

**MINUTES OF THE  
VAN WERT CITY COUNCIL**  
May 11<sup>th</sup>, 2020

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

Councilman Joel Penton gave the invocation.

On call of the roll: Marshall, Kallas, Penton, Agler, Mergy, Hellman and Davis were present.

Mergy made a motion to approve the agenda for the May 11<sup>th</sup> meeting. Seconded by Kallas; all concurred.

Agler made a motion to approve the 4/27/20 minutes. Seconded by Marshall; all concurred.

**COMMENTS, COMMUNICATIONS & PETITIONS**

The President announced that the next scheduled Council meeting was scheduled on a holiday, Memorial Day and would be rescheduled for Wednesday, May 27<sup>th</sup> at 6:30 in Council Chambers.

The President shared a communication received from Doug Wenniger of Alliance Automation to Senator Rob Portman, requesting pallet manufacturers to be listed as essential need workers during the COVID-19 restrictions

Mergy mentioned that she had received an email from a concerned resident, regarding the cruising event on Saturday night. This person witnessed excessive revving of engines and wrong way street entrances and Mergy wanted to bring it to the City Safety Service Director's attention. The Safety Service Director stated that he was not made aware of the event.

**ADMINISTRATIVE REPORTS**

**MAYOR:** The Mayor reported the Jefferson Street Bridge work was started earlier than planned due to the schools being closed early and will be done two weeks earlier and in time before the next school year begins. The Mayor also reported that many residents have been spending more time than normal doing yard work and that it has taken the city more time to complete brush pickup. If your brush has not been picked up, the city still has yet to pick up the fourth ward. The week that contains May 15<sup>th</sup> has been proclaimed as National Police week in Van Wert, Ohio.

SAFETY SERVICE DIRECTOR: Fleming reported that the Jefferson Street Bridge is underway. A ballard section was salvaged and will be delivered to the County Museum for their display of the bridge. The North water tower painting is scheduled for June 1<sup>st</sup>. Fleming shared that Hatcher had prepared preliminary legislation regarding the Washington Street paving job. The project will begin in June. A 25-year-old generator from the wastewater plant and a van were brought up for Properties and Equipment to request an ordinance to authorize the city to sell.

The President asked for an update on the Market Street Bridge end building.

Hatcher noted that the owner had retained council, entered an appearance and a motion to extend his time to file an answer. The owner had also contacted the Law Director about resolving the issue.

AUDITOR: Balyeat provided the April 30<sup>th</sup>, 2020 financial report. The month ended with \$13.9 million dollars, both on the books and in the various bank accounts and investments. All balances show a positive balance on the cash position report. Looking at the comparison report from April 2019 to April of 2020, revenues are behind. Total general fund is \$137,000 below where we were a year ago. There was anticipation of being ahead of where we were a year ago with a 4% increase in income tax. The income tax report shows \$428,000 behind last April and \$291,000 under last year to-date. Balyeat shared that it was difficult to project how COVID-19 has affected the city because of the extension of the income tax filing deadline being postponed to July 15. She reported that because of the postponement, it is difficult to determine if the shortfall is because people have not paid or because withholdings are down, noting that the city hasn't seen major layoffs at this point. Balyeat said she would have a more complete financial estimate after the tax filing date.

The President shared communication between himself and the Tax Administrator, noting that 70% of the decrease is due to the extension of tax filings. The Law Director also added that for people who pay quarterly, they have yet to pay their first and second quarter.

Balyeat noted the credit card statement that the Tax Administrator provided.

Hotel-Motel Tax revenues are also down, The Van Wert Area Convention & Visitors Bureau receives 25% of Hotel-Motel tax revenues and would be adversely affected. Economic Development, the Van Wert County Regional Airport, and Main Street Van Wert receive a flat monetary amount from Hotel-Motel tax, which Balyeat noted that reserves were in the Hotel-Motel fund to cover those entities.

Van Wert received \$57,328 from the Bureau of Workers Compensation. This was in the works prior to COVID-19. Balyeat noted that the funds have nothing to do with the pandemic. It is part the state's \$1 billion returned plan, 50% of what was paid in 2018. It gets put back into the funds as the same proportions as how they were paid out in 2018.

Balyeat reported that the city had also received \$14,496 from the CARES Act (Coronavirus Aid Relief and Economic Securities Act) passed by Congress to provide money to local governments upset financially by the COVID-19 pandemic. She believes this is federal money because it was received through the EMS Billing company since we are a Medicare biller and the fact that it is based off of Medicare billings. She noted that other funds would likely come from state government as well.

She was notified of CARES Act money that would be coming from the state, for an unknown amount. It has to be spent on COVID-19 non-budgeted related expenses. Balyeat stated that it was necessary to create a new fund to put these CARES Act monies in. A resolution was also necessary to accept the state dollars and spend them in accordance to the guidelines. Supplemental appropriations were also presented. \$1500 in the municipal building to cover consulting work that was not in the budget. \$5,256.04 is from the 2019 election, the cost is assessed with the real estate tax settlement for the first half of the year, an additional \$5,256.04 was needed to cover that cost. The Municipal Court has requested \$15,000 in their computer reserve fund. The new Fund \$14,496 (CARES Act) needs to be appropriated.

