

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

June 13<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 June 13<sup>th</sup> Council meeting. Davis seconded; all concurred.**

**Davis made a motion to approve the minutes for the May 23<sup>rd</sup> Council meeting. Marshall seconded; all concurred.**

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

Kevin Allen, 245 W. 3rd St., asked the Mayor who to cite for city property violations. He referenced the reservoir, and stated that the weeds are very tall. He asked who should be cited for this violation. Mazur stated that the Safety-Service Director is aware of the issue, and they are working on it. Davis stated he saw someone out there working on his drive in. The Safety Service Director (Fleming) stated they can't spray the weeds/rocks in that area, as it is a public drinking water system, and no one in the county has a long-reach mower for those weeds. Fleming also stated they do not have a sickle.

Mike Manley, 220 Chestnut St., continued a discussion from the Council of the Whole meeting, which took place prior to the regular City Council meeting. He requested more information regarding the door hangers or warnings that people receive, so that they can take care of their property. Mazur recommended that if he receives a door hanger in the future, then he can contact Lieutenant Boroff to get a description of the situation. Mr. Manley stated he is trying to work on it when he has the time, and Mazur stated that an extension could also be granted if he called to request one. Weigle stated that he could schedule an appt with Lt. Boroff to go over his property.

Mark Davis, 402 S. Tyler, stated that he worked with the Police Department last year, and after working with the city and paying fines, he was cited for nuisance violation. He stated that someone would have to climb over his vehicles to see the lack of license plates, and therefore the violation. He wanted to know how anyone could find the nuisance based on what happened. Mr. Davis also asked about the contact number on the door hanger.

Mazur stated that he felt they addressed the bikes and toys issue, and clarified once again with Chief Weigle on the issue. Weigle stated they are not bothering with properties unless there are 4-5+ glaring issues, or larger property issues.

Mazur stated that he has received many comments on the positive side of the cleanup. Weigle stated that many positive comments, and one negative comment, were received at a recent event regarding the cleanup.

Mazur stated that cleaning up the city is infectious. When people see neighbors and those around them taking pride in their properties and cleaning up, then they also begin to clean up their own properties.

Matthew Perry, 245 W. Third St., stated that he believes Van Wert is a great community. He stated that there are many people in Van Wert who are willing to help out others, but people don't know about properties until they are charged. Weigle stated that, by law, he can't release information until they are charged. Mr. Perry stated that many people who need help are older, or have pride, and they don't ask for help or get help until it's too late. It was noted that people can request a 10-day extension to the initial 10-day window after receiving a door hanger.

Ed Glossett, 802 E. Crawford St., stated that neighbors are cleaning up their property, and he has been helping out the street to get things in order. He stated that they need the support of the city leaders, to which Mazur stated that they can look out for each other. Agler and Kallas applauded community members for helping, and acknowledged the great aspects of the community.

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Mazur reviewed a liquor permit request for Black Angus Tavern and Grill, LLC at 1103 S. Shannon St. He stated this would be mailed back in 30 days if there were no complaints received.

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Mazur also noted an email that Council received from Mr. Kevin Matthews, and asked Davis (Judiciary) to review for further comment later in the meeting.

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Mazur also reported that he received information on an Economic Development meeting on June 14, 2022, at 6:00 p.m., at the Vantage Career Center. The public is welcome, and membership is \$5.00 for those interested.



Weigle spoke next on the Crime Victim Services program. He noted that Council also approved expenses for Crime Victim Services, but due to unforeseen circumstances, he explained that funding and grants from other parties fell through, and the organization needs to be rebuilt from the ground up. He asked Council to improve upon their approval of expenses by allowing the Mayor to enter into an agreement to fund the service for the remainder of the 2022 calendar year. Hatcher explained that Council's action would be for Finance to request legislation to authorize this agreement. He noted that the budget has already been issued to Balyeat. Balyeat did note that the difference is that the funding for Crime Victim Services used to run on a reimbursement basis, but now would be funded upfront.

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Mazur stated that Joe Jared, 233 Burt St., questioned Van Wert Code of Ordinances §72.41. Mr. Jared explained that this ordinance was based on Ohio Revised Code, and effectively describes a 2003 segway - not hoverboards. He stated that hoverboards are different from segways. Anyone under 14 cannot ride these modes of transportation, according to the ordinance. He stated that it should be parents' discretion if children can ride hoverboards in the city. In terms of safety, Mr. Jared argued that in crowds, they aren't hitting people. He argued they are safer than bicycles, and if there are laws restricting hoverboards, then they should follow bicycle restrictions. Mazur asked Jared how he would amend the ordinance, and Mr. Jared said that hoverboards should be held out of the ordinance, and they should allow parents to determine age. Hatcher stated that if Mr. Jared's vehicles don't fall under the issues within the ordinance, then he isn't in violation. Mr. Jared explained he was trying to get ahead of things. Hatcher stated that Mr. Jared bringing it up is the only time it's been brought up. Right now, Hatcher stated that his vehicle doesn't meet the ordinance description, and no one is discussing citing him for the issue.

