

**MINUTES OF THE
VAN WERT CITY COUNCIL**
June 22nd, 2020

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

Pastor Keith Stoller gave the invocation.

On call of the roll: Marshall, Kallas, Penton, Agler, Hellman and Davis were present. Aler made a motion to excuse Mergy. Davis seconded; all concurred.

Davis made a motion to approve the amended agenda for the June 22nd meeting. Seconded by Agler; all concurred.
The amendment was adding an executive session to discuss pending litigation.

Davis made a motion to approve the 6/8/20 minutes. Seconded by Agler; all concurred.

COMMENTS, COMMUNICATIONS & PETITIONS

The President scheduled a public hearing meeting at 6pm, on July 27th to discuss the proposed changes to Van Wert City zoning ordinances 150.03 and 150.15. In consideration of changing zoning ordinances, a public hearing is required to be scheduled 30 days in advance. These ordinances will be tabled until after the public hearing to allow input from the public and then during the council meeting, it will be voted on for third and final reading. The President shared Veronica's resignation and announced Drew Bittner as her replacement, starting July 13th.

Pat Shaffer of 214 Gay Street was present to talk about a nuisance property at 212 Gay Street. The President shared an internal email from Officer Elijah Wortman regarding his report, responding to a call to the said property. The President asked Marshall if there was a plan to pursue the owner for the nuisance. Marshall stated the property was on his nuisance report. Hatcher stated that he was unsure if the city would pursue the owner or if the health department would be because of the garbage and the issue with the animals. Once that issue was answered clearly, the issue would proceed and the owner would be pursued accordingly.

ADMINISTRATIVE REPORTS

MAYOR: The Mayor reported the lighting project had begun. Brush pick up is scheduled for June 29th. Fourth of July fireworks are scheduled for 10pm, the Mayor also asked the public to follow guidelines for COVID-19.

SAFETY SERVICE DIRECTOR: Fleming noted that Jefferson Street bridge is progressing well, new beams will be installed on Thursday. The miscellaneous paving project begins Wednesday this week. Various streets will be milled with blacktop being

poured next week, in hopes that they would be complete by July 4th. The North Water Tower is empty and painting is underway.

AUDITOR: Balyeat provided invoices for approval on a Then and Now. Invoice number 72020362067, in the amount of \$3090 to Underwriters Laboratories Annual Aerial Inspection. Invoice number 3520, in the amount of \$22,915 to E. Lee Construction. Invoice number 3521, in the amount of \$11,625 to Masonry Restoration for the Municipal Court. Balyeat requested that Agler request an ordinance to be prepared to receive state funds from the CARES Act. The money will be dispersed to the county and then the county will disperse to various villages, townships and cities. According to a spreadsheet on the Department of Taxation website, the county will be receiving almost 1 million dollars, of those funds, Van Wert is eligible to receive \$113,000 to COVID-19 related items that were not budgeted.

LAW DIRECTOR: Hatcher began his report by offering further explanations for the ordinances up for second readings tonight, including the opportunity to amend definitions prior to the third readings. Specific conditions for homeless shelters have been discussed as potential amendments. For the Charter City ordinance council and the public were reminded of the requirements for running for the commission. Potential names have been requested from council members in hopes of having at least 15 names to field the commission. More than 15 is desirable. Council is planning on providing a group petition for the commission which is permitted by law. Being on the group petition is not a requirement, just optional to save citizens time. Davis asked if commission members are held to the same standards as other elected officials in regards to Sunshine Training, Financial Disclosure. It was decided to verify with Garry Hunter. Mr. Nolan, the lawyer for Haven of Hope, offered the possibility of settling the current lawsuit if conditions can be agreed upon for both parties. Again it was addressed that the city's ordinances need clarified with respect to zoning conditions. Potential conditions were requested to be sent to the Law Director for potential amending of the current ordinance under consideration. A Committee of the Whole was scheduled ~~for~~ was scheduled by the President for June 13th to begin at 5:45pm for potential further discussion. July @ JT

COMMITTEE REPORTS

HEALTH, SERVICE AND SAFETY: Marshall reported 22 properties that have been abandoned or boarded up, throughout the city. Action will be taken and Ohio Revised Codes covers these issues. The Law Director, the Mayor and Marshall will continue to work on these properties. Marshall noted, if you own an abandoned property and it is a nuisance, it must be abated.

ECONOMIC DEVELOPMENT: No report was given.

