Transferring and Supplementals of Funds: This is a resolution transferring funds from various accounts to other accounts and increasing/decreasing appropriations in some funds. Now that we are accounting for every line item rather than funds, there are considerably more transfers to make to keep the budget balanced. Section one of the ordinance is the transfer of funds from various accounts to keep everything positive. Section two is where additional funds need to be appropriated into these accounts and section three is where transfers need to be made between funds. Oldiges and Sherman motioned to suspend the rule of three readings. Motion passed on five aye votes. Herkenhoff and Clune motioned to pass and adopt **Resolution 22-12-02** authorizing the transfers and supplementals of funds. Motion passed on five aye votes.

Discussion and first reading of an Ordinance establishing the rates to be charged water consumers for services supplied by the water system of the Village of Minster: John Courtney of Courtney Associates shared with the results of the costs of service study that they conducted on our water system and Don shared those results with the utility committee. In his report, John showed that the projected revenues based on the current rates were not sufficient to meet the near-term revenue requirements of the system and that the village should look at increasing rates. Most of this can be contributed to an increase in chemical costs over the past year. Chemical cost from 2021 to 2022 doubled, not because usage increased but because of inflation.

Courtney and Associates put together a recommended five phase approach to implementing such an increase. The first phase involves an increase in the customer charge based upon the size of the meter serving the property. Under this plan, the larger the meter that serves the property the higher the customer charge. For example, a customer with a 3/4" meter the customer charge goes from \$5.00 to \$5.25. For larger size meters the customer charge could range from \$13.13 to \$735.00. Currently, a property owner, no matter what size meter, pays a customer charge of \$5.00. In addition to the customer charge, the usage charge also increases from \$2.00 per 1,000 gallons to \$2.10 per 1,000 gallons. Each year thereafter, the customer charge increases and the usage charge increases, so that when you get to the fifth year, the customer charge for a 3/4" meter is \$6.25 and the usage per 1,000 gallons is \$2.50.

For a resident that uses on average 4,000 gallons per month, this would result in an increase in the first year of \$0.85 per month. For a family that uses on average 10,000 gallons per month, they would see an increase of \$1.25 per month in the first year. A resident who uses on average 4,000 gallons per month would be paying \$3.25 more in year five than what they are paying today and a family who uses 10,000 gallons per month would be paying \$6.25 more in year five.

The last increase in water rates was in July of 2016. By making these adjustments, the village will move the revenue distribution towards the cost of service results. Albers and Sherman motioned to

approve the first reading of **Ordinance 22-12-04** establishing new rates for water services. Motion passed on five aye votes.

COMMITTEE REPORTS:

Parks: Discussed some potential projects for the Four Seasons parks as well as the possible hiring of a new Pool Manager.

Personnel: The Committee met to discuss the pay increases and are presenting the options in Executive Session.

Finance: The Committee met to discuss the 2023 budget and Interim Appropriations. The Committee will meet again after the 2022 numbers have been finalized.

Utilities: Discussed the new water rates that were presented in tonight's meeting.

OLD BUSINESS:

NEW BUSINESS:

HGACBuy Contract: HGACBuy is a national cooperative purchasing program established by the Houston-Galveston Area Council and is the largest of 24 councils of governments in Texas and is a political subdivision of the State of Texas. It has been serving local governments for more than 40 years. HGAC cooperative purchasing program was established pursuant to Texas Interlocal Cooperation Act which allows local governments and certain non-profits to contract or agree under the terms of the Act to make purchases or provide purchasing services and other administrative functions appropriately established by governmental entities. The Interlocal Contract is the required legal document that establishes a link between the local government and HGACBuy and gives the local government access to HGACBuy contracts. HGAC has established interlocal contracts with thousands of local governments throughout Texas and across the United States.

Products and services are contracted after having been subjected to either a competitive bid or competitive proposal process. Contracts are blanket type, usually for a term of two to three years. Use of HGACBuy for purchases by any member is at the discretion of that entity.

This program is similar to the state of Ohio's cooperative purchasing program but is nationwide. In this case HGACBuy accepts competitive bids or proposals for specific equipment and its members can then have access to the bids or proposal to purchase equipment without going through a competitive bid process themselves.

Joining a nationwide cooperative purchasing program could save the village money. There are over 7,000 products and services offered that the village could take advantage of including purchasing the new fire apparatus for the fire department. Herkenhoff and Albers motioned to enter into a contract with HGACBuy. Motion passed on five aye votes.

Purchase of an Extreme Duty Brush Truck Apparatus (Brush Truck): Earlier this year, village council approved the purchase of a chassis for the fire department for their new grass truck. The

department has put together specifications for the fire apparatus that would go onto the chassis. They have talked with a couple of different suppliers of this type of apparatus and have decided that they would like to purchase the apparatus from Southeast Apparatus out of Corbin, Kentucky. Southeast Apparatus has a contract through HGACBuy that would enable us to purchase the apparatus without going through the competitive bidding process.

