

**MINUTES OF THE  
VAN WERT CITY COUNCIL**

November 9<sup>th</sup>, 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, and Davis were present.

Agler made a motion to excuse Hellman. Marshall seconded; all concurred.

Mergy made a motion to approve the agenda for the November 9<sup>th</sup> meeting. Seconded by Agler; all concurred.

Mergy made a motion to approve the minutes for the October 26<sup>th</sup> meeting. Seconded by Agler; all concurred.

**COMMENTS, COMMUNICATIONS, & PETITIONS**

Tomlinson noted that he received a letter from the planning commission, which both the Mayor and Safety Service Director are on, regarding a public hearing that was held earlier in the day on November 9<sup>th</sup>. This meeting involved discussion on the petition for conditional zoning for the annexation for Alliance Automation. The planning commission has requested a Judiciary and Annexation meeting on December 14<sup>th</sup> at 6:15 p.m., to discuss annexation and zoning, with a proposed zoning to I-2.

Fleming followed up by explaining that Alliance Automation is requesting the annexation. According to code, they can request permanent zoning upon annexation. Typically, zoning comes in as residential, and Alliance wants to come in as I-2, as they are a factory. The planning commission approved that request during their meeting on November 9<sup>th</sup>. Fleming believed that the zoning language needed to be included in the final ordinance for annexation, if passed, instead of its own ordinance. Tomlinson said he believed that to be the case, but they would verify with Hatcher when he was available. Judy Bowers, of 642 Center Street, asked if that meeting would be open to the public. Tomlinson affirmed that it would.

## **ADMINISTRATIVE REPORTS**

**MAYOR:** Markward opened with an update from Stacy Adam, Executive Director of the Van Wert Area Economic Development Corporation (VWAEDC) office, regarding the Home Guard building. She noted that they sent out information to as many bidders as possible, in order to have more bidders. They were able to get 13 bids from companies, across 5 different states. The preliminary estimate is \$402,000. Most bids came in between \$350,000 - \$400,000. The winning bid, from a company from Louisville (KY), came in at \$288,000. This was a pleasant surprise. The requirements of the bid was that the start date would be November 15<sup>th</sup>. This may not be the actual start date, as the 15<sup>th</sup> is a Sunday, but they have 60 days from that date to complete demolition. It is believed that the process will take less than 60 days, but the thought was that if they made the deadline 30 days, that would keep busy contractors from bidding and drive the price up. Meetings with the contractor will begin on Tuesday, November 10<sup>th</sup>, to work out more details, but there are many considerations in that process.

The Mayor also provided a small follow-up to the recent election. He noted that a letter was sent to the 16 citizens who had their names on the ballot for the charter commission, thanking them for their willingness to serve had the charter issue passed.

**SAFETY SERVICE DIRECTOR:** Fleming mentioned that he is a member of the State Issue 1, District 13 group, of the Ohio Public Works Commission. Fleming noted that \$400,000 comes into Van Wert County as a result of this group, and that money rotates to different parts of the county over the years, and comes into Van Wert City approximately every 4 years. He explained that they need to annually update an ordinance that states the Safety Service Director is the person serving on that committee, with the Mayor as the alternate. He noted that he needed Judiciary and Annexation to ask for that ordinance to be prepared, and it does not need to be on an emergency.

Fleming also noted that he needed salary ordinances to be requested to be prepared, one for service and one for safety.

Fleming brought up the idea that had been put forward regarding a speed trailer on Ervin Rd. He explained that the trailer had been put in storage for the winter, but they can ask for an increased police presence there.

Fleming also mentioned that he is meeting with the Ridge Township trustees on Friday morning for a discussion on the speed limit on Mendon Rd. He will report at the November 23<sup>rd</sup> meeting on that.

Per a request, Fleming relayed that he and the mayor had looked at Middle St., due to a complaint that the recycling trucks were having trouble getting down that road to collect recycling. He commented that he wasn't sure the situation warranted an immediate ordinance for parking only on one side of the street. He noted that he went and looked at the street, there wasn't an issue, but he also noted that when the Mayor looked at it, and took pictures, the

recycling truck had difficulty getting down the entire street. He asked Council to take a look at that street if they could, and they would discuss further at the next meeting.

Fleming stated that some parts of town are having issues with the taste and color of their water. This is attributed to a late fall algae bloom, due to unusual circumstances. Steps are being taken to up the treatment and remedy the situation. Tomlinson clarified that this was not a dangerous situation. Fleming confirmed, noting it was just aesthetic.

