

**MINUTES OF THE  
VAN WERT CITY COUNCIL**  
September 23, 2024

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

Mr. Eikenbary gave the invocation.

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

Agler made a motion to dismiss Bowers from the meeting. Mr. Dettrow seconded; all concurred.

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

**ADMINISTRATIVE REPORTS**

**MAYOR:** The mayor spoke about blighted properties. Blighted property #14 was resolved quickly and is now closed and can be removed from the list. The mayor went into detail on the process blighted property undergoes. Once a property is selected, Bill Lawson draws up a letter describing what needs fixed and it is mailed. There is a timeframe in which the recipient of the letter must respond. If the person responds with a plan the city can approve or adjust the proposed plan. If there is no response or a solution is not agreed upon, a petition is filed. Blighted property #15,#16, & #17 have moved to the “next step” because they have followed the steps aforementioned. The blighted properties listed under Health, Service & Safety are all properties that have not completed these preliminary steps. The properties listed in “unfinished business” are considered in “active litigation”.

Connor Smitley is a new officer sworn in this afternoon and is beginning his training/probation period. Debra Ebert is a previously retired State Highway Patrol Trooper and currently serves as a dispatcher for the city is now sworn in as a reserve officer. She has experience with the Sheriff’s office and the city has ideas for her to potentially serve as football games, festivals, etc.

The Van Wert Planning Commission held a public hearing on N. Vine Street to rezone Young’s Trash Service from an R-2 to I-1 due to a lot split from a parent parcel. His plans are to stone and fence in. Schedule a public hearing for the October 28, or Both November meeting held around 6:20 p.m.

**SAFETY SERVICE DIRECTOR:** Mr. Fleming reported a scheduled outage from AEP for this Thursday Night from about 11:00 p.m. to 5:00 am. This will effect the “pie shaped” 3rd ward. All customers affected will be notified by AEP.

The Bonnewitz Extension project had an estimated of \$1.6 million budget. It was awarded to Fence and Contracting out of Fort Jennings for \$1.2 million. There were 6 total bids. Construction will start very soon.

Leeson should wrap up in a couple weeks. Curbing to occur around October 14th if all goes according to plan.

**AUDITOR:** The auditor has received the auditor's results which she shared with the council prior to the meetings. The three findings include: (1) Not filing GAP accounting. She states that it is unnecessary for a small municipality like Van Wert. She states it's an unnecessary cost, as the city already submits to an external private auditor. (2) There were 3 occasions in 2023 in which the city council went into executive session where the reason for the session was not stated into the minutes. (3) 30% of city council last year did not complete their Sunshine Law training.

To wrap up the audit officially, we have 3 options. One, we can have a formal exit interview in person where the auditor goes through each of the pages in the report. Two, we can have a virtual exit interview where the same would occur, just virtually. Third, the city council can unanimously vote to waive the exit interview all together via a form that the auditor provided with the formal report. The auditor recommended the third option since there was no substantial findings that would need extensive discussion.

A Then and Now needs passed for \$4648.00 to Asphalt Materials, INC.

The auditor will begin budgeting October 1st to get a 2025 budget out before the end of the year.

Some additional discussion was held on the Sunshine Law training. The auditor clarified that the training is only required once per term, so every two years.

**LAW DIRECTOR:** Mr. Hatcher addressed the ebike laws that were discussed last meeting. First, Ohio Revised Code states an ebike does not meet the requirements to be a motorized vehicle. The Revised Code mentions moving violations that include bicycles and ebikes operating in the street for improper use. An ebike must be obviously labeled by the operator on whether it is a class 1, class 2, or class 3; there are different legislation for each of these including helmet use, bicycle paths, insurance, etc.

Mr. Hatcher also stated the "business" of the Law Director continues to be busy included majority of cases he addresses involve Texting & Driving cases in which offenders are required to appear in court.

Agler questioned mowing/rubbish notice periods. Mr. Hatcher stated that these are something that could certainly be tweaked/addressed in the coming year.

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

Joe Jared, 113 W. Main St., questions penalties involved with public officials not completing the sunshine law. The auditor stated there is a citation but no additional penalties.

Mark Davis, 402 S. Tyler St., addressed the street sweep schedule and asked the Safety Service Director had a set in stone schedule so he is able to move his car for the street sweeper to clean

the mud off his curb. Mr. Fleming stated there is no set schedule because sometimes, the street sweeper operator may have to address a more immediate issue. Davis also addressed the Law Director on eBike Laws questioning traffic code/traffic compliance/traffic violations. Mr. Hatcher goes into more detail on these laws and encourages Davis to read more into the 45.11.52 revised code if he had any other questions. Davis also requested the speed trailer in front of his house for clear speeding offenders. Mr. Fleming stated they are always looking for places to place the trailer and that it was doable to schedule it to be placed there.

President Eikenbary notified the public of an application for a liquor license for Creative Cabin Company, LLC operating at 132 E. Main; one property east of Fetting's Flowers.

Kallas shared the success of the Breakfast with the Vet's and said it was a great get together and kids and vets alike enjoyed the experience.

### **COMMITTEE REPORTS**

**FINANCE:** Ringwald made a motion to accept the auditor's Then & Now for the Asphalt Materials totalling \$4648.00 to Asphalt Materials, INC. Kallas seconded; all concurred. Then & Now passed.