The estimated cost of the apparatus is \$139,920.00. This includes mounting the apparatus onto the chassis that we have already purchased. In this year's budget, we appropriated \$150,000.00 for this purchase. Oldiges and Clune motioned to purchase the extreme duty brush truck apparatus. Motion passed on five aye votes.

Appointing Council representatives to the Volunteer Fire Fighter's Dependent Fund: Each year Council appoints two members to serve as their representative on the Volunteer Fire Fighters' Dependents Fund Board. In the past it has always been the chairperson of the Safety Committee. If we follow the same protocol as in the past, Nicole would be the appointee to this Board. We would also need to appoint another member of the Safety Committee to serve on the board. That member could either be Craig or Curt. Last year, the council nominated Craig. Sherman and Albers motioned to appoint Clune and Oldiges as the Council Representatives to the Volunteer Fire Fighter's Dependent Fund. Motion passed on five aye votes.

ADMINISTRATOR REPORT:

- 1) Crews from Landmark continue to work on forming the second section of the water tower. The first two sections contain a considerable amount of rebar because of the doors in the base of the tower and take longer to set up. We anticipate that they will pour the second section sometime this week.
- 2) The electric department has installed the new lights for the tennis courts at Seventh Street Community Park. The only work that remains on the lights is to align them, which will be done in the future.
- 3) The village's annual Santa in the Park event on Saturday, December 10th was a success. Approximately 75 to 100 kids attended the event.
- 4) Electric crews have set some of the equipment for the Tantalus meter readings system and have deployed some of the meters. So far, everything seems to be working well as we can see the meters that have been deployed. We will continue to add meters to the system. Once we get the system implemented and feel comfortable with its use, we will begin working on the customer portal.
- 5) Rumpke has indicated that there will be no delays in picking up garbage over the holidays. Rumpke will continue to adhere to their regular schedule during this time.
- 6) Village offices will be closed on Friday, December 23rd and Monday, December 26th for the Christmas holiday. In addition, the offices will be closed on Monday, January 2nd as well.

- 7) The Village held a conference call with the Ohio EPA to discuss the TDS issue resolution. On that call both the division of drinking water and the division of surface water were in attendance. The Ohio EPA outlined the procedures that the village needs to take to use dilution as an option to reduce the levels of TDS in the village's effluent. We are working with CDM Smith to put a plan in place to begin to implement the dilution option.

Receipts: Clune and Albers motioned to approve the cash receipt ledger of \$54,525.96. Motion passed on five aye votes.

Invoices: Herkenhoff and Sherman motioned to approve the invoices totaling \$2,067,923.03. Motion passed on five aye votes

COMMENTS & CORRESPONDENCE: None.

Clune and Herkenhoff motioned to enter into Executive Session at 7:10 p.m to discuss employee compensation and litigation with action anticipated. Motion passed on five aye votes. Clune and Sherman motioned to return to regular session at 8:12 p.m. Motion passed on five aye votes.

Annual Pay Ordinance: Council discussed compensation for the employees for 2023. It was determined to raise the pay for full time employees by an average of 4% for the Cost of Living plus an additional step up increase for each employee which makes the average raise 6.36% per hour to adjust the pay table to allow a raise for all full- time employees. Pay increases will go into effect on December 26, 2022 payable on January 6, 2023. Oldiges and Albers motioned to suspend the rule of three readings. Motion passed on five aye votes. Clune and Herkenhoff motioned to pass and adopt **Ordinance 22-12-02** approving an average of 6.36% per hour pay increase for full-time employees. Motion passed on five aye votes

Oldiges and Albers motioned to adjourn at 8:22 p.m. Motion passed on five aye votes.

Dennis Kitzmiller, Mayor

Brittany Hemmelgarn, Clerk

Recorded & typed by Brittany Hemmelgarn

TO: Mayor, Council Members, Others
FROM: Donald W. Harrod, Village Administrator
RE: Summary of Agenda Items

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Ordinance 22-12-01: Discussion, third and final reading of an ordinance to amend Chapter 95 of the Village of Minster's codified ordinances and enact legislation relating to cats running at large.

In your packet is a copy of an ordinance which amends Chapter 95 of the Village of Minster's codified ordinance and establishes rules and regulations regarding cats roaming at large. The copy of the ordinance in this packet has been amended based upon feedback from the Community Engagement and Development Committee. The amendment is under Section C (1) and adds "reported by a concerned resident" into that section.

Basically, the ordinance, which is modeled after an ordinance enacted by the Village of Coldwater, defines that an "at large" cat is a cat off of the property of the owner or the person having the right of property or custody of a cat. It also defines that a nuisance created by an "at large" cat means that a cat damages, soils, defiles or defecates on private property other than the owners; causes unsanitary, dangerous or offensive conditions; or causes a disturbance. The ordinance goes on to state that the owner of a cat shall not permit the cat to roam off the premises of the owner's property and that no cat shall be allowed to cause a nuisance. Any person who fails to comply with the provisions of this section can be charged a minor misdemeanor and be subject a \$50.00 fine. If a cat is found to be "at large" and its ownership is verified, the authority may exercise the option of serving the owner with a notice of violation in lieu of impounding the animal.