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## **ADMINISTRATIVE REPORTS**

**MAYOR:** Markward announced that Gabe Steyer completed his 1-year probationary period, and was sworn in as a full-time Firefighter/EMT.

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Markward thanked the Van Wert County Foundation for the financial support in installing 7 very large trees in the tree islands on Market St.

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The Mayor also reminded residents of the next brush pickup start date, which is June 27, 2022.

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Markward also informed Council, and those in attendance, that John Butler is waiting on the new equipment needed for the continued livestreaming and recording of Council meetings. He hopes to have everything updated and installed by the June 27, 2022 meeting.

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Mr. Manley asked if the tree islands would be expanded further on Market St., to the north. Markward stated it originally wasn't part of the plan due to the demolition of the Home Guard building, and wasn't anticipated at this time. He noted that the area may be a nice place for a street fair, or another broad avenue that could be closed off at times for special events.

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**SAFETY SERVICE DIRECTOR:** Fleming announced that the water meter project bid has been worked out with the contractor, a start date of October 1 is anticipated, and all meters should be changed in a 8-12 week timeframe. He explained that residents wouldn't see more than a minute or so without water when their meter is changed out, but the change in the billing process will be more complicated with their software. He will provide more specific information when they know how that process will play out.

He stated that, right now, they will need to change the minimum bill to a monthly charge vs. a quarterly charge (so all charges need to be divided by 3). He also proposed that the turnoff fee is raised from \$25 to \$50, as shutoffs will happen monthly moving forward.

Agler asked about State Route 118 and U.S. Route 127, and if people who were annexed in will see their rates increase. Fleming stated that they raise those flat rates by whatever percentage the other rates are raised.

Mr. Allen asked what the increase would be in rates. Fleming stated it wasn't being raised - it was being changed from quarterly to monthly.

Mr. Jared asked if end users will be able to read the new meters the same way the city can. Fleming stated they could not. Mr. Jared felt this would be a way to alleviate complaints about the water. Fleming stated citizens could call the city and have them check.

Mr. Davis asked if the transmitter-based meters will have a dial. Fleming stated that the "guts" of the meters are the same (electronic dial), but will have a readout. Mr. Davis asked if the city can read the meters from their offices, or whether they will do a drive-by. Fleming confirmed they would still do drive-bys.

Mr. Jared asked if the meters fail, whether it will benefit the city or the citizens. Fleming stated the citizen, as the meters will always slow down if they start to fail, not speed up.

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Fleming stated that the Bonnewitz sanitary sewer portion of the project was nearly complete, and they would begin the widening of that area soon. Additionally, the Woodland Ave. water main replacement project would begin sometime after July 4, 2022.

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**AUDITOR:** Balyeat reviewed the May 2022 Financial Report. She indicated there was \$17.5 million on the books, and the same amount in the various bank accounts and investments. The cash position report showed all funds had a positive balance, as required. General Fund revenues were up about 12% over last year. Income tax revenue was also up. Overall, she noted that they have taken in around \$437,000 more than what has been spent in the General Fund.

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Balyeat detailed two invoices - one to Henschen and Associates (in the amount of \$4,40.00) for Municipal Court software and training, and one to Holiday Inn Express Housing (in the amount of \$3,688.50) for CAMO Court housing - that would need approved on a Then and Now.

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Balyeat also asked Agler to request legislation for supplemental appropriations. She said she currently has around seven departments that need those appropriations.

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Balyeat stated that by July 1, 2022, a notice needs to be sent out for a Public Hearing on the 2022 Tax Budget. She asked Agler if he wanted a separate meeting around the tax budget. Agler stated he didn't think a separate meeting would be needed. A date for the Public Hearing - July 11, 2022, at 6:15 p.m. in Council Chambers - was confirmed.

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**LAW DIRECTOR:** Hatcher stated that the increase in domestic violence and assaults has been a troubling trend. The Law Director had no further report for the meeting.

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Kent McMillan, 838 Prospect Ave., the prior Crime Victim Services director, stated he has great confidence in Hatcher, and has confidence in the city. He noted that 75% of the issues that the organization faces are domestic violence issues.

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## **COMMITTEE REPORTS**

**HEALTH, SERVICE, and SAFETY:** Marshall addressed the citizens in attendance - and thanked them for their candor and their voice. He stated that the last 5 years have been better for the city than what it was 10 years ago. He stated that the community has stepped up, but they've also been without a full-time code enforcement officer for 12-13 years. He stated the city, and Council, have learned, and he really appreciates the community for helping each other.

