

**MINUTES OF THE  
VAN WERT CITY COUNCIL**

February 28<sup>th</sup>, 2022

President Jerry Mazur called the meeting to order at 6:30 p.m.

Pastor Keith Stoller gave the invocation.

On call of the roll: Marshall, Kallas, Bowers, Agler, Stinnett, Moore, and Davis were present.

**Marshall made a motion to approve the agenda for the February 28<sup>th</sup> Council meeting. Kallas seconded; all concurred.**

**Davis made a motion to approve the minutes for the February 14<sup>th</sup> Council meeting. Agler seconded; all concurred.**

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**COMMENTS, COMMUNICATIONS, & PETITIONS**

Mazur stated that Van Wert Fire Chief Jon Jones had released the Van Wert Fire Department 2021 Annual Report, which had been sent to all Council members and city administration, and would also be available to anyone in the city office for review.

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**ADMINISTRATIVE REPORTS**

**MAYOR:** Markward informed Council that Northwest State Community College was moving forward with its plans for a campus in Van Wert. The campus will be located in the old Kennedy Manufacturing Co. building at 520 E. Sycamore St., with renovations beginning soon. Classes are planned for the fall, with an upcoming open house after opening.

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Markward also notified Council that Van Wert Chief of Police Joel Hammond had retired. Hammond did not want a public open house, and only met with his department. Lieutenant Douglas Weigle is the acting Chief of Police in the interim, until he is sworn in officially later in the week.

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Additionally, Markward stated that he spoke with John Butler, who is currently in charge of uploading Council recordings to the website, and asked Butler if he had the capability to live stream the meetings. Butler would assess the equipment in Council chambers, and provide information on what additional technology, if any, would be needed.

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The Mayor had no additional report for the evening.

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**SAFETY SERVICE DIRECTOR**: Fleming stated the city will be beginning stump removals, as the week's weather should be void of snow and ice. Fleming reminded the public that when stumps are ground, the city will be back around to clean up the excess. These areas will then be seeded in the spring.

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Fleming also stated that crews are out finding and repairing potholes in the city.

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Fleming then addressed an item he asked Council to consider. He stated that currently, bargaining unit members receive \$180 per year for footwear, and \$300 every 3 years for outerwear. However, non-bargaining unit members do not receive those amounts, and their amounts haven't changed since 2015. He asked Council to consider amending the Policy Procedure Manual that governs non-bargaining unit members, so that their allowances also would be \$180 for footwear and \$300 every 3 years for outerwear.

**Agler made a motion to amend the Personnel and Procedures Policy Manual, 7.05(C). Stinnett seconded; all concurred.**

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Fleming had no further report for the evening.

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**AUDITOR**: Balyeat reviewed the first draft of the permanent budget, which she had shared with all Council members. Balyeat then detailed all of the changes from the passed temporary budget to this first permanent budget draft. She noted that all changes were separated into columns - amounts marked under "Elected Officials Changes" and reasons for changes marked under "Elected Officials Comments".

- *(The full document, with the full list of reviewed changes, can be found [HERE](#). Balyeat's full explanations of each change can be viewed on the recording of the 02/28/2022 Council meeting [HERE](#) - timestamp 8:16 - 17:16 of recording.)*

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Davis asked about the licensing fee that Balyeat had reviewed for the Council's Chromebooks. Balyeat explained that CNT (Computer & Networking Technologies) stated that the Chromebooks had a licensing fee that applied. Davis asked if the local schools had to pay a licensing fee. She said CNT confirmed the schools would have to, but she wasn't sure if it was the same amount.

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Hatcher asked about income tax refunds. He clarified that these refunds were going to people that didn't live in Van Wert, but had worked from home. Balyeat wondered if there would be a decrease in taxes collected, in addition to tax refunds, which would incur a double hit to the city.

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Joe Jared, 233 Burt. St., asked if it would make more sense if each Council member was allocated money to purchase a device to use for Council purposes, instead of paying a licensing fee. It was noted through additional discussion that members of Council would be inquiring about this situation, and looking for the best solution.

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Balyeat had no additional report for the evening.

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**LAW DIRECTOR**: Hatcher apologized to Council for tardiness in providing proposed legislation for this meeting.