As Jim Hearn pointed out at the last meeting, if council wants to amend the Ordinance with the language noted above or with other language then there should be a motion to amend the ordinance as presented. Once the amendment is adopted, then the ordinance could be given its third reading.

Ordinance 22-012-04: Discussion and second reading of an Ordinance establishing the rates to be charged water consumers for services supplied by the water system of the Village of Minster:

John Courtney of Courtney Associates shared with me the results of the costs of service study that they conducted on our water system. I in turned share those results with the utility committee. In his report, John showed that the projected revenues based on the current rates were not sufficient to meet the near-term revenue requirements of the system and that the village should look at increasing rates. Most of this can be contributed to an increase in chemical costs over the past year. Chemical cost from 2021 to 2022 doubled, not because usage increased but because of inflation.

Courtney and Associates put together a recommended five phase approach to implementing such an increase. The first phase involves an increase in the customer charge based upon the size of the meter serving the property. Under this plan, the larger the meter that serves the property the higher the customer charge. For example, a customer with a 3/4" meter the customer charge goes from \$5.00 to \$5.25. For larger size meters the customer charge could range from \$13.13 to \$735.00. Currently, a property owner, no matter what size meter, pays a customer charge of \$5.00. In addition to the customer charge, the usage charge also increases from \$2.00 per 1,000 gallons to \$2.10 per 1,000 gallons. Each year thereafter, the customer charge increases and the usage charge increases, so that when you get to the fifth year, the customer charge for a 3/4" meter is \$6.25 and the usage per 1,000 gallons is \$2.50.

For a resident that uses on average 4,000 gallons per month, this would result in an increase in the first year of \$0.85 per month. For a family that uses on average 10,000 gallons per month, they would see an increase of \$1.25 per month in the first year. A resident who uses on average 4,000 gallons per month would be paying \$3.25 more

in year five than what they are paying today and a family who uses 10,000 gallons per month would be paying \$6.25 more in year five.

The last increase in water rates was in July of 2016. By making these adjustments, the village will move the revenue distribution towards the cost of service results.

If council wants to act upon Courtney's recommendation, I have included a copy of an ordinance amending the water rates in your packet. I would recommend that council give this reading the full three readings. Since these increases will have the largest impact on Dannon, I have reached out to them and informed them of the potential increase.

Ordinance 23-01-01: Discussion, suspend, pass and adopt an ordinance authorizing the issuance of a 10 year note for the 2022 East Seventh Street Reconstruction Project and to declare an emergency.

Upon the completion of the first phase of the East Seventh Street Reconstruction Project, final assessment letters were sent out to adjoining property owners giving them the option to either pay their assessment or to have their assessment placed upon their property taxes for a ten-year period. A number of property owners elected to place their assessments on their taxes, which means that \$114,646.66 of the assessments would be placed upon the tax roll. In order to do this the village must take out a ten year note to cover the amount of the assessments, where the proceeds of the note will be used to pay down the assessments.

The Village contacted both Osgood Bank and Minster Bank for quotes on the note. Minster Bank's quote came back with the lowest interest rate at 3.84%.

Council would need to pass an ordinance authorizing the issuance of the note with Minster Bank. So that the village can submit the unpaid assessments to the county auditor, they should pass this ordinance as an emergency.

Resolution 23-01-01: Discussion and first reading of a resolution authorizing the Village's participation in the Ohio Department of Administrative Service's Cooperative Purchasing Program for 2023.

Enclosed is a copy of Resolution 23-01-01 authorizing the village's participation in the State of Ohio's Cooperative Purchasing Program, more commonly known as State Purchasing. The Department of Administrative Services requires local governments to annually pass a resolution or ordinance authorizing their participation in this program. Usually, local governments are required to pay a nominal fee to cover the DAS administrative expenses incurred as a result of the local government's program participation, however for this year that fee is being waived by the Department of Administrative Services.

The primary benefit of this program is that it allows local governments to realize the benefits and cost savings of buying goods and services through state contracts. Local governments can buy limited quantities of equipment or materials at bulk rates through the program and can avoid incurring the additional costs that are associated with the formal bidding process.

Participation in the program does result in a significant costs savings for the village and I would encourage Council to pass this resolution.

Resolution 23-01-02: Discussion, and first reading of a resolution authorizing the sale of excess personal property by internet auction.

In your packet is a copy of a resolution expressing the Village's intent to sell excess personal property by internet auction. For the past several years, we have utilized a government internet auction site called GovDeals.com to auction excess equipment and vehicles that we had accumulated. We would like to do the same this year as equipment and vehicles are replaced. However, in order to do this, according to the Ohio Revised Code, the legislative authority must adopt a resolution expressing its intent to sell excess and used property by internet auction each year.

