

**MINUTES OF THE
VAN WERT CITY COUNCIL**

May 29, 2024

Council President Thad Eikenbary called the meeting to order at 6:30 p.m.

Pastor Matt McGovern gave the invocation.

On call of the roll: Ringwald, Kallas, Bowers, Agler, Dettrow, and Marshall were present.

Agler made a motion to dismiss Moore from the meeting. Kallas seconded; all concurred.

Ringwald made a motion to approve the Consent Agenda. Dettrow seconded; all concurred.

President Eikenbary made council aware that current City Clerk, Lisa Hartsock's last day as Clerk will be June 10, 2024. He has replaced her with Stephanie Phillips.

ADMINISTRATIVE REPORTS

MAYOR: The mayor stated Fountain Park is not working currently; it will be fixed as soon as possible as it should be running by this time of year.

The mayor also shared city employees will receive an email from Greg Riemesch, state auditor, to fill out a risk assessment to allow employees to share if there are any suspicions of fraud within the City before performing audit on city. Mayor Markward said in the past, this had been optional, but they have started inquiring until responses are given starting last year.

SAFETY SERVICE DIRECTOR: No report.

**Moore entered meeting.

AUDITOR: Not present.

LAW DIRECTOR: The Law Director had a last second change to language in the body of Ordinance Number 24-05-027 to include "10' for side yard set back and 30' for the front and rear yard setbacks on all plots..."

Ordinance Number 24-05-028 was prepared as requested by Mr. Marshall; Mr. Hatcher asking if this needs to be amended to include emergency language. Mayor Markward asked if language from 029 needs to be prepared as an emergency; for time sake, and so they (028 & 029) pass at the same time and there is no timing gap. Law Director clarifies 028 will not be amended to be as an emergency.

On Ordinance Number 24-05-029; Ringwald is asking if there needs to be clarification if this one should be for medicinal purposes; Law director clarifies that this would be an ordinance to approve any dispensary for zoning purposes. Another ordinance would need passed for each type of dispensary to clarify what will be allowed.

COMMENTS, COMMUNICATIONS & PETITIONS:

Mark Davis, 402 S. Tyler, asks why council is choosing to look at zoning B3 instead of B2. Markward answered that B3 seemed more fitting. Kallas states he does not think one belongs in downtown (B2).

Bowers proposes tabling the marijuana ordinance to get more input from the public. She points out that city voted it down. Law director states that since it is not an emergency, public will have a chance to speak at future meetings as it goes through a second and third (final) reading.

COMMITTEE REPORTS

FINANCE: There is one invoice that needs approval on the Then and Now: Emergency Vehicle Products Ladder Annual Test in the amount of \$3500.00.

Ringwald made a motion to approve the Then and Now. Kallas seconded; all concurred.

STREETS AND ALLEYS: Thanks to Mr. Fleming and department alleys were taken care of, citizens were happy.

Ordinance 24-04-021 suggesting the addition of special committees mentioned in ordinance. Those special committees would be appointed by Council President. Bowers does not want to do away with the committee meetings for sake of time. Kallas uses statistics to state that the committees are not even being utilized even though they are available.

Agler comments that special committees would have seven members for voting purposes and that would be a positive versus three.

Kallas made a motion to amend Ordinance Number 24-04-021 to add language about special committees. Agler seconded. Ringwald, Kallas, Agler, Dettrow, and Marshall voted yes. Bowers and Moore voted no.

JUDICIARY AND ANNEXATION: Bowers made a motion to have an ordinance prepared to establish zoning requirements on tiny homes/ cottages as requested by the Board of Zoning Appeals, but move the minimum square footage from 600 square feet to 500 square feet while keeping the rest of the variance requirements as is. Agler seconded; all concurred.

PROPERTIES AND EQUIPMENT: No report.

PARKS AND RECREATION: No report.

HEALTH, SERVICE AND SAFETY: No report.

ECONOMIC DEVELOPMENT: No report.

QUESTIONS/COMMENTS FROM COUNCIL and PUBLIC:

Joe Jared, 113 W. Main Street, follows up to marijuana wants to remind us about zoning and consider B2 as a zone. Law director states that because of state laws, some of the business located downtown, there would be very few locations, especially on the west end, where dispensaries could be placed.

Aaron Baker, 124 S. Market Street, speaks out on marijuana issue, concerns that this pave way for recreational use. Points out that Delphos has a marijuana dispensary which is already in Van Wert county. Concerns about addictions and side effects on young users if there would be recreational use. Baker states he sees the same names of drug users passing through the paper time after time. The city has made massive strides in economic development that would be hindered with the passing of this ordinance. We have a willing and able workforce currently that would be undermined by the enablement of marijuana usage. We have potential to grow our tax base outside of marijuana usage and encourages the Council to make this not a financial decision but a moral one.

Robert Wilson, 1186 Washington St., Scott, OH, counters Bakers statement that the drug use in the town is from drugs other than marijuana and that marijuana users do not pose a threat. Wants dispensary on outskirts, not downtown.