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Hatcher asked Agler to request legislation authorizing the Mayor to sign a contract with Attorney George Moore as an Assistant Law Director to handle Hatcher's conflicts.

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Hatcher asked Fleming to provide information on the proposed changes to the Service salary ordinance and the Safety salary ordinance. Fleming stated that in the Service salary ordinance, the language was adjusted to say that the Council Clerk's salary would match the Council President's salary, instead of stating a number. In the Safety salary ordinance, the hourly wage of the 911 dispatcher was increased (by approximately \$0.72 an hour) due to additional duties. Fleming asked Agler to request the preparation of these ordinances, on an emergency.

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Hatcher asked Balyeat if a separate ordinance was needed for the funding request for the Van Wert County Airport, but it was noted that it was already in the permanent budget draft, and would not need a separate ordinance.

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Hatcher asked Davis to request legislation to authorize the change in American Legal updates, currently from an annual update to approximately biweekly updates.

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Mr. Jared asked about the status of the information he had requested at a previous Council meeting. Hatcher stated he would have the information by the end of the week.

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Hatcher had no further report for the evening.

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## COMMITTEE REPORTS

**HEALTH, SERVICE, and SAFETY:** Marshall requested a Health, Service, and Safety Committee meeting prior to the next Council meeting on March 14<sup>th</sup>, 2022, at 6:00 p.m., to discuss blighted and abandoned properties.

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

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**ECONOMIC DEVELOPMENT:** Economic Development had no report for the evening.

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**PARKS AND RECREATION:** Bowers stated that the Parks and Recreation Department would continue summer ball registration through March 25<sup>th</sup>, 2022.

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Parks and Recreation had no further report for the evening.

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**FINANCE:** Agler made a motion to ask the Law Director to prepare legislation amending the Safety Department salary ordinance, on an emergency. Kallas seconded; all concurred.

Agler made a motion to introduce Ordinance Number 22-02-016. Kallas seconded; all concurred.

Agler made a motion to suspend statutory rules for Ordinance Number 22-02-016. Kallas seconded; all concurred.

Agler made a motion to pass Ordinance Number 22-02-016: AN ORDINANCE AMENDING ORDINANCE 21-12-070 BY AMENDING THE SALARY ORDINANCE SAFETY DEPARTMENT EMPLOYEES PROVIDING FOR THE SALARIES AND COMPENSATION OF EMPLOYEES IN THE POLICE DEPARTMENT AND FIRE DEPARTMENT, NON-BARGAINING UNIT MEMBERS OF THE CITY OF VAN WERT, ESTABLISHING JOB CLASSIFICATIONS, SALARY RANGES AND LIMITATIONS, AUTHORIZING SPECIFIC NUMBER OF EMPLOYEES, PROVIDING FOR SICK LEAVE, VACATION SCHEDULE, ALLOWANCES, IMMUNIZATION AGAINST COMMUNICABLE DISEASES, AND OTHER BENEFITS AND DECLARING AN EMERGENCY., on its first and final reading. Kallas seconded; all concurred.

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Agler made a motion to ask the Law Director to prepare legislation amending the Service Department salary ordinance, on an emergency. Davis seconded; all concurred.

Agler made a motion to introduce Ordinance Number 22-02-017. Davis seconded; all concurred.

Agler made a motion to suspend statutory rules for Ordinance Number 22-02-017. Davis seconded; all concurred.

Agler made a motion to pass Ordinance Number 22-02-017: AN ORDINANCE AMENDING ORDINANCE 21-12-069 PROVIDING FOR THE SALARIES AND COMPENSATION OF EMPLOYEES IN THE SERVICE DEPARTMENT, AUDITOR'S OFFICE, INCOME TAX AND ADMINISTRATION OF THE CITY OF VAN WERT, ESTABLISHING JOB CLASSIFICATIONS, SALARY RANGES AND LIMITATIONS, AUTHORIZING SPECIFIC NUMBER OF EMPLOYEES, PROVIDING FOR SICK LEAVE, VACATION SCHEDULE, ALLOWANCES, IMMUNIZATION AGAINST COMMUNICABLE DISEASES, AND OTHER BENEFITS AND DECLARING AN EMERGENCY., on its first and final reading. Kallas seconded; all concurred.