Just to refresh your memory, GovDeals.com is an internet site for the sale of government surplus equipment only. Communities can list their excess equipment on the site, set a minimum bid limit, set terms and conditions of a sale and set an auction length. Bidders can easily register and bid on equipment of their choice. There are no fees to list the equipment, however, if a piece of equipment sells, there is no client fee however the winning bidder pays a buyer's premium. Payment from a successful bidder is due within 5 business days and payments are made electronically through the GovDeals.com website and then transferred into the village's bank account.

Even though, we would be selling items on the internet, the Ohio Revised Code does call for the notice of sale to be published once in a local paper and put on the village's website.

If this is acceptable to council, the resolution would need to be passed.

Discussion and motion to approve the payment of an invoice from Duncan and Allen for legal services.

In your packet is a copy of an invoice from Duncan and Allen for legal services related to the solar lawsuit. This invoice is for services rendered through November 30, 2022 and totals \$7,221.69. In the past, Council has approved the payment of these invoices by passage of a motion.

Discussion and motion to seek bids for the 2023 Sidewalk Repair Project.

Last year, the village notified residents east of Main Street, who were identified as having sidewalks that failed to meet the standards established by the Village, of the need to repair those sidewalks. Residents could elect not to repair the sidewalks and have the village repair the sidewalk or to do the repairs themselves. Some residents fixed the sidewalks but most chose to allow the village to hire a contractor to make the repairs.

We have identified those residents who elected to have the village complete the work and have prepared bid documents for the work. We have also developed an estimate for the repairs and that estimate is \$60,521.00. We would like to advertise for bids for the project, but in order to do so, we would need council to authorize us to seek bids. They can do this by passing a motion to seek bids for the project.

Discussion and motion to seek bids for the State Route 119 Water and Sewer Extension Project.

Last year, we started the installation of the water line along State Route 119, however, we still need to install the remainder of the water line and install the sanitary sewer line that will serve the residents of this area. Choice One Engineering has put together bid documents and plans for the installation of the remainder of the water line and the sanitary line. The portion of the water line that needs to be installed is west from the Riethman's and under State Route 119 to Miami-Erie Drive. The sanitary line that needs to be installed is along the back of the properties between the houses along State Route 119 and Rosebud.

Choice One has developed an estimate for the project at \$185,565.00 and we have appropriated money into the budget for the project. We would like to seek bids for the project and in order to do so, council would need to authorize us to seek bids by passage of a motion.

Discussion and motion to appoint a council president.

At the first meeting of the year, Council has always appointed a Council President. This person acts as the Mayor when the Mayor is not able to perform his duties. Since January of 2021, Tom Herkenhoff has held the position of Council President.

Discussion and motion to accept the resignation of Adam Bergman from the Minster Police Department.

Adam Bergman has submitted a letter of resignation from the Minster Police Department effective January 8, 2023. He has accepted a position with the New Bremen Police Department. In these situations, council usually accepts the resignation by passage of a motion.

Discussion and motion to appoint Parker Maurer as a full-time police officer with the Minster Police Department.

With the resignation of Adam Bergman, Chief Friend would like to appoint Parker Maurer to a full-time officer's position with the Police Department. Parker originally joined the police department in August of 2021 and has served as a part time officer since that time. In order to do so, the mayor would need to appoint and council would need to approve the appointment by passage of a motion.

5/1/23

COUNCIL MEMBER	YES	NO	ABSTAIN
Travis Wilges			
Tom Herkenhoff			
Craig Sherman			
Curt Albers			
Craig Oldiges			
Nicole Clune			
Mayor Dennis Kitzmiller			

ORDINANCE NO. 22-12-01

AN ORDINANCE TO AMEND CHAPTER 95 OF THE VILLAGE OF MINSTER'S CODIFIED ORDINANCES

BE IT ORDAINED BY THE COUNCIL of the Village of Minster, Auglaize County, Ohio, to-wit:

Section 1. The Council of the Village of Minster, Ohio hereby amends Chapter 95 of the Village of Minster's Codified Ordinances as attached.

Section 2. This ordinance is being passed in order to protect the health, safety and well-being of the residents of the Village of Minster, Ohio.

Section 3. The Fiscal Officer shall cause a copy of this Ordinance to be published in a manner consistent with Ohio law and shall cause a copy or copies of the Ordinance to be made available to the public in a manner consistent with applicable law.

Section 4. This Ordinance shall take effect in the earliest time period allowed by law.

Passed: January 3, 2023

Attest:

Approved:

Brittany Hemmelgarn, Fiscal Officer

Dennis Kitzmiller, Mayor

CHAPTER 95: ANIMALS

95.08: Cats running at large, nuisance

(A) Definitions. For the purpose of this section, the following definitions shall prevail:

- (1) "At large" means a cat off the property of the owner and not under restraint.
- (2) "Nuisance" means a cat that damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive noise making; or molests, attacks, or interferes with person or other domestic animals on public property.
- (3) "Owner" means a person having the right of property or custody of a cat.

(B) Owner Responsibility.

