

MINUTES OF THE VAN WERT CITY COUNCIL

August 24th, 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 24th meeting. Seconded by Agler; all concurred.

The amended agenda added an executive session to discuss contract negotiations. It was noted by Tomlinson that a vote on contract negotiations would take place after the executive session.

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

Mergy made a motion to approve the Public Hearing minutes for the August 10th meeting. Seconded by Agler; all concurred.

COMMENTS, COMMUNICATIONS, & PETITIONS

The Van Wert County Council on Aging is sponsoring a pork chop dinner, drive-thru pick up, on Monday, September 21st, from 3:30 p.m. to 6:30 p.m. at the Senior Center located at 222 Fox Rd., Van Wert. Tickets, which are \$9.00 apiece, must be purchased by September 11th, either by cash or check. Tickets are presale only. For more information, call 419-238-5011.

ADMINISTRATIVE REPORTS

MAYOR: Markward began by stating the final brush pickup begins next Monday, August 31st. This is for branches and sticks, etc., as there will be a leaf pickup later in the year.

The 2020 Census is ongoing, and it is estimated that approximately 70% of Van Wert have responded. Census workers will visit households for the other 30% through the end of September, but there are no concrete dates for that at this time. They will have ID badges.

The Van Wert County Foundation's downtown project has been named "Van Wert Forward", and they are now in the process of seeking input from the community. Anyone who would like to provide input and respond to their survey should visit vanwertforward.org/survey.

Liam Shartzter's Eagle Scout project, which involved beautification of the old Clark gas station on West Main Street, is starting to move forward again. It had been on hold since March.

Garry Hunter is arranging an educational meeting on charter government through a Zoom on Friday, August 28th, at 10:00 a.m. The login information will be sent out when known.

SAFETY SERVICE DIRECTOR: Fleming shared that the water tower painting project is wrapping up, with exterior done and interior close to finished. The graphics should be up over the next week.

The radio system equipment was back up for busses prior to schools starting, as it was down over the summer.

The HVAC project in the municipal building continues to move forward, and close to half the offices are done. The system is not on yet, but installation is ongoing.

City crews are cleaning out the lagoons on the east side of the reservoir. This will be rolled down, dried, and taken by the lime-agriculture company next year for agricultural fields.

Fleming clarified that the land donation to ODOT is a piece of property, currently owned by the city, on US 127 N, just short of Fife Rd, and explained the need that ODOT has for that piece of land.

Fleming also informed the council that the city has been awarded the Small Cities Grant to help fund the Leeson Avenue project. This is a \$5.7 million project that rebuilds half of Leeson Avenue, and the grant will cover \$2 million of the project, which will widen the avenue, add new sidewalks and curb gutters, and add a bike lane to Smiley Park. By 2024, you should be able to ride a bike from Shannon St. to Richey Rd. and back on a bike path.

Joe Jared asked Fleming about traffic light behavior in the city. Fleming stated that some loops were ground out in the repaving project, and those will be addressed when the Main Street repaving is finished.

AUDITOR: Balyeat stated that she sent council an email from Brenda Miller, with a preliminary copy of the 2019 audit. This audit is still confidential, as it has not yet been released, but the city has the option to have a post-audit conference. She asked for interest in this conference, and no interest was stated. She stated she will need signatures, and then will send the form back to the state. The audit will remain confidential until released by the state.

Balyeat also noted that the hotel/motel tax is down, but traditionally, the October collection is the highest for the year. It is likely the city will distribute around \$30,000 more than they collect this year. She noted that this will not be an issue this year, and likely not next year, but could lead to conversations in the future about other expenses. She mentioned that there are several flat-dollar commitments made each year, and if collections do not recover, those flat-fee amounts could deplete reserves. She asked that this be considered in the future, specifically considering percentage commitments rather than flat-dollar in the future.

She also asked Agler for an invoice regarding an Emergency Reporting Annual Subscription for \$4,458.00 to be approved on a Then and Now.

LAW DIRECTOR: Hatcher noted that four nuisance cases had been worked since last Thursday. One case involved a person who they tried to serve for an entire year. Of these four cases, two properties are potentially being sold and the other two have contractors involved in doing extensive work. There are six other cases pending. Hatcher expects to have more detailed information to give to Marshall for the September 14th meeting. There are three more affidavits pending, and likely will be more by the next meeting.