UNFINISHED BUSINESS

Code Enforcement
Charter Government

NEW BUSINESS

CONSENT AGENDA

ORDINANCES AND RESOLUTIONS

2nd Reading Advisory

Ordinance Number: 20-04-024 **Committee: Judiciary and Annexation**
AN ORDINANCE TO AMEND THE VAN WERT CITY ORDINANCE 150.03
AND DECLARING AN EMERGENCY.

Marshall, Kallas, Penton, Agler, Hellman and Davis voted yes.

2nd Reading Advisory

Ordinance Number: 20-06-034 **Committee: Judiciary and Annexation**
AN ORDINANCE TO AMEND THE VAN WERT CITY ORDINANCE 150.15
AND DECLARING AN EMERGENCY.

Marshall, Kallas, Penton, Agler, Hellman and Davis voted yes.

2nd Reading Advisory

ORDINANCE Number: 20-06-035 **Committee: Judiciary and Annexation**
AN ORDINANCE SUBMITTING THE QUESTION OF SELECTING A
COMMISSION TO FRAME A CHARTER TO A VOTE OF THE QUALIFIED
ELECTORS OF THE CITY OF VAN WERT AND DECLARING AN
EMERGENCY.

Marshall, Kallas, Penton, Agler, Hellman and Davis voted yes.

At 7:37, Agler motioned to enter into executive session, regarding pending litigation.

Davis seconded; all concurred.

At 7:43, Agler motioned to exit executive session. Davis seconded; all concurred.

PARKS AND RECREATION: Penton reported the parks are open. The parks are hiring for concession stands. Penton also noted that a faithful volunteer is cutting the grass and everything is going well.

FINANCE: Agler motioned to pay a Then and Now, in the amounts of \$3090 to Underwriters Laboratories Annual Aerial Inspection, invoice number 72020362067, \$22,915 to E. Lee Construction, invoice number 3520 and \$11,625 to Masonry Restoration for the Municipal Court, invoice number 3521. Hellman seconded; all concurred.

Agler motioned for a resolution to be prepared affirming the funds from the county coronavirus relief distribution fund may be expended to the city of Van Wert that are consistent with the requirements on an emergency basis. Marshall seconded; all concurred. Agler motioned to introduce **Resolution Number 20-06-038**. Marshall seconded, all concurred. Agler motioned to suspend statutory rules to **Resolution Number 20-06-038**. Marshall seconded; all concurred. Agler motioned to pass **Resolution Number 20-06-038: A RESOLUTION AFFIRMING THAT FUNDS FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND MAY BE EXPENDED ONLY TO COVER COSTS TO THE CITY OF VAN WERT THAT ARE CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 601(D), AND DECLARING AN EMERGENCY** on its first and final reading. Marshall seconded; all concurred.

JUDICIARY AND ANNEXATION: No report was given.

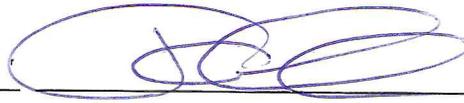
STREETS AND ALLEYS: No report was given.

PROPERTIES AND EQUIPMENT: Davis motioned to introduce **Ordinance Number 20-06-036**. Hellman seconded; all concurred. Davis motioned to suspend statutory rules to **Ordinance Number 20-06-036**. Hellman seconded; all concurred. Davis motioned to pass **Ordinance Number 20-06-036: AN ORDINANCE TO AUTHORIZE THE MAYOR TO SIGN A LEASE WITH THE VAN WERT AIRPORT AUTHORITY AND DECLARING AN EMERGENCY** on its first and final reading. Kallas seconded; all concurred. Davis motioned to introduce **Ordinance Number 20-06-037**. Kallas seconded; all concurred. Davis motioned to suspend statutory rules to **Ordinance Number 20-06-037**. Kallas seconded; all concurred. Davis motioned to pass **Ordinance Number 20-06-037: AN ORDINANCE TO AUTHORIZE THE MAYOR TO APPROVE A SUBLEASE OF REAL PROPERTY OWNED BY THE CITY OF VAN WERT AND CURRENTLY LEASED BY THE VAN WERT AIRPORT AUTHORITY TO THE VAN WERT COUNTY PORT AUTHORITY AND DECLARING AN EMERGENCY** on its first and final reading. Kallas seconded; all concurred.

Agler made a motion to adjourn at 7:44 p.m.; seconded by Hellman; all concurred.



CLERK



PRESIDENT

July 13, 2020

DATE