- (1) The owner of a cat shall not permit the cat to roam off the premises of the owner's property.
- (2) No cat shall be allowed to cause a nuisance. The owner of every cat shall be held responsible for every behavior of such cat under the provision of this section.
- (3) The owner of a cat shall supply appropriate and adequate food, water, and shelter for their cats.
- (4) An owner shall not abandon a cat.
- (5) Cat owners shall ensure that their cat carries identification at all times in the form of microchip, tag, or other means to allow easy determination of the owners.
- (6) Persons who fail to comply with the provisions of this section can be charged with a minor misdemeanor and/or subject to a fine of fifty dollars (\$50.00) per animal per day.

(C) Impoundment.

- (1) Any cat reported by a concerned resident and found at large shall be impounded by the Police Department in an animal shelter and confined in a humane manner.

Immediately upon impounding a cat, the Police Department shall make every reasonable effort to notify the owner and inform such owner of the conditions whereby custody of the animal may be regained. Cats not claimed by their owners after three full days in which the shelter is open to the public shall become the property of the village.

- (2) When a cat is found running at large and its ownership is verified by the Police Department, the authority may exercise the option of serving the owner with a notice of violation in lieu of impounding the animal.
- (3) In the event the Police Department finds cats to be suffering, it shall have the right forthwith to remove or cause to have removed any such animal to a safe place for care at the owner's expense or to euthanize them when necessary to prevent further suffering. Return to the owner may be withheld until the owner has made full payment for all expenses so incurred.
- (4) Disposal of a cat by any method specified herein does not relieve the owner of liability for violation and any accrued charges.

(D) Redemption.

- (1) Any cat impounded may be redeemed by the owner thereof within three days upon payment of an impoundment fee of fifty dollars (\$50.00) if any such cat has been previously impounded, the impoundment fee shall be one hundred dollars (\$100.00). Payment of impoundment fees is not considered to be in lieu of any fine or penalty.
- (2) Any cat confined for rabies quarantine, evidence, or other purpose may be redeemed by the owner thereof upon payment of a fee of fifty dollars (\$50.00) plus any medical cost.

(E) Interference.

- (1) No person shall interfere with, hinder, or molest any agent of the Police Department in the performance of any duty as provided herein.
- (2) Any person violating this section shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00).

COUNCIL MEMBER	YES	NO	ABSTAIN
Travis Wilges			
Tom Herkenhoff			
Curt Albers			
Craig Sherman			
Craig Oldiges			
Nicole Clune			
Mayor Dennis Kitzmiller			

ORDINANCE NO. 22-12-04

AN ORDINANCE ESTABLISHING THE RATES TO BE CHARGED WATER CONSUMERS FOR SERVICES SUPPLIED BY THE WATER SYSTEM OF THE VILLAGE OF MINSTER, OHIO

WHEREAS, the Village of Minster owns and operates a municipal water service system, furnishing the water service for private and public use both inside and outside the Village corporation limits under the rates and charges previously adopted by the Council of the Village of Minster; and

WHEREAS, the Village Administrator, recognizing the need to review the Village's water rates and financial condition in order to achieve more equitable rate structures and maintain the Water Department in a sound financial condition, retained Courtney and Associates, Public Utility Consultants, Findlay, Ohio, to perform a water rate and cost of service analysis; and

WHEREAS, Courtney and Associates have completed the water rate and cost of service analysis and has presented the results to the Village Council and recommends the Village of Minster adopt new water service rates which will move the revenue distribution towards the cost of service results

WHEREAS, the Village Administrator and Village Council concur with the recommendations of Courtney and Associates;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL of the Village of Minster, Auglaize County, Ohio, to-wit:

SECTION 1:

The water rates established by this Ordinance shall be applicable to all residential, commercial, and industrial water consumers who acquire services within and use water within the corporate limits of the Village. These rates shall also be applicable to all residential, commercial and industrial water consumers who, upon the authority of the Village Council, use water services outside of the corporate limits of the Village, in which case the rates for minimum monthly charges and monthly usage charges shall be increased by the addition of the surcharge in the amount of twenty-five (25) percent of the entire bill. No new water services outside of the corporation limits of the Village will be permitted.

SECTION 2:

Beginning with bills due on April 1, 2023 the following charges shall apply:

Customer Charge (Per Month)	Inside the Corporation	Outside the Corporation
5/8" and 3/4" water meters	\$5.25	\$6.56
1" water meters	\$13.13	\$16.41
1 and 1/2" water meters	\$26.25	\$32.81
2" water meters	\$42.00	\$52.50
3" water meters	\$131.25	\$164.06
4" water meters	\$262.50	\$328.13
6" water meters	\$420.00	\$525.00
8" water meters	\$735.00	\$918.75
10" water meters	\$1,155.00	\$1,443.75
Usage Charge (per 1000 gallons)	\$2.10	\$2.63

SECTION 3:

Beginning with bills due on April 1, 2024 the following charges shall apply:

