

**MINUTES OF THE
VAN WERT CITY COUNCIL
May 13th, 2019**

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

The invocation was given by Pastor Keith Stoller.

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

Council members voted on excusing Mergy's absence. All concurred.

Trittschuh made a motion to approve the agenda for the April 22nd meeting. Seconded by Straley. All concurred.

Trittschuh motioned to approve the 4/8/19 minutes. Seconded by Straley with all concurring.

COMMENTS, COMMUNICATIONS & PETITIONS

Joy Short owner and manager of Murphy Trash LLC was present at the meeting to request an appeal to the denial of the zoning change request for the property 1014 East Main Street. Joy stated that she has been doing business at the current address since 1997 and that there has never been issues until new neighbors moved in. Joy also stated that she was contacted by Ms. Zimmerman about participating in the Land Reutilization Program, which Joy was not interested in participating in. Joy feels that she received two votes against the zoning request because of her refusal to participate in the program. Joy also said that she was planning on putting up a privacy fence to appease those around the property. Joy pointed out that the zoning change will not generate any new traffic in the area if there were a zoning change. Al Brown, a property owner of 1020 East Main pointed out that Joy has another property on Zimmerman Avenue and that she should park her vehicles there. Joy replied that she has that property is currently rented out to someone else. Mr. Brown stated that he does not want the trucks parked there because the vehicles smell bad and looks bad. Kathryn Carpenter, who lives at 1020 East Main street and says that there is a rodent problem in the neighborhood because of the trucks. She went on to say that she can't even sit on her porch because of the bad smell. Ms. Freesner at 114 South Vine Street stated that she has no problem with the trucks being parked there. She went on to say that the parks have been there for many years and there have been no problems with them. Council decided to vote on the issue at the next meeting on May 29th.

ADMINISTRATIVE REPORTS

MAYOR: Mayor Mazur thanked the city council for the hard work they put in over his two terms as mayor. He said that he felt as if they have made a lot of progress. He congratulated Markward on his success at the primary election and wished him luck at the general election.

SAFETY SERVICE DIRECTOR: Fleming asked that an emergency ordinance be prepared for the next meeting. The streets to be repaved this summer are Rosalie Drive from Jennings Road, including Perry Street all the way to Spencer street. Shaffer street from Bonnewitz down to Neil Avenue. Golden Oaks, Congress Street, Jackson Street, Sibley Street, Monroe Street, and Walnut Street.

AUDITOR: Balyeat reported that the state auditors are done going through things on site. She reminded everyone to get their Sunshine Training done because the state auditors did ask about that. Balyeat also brought up that there needs to be a safety net regarding the Tax Incentive program that Stacy Adam had brought to the council members. She is concerned that if we commit to a 20 -year rebate and we have a down -turn in our income tax revenues it would be hard for us to give an incentive payment. If a large company would go under, it would be hard to give a smaller company a rebate. Financial statements show that there is 13 million dollars on the books and 13 million dollars in various bank accounts and investments, with all positive balances as required. Balyeat pointed out that last year we were 100 thousand dollars ahead for April. Last year was a record -breaking year though and revenues were particularly high. Since businesses pay their net profit taxes through the state, instead of seeing the revenues in April will not be seen until June. Balyeat is concerned that revenues will not meet her original projection. She also reported that court costs and fines are down 25,000 dollars. Hatcher said it was because the weight station on 30 is being renovated.

LAW DIRECTOR: Hatcher reminded council that he will not be at the first meeting in June and to be sure to have any needed legislation to him before May 31 so he can have it done before he leaves.

COMMITTEE REPORTS

HEALTH, SERVICE AND SAFETY: Marshall reported that code violations are at 16 and two have been cleared so that leaves 7 coming up on a suspense date for future filings through the law director. Marshall reminded residents that there is to be no grass clippings on the street due to safety issues and it is a violation and the issue will be enforced. Marshall also requested that he be given 15 minutes to discuss different proposed legislation. President Tomlinson said that Marshall is already scheduled for 15 minutes at the next council meeting.

PARKS AND RECREATION: Penton reported that things are going well and that there are 6 employees that will start at the end of the month. All properties are being well taken care of.

PROPERTIES AND EQUIPMENT: Agler motioned that an ordinance be prepared on an emergency basis that allows the safety service director to sell a John Deer lawn mower. Fleming then asked that another ordinance be prepared for a pick -up truck. After some discussion with the law director, Agler withdrew his motion. Stacy Adam brought up commercial building plan reviews, permits, inspections, all go through the state because there is no local building department. Cycle time to get these things done is longer than they would like. The Van Wert County Commissioners has decided to start an agreement with Miami County to provide these services. There will be a building department meeting on Thursday, May 16th at 5 p.m. She offered to make a presentation regarding commercial building standards processes. Agler will meet with Stacy to make further arrangements regarding this topic.

JUDICIARY AND ANNEXATION: There was no report given.

FINANCE: Markward reported that there was a committee meeting regarding the Income Tax Incentive Program. There will be more discussions regarding this topic.

ECONOMIC DEVELOPMENT: No report was given.

STREETS AND ALLEYS: Trittschuh thanked voters for passing the wording to allow sidewalks to be included in tax money for total reconstruct. Trittschuh asked that a resolution be prepared on an emergency basis that allows to advertise bid and award for the number of streets mentioned earlier and to put it on the consent agenda for the next meeting. Seconded by Agler. All concurred.

UNFINISHED BUSINESS

NEW BUSINESS

CONSENT AGENDA

Agler motioned ordinance 19-05-30 to be pulled off the consent agenda.

Straley motioned to introduce the consent agenda. Seconded by Agler. All concurred.

Straley motioned to suspend rules for the consent agenda. Seconded by Agler.

Straley motioned to pass ordinances on their first and final reading. Seconded by Agler. All concurred.

ORDINANCE Number: 19-05-027

Committee: FINANCE

AN ORDINANCE TO TRANSFER FUNDS FROM FUND 101 TO FUND 302 AND DECLARING AN EMERGENCY.

ORDINANCE Number: 19-05-028

Committee: FINANCE

AN ORDINANCE TO ADVANCE FUNDS FROM FUND 101 TO FUND 302 AND DECLARING AN EMERGENCY.

ORDINANCES AND RESOLUTIONS

Markward motioned to amend **ORDINANCE Number: 19-05-030** Committee: FINANCE

AN ORDINANCE TO AUTHORIZE THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND AWARD CONTRACTS TO THE LOWEST AND BEST BIDDER FOR THE PAINTING OF THE WATER TOWER, FOR

REPLACING THE BLOWER AT THE WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY. Seconded by Agler. All concurred. Markward motioned that rules be suspend for Ordinance 19-05-030. Seconded by Agler. All concurred. Markward motioned that Ordinance 19-05-030 be passed on its first and final reading. Seconded by Agler. All concurred.

Agler made a motion to adjourn at 7:40 p.m.; seconded by Straley; with all concurring.

CLERK

PRESIDENT

DATE