

# **MINUTES OF THE VAN WERT CITY COUNCIL**

July 26<sup>th</sup>, 2021

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 the agenda for the July 26<sup>th</sup> Council meeting. Hellman seconded; all concurred.

Mergy made a motion to approve the minutes for the July 12<sup>th</sup> Council meeting. Hellman seconded; all concurred.

Mergy made a motion to approve the minutes for the July 12<sup>th</sup> Public Hearing on the 2021 Tax Budget. Hellman seconded; all concurred.

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## **COMMENTS, COMMUNICATIONS, & PETITIONS**

Tomlinson welcomed representatives from Young's Trash Service & Waste Management to the meeting to discuss the citywide trash clean-up.

The initial proposal from Young's Trash Service focused on a September 25<sup>th</sup>, 2021 date, from 8 a.m. to 12 p.m. They would accept large appliances and furniture, at a rate of \$30 per car. Tomlinson asked for a price cap - the maximum amount Young's would propose, so the city would know the maximum amount to come out of the Economic Development budget.

Rich Riley, of Young's Trash Service, stated that two years ago, the last time this event was held, 176 cars came through in five hours time, and Young's took in 59,180 pounds of trash. During that event, however, they weighed each vehicle in and out, and took whatever citizens brought. It was noted that this year, they planned to be more strict on what items they would accept. Discussion continued on the number of cars expected this year, based on prior averages, traffic logistics, and possible security. Tomlinson then brought up the idea of a ticket system, to help alleviate difficulty with the number of cars in a small window of time. This shifted the proposed idea, to allow a longer time window, as well as loosen some of the proposed restrictions.

At the end of the discussion, a consensus was reached that a ticket system would be used, and tickets would be passed out at the Municipal Building - likely through the Water Works Office. The tickets would be good for the entire month of September, so anyone with a ticket could take their trash to Young's Trash Service any Monday through Friday (excluding holidays), from 8 a.m. to 4 p.m. Any additional waste beyond large appliances and furniture would be subject to weight/scales, and residents would pay for this additional trash.

Tomlinson asked Riley to give Council the number of cars he could take for the amounts of \$4000, \$4500, or \$5000. It was determined that specific details would be ironed out by the next Council meeting, so that information could then be shared with the public and put into the upcoming water bills, and all logistics could be worked through with the ticket system.

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Moving on to other communications, Tomlinson made note of a liquor license request for Truly D’Vine, 117 West Main Street. He asked that any concerns or comments around this liquor license request be directed to City Administration or Council.

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Tomlinson issued a reminder that the ribbon-cutting and grand opening of the J.L. Rice Terminal at the Van Wert County Airport will be held on Saturday, August 7<sup>th</sup> at 10:30 a.m.

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Tomlinson reiterated that this is the last Council meeting prior to the deadline for any residents wishing to have their name as a charter commission nominee. Interested parties should download Form 3-P from the [Ohio Secretary of State website](#), with five signatures of registered voters from the city of Van Wert. This needs to be submitted to the Van Wert Board of Elections by end of business on August 4<sup>th</sup>, 2021. The commission needs to seat at least 15 members, but the more candidates, the better.

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Tomlinson stated that he received a request from Laney Nofer, of the Van Wert County Foundation, for time during the August 9<sup>th</sup>, 2021 Council meeting to provide updates on the Van Wert Forward’s Downtown Redevelopment Plan.

Van Wert Forward has then asked for a Council of the Whole to discuss parking in downtown, which Tomlinson scheduled for August 23<sup>rd</sup>, 2021, at 6:00 p.m.

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Hatcher relayed that Al Smith had requested time during the August 9<sup>th</sup> meeting to discuss the opioid settlement. As that is ongoing litigation, and not yet public knowledge, it was determined this would be discussed in an executive session at the end of that Council meeting.

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Markward shared that, as part of the Van Wert County Bicentennial, the County Commissioners are holding an Open House-style event at the Van Wert Courthouse on Friday, July 30<sup>th</sup>, from 4:00 p.m. to 6:00 p.m.

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## ADMINISTRATIVE REPORTS

**MAYOR:** Markward provided an update that pertained to the Van Wert Area Convention & Visitors Bureau (CVB), and the Van Wert Area Economic Development Corporation (VWAEDC). He stated that with Larry Lee's recent retirement, the CVB board had considered a reorganization, and they are possibly considering pairing with VWAEDC to combine a CVB part-time position with a VWAEDC part-time position. No additional details are known, but that is a possibility.