Customer Charge (Per Month)	Inside the Corporation	Outside the Corporation
5/8" and 3/4" water meters	\$5.50	\$6.87
1" water meters	\$13.75	\$17.19
1 and 1/2" water meters	\$27.50	\$34.38
2" water meters	\$44.00	\$55.00
3" water meters	\$137.50	\$171.88
4" water meters	\$275.00	\$343.75
6" water meters	\$440.00	\$550.00
8" water meters	\$770.00	\$962.50
10" water meters	\$1,210.00	\$1,512.50
Usage Charge (per 1000 gallons)	\$2.20	\$2.75

SECTION 4:

Beginning with bills due on April 1, 2025 the following charges shall apply:

Customer Charge (Per Month)	Inside the Corporation	Outside the Corporation
5/8" and 3/4" water meters	\$5.75	\$7.19
1" water meters	\$14.38	\$17.98
1 and 1/2" water meters	\$28.75	\$35.94
2" water meters	\$46.00	\$57.50
3" water meters	\$143.75	\$179.69
4" water meters	\$287.50	\$359.38
6" water meters	\$460.00	\$575.00
8" water meters	\$805.00	\$1,006.25
10" water meters	\$1,265.00	\$1,581.25
Usage Charge (per 1000 gallons)	\$2.30	\$2.88

SECTION 5:

Beginning with bills due on April 1, 2026 the following charges shall apply:

Customer Charge (Per Month)	Inside the Corporation	Outside the Corporation
5/8" and 3/4" water meters	\$6.00	\$7.50
1" water meters	\$15.00	\$18.75
1 and 1/2" water meters	\$30.00	\$42.19
2" water meters	\$48.00	\$60.00
3" water meters	\$150.00	\$187.50
4" water meters	\$300.00	\$375.00
6" water meters	\$480.00	\$600.00
8" water meters	\$840.00	\$1,050.00
10" water meters	\$1,320.00	\$1,650.00
Usage Charge (per 1000 gallons)	\$2.40	\$3.00

SECTION 6:

Beginning with bills due on April 1, 2027 the following charges shall apply:

Customer Charge (Per Month)	Inside the Corporation	Outside the Corporation
5/8" and 3/4" water meters	\$6.25	\$7.81
1" water meters	\$15.63	\$19.54
1 and 1/2" water meters	\$31.25	\$39.06
2" water meters	\$50.00	\$62.50
3" water meters	\$156.25	\$195.31
4" water meters	\$312.50	\$390.63
6" water meters	\$500.00	\$625.00
8" water meters	\$875.00	\$1,093.75
10" water meters	\$1,375.00	\$1,718.75
Usage Charge (per 1000 gallons)	\$2.50	\$3.13

SECTION 7:

This rate is available upon application and only on a per meter basis. Billings from each meter shall be computed on an individual basis without regard for other water meter billings on the same premises or for the same consumer.

All premises shall be served by a separate water meter. Consumers served by more than one service or meter for the same property or ownership shall be charged the above rates, minimum charges and delayed payments for each separate meter. No grouping of meter readings shall be allowed for billing purposes.

For existing units, where multiple occupancy or multiple units are served under one meter, the rate shall be applied on a per family unit occupancy or single dwelling unit basis for residential consumers. For other than residential consumers the same principal applies, i.e., each occupant shall pay its pro-rated incremental charges.

All water service of the Village is rendered subject to the General Service Rules and Regulations of the Village as amended from time to time.

SECTION 8:

All previously adopted rates directly in conflict with this ordinance are hereby repealed.

SECTION 9:

This Ordinance shall be effective at the earliest time permitted by law.

ADOPTED: January 17, 2022

Dennis Kitzmiller, Mayor

Brittany Hemmelgarn, Clerk/Fiscal Officer

COUNCIL MEMBER	YES	NO	ABSTAIN
Travis Wilges			
Tom Herkenhoff			
Craig Sherman			
Curt Albers			
Craig Oldiges			
Nicole Clune			
Mayor Dennis Kitzmiller			

ORDINANCE NO. 23-01-01

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A 10 YEAR NOTE FOR THE 2022 EAST SEVENTH STREET RECONSTRUCTION PROJECT AND TO DECLARE AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL of the Village of Minster, Auglaize County, Ohio, to-wit:

SECTION 1:

That the Village Fiscal Officer and the Mayor are hereby authorized to issue a ten (10) year note with Minster Bank, for improvements made to various streets as part of the 2022 East Seventh Street Reconstruction Project, in the amount of \$114,646.66 at an interest rate of 3.84%.

SECTION 2:

That this Council declares that the issuance of this note is from an obligation of improvement on various streets as part of the 2022 East Seventh Street Reconstruction Project where residents have their assessments placed on their property taxes; that the proceeds of the note are to be used for said purposes; that it is not expected that the proceeds of the note will be used in any manner that would cause the note to be deemed an "arbitrage note" under the Internal Revenue Code.

SECTION 3:

Because of the immediate need to complete the project, in order to comply with the deadline for submitting assessments to the County Auditor and for the benefit of the health, safety and welfare of the Village of Minster and this ordinance shall take immediate effect.

