

MINUTES OF THE VAN WERT CITY COUNCIL

July 27th, 2020

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

Pastor Keith Stoller gave the invocation.

Tomlinson opened the meeting by acknowledging that Council was socially distanced within Council Chambers, and made note of the Ohio public mask mandate. He also noted that specific exceptions to the mask mandate involve accessibility for hearing impaired or those with a disability that benefit from seeing mouth movements, and additionally, for individuals involved in broadcast communications. It was noted that individuals speaking or actively participating during the meeting have their masks down so that their mouth movements are visible and voices are clearly heard.

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 July 27th meeting. Seconded by Agler; all concurred.

Mergy made a motion to approve the minutes for the July 13th meeting. Seconded by Agler; all concurred.

Mergy made a motion to approve the Council of the Whole minutes for the July 13th meeting. Seconded by Agler; all concurred.

COMMENTS, COMMUNICATIONS, & PETITIONS

Penton shared that a resident on Gay Street stated trash was being moved into a vacant residence on that street. Marshall and Mayor Markward noted that property was still under review.

No additional comments shared.

ADMINISTRATIVE REPORTS

MAYOR: Markward shared that his office is considering an alert service for alerting the public to situations, such as the recent boil advisory. The process of finding the best alert system is ongoing. He noted that a short-term solution was the Van Wert EMA had agreed to add these alerts to their system. To sign up, head to vanwertema.com → click on weather → and click on “nixle” for Van Wert County EMA alerts.

Tomlinson suggested they should see how many opt in to McCoy’s system before the city spends money on a system.

Markward also shared that non-residents may sign up and alert their resident family members who may not be able to sign up for or check alerts.

SAFETY SERVICE DIRECTOR: No report given at this time. Jared asked a question about boil advisories and reverse osmosis systems, and Fleming answered.

AUDITOR: No report given at this time. Tomlinson asked if a report of the July 15th tax numbers would be available at a future meeting. Balyeat confirmed.

LAW DIRECTOR: Hatcher noted that a consent judgment entry with Haven of Hope had been reached, but is pending a Council vote. He noted there were two ways to move forward - a straight vote or a resolution. This entry will be placed on the website for the public to view and to contact their council representatives as necessary. He also asked for a public hearing prior to the next Council meeting on August 10th.

Tomlinson stated he believed it should be written up as a resolution granting Hatcher authority to sign the document. Tomlinson then read the consent judgment entry aloud to those present.

Agler shared that a constituent saw a large gap in the fencing between the building and the beginning of the fence, and it was large enough for someone to pass through. Davis mentioned he had also heard that concern, as well as a concern about the fence height (8' versus 6'), but as noted that in the Council of the Whole Minutes from July 13th, the fence was discussed as a 6' fence. Markward shared he had been told that a sewer issue had caused that gap, and would be taken care of when that issue is resolved. Tomlinson noted he spoke with Haven of Hope's attorney (Nolan), and recommended that the gap be remedied prior to the Council vote on August 10th.

Jared shared his opinion that future situations should not be more restrictive than Haven of Hope.

COMMITTEE REPORTS

HEALTH, SERVICE, and SAFETY: Marshall shared a monthly review of code violation. He had 25 violations over the past month, mostly weeds and grass. Eight of those violations ignored the first posting, and certified letters had been sent to those parties. Marshall also revisited the grass violations topic from the July 13th meeting, and he shared that information had been collected.

Balyeat shared numbers from grass violations over the last six years, including how much was billed, how much was collected, and how many were repeats from the previous year. She summarized by saying most do not pay the violations when billed, and it gets added to their taxes. She also noted that while over the last few years, less yards need to be mowed, but repeats are still a problem. Over the last 5 years, she stated that a little over \$60,000 had been billed for junk collection and grass violations, and around \$60,000 had been collected. She did not have the information to differentiate junk collection from grass violations in those numbers.

Marshall would like to see the first violation charge stay the same (\$200 for a regular mow and \$100 for additional work), but repeat violations should be doubled (\$400 and \$200, respectively). Marshall noted the city is using their resources to mow when that manpower could be used elsewhere. He proposed that Code 98.04 be amended to double the violation charges.

Agler stated he believed the charges should be tripled. Tomlinson clarified that additional repeat violations would still be subject to the \$400 and \$200 charges.

Markward asked if this reset every year. Hatcher stated this should be clear - as to not leave the city open to challenges. Additional discussion ensued on the issue. Fleming stated this should reset or start over each year, with "a first offense" resetting each calendar year.

Marshall made a motion to prepare an amendment to 98.04 stating that after a first offense, repeat grass violations would double in charge. Penton seconded. Marshall, Kallas, Penton, Mergy, Hellman, and Davis concurred. Agler dissented.

It was noted that the language of 98.04 provided for proper notice for violations, and residents would be aware of this amendment if it passes.

ECONOMIC DEVELOPMENT: No report given at this time.

PARKS AND RECREATION: No report given at this time.

FINANCE: No report given at this time.

JUDICIARY AND ANNEXATION: Mergy made a motion to prepare a resolution authorizing the Law Director to sign the proposed consent judgment entry CV 20-03-025, and that the resolution be prepared on an emergency basis. Agler seconded. All concurred.

No additional report given at this time.

STREETS AND ALLEYS: No report given at this time.

PROPERTY AND EQUIPMENT: Davis asked the mayor about the timeline for the charter issue. Markward said the filing deadline is August 5th for names to be placed on there. After Labor Day, audiences would be sought for what is actually on ballot in November. Tomlinson said the city could pay for informational campaigns. They've spoken with Mr. Hunter, and it was recommended to wait until closer to the deadline for benefits and drawbacks. Mr. Hunter's group is working on the information to be presented to the public.

No additional report given at this time.

UNFINISHED BUSINESS

It was noted both aspects on the agenda were previously discussed.

NEW BUSINESS

CONSENT AGENDA

RESOLUTIONS & ORDINANCES

Mergy motioned to pass Ordinance Number 20-04-024: AN ORDINANCE TO AMEND THE VAN WERT CITY ORDINANCE 150.03 AND DECLARING AN EMERGENCY on its third and final reading. Kallas seconded; all concurred.

Mergy motioned to pass Amended Ordinance Number 20-06-034: AN ORDINANCE TO AMEND THE VAN WERT CITY ORDINANCE 150.15 AND DECLARING AN EMERGENCY AS AMENDED on its third and final reading. Kallas seconded; all concurred.

Mergy made a motion to adjourn at 7:16 p.m. Agler seconded; all concurred.

Clerk

President

Date