Nichole Byrum, 510 South Avenue, states concerns on marijuana that it already exists in our town and is unpleasant for her and her children. She points out recovery businesses around our city are being used and that recreational dispensaries would fight those businesses.

Mark Davis, 402 S. Tyler St., points out that marijuana can be grown and is legal, so no one can be stopped from smoking. He would rather it be in a controlled environment by passing the ordinance.

UNFINISHED BUSINESS:

Swimming Pool - Bowers states there is a meeting with citizens in first part of June, no date in place yet.

NEW BUSINESS: None

RESOLUTIONS & ORDINANCES:

First Reading Advisory for Amended ORDINANCE NUMBER 24-04-021; AN ORDINANCE TO AMEND VAN WERT CITY ORDINANCES SECTION 30.01 RULE 23. (Committee Change) Ringwald, Kallas, Agler, Dettrow, and Marshall voted yes. Bowers and Moore voted no.

Bowers made a motion to introduce RESOLUTION NUMBER 24-05-027; Kallas seconded; All concurred.

Bowers made a motion to suspend statutory rules for RESOLUTION NUMBER 24-05-027; Kallas seconded; all concurred.

Bowers made a motion to pass as an emergency RESOLUTION NUMBER 24-05-027; AN ORDINANCE TO APPROVE THE FINAL PLAT FOR THE JENNINGS CROSSING SUBDIVISION AND DECLARING AN EMERGENCY. Kallas seconded; all concurred. Ordinance Passed.

Marshall made a motion to introduce NUMBER 24-05-028. Agler seconded; Ringwald, Kallas, Agler, Dettrow, Moore, and Marshall voted yes. Bowers voted no.

First Reading Advisory for NUMBER 24-05-028; A RESOLUTION RESCINDING RESOLUTION 17-07-045 TO ALLOW THE ISSUANCE AND PROCESSING OF ANY PERMITS OR CERTIFICATES OF OCCUPANCY ALLOWING THE CULTIVATION, PROCESSING OR RETAIL DISPENSING OF MARIJUANA FOR MEDICAL PURPOSES WITHIN THE CITY OF VAN WERT. Ringwald, Kallas, Agler, Dettrow, Moore and Marshall voted yes. Bowers voted no.

Marshall made a motion to introduce ORDINANCE NUMBER 24-05-029. Agler seconded; Ringwald, Kallas, Agler, Dettrow, Moore, and Marshall voted yes. Bowers voted no.

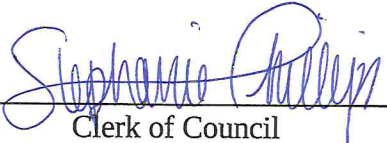
First Reading Advisory for ORDINANCE NUMBER 24-05-029; AN ORDINANCE TO ADD A NEW PERMITTED USE ALLOWING THE PLACEMENT OF MARIJUANA DISPENSARIES IN THE CITY OF VAN WERT OHIO, TO CHAPTER 150 SECTION 150.15 (F)(1) PERMITTED AND CONDITIONAL USES B-3 HIGHWAY AND GENERAL BUSINESS OF THE VAN WERT CITY CODE OF ORDINANCES. Ringwald, Kallas, Agler, Dettrow, Moore and Marshall voted yes. Bowers voted no.

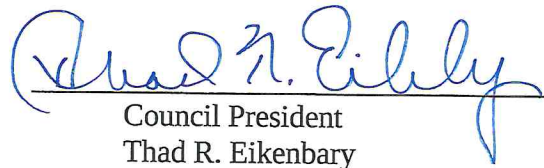
Bowers made a motion to introduce ORDINANCE NUMBER 24-05-030; Agler seconded; All concurred.

Bowers made a motion to suspend statutory rules for ORDINANCE NUMBER 24-05-030; Ringwald seconded; all concurred.

Bowers made a motion to pass as an emergency ORDINANCE NUMBER 24-05-030; AN ORDINANCE TO MODIFY SECTIONS 33.03 AND 34.03 OF THE VAN WERT CITY CODE OF ORDINANCES BY CHANGING THE MINIMUM AND MAXIMUM AGE FOR THE HIRING OF POLICE OFFICERS AND FIRE FIGHTERS AND DECLARING AN EMERGENCY. Ringwald seconded; all concurred. Ordinance Passed.

Agler made a motion to adjourn at 7:29 p.m. Bowers seconded; all concurred.


Clerk of Council
Stephanie R. Phillips


Council President
Thad R. Eikenbary

May 29, 2024
DATE



CITY of VAN WERT

515 EAST MAIN STREET • VAN WERT, OHIO 45891

"Vincit Amor Patriae"

The Love of Country Conquers

ERIKA BLACKMORE
City Auditor

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May 29, 2024

It is hereby certified that the funds have been lawfully appropriated for the following purposes and were in the treasury or in the process of collection and are free from encumbrances or restrictions at the time of these expenditures and presently.

Vendor	Invoice #	Amount
EMERGENCY VEHICLE PRODUCTS LADDER ANNUAL TEST	S0018936	\$3500.00

Erika Blackmore
City Auditor

Approved by City Council