Fleming also requested that Council will consider adding \$2 to the minimum water bill, with a \$1 increase on the water side, and a \$1 increase on the sewer side. Fleming noted this money would be earmarked for the city's water meter replacement program. He explained that everyone would benefit from a new meter, so this is why he is asking for the flat increase instead of a percentage increase. This will generate around \$112,000 a year, and close to \$1.2 million over a ten-year period. This is a \$1.5 - \$1.6 million dollar project, and the difference would be made up with monies already in the water and sewer fund. He wants to have the rates set by the January 2021 bill, so they can start collecting that money, and hopefully begin that project in 2021.

Tomlinson noted he was one who had already received a new meter, and he has been satisfied with paying for the water they actually use, instead of an estimate.

Bowers asked if the bill would change if one didn't use the minimum water amount. She wondered if the new meters would tell you the actual amount used, and if one used less than the minimum, if they would be charged less. It was explained that the minimum bill is a fixed cost, and that charge helps to maintain and run the water plants.

Joe Jared asked if there was already money in the funds to cover the meter replacement program, as he thought there was a large balance. Fleming explained that the money in the water and sewers balances doesn't mean that money is sitting free or unencumbered balance, it is a fund balance that includes money that is or will be needed for coming expenses.

Agler mentioned that he had checked out a house on Second St., between Jefferson St. and Monroe St. He mentioned there are two crossovers on that block and the potholes are very bad on that stretch. Fleming took note and will relay to appropriate parties.

Penton asked if there was an update on Franklin Park. Fleming said he did not have an update at this time.

**AUDITOR:** Balyeat noted all members of Council should have a copy of the Bank Reconciliation for October. The report showed \$12.9 million on the books, and \$12.9 million dollars in the various bank accounts and investments. The cash position report showed all funds with a positive balance, as required. As she moved to the general fund comparison between 2020 and 2019, Balyeat noted "a lot of red" in that report. She noted that they were down about 5% in taxes collected from last year. At the beginning of the year, the projection was to be up

4% in that area. When COVID hit, the projection shifted to be 10% behind that original projection. The numbers at the current time are in line with that revised projection.

Balyeat noted that Tomlinson asked for a comparison in other funds aside from the general fund. She mentioned that two funds, Fund 201 and 204, have more money currently than last year. Both of these funds receive the gas tax, and since the gas tax increased, these funds have more money, about 20% higher, than in previous years. They also have CARES grant dollars that have come in this year.

Balyeat also ran the proposed budget for 2021 at the level Council approves it. She posted the line-by-line amounts on Google Sheets, but not every member was able to access that file.

Tomlinson asked for clarification on large increases that were also large dollar amounts. Balyeat noted that funds highlighted in yellow on the report are one-time projects or one-time funds, such as CARES monies.

Balyeat went through the large increases in a few specific funds, explaining the reasons for the increases in those areas. She also mentioned that there were no large changes in health insurance. She asked Agler to request that the budget be prepared.

Agler again asked for code enforcement to be put into law enforcement. Discussion followed on the topic of code enforcement and law enforcement responsibilities, how to address the problems at hand, and where the focus should lie. Agler asked for a Committee of the Whole meeting to have a specific conversation on this matter. Tomlinson said he would schedule that meeting after looking through the calendar. Jared asked whether the police force was already stretched thin. Tomlinson answered yes.

**LAW DIRECTOR:** No report at this time as the Law Director was not present. Tomlinson mentioned that questions or comments can be sent to him, or to administration.

## **COMMITTEE REPORTS**

**HEALTH, SERVICE, and SAFETY:** Marshall reported that he has had very few code violations since the last meeting. He did note that some cases have been hanging around for several months. Summons have been sent out once, and have been sent out again. No action has come from either summons. Marshall said he needs a conversation with the Law Director about how to handle these situations.

Agler asked if a legal notice could be put in the paper. Fleming stated that he didn't believe Revised Code would allow for that. Marshall said he would follow up with Hatcher to find a way to put a stop to this.

Jared asked what the exact issue is with the property in question. Marshall described nuisance violations with junk and trash on the property, property problems with the building in terms of overhangs in precarious situations, and weed and grass violations since April. Jared asked if he

could get their contact information to offer assistance. It was noted that this is a nuisance case, and so he could receive that information after the meeting. Penton noted he stopped to ask if their church youth group could help haul junk away, but no one answered.

**ECONOMIC DEVELOPMENT:** Kallas stated that September unemployment for Van Wert was down to 5%. He also noted that the state average was 8% and the national average was 7.7%, so they were below both those averages.