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**Marshall made a motion to ask the Law Director to prepare legislation for a CRA agreement with GLM, on an emergency. Agler seconded; all concurred.**

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Agler asked Marshall where things stand on blighted properties. Marshall stated it was moving forward, and allowed Hatcher to further explain. Hatcher stated that letters have been sent out, the timeframe for a response is coming to a close, and he will have more information to provide at a future meeting.

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Davis stated that he wants the public to know Council would rather have code enforcement be the answer, but fiscal restrictions prohibit that. With the .22 tax levy, legally it cannot be done. Until the city gets to a position that it doesn't need the .22 tax, they can't remove that burden from the Police Department.

Mr. Glossett thanked Davis for stating that. Mr. Allen asked what the overtime hours are for officers - Balyeat, Hatcher, and Fleming stated that overtime is not happening for these situations. Overtime and salary expenses are not up, and the only overtime that could be happening is due to officer shortages, which means another officer is not being paid, so overtime wages are not an additional expense.

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Mr. Jared stated that he believes bicycles and toys should be removed from the ordinance, and he doesn't want his neighbors to be hassled over these issues. He stated the negative publicity that this is bringing to the Police Department is what is bringing the community together. Mazur stated that Weigle stated outright that bicycles and toys are not being targeted. Mr. Jared stated that he does not take Weigle at his word.

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Mr. Davis asked Marshall what a CRA meant. Stacy Adam, the Executive Director for the Van Wert Area Economic Development Corporation explained that it is a Community Reinvestment Act Agreement, which is a property tax abatement for new construction or expansion. Adam provided specific information on these types of agreements, and what it entails. It was noted that the abatements are not keeping money from the city, and the city will bring in additional income tax revenue from the jobs that are created from businesses coming in.

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Mr. Manley asked if volunteers could be brought on to do code enforcement. It was confirmed that volunteers could not be used. Fleming stated that the code enforcement officer was argued with, and very little progress was made with that situation. Fleming stated that progress is being made with the Police Department, and it is effective. Markward explained the logistics of why third shift officers are used in the posting of door hangers, etc.

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

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**ECONOMIC DEVELOPMENT:** Kallas gave the floor to Stacy Adam for her input on a few items. Adam stated that they would need legislation to renew the pre-annexation agreement for the megasite. She stated that the current agreement will expire at the end of June 2022, and she is seeking a 10-year renewal extension through June 30, 2032. She explained the draft agreement is with the city, the county, Hoaglin Township, and Ridge Township, and provided details of the agreement. She informed Hatcher and Council of a few changes, which included boundary changes, and an intent to close or restrict access to the super site off of Stripe Rd.

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Adam then presented a request that Council consider contribution to the Regional Growth Partnership (RGP). She informed Council, and those in attendance, of the roles that JobsOhio and RGP play in the Van Wert community. She noted that RGP has incentivized Braun, Alliance, National Door & Trim, among many others, and with their help, existing and new businesses to Van Wert have increased significantly. She requested that Council contribute \$5,000 to RGP. She noted that the Van Wert County Commissioners and the BDC have already committed to similar contributions. Mazur stated that he would support the \$5,000 contribution.

**Kallas made a motion to contribute \$5,000 to the RGP out of the Hotel Motel Tax fund. Marshall seconded; Bowers, Agler, Moore, and Davis concurred. Stinnett abstained.**

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**Kallas made a motion to ask the Law Director to prepare legislation to renew the pre-annexation agreement on the megasite, on an emergency. Davis seconded; all concurred.**

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Kallas encouraged people to attend the Annual VWAEDC Meeting at Vantage Career Center (June 14 at 6:00 p.m.) that Mazur referenced earlier in the meeting.

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Mr. Allen asked where GLM would be going - Adam stated it would be moving into Vision Park.

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Mr. Jared asked about the vote for the pre-annexation agreement. It was explained that the legislation would be voted upon at the next meeting.

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Economic Development had no further report for the evening.

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**PARKS AND RECREATION**: Bowers stated that the Parks Department is very busy with mowing.

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Parks and Recreation had no further report for the evening.

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Davis asked about the rainwater pooling on the west side path of the reservoirs. Fleming explained that fodder comes off the field and plugs the catch basin. Further discussion centered on the tiling situation of the field and the drainage of the area. Fleming noted it wasn't a new issue, and the farmer isn't local, so it's difficult to get him to work with the city on it.

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**FINANCE**: Agler reviewed that a Public Hearing will occur on July 11, 2022, at 6:15 p.m., to discuss the 2022 Tax Budget.

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Agler made a motion to approve the invoices to Henschen and Associates (\$4,40.00) and Holiday Inn Express Housing (\$3,688.50) on a Then and Now. Stinnett seconded; all concurred.