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Markward reported that the Vantage-constructed house, in partnership with the Land Bank, sold at auction for \$155,000. The next house to be constructed by the Vantage-Land Bank partnership will be built at 143 E. Raymond Street in Van Wert.

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Markward also relayed that Main Street Van Wert is trying a new event, Farm to Table, on Saturday, August 7<sup>th</sup>, 2021. This will feature local produce and local meat, prepared by local parties. Tickets are available through the Main Street Van Wert office.

Agler asked if the Harvest Moon Fest was going to take place this year. Balyeat planning meetings were starting soon, and Markward added that he had a tentative date in his calendar of September 25<sup>th</sup>, 2021.

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**SAFETY SERVICE DIRECTOR:** Fleming reported the Market Street Bridge Project is progressing well, and paving will begin next week (August 2<sup>nd</sup> and 3<sup>rd</sup>). He noted that paving in this area would occur as part of two separate projects. The city will be paving Market Street from Central Avenue to Crawford Street. The remaining paving project will be separate, and bidding for that project will open soon.

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Fleming also stated that the street relining project is almost finished, and also going well.

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**AUDITOR:** Balyeat first relayed that the 2021 Tax Budget was filed with the County Auditor's Office after the last meeting.

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She also stated that she had submitted the application for the American Rescue Plan funds. She explained that the application was accepted, and generally, the first round of money is received within 10 days.

Tomlinson asked what the guidelines are for the American Rescue Plan dollars, with Balyeat and Fleming responding that infrastructure projects are clearly allowed, and likely will be the use. Tomlinson clarified that those projects will come before Council for approval, whenever that time comes. Balyeat confirmed this, and noted it was required for that to happen.

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Balyeat also stated that the city received another request for an indigent burial. At this time, there is no documentation to show the deceased was indigent. She noted that in this particular case, there was a request for dollars to be contributed toward burial in lieu of flowers, but no documentation of money put toward burial. She will further communicate with the funeral home on this request.

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Balyeat made note that she sent out a revised Bank Reconciliation Report for March 2021 and Bank Reconciliation Reports for April and May. She stated that June's report is not finished at this time.

She also explained that revenues at this time are up, and while she's unsure if it's sustainable, the position is currently better than anticipated. Hatcher asked if the CARES dollars play into this, and Balyeat stated they did not affect it. At this time, the future dire projections are extended out for the time being with the current position.

Balyeat also noted that there are software technicians coming to check their program, so that she can finish the May, June, and July reconciliation reports.

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Joe Jared asked about an issue with his tax situation, as he believed there was a change in the way his taxes were calculated. He asked for this to be looked into, stating that if there was a change, that would need to be approved by Council. Tomlinson asked Balyeat to check into this request with the City Tax Administrator.

Jared also asked if American Rescue Plan funds could be used to fund indigent burials. It was stated that, in theory, yes they likely could.

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**LAW DIRECTOR:** Hatcher made note of recent or upcoming meetings related to nuisance violations. He stated that one focus of these meetings would be to begin looking at commercial properties as closely as they had been looking into residential properties. He noted the need for balance in this focus.

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## **COMMITTEE REPORTS**

**HEALTH, SERVICE, and SAFETY:** Marshall provided members of Council with information he had compiled in regard to policies from other municipalities on indigent burials. He explained that many of the policies are similar, but he was concerned about the cremains of indigent individuals. A discussion ensued on the topic of the burial of cremains, cemeteries that may have plots for cremains, the legality of burying cremains, and the storage of cremains at funeral homes.



Tomlinson asked Marshall to speak with the local funeral directors on the storage of cremains, what happens if cremains are unclaimed, and the typical cost associated with indigent burials.

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Marshall also discussed other properties and buildings in the city that should be addressed outside of residential homes, and provided an outline of reasons for which other properties could be in violation of nuisance code. He informed Council that he would be working with the Law Director further on legislation and enforcement with these situations. He also stated the need to bring closure to issues that have been ongoing for months or longer, and discussion on actions that can be taken, if needed. He stated he would have further information at the next meeting.

