

**MINUTES OF THE  
VAN WERT CITY COUNCIL**  
November 13, 2023

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

Judy Bowers gave the invocation.

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

Agler made a motion to amend the agenda to add an Executive session. Stinnett seconded; all concurred.

Agler made a motion to approve the amended Consent Agenda. Stinnett seconded; all concurred.

**ADMINISTRATIVE REPORTS**

**MAYOR:** The Mayor indicated that the repairs for blighted property #2 have been completed. The owner of blighted property #7 has stated they will be tearing down the property.

The Mayor also gave a reminder about electric aggregation and noted it is optional.

**SAFETY SERVICE DIRECTOR:** Fleming presented proposed new water department rules and regulations which became necessary when the city installed new water meters and switched to a monthly billing system, including regulations for a new shutoff policy for non-payment.

Fleming also said the city is now under “Findings and Orders” by the Ohio EPA because THM levels have exceeded drinking water standards for four quarters. The city has to follow certain steps to get back in compliance and he indicated a consulting firm of Jones and Henry has been hired to assist.

The city also received notice from the Ohio Department of Natural Resources that a study of the reservoir is now required. This means a complete model of what happens if the reservoir bank is breached under rain events. It is necessary to model the stream, how high the water is going to come up, what bridges are affected, and what homes would be affected. The study will cost in excess of \$50,000.

Fleming recommended that water rates (not sewer) need to be raised by 10% due to inflation.

**AUDITOR:** Balyeat presented the city’s proposed 2024 budget which is expected to be a 6% increase from last year.

Balyeat requested several fund transfers.

There is one invoice that needs approval on the Then and Now: 1) Treasurer State of Ohio - Leeson Avenue in the amount of \$3,256,667.50.

Balyeat will be sending letters to all new council members to meet to get them on the payroll.

**LAW DIRECTOR:** The Law Director asked for preparation for legislation to amend 150.36 due to an omission.

With the passing of Issue Two, the Law Director wanted to remind that city council had previously discussed dispensaries within city limits and it did not pass and if dispensaries were to be within city limits, an ordinance would need to be passed.

Sunshine Law was discussed and it is the Law Director's opinion that it is better safe than sorry that if the majority of the committee is in discussion outside of an official meeting, it should take place in a public format and be publicized.

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

Mark Davis, 402 S. Tyler asked why a four way stop is not being placed at Frothingham and Race Street. It was discussed how the Police Department does not see this as a dangerous intersection and there will be no four way stop sign being placed.

Kallas expressed his concerns that a public meeting needs to be held every time a council member wants to talk to another council member. Bowers also indicated that per #13 of the Sunshine Law Training, a phone call is acceptable as long as it is an impromptu call. Hatcher will review.

Mitch Price, Main Street Van Wert Executor Director, gave his 2023 Annual Report and requested funding for 2024 in the amount of \$30,000, which is the same amount as last year. Price pointed out the many accomplishments Main Street Van Wert had been a part of in 2023 and outlined plans for the upcoming year.

### **COMMITTEE REPORTS**

**HEALTH, SERVICE AND SAFETY:** No reports

**ECONOMIC DEVELOPMENT:** Kallas made a motion for an ordinance to be prepared to give Van Wert Downtown Main Street \$30,000. Marshall seconded. Kallas, Marshall, Bowers, Moore and Davis voted yes. Agler and Stinnett voted no. Motion passed.

**PARKS AND RECREATION:** Fountain Park and Main Street Christmas decorations are going up.

**FINANCE:** Agler asked about the cardboard business being run by Eugene White in a residential area. The Law Director indicated he would be sending Mr. White a letter.

Agler made a motion to approve the invoice from the Then and Now. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency to transfer funds from Fund 101 to Fund 215. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency to transfer funds from Fund 550 to Fund 101. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency to transfer funds from Fund 101 to Fund 302. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency to transfer funds from Fund 602 to Fund 603. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency to transfer funds from Fund 101, 201, 230, 301, 601, 602 and 701 to Fund 550. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency to transfer funds from Fund 101, 201, 230, 301, 601, 602 and 701 to Fund 560. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency to approve rates for employee contribution and employers' participation in the City's Health Care program. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency to approve permanent appropriations for 2024. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared as an emergency for supplemental appropriations. Stinnett seconded; all concurred.

