

MINUTES OF THE VAN WERT CITY COUNCIL

January 27th, 2020

The President called the meeting to order at 6:30 p.m.

Pastor Keith Stoller gave the invocation.

On call of the roll: Marshall, Kallas, Agler, Mergy, Hellman and Davis were present. Agler made a motion to excuse Penton's absence. Seconded by Hellman.

Mergy made a motion approve the agenda for the January 27th meeting. Seconded by Kallas. All concurred.

Mergy made a motion to approve the 1/13/19 minutes. Seconded by Davis. All concurred.

COMMENTS, COMMUNICATIONS & PETITIONS

The President shared two communications. One was a 2019 annual report from the Van Wert Municipal Court. The second was a letter from the Ohio Municipal League for newly elected council members inviting anyone who was interested in attending 1 of 3 seminars/training. The President did note that there was a budget for members to attend if anyone was interested. The President announced the dates and cities for options and gave them to the clerk, should anyone inquire for more information.

ADMINISTRATIVE REPORTS

MAYOR: The Mayor reported that he and the law director participated in a tele-conference regarding the opioid lawsuit and receiving updates. The Mayor proposed that since it was a lawsuit in progress, that city council hold an executive session at the next meeting, to give an update regarding the matter. It was decided it would be held at the next meeting, prior to the adjournment.

SAFETY SERVICE DIRECTOR: Fleming reported that the new squad had been delivered from Braun and equipment would be transitioned from the old squad, to the new one, over the next couple of weeks. The old squad will be sold to the village of Wren. Fleming also reported that the 2020 paving project was being finalized and included \$1 million in street paving. Fleming also reported that they were in the process of cleaning out the lime sludge pits east of the reservoirs.

ODOT will be paving North Washington Street this summer, to the bridge on West Main Street. It will be started in late June. The bridge on Jefferson Street starts the day after Memorial Day and should be completed in 90 days.

AUDITOR: Balyeat reported that she was starting on the 2020 permanent budget. Martha explained that every 11 years, there are 27 pay periods, with bi-weekly pay. 2021

was scheduled to be the year of the 27th pay but because the first pay for 2021 is Friday, January 1st, a holiday, pay will be disbursed on December 31st, making 2020 the 27th year pay. Money will be transferred from the reserve fund to the various funds for payroll. Martha noted that the permanent budget would have numerous changes because of the wage difference. The permanent budget should be in place to present by the end of February, or the first meeting in March.

LAW DIRECTOR: Hatcher reported that the board of zoning appeals meeting had met on Thursday, January 23, regarding the Haven of Hope and shared that the issue would most likely be coming back to council, possibly the next Council meeting. Hatcher noted he was prepared to have a legal opinion prepared on the legal definition of semi-public use. He also noted that during the board of zoning appeals meeting that there was some confusion on what that term meant. He encouraged council members to be as informed on the issue as possible. Hatcher plans to address the definition, any litigation that has occurred regarding that definition and if the definition has ever been used in other communities to allow a homeless shelter to be zoned. He shared that he believed with sharing these points it would allow council members to make a vote. He invited anyone to share anything to be considered regarding the matter via email. Hatcher also plans to present a definition for drop in centers for clear descriptions on both homeless shelters and drop in centers and what Haven of Hope plans to do and which classification they fall in to. Hatcher suggested council members to consider definitions for homeless shelters and drop in centers. Other recommendations suggested were; if not changing definitions, changing definitions for conditional use or permitted use and reviewing those zoning codes. He also suggested a committee meeting regarding the matter.

Marshall asked whether or not council would need to vote on the Haven of Hope appeal at the next meeting. The President indicated to vote or not is dependent upon the will of the council; if no one calls for a vote it would be delayed until the next meeting.

COMMITTEE REPORTS

HEALTH, SERVICE AND SAFETY: Marshall reported he had a meeting with Fleming, Lawson and the Mayor reviewing current open violations codes, noting some had been corrected and closed. Marshall mentioned homes with open cases that had been reviewed and that had been abandoned or exasperated with liens and a round table discussion took place on how to address violations on abandoned homes with tax liens, deceased owners with no open estates and land bank not being able to purchase the properties without an open estate. Marshall also mentioned the recidivism rate on code violations and how to address those moving forward.

ECONOMIC DEVELOPMENT: Kallas reported that Ohio has released a phase 2 tech cred program, which provides up to \$2,000 per credential, per employee for technology focus training. This program is directed for manufacturing, healthcare, IT, robotics and

automation. For more information go to techcred.ohio.gov or call the economic development office.

PARKS AND RECREATION: No report was given

FINANCE: Agler motioned for an ordinance to be prepared on an emergency basis to amend Ordinance Number: 19-12-078. Seconded by Mergy. All concurred. Agler made a motion to introduce **Ordinance Number 20-01-003**. Mergy seconded. All concurred. Agler motioned to suspend statutory rules to **Ordinance Number 20-01-003**. Hellman seconded. All concurred. Agler motioned to pass **Ordinance Number 20-01-003: AN ORDINANCE TO AMEND THE VAN WERT CITY ORDINANCE 19-12-078 AND DECLARING AN EMERGENCY** on its first and final reading. Mergy seconded. All concurred

JUDICIARY AND ANNEXATION: No report was given.

STREETS AND ALLEYS: No report was given

PROPERTIES AND EQUIPMENT: Davis motioned for a resolution to be prepared to sell unused and unneeded vehicles using GovDeals on an emergency basis. Marshall seconded. All concurred. Davis made a motion to introduce **Ordinance Number 20-01-002**. Marshall seconded. All concurred. Davis motioned to suspend statutory rules to **Ordinance Number 20-01-002**. Marshall seconded. All concurred. Davis motioned to pass **Ordinance Number 20-01-002: AN ORDINANCE TO AUTHORIZE THE SAFETY-SERVICE DIRECTOR TO ADVERTISE AND SELL THE CITY'S UNUSED, UNNEEDED, OBSOLETE, OR UNFIT VEHICLES BY INTERNET AUCTION, AND DECLARING AN EMERGENCY** on its first and final reading. Agler seconded. All concurred.

Davis motioned for an ordinance to be prepared to authorize the sale of an ambulance to the village of Wren and declaring an emergency. Seconded by Marshall. All concurred. Davis motioned to introduce **Ordinance Number 20-01-004**. Agler seconded. All concurred. Davis motioned to suspend statutory rules to **Ordinance Number 20-01-004**. Agler seconded. All concurred. Davis motioned to pass **Ordinance Number 20-01-004: AN ORDINANCE TO AUTHORIZE THE SAFETY-SERVICE DIRECTOR TO SELL A 2005 INTERNATIONAL/BRAUN AMBULANCE TO THE VILLAGE OF WREN, OHIO AND DECLARING AN EMERGENCY** on its first and final reading. Agler seconded. All concurred.

*It was noted the sale price was \$22,500, not \$20,000.

STREETS AND ALLEYS: No report was given.

UNFINISHED BUSINESS

- Code Enforcement

NEW BUSINESS

CONSENT AGENDA

ORDINANCES AND RESOLUTIONS

Agler made a motion to adjourn at 7:05 p.m.; seconded by Mergy; with all concurring.

CLERK

PRESIDENT

DATE