Tomlinson asked if the length of these cases is bogged down by court or state law. Hatcher explained the process to the council. He explained different situations that could cause delays, such as a person who avoids being served, a person who relocates and no address is known or exists, or if someone in the chain of ownership is deceased (no legally binding person can be served).

Jared mentioned a possibility involving daily fines which cannot be avoided due to extenuating circumstances. Hatcher mentioned that they haven't really invoked the per day fines. He noted that for chronic cases, that may be the next step. Hatcher noted they are taken on a case by case basis, and that compliance and action are the desired outcomes.

COMMITTEE REPORTS

HEALTH, SERVICE, and SAFETY: Marshall stated that progress has been made, and that the code enforcement officer does the best they can based on circumstances. He mentioned there are ten violations that have come up since the last meeting, but those should be off the list by the next meeting. However, he also has what is called a "suspense file", which are cases that are not resolved within a reasonable amount of time. He noted that they just want results, and for problems to be corrected as best as they can. They can afford to give people time and they will work with people, but to not do anything is unacceptable. He mentioned that his suspense list is at 12 currently, and some of those properties are ones Hatcher already mentioned.

ECONOMIC DEVELOPMENT: Kallas mentioned that the Land Bank has been acquiring blighted and vacant homes over the last two to three years. These properties have been revitalized, and some are now being offered to the public for development. A list of available properties and acquisition bid proposal forms are posted on the Van Wert Area Economic Development website (vanwerted.com/landbank). As more properties become available, they will be listed on this site with bid deadline details. For more information, contact Krista Somerton at the Van Wert Area Economic Development office.

PARKS AND RECREATION: No report at this time.

FINANCE: Agler motioned to approve the Then and Now regarding the Emergency Reporting Annual Subscription of \$4,458.00. Seconded by Kallas; all concurred.

JUDICIARY AND ANNEXATION: No report at this time.

STREETS AND ALLEYS: No report at this time.

Agler mentioned a concern about visibility at the corner of Market St. and Sycamore St. He asked Hellman to look at this area. Tomlinson noted this has been brought up as an issue before, and a crosswalk may need to be put in at this location. Hellman acknowledged he will look at this area.

PROPERTY AND EQUIPMENT: No report at this time.

UNFINISHED BUSINESS

Tomlinson indicated that both code enforcement and charter government will remain on the agenda, and again referenced the upcoming Zoom meeting with Garry Hunter and the Mayor regarding information on the charter government.

NEW BUSINESS

CONSENT AGENDA

Davis motioned to introduce the consent agenda. Agler seconded; all concurred. Davis motioned to suspend statutory rules for consent agenda. Agler second; all concurred. Davis motioned to pass the consent agenda, **Ordinance Number 20-08-045: AN ORDINANCE TO AUTHORIZE THE MAYOR TO SIGN A QUIT CLAIM DEED TO DONATE PROPERTY TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR .191 ACRES OF PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 25 OF UNION TOWNSHIP, VAN WERT COUNTY, OHIO AND DECLARING AN EMERGENCY** on first and final reading. Agler seconded; all concurred.

RESOLUTIONS & ORDINANCES

Second advisory 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. The second reading passed.

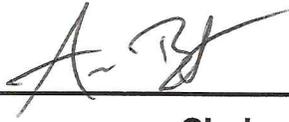
At 7:07 p.m., Agler motioned to enter executive session. Hellman seconded; all concurred.

At 7:10 p.m., Agler motioned to exit executive session. Kallas seconded; all concurred.

Agler motioned for an ordinance to be prepared to authorize the Mayor and Safety Service Director to contract with Ohio Patrolmen's Benevolent Association. Mergy seconded; all concurred. Agler motioned to introduce **Ordinance Number 20-08-044.** Mergy seconded, all concurred. Agler motioned to suspend statutory rules to **Ordinance Number 20-08-044.** Mergy seconded; all concurred. Agler motioned to pass **Ordinance Number 20-08-044: AN ORDINANCE TO AUTHORIZE THE MAYOR AND SAFETY-SERVICE DIRECTOR TO**

**CONTRACT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA),
RELATIVE TO WAGES, HOURS, TERMS AND OTHER CONDITIONS OF EMPLOYMENT, AND
DECLARING AN EMERGENCY** on its first and final reading. Mergy seconded; all concurred.

Agler made a motion to adjourn at 7:12 p.m. Davis seconded; all concurred.



Clerk



President

9/14/20

Date

