

**MINUTES OF THE
VAN WERT CITY COUNCIL
February 11, 2019**

The meeting was called to order at 6:30 p.m. by President Tomlinson.

The invocation was given by President Tomlinson.

On call of the roll: Mergy, Markward, Trittschuh, Marshall, Penton, and Straley present. Absent: Agler

Mr. Straley moved to excuse Agler's absence. Seconded by Penton. All concurred.

Mergy made a motion to amend the agenda, adding 19-02-012, 19-02-13, and 19-02-013 to the consent agenda for the 2/11/2019 Council meeting; seconded by Straley; with all concurring.

Mergy made a motion to approve the amended minutes for the 1/28/19 council meeting. Seconded by Straley. All concurred.

COMMENTS, COMMUNICATIONS & PETITIONS

Tomlinson noted that he received an email stating that the State Audit for the 2016-2017 year has been made public. Balyeat went on to say that it is public information now. If anyone is interested in it, she can now show people the audit or they can go to the State Auditor's website and it will be available there.

ADMINISTRATIVE REPORT

MAYOR: Mazur reported that AEP informed him that they will not be changing to the Smartmeters until the end of March and will be finished by April. Information will be given to each home owner about what to expect.

SAFETY SERVICE DIRECTOR: Fleming noted they are currently going over resumes to fill the position available at the Parks Department.

AUDITOR: Balyeat reported that for the month of January there is \$12.5 million in the bank and \$12.5 million on the books. She noted that she was concerned that the income tax collections were the lowest in January than they have been since 2014. She went on to say that it is still too early to be worried about it. She also had an invoice that needed approved on a Then and Now. It was for Software Solutions in the amount of \$17,589 to pay for software support for finance, income tax, and utilities. She then went on to say that she needs Markward to request some funds to be transferred. The first is to transfer \$25,000 from the General Fund to Fund 302, which is Parks Capital Improvement. This money is from Cell Tower Leases and it was decided that the money would go to the Parks Department to generate a revenue stream. The transfer was supposed to happen last year, but it did not get done. The second transfer will be from the General Fund to Fund to Economic Development in the amount of \$11,208.65. She asked that they be prepared as an emergency and put on the consent agenda for the next meeting. The third piece of legislation she asked to be brought up is Permanent Appropriations for 2019, that needs to be passed by the 1st of April so it can go for three readings but needs to be prepared as an emergency.

LAW DIRECTOR: Hatcher noted that Ordinance 19-01-003 will need to be amended because the wrong section was mentioned in the previous ordinance. He also pointed out that Ordinance 19-02-010 has been changed and asked Council to look over the new legislation. He went over changing some language in 19-02-013 and 19-02-014.

COMMITTEE REPORTS

PARKS AND RECREATION: No report was given.

JUDICIARY AND ANNEXATION: Mergy asked that there be a committee meeting before the next council meeting on February 26th at 6 p.m. regarding the issue of barking dogs.

ECONOMIC DEVELOPMENT: Straley had Stacy Adam give an overview on the PACE Legislation that was added to the Consent Agenda. Stacey asked that the Council Members pass the PACE Legislation and went on to explain that PACE is a funding tool for property owners to make energy efficiency improvements to their commercial properties.

HEALTH, SERVICE AND SAFETY: Marshal reported that there were 7 violations in the last two weeks. He then thanked the Law Director for making sure repeat offenders of safety violations were being dealt with in a fair and just manner.

FINANCE: Markward motioned that Invoice Number 3913 as a Then and Now, in the amount of \$17,589 to pay for software support for finance, income tax, and utilities be approved on an emergency basis. Seconded by Mergy. All concurred. He then made a motion for the law director to prepare an ordinance to transfer \$25,000 from Fund 101 to Fund 302 on an emergency basis and that it be on the February 25th council meeting Consent Agenda. Seconded by Mergy. All concurred. Markward motioned that the law director prepare an ordinance for transfer \$11,208.65 from Fund 101 to Fund 215 on an emergency basis. He also asked that it be put on the consent agenda for the upcoming council meeting. Seconded by Mergy All concurred. Markward asked that a motion be prepared for the Permanent Appropriations 2019 and declaring it an emergency. Seconded by Mergy. All concurred. Markward then made a motion to introduce **Resolution Number:19-02-010: A RESOLUTION TO RATIFY THE AMENDMENT TO THE FEE FOR CHECK NOT HONORED POLICY TO ALLOW FOR A CHARGE OF \$15.00 FOR ANY ELECTRONIC PAYMENT FROM A FUND THAT IS RETURNED AND RATIFYING THE CITY'S RETURNED CHECK FEE TO \$25.00 AND DECLARING AN EMERGENCY.** Seconded by Mergy. All Concurred. Markward moved that the statutory rules be suspended for **Resolution Number: 19-02-010.** Seconded by Mergy. All concurred. Markward then motioned that **Resolution Number: 19-02-010** be passed on the first and final reading. Seconded by Mergy. All concurred.

