

**MINUTES OF THE  
VAN WERT CITY COUNCIL**  
January 28, 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: Agler, Mergy, Markward, Trittschuh, Marshall, Penton, and Straley present.

Mergy made a motion to approve the agenda for the 1/28/2019 Council meeting; seconded by Straley; with all concurring.

Trittschuh made a motion to approve the amended minutes for the 1/14/2019. Seconded by Straley. All concurred.

**COMMENTS, COMMUNICATIONS & PETITIONS**

Tomlinson noted that there were minor recommendations from the State Auditor report. Balyeat pointed out that the audit is not yet public and would give information when it was.

**ADMINISTRATIVE REPORT**

**MAYOR:** Mazur announced that in accordance with Ordinance 19-01-006, establishing a credit card policy, he has appointed Jennifer Adams as the compliance officer.

**SAFETY SERVICE DIRECTOR:** Fleming requested that an ordinance for the annual street painting to be prepared and put on the Consent Agenda for the 1/11/2019 meeting.

**AUDITOR:** Balyeat noted that there were some bills needing paid on a Then and Now basis. Four-U Office Supplies had an invoice in the amount of \$3,008 for chairs in the Fire Department. The second invoice was for Wallace Plumbing in the amount of \$3,524. Weiffenbach Marble & Tile installed new floor tiles at the Municipal Court for \$9,176. Balyeat then explained that in November, House Bill 312 was passed, making it necessary to establish the credit card policy. The city has both bank credit cards and store credit cards. The policy will be for the employees have access to these credit cards. The compliance officer can not have a credit card, can not issue or approve a credit card, and does not use a credit card. Jennifer Adams, who has been appointed the Compliance Officer, fits all the requirements. The city currently has store issued cards from Wal Mart and Sam's Club, so adjustments had to be made to ensure compliance with the new house bill.

**LAW DIRECTOR:** Hatcher had nothing to report.

**COMMITTEE REPORTS**

**PARKS AND RECREATION:** No report was given.

**JUDICIARY AND ANNEXATION:** Mergy made a motion to prepare an ordinance amending Ordinance numbers 5818-82, 6749-96, and 19-01-001, as an emergency. Seconded by Straley. All concurred, except for Agler. Mergy then made a motion to introduce **Ordinance Number 19-01-004: AN ORDINANCE AMENDING ORDINANCE NO. 5812-82, 6749-96, AND 19-01-001, COMMONLY KNOWN AS THE CITY INCOME TAX ORDINANCE TO AMEND THE LANGUAGE ALLOWING A CHANGE IN THE USE OF THE .5% STREET TAX AND DECLARING IT AN EMERGENCY.** Seconded by Straley. All concurred, except Agler. Mergy made a motion to suspend statutory rules. Seconded by Straley. All

concurrent, except Agler. Mergy made a motion to pass **Ordinance Number 19-01-004** on its first and final reading. Seconded by Straley. All concurrent, except for Agler.

**ECONOMIC DEVELOPMENT:** Straley had nothing to report.

**HEALTH, SERVICE AND SAFETY:** Marshall introduced **Ordinance Number 19-01-003: AN ORDINANCE TO AMEND SECTION 96.24 OF THE VAN WERT CITY CODE OF ORDINANCES.**

Seconded by Agler. All concurrent. Marshall then brought up that Ordinance 90.09 does address the issue of barking dogs, but there is no way to enforce it. Tomlinson brought up that policing the issue is hard to do without a full-time code enforcer. Marshall went on to say that though there are fines up to \$500, but there are no guidelines established that state when an individual will be fined. Hatcher said he would investigate the issue and see what can be done. Agler then added that he feels that people should not be allowed to have a dog being kept outside when there are cold temperatures. Balyeat reminded council members that in the past, there was no way to enforce the ordinance. Marshall made a motion to be prepared on an emergency basis, to address fire protection at Cooper Farms Parcels. Seconded by Straley. All concurrent. Marshall made a motion to introduce **Ordinance Number 19-01-005: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE TRUSTEES OF HOAGLIN TOWNSHIP, VAN WERT COUNTY, OHIO, TO PROVIDE FIRE PROTECTION SERVICES TO COOPER FARMS PARCELS IN HOAGLIN TOWNSHIP, VAN WERT COUNTY, OHIO AND DECLARING AN EMERGENCY.** All concurrent. Marshall then made a motion to suspend the rules for Ordinance 19-01-005. Seconded by Straley. All concurrent. Marshall asked that **Ordinance Number: 19-01-005** be passed on its first and final reading. Seconded by Straley. All concurrent.

