

MINUTES OF THE VAN WERT CITY COUNCIL

August 10th, 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, Mergy, Hellman, and Davis were present.

Mergy made a motion to approve an amended agenda for the August 10th meeting. Seconded by Agler; all concurred.

The amended agenda removed an ordinance (20-08-043) listed in the Resolutions and Ordinances section, as this ordinance had not been officially requested yet.

Mergy made a motion to approve the minutes for the July 27th meeting. Seconded by Agler; all concurred.

Mergy made a motion to approve the Public Hearing minutes for the July 27th meeting. Seconded by Agler; all concurred.

COMMENTS, COMMUNICATIONS, & PETITIONS

Tomlinson stated that he emailed Marshall and Hatcher concerning the property at 414 North Cherry Street, so that this would be on their radar. Tomlinson asked Mr. Oechsle, in attendance, if he wanted to comment on the property. He declined, but stated that he had pictures to show Marshall. It was determined he would share those with Marshall after the meeting.

A liquor license application was received for El Mexicano Mexican Restaurant to transfer license from 1198 Westwood Dr (Suite E & F) to 716 W. Ervin Rd. Tomlinson reviewed the procedure for liquor licenses - noting the license application is announced, and then held for 30 days to allow the public to send comments regarding the application to Council. Depending on response, the application would be signed and sent back to the Ohio Division of Liquor Control in 30 days. Announced in Council Held for 30 days. Agler noted that this permit is being transferred from their current address to a new address.

Tomlinson asked Mayor Markward to reach out to Garry Hunter for a meeting to finalize the details of an informational campaign around the charter government. He asked that Council be notified of this meeting, as well as local media.

ADMINISTRATIVE REPORTS

MAYOR: Markward noted that the first layer of asphalt on the Jefferson St. bridge was put on today (August 10th), and it was on schedule to be open by Monday, August 17th, which would align with the target to be open prior to the start of school (August 24th).

The water tower project is still on schedule, and the first layer of primer has been applied.

The materials and tools for the Honeywell heating and cooling project had been brought in today, and the project would start in Fleming's office.

ODOT has been working on the North Washington Street repaving. The traffic backup was due to work around the "concrete circles" in the area. ODOT would be back to finish repaving in a couple weeks, depending on machine availability.

Markward asked Mergy to request an ordinance and run it through tonight, which would replicate the fee structure in place already for Spectrum, but specifically name TSC Communications as a video service provider.

Markward also asked Mergy to request an ordinance be prepared to donate two-tenths of an acre to ODOT for a project on US 127. Mergy noted that would fall to Properties and Equipment (Davis). Tomlinson asked if this needed to be on an emergency, and Markward confirmed. Markward noted that Fleming could provide more information at the next meeting.

Markward closed his report by stating he would be speaking at a Heartland Patriots meeting on Tuesday, August 11th, at 7:00 p.m. at the Wesley United Methodist Church. The topic is "Should Van Wert Become a Charter City?", and he would be providing the "Yes" response presentation. He suggested this might be a good opportunity for Council to hear questions and comments from the public on this issue.

Agler stated he has heard concerns about the water shut-offs in the midst of the COVID-19 situation, and asked if the city is working with residents to avoid shut-offs. Markward reported that if someone comes in and states they can't pay their full bill, the first question asked will be "How much can you pay?", because they want to work with residents, and help to avoid shut-offs. He stated that shut-offs do occur if people do not attempt to come in or communicate, etc.

SAFETY SERVICE DIRECTOR: No report at this time. (Mayor conveyed information in his report.)

AUDITOR: Tomlinson noted that Balyeat was not at the meeting, but she had sent documents to members of Council prior to the meeting.

One document showed the Hotel/Motel receipts through July, which showed a month over month decrease of approximately 50%. Tomlinson stated that this fund goes to Economic

Development, and that he believed there was carryover from last year to help offset this decrease. He stated he would pose a question to Balyeat at the next meeting, and ask if any budgeted expenditures were at risk. He also stated this is an area to monitor for the rest of the year.

Another document received was the Gross Receipts from Income Tax through July. Year to date, Tomlinson noted they are under their budgeted amount, but per Balyeat, the revenues received are tracking with the 10% reduction assumed when the COVID-19 situation began.

The last document Tomlinson reviewed was the Bank Reconciliation packet, and noted that everything balanced/the accounts had positive balances, and these also showed the 10% decline in revenue that was anticipated when COVID-19 began.

Markward stated that he and Balyeat had looked at numbers, and they are currently down 5% from last year. If everything stays on the same track, numbers would likely end up 8-9% down from last year. If the year finishes the same as last year, then the numbers would likely stay around 5% down from last year. If things improve over the last 5 months, and are similar to the first 3 months of this year, then overall numbers could be up around 2% from last year. He said those were three scenarios they reviewed that were more positive than anticipated a few months ago.

LAW DIRECTOR: Hatcher noted that he spoke with Mr. Oechsle prior to the meeting. He will get together with Marshall later in the week to review this property, as well as others.