**STREETS AND ALLEYS:** Kallas asked if any more roads will be paved in 2024. Mr. Fleming said there are not.

Kallas made a motion to introduce RESOLUTION Number: 24-09-052. Moore seconded; all concurred.

Kallas made a motion to suspend statutory rules. Moore seconded; all concurred.

Kallas made a motion to pass on it's first and final reading, RESOLUTION Number: 24-09-052; A RESOLUTION ACCEPTING THE DEDICATION OF .149 ACRES FROM THE CITY OF VAN WERT TO THE CITY OF VAN WERT, AUTHORIZING THE SAFETY SERVICE DIRECTOR TO SIGN ANY DOCUMENTS TO COMPLETE THIS DEDICATION AND DECLARING AN EMERGENCY. Dettrow seconded; all concurred. Ordinance passed.

Kallas made a motion to introduce RESOLUTION Number: 24-09-053. Agler seconded; all concurred.

Kallas made a motion to suspend statutory rules. Ringwald seconded; all concurred.

Kallas made a motion to pass on it's first and final reading, RESOLUTION Number: 24-09-053; A RESOLUTION ACCEPTING THE DEDICATION OF .978 ACRES FROM FIRST FEDERAL SAVINGS AND LOAN00 TO THE CITY OF VAN WERT, AUTHORIZING THE SAFETY SERVICE DIRECTOR TO SIGN ANY DOCUMENTS TO COMPLETE THIS DEDICATION AND DECLARING AN EMERGENCY. Agler seconded; all concurred. Ordinance passed.

Kallas made a motion to introduce RESOLUTION Number: 24-09-054. Agler seconded; all concurred.

Kallas made a motion to suspend statutory rules. Agler seconded; all concurred.

Kallas made a motion to pass, on it's first and final reading, RESOLUTION Number: 24-09-054 A RESOLUTION ACCEPTING THE DEDICATION OF .013 ACRES FROM JAY PETROLEUM, INC. TO THE CITY OF VAN WERT, AUTHORIZING THE SAFETY SERVICE DIRECTOR TO SIGN ANY DOCUMENTS TO COMPLETE THIS DEDICATION AND DECLARING AN EMERGENCY. Ringwald seconded; all concurred. Ordinance passed.

**JUDICIARY AND ANNEXATION:** Not present.

In Ms. Bower's absence, Mr. Marshall, VP of Judiciary and Annexation made a motion to hold a public hearing on Monday, October 28, 2024 at 6:20 p.m. for the rezoning of Young's Waste, LLC from an R-2 to an I-1. Moore 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:** Mark Davis, 402 S. Tyler St., is questioning the dedication plat from the city; he also asked how the roads would be remapped to accommodate the new banking branch being built; Mr. Fleming stated there are no "set in stone" plans.

**UNFINISHED BUSINESS:** Blighted properties under active litigation, addressed during Mayor's report.

**NEW BUSINESS:** None.

## **RESOLUTIONS & ORDINANCES:**

**Ringwald made a motion to prepare a resolution approving the granting of a tax increment financing exemption and compensation agreement. Kallas seconded; all concurred.**

**Ringwald made a motion to introduce ORDINANCE Number: 24-09-051. A RESOLUTION APPROVING THE GRANTING OF A TAX INCREMENT FINANCING EXEMPTION AND COMPENSATION AGREEMENT. Kallas seconded; all concurred.**

**Ringwald made a motion to introduce ORDINANCE Number: 24-09-055; AN ORDINANCE AMENDING ORDINANCE 23-01-008 AND 23-02-011, DECLARING THE IMPROVEMENT OF A CERTAIN PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE; CREATING AN INCENTIVE DISTRICT TIF; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS MADE, TO BE MADE, OR IN THE PROCESS OF BEING MADE, THAT DIRECTLY BENEFIT, OR THAT**

ONCE MADE WILL DIRECTLY BENEFIT, THE PARCEL FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; PROVIDING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(G), 5709.42, 5709.43, 5709.832 AND 5709.85; AND DECLARING AN EMERGENCY. Agler seconded; all concurred.

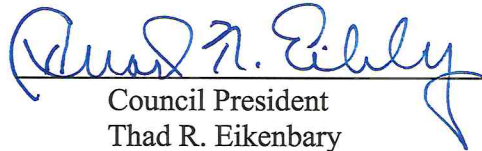
Ringwald made a motion to prepare an ordinance to create a tax increment financing incentive agreement and compensation agreement between IDH Echo Ventures, LLC and the Van Wert City School District. Agler seconded; all concurred.

Ringwald made a motion to introduce ORDINANCE Number: 24-09-056; AN ORDINANCE CREATING A TAX INCREMENT FINANCING INCENTIVE DISTRICT; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPTION FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING AMUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; APPROVING COMPENSATION AGREEMENT WITH IDH ECHO VENTURES, LLC AND THE VAN WERT CITY SCHOOL DISTRICT; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT DIRECTLY BENEFIT THE PARCEL; AND, AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT AND DECLARING AN EMERGENCY. Agler seconded; all concurred.

Agler made a motion to adjourn at 7:23 p.m. Moore seconded; all concurred.



Clerk of Council  
Stephanie R. Phillips



Council President  
Thad R. Eikenbary

October 14, 2024

DATE