Per the Economic Development office, Kallas described two new grant opportunities. One is for small business relief, for businesses with less than 25 employees. The other opportunity is the Bar and Restaurant Assistance Fund, which provides \$2500 for premise liquor permit holders. Anyone interested in those opportunities should reach out to the Economic Development Office.

**PARKS AND RECREATION:** No report at this time.

**FINANCE:** Agler made a motion to ask the Law Director to prepare an ordinance for service personnel salaries for 2021, on an emergency. Mergy seconded; all concurred.

Agler made a motion to ask the Law Director to prepare an ordinance for safety personnel salaries for 2021, on an emergency. Mergy seconded; all concurred.

Tomlinson clarified that these ordinances will go through three readings, but are prepared on an emergency so the 30-day window after the 3rd reading can be eliminated due to timing considerations. Fleming confirmed.

Agler asked if unemployment rebates would still be received. Balyeat said they had received a second rebate on employment recently. The third rebate that the governor asked for had not yet been approved. Agler asked if that rebate would make a big difference. Balyeat said they will turn around and pay that amount in for next year's unemployment budget.

Agler made a motion to ask the Law Director to prepare an ordinance to pass the permanent appropriations for 2021 on an emergency. Mergy seconded; all concurred.

Agler made a motion to ask the Law Director to prepare an ordinance to set water and sewer rates for 2021 on an emergency. Mergy seconded; all concurred.

**JUDICIARY AND ANNEXATION:** Mergy made a motion to ask the Law Director to prepare an ordinance listing the Safety Service Director as the serving member of the Issue 1, District 13 group of the Public Works Commission. Kallas seconded; all concurred.

Mergy also issued a reminder that there will be a Judiciary and Annexation Committee Meeting on December 14<sup>th</sup> at 6:15 p.m. to discuss Alliance Automation annexation and zoning.

**STREETS AND ALLEYS:** No report at this time as Hellman was not present. Tomlinson mentioned that questions can be directed to Marshall.

**PROPERTY AND EQUIPMENT:** No report at this time.

## **UNFINISHED BUSINESS**

Tomlinson noted that code enforcement was already discussed.

Mergy made a motion to remove charter government from Unfinished Business. Agler seconded.

Tomlinson scheduled a Council of the Whole meeting for November 23<sup>rd</sup> at 5:30 p.m. to discuss shifting code enforcement to law enforcement.

## **NEW BUSINESS**

### **CONSENT AGENDA**

Agler made a motion to introduce the consent agenda. Kallas seconded; all concurred.

Agler made a motion to suspend statutory rules for the consent agenda. Kallas seconded; all concurred.

Agler made a motion to remove **Ordinance 20-11-060** from the consent agenda.

Agler made a motion to pass all ordinances on the consent agenda, **ORDINANCE Number: 20-11-058: AN ORDINANCE TO TRANSFER FUNDS FROM FUNDS 602 TO FUND 603 AND DECLARING AN EMERGENCY; ORDINANCE Number: 20-11-059: AN ORDINANCE TO TRANSFER FUNDS FROM FUNDS 101 TO FUND 302 AND DECLARING AN EMERGENCY; ORDINANCE Number: 20-11-061: AN ORDINANCE TO TRANSFER FUNDS FROM FUNDS 101, 201, 301, 601, 602, 701, TO FUND 550 AND DECLARING AN EMERGENCY; ORDINANCE Number: 20-11-062: AN ORDINANCE TO TRANSFER FUNDS FROM FUND 560 TO FUNDS 101, 201, 230, 301, 601, 602, AND 701 AND DECLARING AN EMERGENCY**, on first and final reading. Kallas seconded; all concurred.

### **RESOLUTIONS & ORDINANCES**

Agler made a motion to introduce **ORDINANCE Number: 20-11-060**. Penton seconded; all concurred.

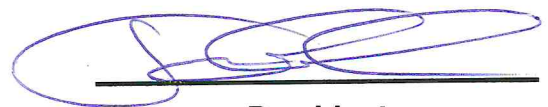
Agler made a motion to suspend statutory rules for **ORDINANCE Number: 20-11-060**. Penton seconded; all concurred.

Agler made a motion to pass **ORDINANCE Number: 20-11-060: AN ORDINANCE TO TRANSFER FUNDS FROM FUND 550 TO FUNDS 101, 601, AND 602 AND DECLARING AN EMERGENCY**, on first and final reading. Penton seconded; all concurred.

Mergy made a motion to adjourn at 7:34 p.m. Agler seconded; all concurred.



Clerk



President

11/23/20

Date