A Then and Now was presented that needed approved for Henschen and Associates, invoice number 20200267, in the amount of \$53,979 for upgrades.

**LAW DIRECTOR:** Hatcher reported that a pretrial with Haven of Hope had happened and another was set for the next Friday, Hatcher requested an executive session at the next council meeting to discuss the outcome out of the pre-trial.

Hatcher also discussed issues to be considered regarding changes to the zoning codes if the city decides to make changes.

Davis asked Hatcher if he was in agreement with what Joshua Nolan had brought up at the last meeting regarding the conditional use and the parameters set. Hatcher responded that if we had special permit zoning, it would address what Nolan had brought up.

Hatcher reiterated that the codes need to be made clear for the public to understand.

Mergy asked Hatcher if the definitions needed changed and Hatcher responded that he would share suggested, modified language for any new ordinances referencing the subject.

## **COMMITTEE REPORTS**

**HEALTH, SERVICE AND SAFETY:** No report was given  
Hatcher noted that nuisance cases would be starting to move forward as the month progresses.

**ECONOMIC DEVELOPMENT:** No report was given.

PARKS AND RECREATION: Penton reported the plan for summer baseball and softball leagues were still unknown. It has not been cancelled. The leagues are still hoping to have a season. If the season is cancelled, umpires and concession workers will not be hired, as there will be no need. The parks are fully staffed with summer workers for mowing and other work. There are some other projects the parks would like to get done on the fields and playgrounds but they are waiting to see what happens with the leagues and where we stand with funding and public use.

FINANCE: Agler motioned to approve a Then and Now for Henschen and Associates, in the amount of \$53,979 for upgrades to the Municipal Court. Mergy seconded; all concurred. Agler motioned for a resolution to be prepared, accepting CARES Act money. Marshall seconded; all concurred. Agler motioned for an ordinance to be prepared, establishing a fund for the CARES Grant on an emergency basis. Seconded by Mergy; all concurred. Agler motioned to introduce **Ordinance Number 20-05-028.** Mergy seconded; all concurred. Agler motioned to suspend statutory rules to **Ordinance Number 20-05-028.** Mergy seconded; all concurred. Agler motioned to pass **Ordinance Number 20-05-028: AN ORDINANCE TO ESTABLISH A NEW FUND HEREAFTER KNOWN AS FUND 226 ( CARES GRANT) FOR THE PURPOSE OF RECEIVING AND DISTRIBUTING FUNDS FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT AND DECLARING AN EMERGENCY** on its first and final reading. Mergy seconded; all concurred. Agler motioned for an ordinance to be prepared to make supplemental appropriations to funds 101, 212, 226, on an emergency basis. Seconded by Mergy; all concurred. Agler motioned to introduce **Ordinance Number 20-05-029.** Seconded by Mergy; all concurred. Agler motioned to suspend statutory rules to **Ordinance Number 20-05-029.** Mergy seconded; all concurred. Agler motioned to pass **Ordinance Number 20-05-029: AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATION TO FUNDS 101, 212, 226 AND DECLARING AN EMERGENCY** on its first and final reading. Mergy seconded; all concurred.

JUDICIARY AND ANNEXATION: Mergy set a Judiciary Committee meeting for June 1<sup>st</sup>, at 6:30 pm, in Council Chambers, to discuss zoning language. The President mentioned lists of names council members had presented of individuals to run for the positions on the charter government commission. He asked council members to reach out to the individuals, gauge their interest and if they are interested in the positions, he asked them to share their contact with him. He reminded council members that 15 individuals were needed to form the commission.

STREETS AND ALLEYS: Hellman motioned for a resolution to approve the paving of 127, 224 and 709 and authorizing the Mayor to enter into the agreement, on an emergency basis. Agler seconded; all concurred. Hellman motioned to introduce **Resolution Number 20-05-030.** Agler seconded; all concurred. Hellman motioned to suspend statutory rules to **Resolution Number 20-05-030.** Agler seconded; all concurred. Hellman motioned to pass **Resolution Number 20-05-030: FINAL**

**RESOLUTION FOR THE CITY OF VAN WERT TO APPROVE PRELIMINARY LEGISLATION FOR PAVING WORK TO BE COMPLETED ON US ROUTE 127, US ROUTE 224, STATE ROUTE 118 AND STATE ROUTE 709, TO GRANT THE MAYOR THE AUTHORITY TO ENTER INTO ANY AGREEMENTS WITH THE DEPARTMENT OF TRANSPORTATION IN THE FURTHERANCE OF SAID PROJECT AND DECLARING AN EMERGENCY** on its first and final reading. Seconded by Agler; all concurred.

PROPERTIES AND EQUIPMENT: Davis requested an ordinance to be prepared authorizing the sale of two items, on an emergency basis.

**UNFINISHED BUSINESS**

Code Enforcement  
Charter Government

**NEW BUSINESS**

**CONSENT AGENDA**

**ORDINANCES AND RESOLUTIONS**

Agler made a motion to adjourn at 7:19 p.m.; seconded by Kallas; all concurred.

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CLERK

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PRESIDENT

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DATE