Agler asked about the possibility of an ordinance that requires water or electricity to be run to properties. He argued that if there is a charge to properties, then owners would be more apt to keep these properties in livable conditions or ready to rent out, instead of letting them “fall in on themselves”. Hatcher stated that he would look into this situation. Agler mentioned that he believed Ohio City wanted to enact something similar, and Hatcher said he would contact Ohio City’s representatives.

Jared suggested that the cost of water line repair and/or requiring utilities may be cost-prohibitive to some property owners within the city. He stated that he believes that’s part of a bigger picture that should be considered. Tomlinson noted that would be considered in context.

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Health, Service, and Safety had no additional report for the evening.

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**ECONOMIC DEVELOPMENT:** Kallas reminded the public of the four recent grant programs from the State of Ohio for COVID recovery. He noted the deadline for applications is July 31<sup>st</sup>, 2021, with information at [businesshelp.ohio.gov](http://businesshelp.ohio.gov).

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Agler remarked that Van Wert is getting a Hot Head Burritos restaurant. Davis noted this was a new concept for Hothead, a dual concept with Rager’s Original Sausage Sandwich, so Van Wert is getting a first in terms of this setup. It was also pointed out that Cilantros Grill & Cantina is also open for business.

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Economic Development had no additional report for the evening.

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**PARKS AND RECREATION:** Penton provided an update on the list of complaints that was sent to him regarding the parks in Van Wert. He relayed that he had met with Kaden Woolbright, and Kaden's mother, on Tuesday, July 20<sup>th</sup>, 2021, to discuss these complaints. Kaden had compiled the complaints as part of an Eagle Scout public service project.

Kaden's list of complaints was discussed with Fleming, Police Chief Joel Hammond, and the Parks Department's Kyle Klinker. With regard to unruly behavior at the parks, such as yelling, cursing, and bullying of children, it was relayed that such conduct could be considered disorderly conduct, and police dispatch can be called (419-238-2462). Signage will also be posted around Franklin Park with this number. Guests at the park should refrain from calling 911 unless a violent act is occurring, or a weapon is displayed. Penton also noted that they are looking into the use of yellow tape to cordon off the pavilion when it is in use by a party.

Complaints on the cleanliness of the bathrooms in Franklin Park were also addressed. These are cleaned daily, but signage will be posted inside with the Parks Department number to report dirty bathrooms.

With regard to cameras around the parks, Penton relayed that the city does not have the funds to place cameras, nor the manpower to monitor them.

He also noted that there were complaints regarding Hiestand Woods Park and the Children's Garden, but he noted neither of those are maintained by the Parks Department.

The final complaint Penton addressed was a scheduling error in reserving fields at Smiley Park. Klinker acknowledged that error, and that will be reviewed with staff to avoid a repeat.

Penton stated that the meeting concluded with no other questions, and Kaden was satisfied with the results. Davis stated that he has been in Franklin Park several times recently, and he did not witness anything out of the ordinary during those sessions. He believes Franklin Park is a great place to go, and is a safe park, all in all.

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Parks and Recreation had no further report for the evening.

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**FINANCE:** Finance had no report for the evening.

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**JUDICIARY AND ANNEXATION:** Judiciary and Annexation had no report for the evening.

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**STREETS AND ALLEYS:** Streets and Alleys had no report for the evening.

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**PROPERTY AND EQUIPMENT:** Property and Equipment had no report for the evening.

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## UNFINISHED BUSINESS

Tomlinson noted code enforcement, the citywide clean-up, and the charter commission were all discussed during the night's meeting.

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## NEW BUSINESS

There was no new business brought before Council.

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## 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 pass the Consent Agenda, Ordinance Number 21-07-042: AN ORDINANCE TO ESTABLISH A NEW FUND HEREAFTER KNOWN AS FUND 231 (AMERICAN RESCUE PLAN) FOR THE PURPOSE OF RECEIVING AND DISTRIBUTING FUNDS FROM THE STATE OF OHIO PURSUANT TO THE AMERICAN RESCUE PLAN AND DECLARING AN EMERGENCY., on its first and final reading. Kallas seconded; all concurred.

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## RESOLUTIONS & ORDINANCES

There were no other resolutions or ordinances for the evening.

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## ADJOURN

Agler made a motion to adjourn at 7:56 p.m. Mergy seconded; all concurred.



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Clerk of Council  
Andrew Bittner



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Council President  
Jon Tomlinson

**8/09/2021**

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Date