ADOPTED: January 3, 2022

Dennis Kitzmiller, Mayor

Brittany Hemmelgarn, Fiscal Officer

NOTICE TO BIDDER – MUNICIPAL TAX FREE NOTE

Sealed bids will be received by the Village of Minster, at the Clerk's Office,
5 West Fourth Street, Minster, OH 45865 or email fiscal@minsteroh.com until...

10:00 a.m. December 16, 2022

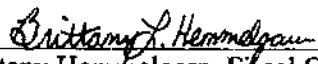
and opened at this time for the sale of the following tax-free municipal note,
covering the

Seventh Street Improvements

Dollar amount ----- \$114,646.66
Length of Investment----- Ten (10) Year
Note to be Dated----- January 2023
Interest Payable ----- Semi-annually

If additional data is required, please contact the Village Office located at
5 West Fourth Street or (419) 628-2595 or email fiscal@minsteroh.com.

Dennis R. Kitzmiller, Mayor


Brittany Hemmelgarn, Fiscal Officer

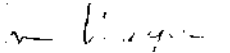
.....
The Following Bid Is Offered:

Name of Financial Institution Minster Bank

Amount of Note 114,646.66

Rate 3.84 %

Amount of Interest \$4,723.39

Authorized Signature 

In case of a tie bid, award will be determined by the date and time received at Village
Office.

NOTICE TO BIDDER – MUNICIPAL TAX FREE NOTE

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5 West Fourth Street, Minster, OH 45865 or email fiscal@minsteroh.com until...

10:00 a.m. December 16, 2022

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Seventh Street Improvements

Dollar amount ----- \$114,646.66

Length of Investment----- Ten (10) Year

Note to be Dated----- January 2023

Interest Payable ----- Semi-annually

If additional data is required, please contact the Village Office located at
5 West Fourth Street or (419) 628-2595 or email fiscal@minsteroh.com.

Dennis R. Kitzmiller, Mayor

Brittany L. Hemmelgarn
Brittany Hemmelgarn, Fiscal Officer

.....
The Following Bid Is Offered:

Name of Financial Institution Osceola Bank

Amount of Note \$114,646.66

Rate Fixed option 3.25% annual term street

Amount of Interest Option A \$24,154, Option B \$24,712 less interest on interest

Authorized Signature *Lois M. Hemmelgarn*

In case of a tie bid, award will be determined by the date and time received at Village
Office.



Borrower:	Village of Minster
Loan Purpose:	Seventh Street Improvements
Loan Amount:	\$114,646.66
Type:	Term note
Term (months):	120 months
Interest Rate:	<i>Option A:</i> 4.95%, fixed for 10 years <i>Option B:</i> 4.50%, fixed for 10 years, if accompanied by a deposit account with a balance equal to or greater than the loan amount. The deposit account rate can be negotiated based upon the account type, balance and term (if applicable)
Repayment:	Principal & interest payments due semi-annually

COUNCIL MEMBER	YES	NO	ABSTAIN
Travis Wilges			
Tom Herkenhoff			
Craig Sherman			
Curt Albers			
Craig Oldiges			
Nicole Clune			
Mayor Dennis Kitzmiller			

RESOLUTION 23-01-01

A RESOLUTION AUTHORIZING THE VILLAGE OF MINSTER TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM

WHEREAS, Ohio's Cooperative Purchasing ACT (AM. Sub. H.B. No. 100), as signed into law on December 4, 1985; and

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts distributed by the State of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and certain materials.

NOW THEREFORE, BE IT RESOLVED, by the Village of Minster Council:

SECTION I: That the Village Administrator hereby requests authority in the name of the Village of Minster to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and certain other materials pursuant to Ohio Revised Code Section 125.04.

SECTION II: That the Village Administrator is hereby authorized to agree in the name of the Village of Minster to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of the Village of Minster's participation in the contract. Further, that the Village Administrator does hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Coop for the purpose of avoiding the requirements established by Ohio Revised Code Section 125.04.

SECTION III: That the Village Administrator is hereby authorized to agree in the name of the Village of Minster to directly pay the vendor, under each such state contract in which it participated for items it receives pursuant to the contract, and the Village Administrator does hereby agree to directly pay the vendor.

ADOPTED: February 7, 2023

Attest:

Dennis Kitzmiller, Mayor

Brittany Hemmelgam, Fiscal Officer

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the resolution adopted by the Council of the Village of Minster at a public meeting held on the 7st day of February 2023 and that I am duly authorized to execute this certificate.

Brittany Hemmelgam, Fiscal Officer

Date

COUNCIL MEMBER	YES	NO	ABSTAIN
Travis Wilges			
Tom Herkenhoff			
Craig Sherman			
Curt Albers			
Craig Oldiges			
Nicole Clune			
Mayor Dennis Kitzmiller			

RESOLUTION 23-01-02

A RESOLUTION EXPRESSING THE VILLAGE'S INTENT TO SELL EXCESS PERSONAL PROPERTY BY INTERNET AUCTION

WHEREAS, from time to time, the village acquires certain property, including motor vehicles, road machinery, equipment, tools and supplies which have reached the limit of their useful life and are no longer needed for public use.