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Agler made a motion to ask the Law Director to prepare legislation authorizing the Mayor to sign a contract with Attorney George E. Moore for services as Assistant Law Director by Special Appointment, on an emergency. Davis seconded; all concurred.

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Agler discussed the city's current procedures for dead animals in the city. He stated that a dog recently died on Vine St., and contacted the Van Wert County Dog Warden to take care of the animal. Agler stated the Warden couldn't do anything, as there is no longer an incinerator for this purpose. Agler was advised to contact the Police Department, but he was unsure what the Police Department could do. Agler also stated that the Humane Society's deep freezer was full, and they could not take the animal either. Fleming stated the city will bag up and dispose of dead squirrels, etc., but the city does not deal with dogs and larger animals. Fleming also said that an educational service was supposed to collect these animals for autopsies and science classes. Additional discussion ensued, and Mazur suggested that Council investigate the cost of a deep freezer for the city to address some of the concerns brought forth. Mazur also stated that he would speak with Sheriff Riggenbach regarding stray dogs.

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Agler made a motion to introduce Ordinance Number 22-02-018. Davis seconded; all concurred.

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Finance had no additional report for the evening.  

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**PROPERTIES AND EQUIPMENT:** Stinnett made a motion to introduce Resolution Number 22-02-014. Kallas seconded; all concurred.

Stinnett made a motion to suspend statutory rules for Resolution Number 22-02-014. Agler seconded; all concurred.

Stinnett made a motion to pass Resolution Number 22-02-014: A RESOLUTION AUTHORIZING THE SALE OF: MUNICIPALLY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE; OR WHICH IS OBSOLETE; OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION, PURSUANT TO ORC §721.15(D), AND DECLARING AN EMERGENCY., on its first and final reading. Agler seconded; all concurred.

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Stinnett made a motion to introduce Ordinance Number 22-02-015. Agler seconded; all concurred.

Stinnett made a motion to suspend statutory rules for Ordinance Number 22-02-015. Agler seconded; all concurred.

Stinnett made a motion to pass Ordinance Number 22-02-015: AN ORDINANCE TO AUTHORIZE THE SAFETY-SERVICE DIRECTOR TO ADVERTISE AND TO SELL THE CITY'S UNUSED, UNNEEDED, OBSOLETE, OR UNFIT VEHICLES BY INTERNET AUCTION, AND DECLARING AN EMERGENCY., on its first and final reading. Agler seconded; all concurred.

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Mr. Jared suggested that the Chromebooks fall under Properties and Equipment, and come under local city control. It was again noted that Council would research the issue, and find the best solution to the situation. Davis stated that Council may consider incorporating technology into a committee in the future. Mazur stated both comments would be taken under advisement.

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Properties and Equipment had no further report for the evening.

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

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**JUDICIARY AND ANNEXATION:** Davis made a motion to ask the Law Director to prepare legislation to change the frequency of the American Legal updates, on an emergency. Kallas seconded; all concurred.

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Davis made a motion to introduce Ordinance Number 22-02-013. Agler seconded; all concurred.

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Judiciary and Annexation had no additional report for the evening.

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## UNFINISHED BUSINESS

Mazur reviewed that the American Legal updates issue had been addressed during the meeting.

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Additionally, Mazur noted that the dead animals issue had been discussed.

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Mazur indicated that the Mayor had initiated conversation with John Butler regarding the live streaming of Council meetings, and would bring further information in the future.

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## NEW BUSINESS

There was no new business brought before Council.

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## CONSENT AGENDA

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## RESOLUTIONS & ORDINANCES

First advisory reading for Ordinance Number: 22-02-013: AN ORDINANCE TO ADOPT THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) FLOOD DAMAGE REDUCTION REGULATIONS. All concurred; first reading passed.

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First advisory reading for Ordinance Number: 22-02-018: AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VAN WERT, OHIO, FROM JANUARY 1, 2022 TO DECEMBER 31, 2022, AND DECLARING AN EMERGENCY. All concurred; first reading passed.

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## ADJOURN

Davis made a motion to adjourn at 7:28 p.m. Kallas seconded; all concurred.



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Clerk of Council  
Andrew Bittner



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Council President  
Gerald T. Mazur

03/14/2022

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Date