Agler made a motion for an ordinance to be prepared to amend salaries for the Municipal Court as an emergency. Stinnett seconded; all concurred.

Agler scheduled a Finance Committee meeting with Kallas and Davis for November 20, 2023 at 6:00 p.m.

**PROPERTIES AND EQUIPMENT:** No reports

**STREETS AND ALLEYS:** No reports

**JUDICIARY AND ANNEXATION:** Davis made a motion that an ordinance be prepared to amend legislation 150.36. Agler seconded; all concurred.

Davis made a motion that an ordinance be prepared to thank City Auditor Martha Balyeat for her services. Stinnett seconded; all concurred.

**QUESTIONS/COMMENTS FROM COUNCIL and PUBLIC:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**CONSENT AGENDA:** None

### **RESOLUTIONS & ORDINANCES:**

Second reading advisory for **ORDINANCE NUMBER 23-10-053; AN ORDINANCE TO ESTABLISH A NEW FUND HEREAFTER KNOWN AS FUND 216 (OPIOID SETTLEMENT) FOR THE PURPOSE OF RECEIVING AND DISBURSING FUNDS FROM THE OPIOID SETTLEMENTS.** All concurred.

Stinnett made a motion to introduce **ORDINANCE NUMBER 23-10-054;** Kallas seconded; all concurred.

Stinnett made a motion to suspend statutory rules for **ORDINANCE NUMBER 23-10-054;** Kallas seconded; all concurred.

Stinnett made a motion to pass as an emergency **ORDINANCE NUMBER 23-10-054; AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A QUIT CLAIM DEED CONVEYING 7.630 ACRES OF GROUND COMMONLY KNOWN AS SUBDIVISION 458-3 IN THE CITY OF VAN WERT TO THE COMMUNITY IMPROVEMENT CORPORATION OF THE CITY OF VAN WERT AND VAN WERT COUNTY OHIO (CIC) AND DECLARING THE SAME AS AN EMERGENCY.** Kallas seconded; all concurred. Ordinance Passed.

Moore made a motion to introduce **ORDINANCE NUMBER 23-10-055;** Stinnett seconded; all concurred.

Moore made a motion to suspend statutory rules for **ORDINANCE NUMBER 23-10-055;** Bower seconded; all concurred.

Moore made a motion to pass as an emergency **ORDINANCE NUMBER 23-10-055; HERINAFTER TO APPROVE FINAL LEGISLATION FOR THE IMPROVEMENTS TO LEESON AVENUE FROM ROSE DRIVE TO FULTON STREET AND THE CONSTRUCTION OF A MULTI-USE PATH ON THE NORTH SIDE OF LEESON AVENUE FROM SMILEY PARK TO SHANNON STREET, INCLUDING FULL-DEPTH RECONSTRUCTION, CURB AND GUTTER UPGRADES, NEW SIDEWALK AND CURB RAMPS, RESURFACING, AND PAVEMENT MARKING, ALONG WITH WATERLINE, STORM SEWER, AND SANITARY SEWER UPGRADES, LYING**

**WITHIN THE CITY OF VAN WERT AND DECLARING AN EMERGENCY. Bowers seconded; all concurred. Ordinance Passed.**


Agler made a motion to go into executive session at 8:05 p.m. Stinnett seconded; all concurred.

Executive session ended at 8:21 p.m.

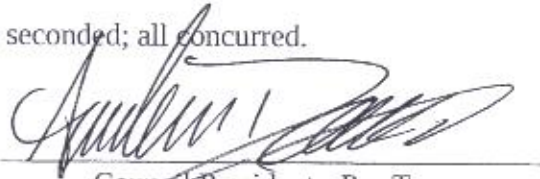
Agler made a motion to have an ordinance prepared for a salary increase of the safety department. Davis seconded; all concurred.

Agler made a motion to have an ordinance prepared for a salary increase of the service department. Davis seconded; all concurred.

Davis made a motion to adjourn at 8:29 p.m. Agler seconded; all concurred.



Clerk of Council  
Lisa K. Hartsock



Council President - Pro Tem  
Andrew Davis

November 27, 2023

DATE