PROPERTIES AND EQUIPMENT: Markward moved that the law director prepare a resolution that allows the Mayor to sign a transfer application for said piece of property on an emergency basis. Seconded by Straley. All concurred. Markward then made a motion to introduce **Resolution Number 19-02-015: A RESOLUTION TO AUTHORIZE THE MAYOR OF VAN WERT TO SIGN A TRANSFER APPLICATION FROM THE VAN WERT COUNTY LAND REUTILIZATION CORPORATION TRANSFERING A PARCEL OF LAND LOCATED AT 901 E. MAIN STREET, VAN WERT, OHIO TO THE CITY OF VAN WERT, OHIO AND DECLARING IT AN EMERGENCY.** Seconded by Mergy. All concurred. Markward then moved to suspend statutory rules for **Resolution Number: 19-02-015.** Seconded by Mergy. All Concurred. Markward moved to pass **Resolution Number: 19-02-015** on its first and final reading. Seconded by Mergy. All Concurred.

STREETS AND ALLEYS: No report was given.

UNFINISHED BUSINESS

Jon noted that Code enforcement will stay on the agenda for the next meeting.

NEW BUSINESS

CONSENT AGENDA

Straley made a motion to introduce the consent agenda. Seconded by Penton. All concurred. Mergy motioned to suspend the Consent Agenda's statutory rules. Seconded by Straley. All concurred. Straley moved to pass the Consent Agenda on its 1st and final reading. Seconded by Penton. All concurred.

Ordinance Number: 19-01-009 Committee: Properties and Equipment

AN ORDINANCE TO CHANGE THE JOBS CREDIT AMOUNT FOR LAND IN VISION PARK FROM \$250.00 PER JOB TO \$500. PER JOB AND DECLARING AN EMERGENCY

Ordinance Number: 19-02-011 Committee: Streets and Alleys

AN ORDINANCE TO AUTHORIZE THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND AWARD CONTRACTS TO THE LOWEST AND BEST BIDDER FOR THE 2019 STREET PAINTING, AND DECLARING IT AN EMERGENCY

ORDINANCE Number: 19-02-012 Committee: ECONOMIC DEVELOPMENT

APPROVING BY LEGISLATIVE RESOLUTION THE PETITION AND ARTICLES OF INCORPORATION FOR THE CREATION AND GOVERNANCE OF AN ENERGY SPECIAL IMPROVEMENT DISTRICT UNDER OHIO REVISED CODE CHAPTER 1710, AND APPROVING THE NECESSITY OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF VAN WERT, OHIO IN COOPERATION WITH THE VAN WERT AREA ENERGY SPECIAL IMPROVEMENT DISTRICT, AND DECLARING AN EMERGENCY

Number: 19-02-013 Committee: ECONOMIC DEVELOPMENT

DETERMINING TO PROCEED WITH CERTAIN VAN WERT COUNTY HOSPITAL ASSOCIATION SPECIAL ENERGY IMPROVEMENT PROJECTS BY WAY OF SPECIAL ASSESMENTS IN ACCORDANCE WITH CHAPTERS 1710 AND 727 OF THE OHIO REVISED CODE; AND DECLARING AN EMERGENCY

Number: 19-02-014 Committee: ECONOMIC DEVELOPMENT

LEVYING SPECIAL ASSESSMENTS FOR THE VAN WERT COUNTY HOSPITAL ASSOCIATION PROJECT AND DECLARING AN EMERGENCY.

ORDINANCES AND RESOLUTIONS

Marshall moved to amend Ordinance 19-01-003 to amend Section 96.25, instead of Section 96.24. Seconded by Markward. All concurred. Marshall moved to pass 19-01-003 on its second and final reading. Seconded by Markward. All concurred.

Ordinance Number 19-01-003 Committee: Health, Service and Safety

AN ORDINANCE TO AMEND SECTION 96.24 OF THE VAN WERT CITY CODE OF ORDINANCES