WHEREAS, Ohio Revised Code Section 721.15 (D) allows municipal corporations to sell personal property by internet auction.

NOW THEREFORE, BE IT RESOLVED, by the Village of Minster Council:

SECTION I: That the Village Administrator hereby is authorized to sell excess and unneeded personal property by internet auction, when it is determined that the selling by internet auction is the most effective and efficient method to dispose of the property.

SECTION II: All internet auctions shall be conducted on a website where the item will be listed, terms and conditions will be established and bidders will have a minimum of ten days to submit bids. Notice of said auction to the highest bidder will be published at least once in a newspaper of general circulation as well as published on the Village of Minster's website, including the description as to how the auction(s) will be conducted, the general terms and conditions of the sale, and the specific number of days for bidding on the property, which shall be no less than ten (10) calendar days, including Saturday, Sundays, and legal holidays.

SECTION III: That the auction(s) will be conducted using a third-party contractor.

SECTION IV: This resolution shall take effect at the earliest period allowed by law.

ADOPTED: February 7, 2023

Dennis Kitzmiller, Mayor

Attest:

Brittany Hemmelgarn, Fiscal Officer

**Duncan
& Allen_{LLP}**
COUNSELLORS AT LAW

1730 Rhode Island Avenue, NW
Suite 700
Washington, DC 20036-3115
Telephone (202) 289-8400
FAX (202) 289-8450
Tax ID # 52-0904941

Village of Minster
5 W. Fourth St.
P.O. Box 1
Minster, OH 45865

December 14, 2022
Client: 002210
Page: 1

Attention: Donald W. Harrod, Village Administrator

PRIVILEGED & CONFIDENTIAL

For Professional Services Rendered Through November 30, 2022

Matter	Description	Invoice #	Services	Tax	Expenses	Interest	Total
221002	MinMun2 LLC	44887	\$6,990.00	\$0.00	\$231.69	\$0.00	\$7,221.69
Total Current Charges							\$7,221.69
Previous Balance							\$35,417.61
Less Payments							(\$35,417.61)
PAY THIS AMOUNT							\$7,221.69

Due Upon Receipt. Please include the invoice number on all remittance. Thank you.

December 22, 2022

Village of Minster Police Department

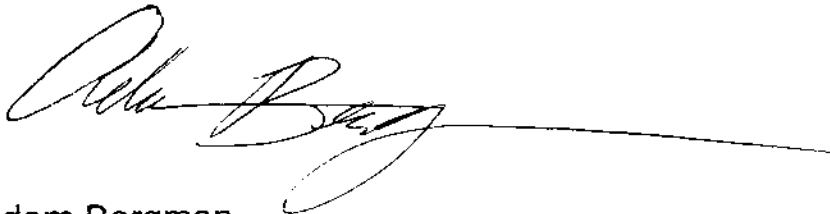
To Whom It May Concern,

This letter is to inform you that I am resigning from my position as Patrolman at Minster Police Department, effective two weeks from today, December 22, 2022.

I have enjoyed working for the department for the last 12 years. I appreciate the opportunities the Village of Minster has given me as a Patrolman. My last working day will be Sunday, January 8, 2023.

My intention is to continue working to my fullest ability until my final day of employment. Please let me know if there's anything that I can do to help the transition smoother for everyone.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Bergman', followed by a long horizontal line extending to the right.

Adam Bergman



Minster Police Department

P.O. Box 25
126 W. Fourth St.
Minster, OH 45865
Phone: (419)628-2378
Fax: (419)628-4430
Email: dfriend@minsteroh.com

To: Mayor and Council
Fr: Chief David J. Friend
Re: Recommendation for
Full-time Officer
Dt: December 29, 2022

Council & Mayor,

On August 4, 2021, Parker was sworn into the Minter Police Department as a part-time officer in hopes that someday a full-time position would open.

A full-time patrolman's position will open January 8, 2023 due to the resignation of Adam Bergman. Parker continues to be an asset to the Village of Minster and at this time I would like to recommend him for the full-time officer's position with the Minster Police Department contingent upon the required Police & Fire Physical.

Sincerely,

A handwritten signature in black ink that reads "David J. Friend". The signature is stylized with a large "D" and a large "F".

Chief David J. Friend

TO: Mayor, Council Members, and Others
FROM: Donald W. Harrod, Administrator
RE: Administrator's Report

+++++

- 1) Crews from Landmark have taken off for the Christmas and New Year's holiday. The second section of the water tower was poured prior to Christmas, so they will begin working on the third section once they return this week.
- 2) AES completed some repairs on the transmission line from Covington to the Village prior to the Christmas holiday. AES replaced some cross arms and added some wind dampers on the line near Enneking Road. This work was designed to eliminate the wires coming together when the wires start galloping. AES will start work on the transmission line from Amsterdam Road Substation to the Village in the next week or so. They will be replacing poles along with stringing new wire on this section of line.