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Agler made a motion to ask the Law Director to prepare legislation to authorize supplemental appropriations, on an emergency. Marshall 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 Crime Victim Services, on an emergency. Stinnett seconded; all concurred.

Agler made a motion to introduce Ordinance Number 22-06-031. Stinnett seconded; all concurred.

Agler made a motion to suspend statutory rules for Ordinance Number 22-06-031. Stinnett seconded; all concurred.

Agler made a motion to pass Ordinance Number 22-06-031: AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH VAN WERT COUNTY VICTIMS SERVICES, INC. FOR SERVICES PROVIDED TO THE VICTIMS OF THE VAN WERT MUNICIPAL COURT CASES; AND DECLARING THE SAME AS AN EMERGENCY., on its first and final reading. Stinnett seconded; all concurred.

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Davis asked Balyeat if she had heard of any potential candidates for Auditor. She stated that anyone who is interested should come to her office and ask her about it. Candidates would need to be a registered voter in the city of Van Wert. She stated it would be helpful if someone knows accounting, and is comfortable working with numbers.



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Finance had no additional report for the evening.

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**PROPERTIES AND EQUIPMENT:** Stinnett thanked the community for investing in their future. He mentioned that his son just graduated from Vantage and Van Wert City Schools, and he knows the community invests in their children's futures.

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Stinnett addressed Mr. Allen, and stated that he will go out and look at the city's properties, and address the concerns regarding weeds, grass, and anything else. He stated he will handle the concerns. He asked the public to direct their complaints to him, and leave the Police Department and the Chief out.

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Stinnett asked for further discussion of definitions to junk and rubbish to be added to the agenda for the next meeting.

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Stinnett stated that he wanted to move forward with legislation on the parking lot issue that Council had been discussing, as Hatcher had written in his legislation mockup.

**Stinnett made a motion to ask the Law Director to prepare legislation to amend the current city ordinances on parking lot requirements, on an emergency. Bowers seconded; Marshall and Kallas concurred. Agler dissented. The rest of the vote did not occur.**

Additional discussion ensued, with the acknowledgment that further discussion around legislation will occur at the next meeting.

**Stinnett made a motion to withdraw his motion to ask the Law Director to prepare legislation to amend current city ordinances on parking lot requirements. Bowers seconded; all concurred.**

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Mr. Jared felt that he heard Stinnett wanting to move forward with this legislation. He stated that Ruler Foods has patched their parking lot, which is a result of Stinnett's efforts.

Mr. Perry stated that weather considerations need to be part of the decision, as asphalt can't be put down in winter months.

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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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Moore complimented the Parks Department's cleaning efforts at the city's parks, and the splash pad in Franklin Park. She also thanked the members of the public who attended the meeting, and the efforts that some citizens have made to help their fellow citizens out.

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Mr. Davis stated that he is annoyed with the inability to park trailers on the streets, but he asked why dumpsters are allowed on the streets. Fleming stated that his office has to approve every dumpster on the street, and all dumpsters are instructed to have cones around them. If dumpsters aren't marked, Fleming asked those who notice to call the city's office and they will go out and look at it. Mr. Jared asked if there is a process for that "exception" - Fleming stated that they can call the city office, and if there is construction being done, then it will be approved.

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Streets and Alleys had no additional report for the evening.

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**JUDICIARY AND ANNEXATION:** Davis echoed the thanks that have been given to the public who attended the meeting, and made their thoughts known. He also stated that Council's emails are on the city's website, and the public can reach out to them in between meetings to address concerns.

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Davis reviewed the email from Mr. Kevin Matthews, which involved cars parked in yards, and RVs/campers parked in driveways. Davis noted that Council has already addressed both of these issues recently. He stated he will reach out to Mr. Matthews to discuss the concerns.

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Judiciary and Annexation had no additional report for the evening.

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## **UNFINISHED BUSINESS**

Mazur noted they had already had a long discussion on parking lots during the meeting, and would continue at the next meeting.

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Davis stated he would bring information on Waste Management System/Sanitary Conditions to the next meeting.

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## NEW BUSINESS

There was no new business to come before Council.

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## CONSENT AGENDA

There were no items on the Consent Agenda.

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## RESOLUTIONS & ORDINANCES

Moore made a motion to pass Ordinance Number 22-05-026: AN ORDINANCE MAKING THE NORTH SIDE OF FIRST STREET FROM WASHINGTON STREET TO JEFFERSON STREET A NO PARKING ZONE., on its third and final reading. Agler seconded; all concurred. Ordinance passed on third and final reading.

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## ADJOURN

Kallas made a motion to adjourn at 8:27 p.m. Bowers seconded; all concurred.



Clerk of Council  
Andrew Bittner



Council President  
Gerald T. Mazur

06/27/2022

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Date