He noted that everything else is going fine at Municipal Court. Cases have returned to normal.

Agler stated he had a resident on Vine St. that is avoiding service from the police. Hatcher said that was a property that was part of the group of cases to be reviewed.

Hatcher noted that the Consent Judgment Entry, discussed in the earlier Public Hearing, will be voted on tonight. He indicated a lot of time had been spent on that agreement, and hopes consideration will be given when the vote is taken.

COMMITTEE REPORTS

HEALTH, SERVICE, and SAFETY: Marshall noted there have been 10 violations of grass/weed since last meeting. He reminded the public that when mowing near the street, to direct clippings away from the street. Grass trimmings should not be directed toward the streets, as this slipping hazard, and dangerous to bikes, motor bikes, and others.

Marshall thanked Mr. Oechsle for attending, and sharing his concerns.

He stated there are about 10 properties in suspense, but the wheels of progress are slow. It takes some time to find the owners, find the banks, or contact whoever owns the property. He will continue to meet with Hatcher and Mayor Markward to attempt resolutions.

ECONOMIC DEVELOPMENT: No report at this time.

Tomlinson shared that a city-wide cleanup had been discussed for the fall when the next Economic Development funds report came out. He suggested this be put on the agenda for September, if the funds are available.

PARKS AND RECREATION: Penton reported that things continue to go well. They currently have two temporary summer staff and Jobs Ohio staff working.

Penton relayed that the new batting cage is complete and the new benches are installed at Jubilee Park. That equipment was donated to the city.

Penton also stated that a charity fundraiser wiffle-ball tournament was held on August 8th at Jubilee, and it was very successful. The Parks Department put up the temporary fields for that tournament, and those were taken down today.

Tomlinson asked if the splash pad at Franklin Park was currently off-limits due to COVID. Markward said it was shut off for a short time due to cleanup of broken glass. As of 5:30 p.m. tonight, Markward said it was back on and kids were on it.

FINANCE: No report at this time.

JUDICIARY AND ANNEXATION: Mergy motioned to introduce **Resolution Number 20-08-041**. Agler seconded, all concurred. Mergy motioned to suspend statutory rules to **Resolution Number 20-08-041**. Agler seconded; all concurred. Mergy motioned to pass **Resolution Number 20-08-041: A RESOLUTION AUTHORIZING THE VAN WERT CITY LAW DIRECTOR TO SIGN A CONSENT JUDGMENT ENTRY IN VAN WERT COMMON PLEAS CASE NO. CV 20-03-025 AND DECLARING AN EMERGENCY**, on its first and final reading. Agler seconded; all concurred.

Mergy noted that the Mayor had previously mentioned a new video service provider (TSC Communications) that was looking to come to Van Wert. An ordinance is needed to enact a video service fee for 5% of the video service provider's gross revenues.

Mergy motioned for an ordinance to be prepared to enact a video service fee on an emergency. Agler seconded; all concurred. Mergy motioned to introduce **Ordinance Number 20-08-043**. Agler seconded, all concurred. Mergy motioned to suspend statutory rules to **Ordinance Number 20-08-043**. Agler seconded; all concurred. Mergy motioned to pass **Ordinance Number 20-08-043: AN ORDINANCE ENACTING A VIDEO SERVICE FEE, AND DECLARING AN EMERGENCY**, on its first and final reading. Agler seconded; all concurred.

STREETS AND ALLEYS: No report at this time.

PROPERTY AND EQUIPMENT: Davis made a motion asking the Law Director to prepare a resolution authorizing a land donation to ODOT for a project on US 127 on an emergency. Hellman second. All concurred.

UNFINISHED BUSINESS

Tomlinson indicated that both code enforcement and charter government will remain on the agenda, with a note that the Mayor will be reaching out to Garry Hunter for a meeting regarding the charter government informational campaign.

NEW BUSINESS

CONSENT AGENDA

RESOLUTIONS & ORDINANCES

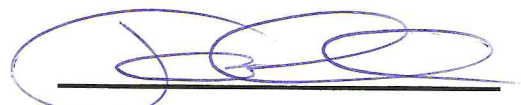
Agler motioned to amend Ordinance Number 20-08-042 by tripling the charges in lieu of doubling. No second was given, and the motion to amend failed.

Marshall motioned to introduce Ordinance Number 20-08-042: AN ORDINANCE TO AMEND THE VAN WERT CITY ORDINANCE 98.04. Penton seconded. Marshall, Kallas, Penton, Mergy, and Hellman approved. Agler and Davis dissented. First reading for Ordinance Number 20-08-042: AN ORDINANCE TO AMEND THE VAN WERT CITY ORDINANCE 98.04, Marshall, Kallas, Penton, Mergy, and Hellman approved. Agler and Davis dissented.

Mergy made a motion to adjourn at 7:07 p.m. Kallas seconded; all concurred.



Clerk



President

8/24/20

Date