**FINANCE:** Markward motioned to approve the three Then and Now invoices that the Auditor mentioned in her report. Seconded by Mergy. All concurrent. Markward motioned that the law director prepare an ordinance to establish a credit care policy on an emergency basis. Seconded by Mergy. All concurrent. Markward moved to introduce **Ordinance Number: 19-01-006: AN EMERGENCY ORDINANCE TO ESTABLISH A CREDIT CARD POLICY AND PROCEDURES FOR THE CITY OF VAN WERT PURSUANT TO HOUSE BILL 312 AND COMPLIANCE WITH OHIO REVISED CODE SECTION 717.13(A).** Seconded by Mergy. All concurrent. Markward then moved to suspend statutory rules for **Ordinance Number: 19-01-006.** Seconded by Mergy. All concurrent. Markward moved that **Ordinance Number: 19-01-006** be passed on its first and final reading. Seconded by Mergy. All concurrent.

**PROPERTIES AND EQUIPMENT:** Agler motioned to prepare an ordinance that will create the job credit amount for Vision Park, at a rate of \$500 per job for a period of 5 years and declaring it an emergency. Seconded by Markward. All concurrent. Agler then motioned that an ordinance be prepared to authorize the Mayor to sign the deed transferring a parcel of land to Vision Park to Community Improvement Corporation and declaring it an emergency. Seconded by Straley. All concurrent. Agler made a motion to introduce **Ordinance Number: 19-01-008: AN ORDINANCE TO AUTHORIZE THE MAYOR OF VAN WERT TO SIGN A DEED TRANSFERRING A PARCEL OF LAND IN VISION PARK TO THE COMMUNITY IMPROVEMENT CORPORATION AND DECLARING AN EMERGENCY.** Seconded by Markward. All concurrent. Agler motioned to suspend the rules for Ordinance **19-01-008.** Seconded by Markward. All concurrent. Agler then made a motion to pass **Ordinance Number: 19-01-008** on the first and final reading. Seconded by Markward. All concurrent.

**STREETS AND ALLEYS:** Trittschuh asked that the Law Director prepare an ordinance for the annual street painting on an emergency basis and go on the Consent Agenda for the next meeting. Seconded by Straley. All concurrent.

#### **UNFINISHED BUSINESS**

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

**NEW BUSINESS**

**CONSENT AGENDA**

Agler made a motion to introduce the consent agenda; seconded by Straley, with all concurring.

Agler made a motion to suspend statutory rules; seconded by Straley, with all concurring

Agler made a motion to pass the consent agenda on its first and final reading; seconded by Straley, with all concurring.

Resolution Number: 19-01-007: Property and Equipment

A RESOLUTION AUTHORIZING THE SALE DURING CALENDAR YEAR 2019 OF MUNICIPALLY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED BY INTERNET AUCTION, PURSUANT TO OHIO REVISED CODE SECTION 721.15 (D) AND DECLARING IT AN EMERGENCY.

**ORDINANCES AND RESOLUTIONS**

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

AN ORDINANCE TO AMEND SECTION 96.24 OF THE VAN WERT CITY CODE OF ORDINANCES. Second reading advisory vote with all concurring.

Straley made a motion to adjourn at 7:35 p.m.; seconded by Agler; with all concurring.

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CLERK

PRESIDENT

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DATE

