

**MINUTES OF THE
VAN WERT CITY COUNCIL
August 12, 2019**

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

Pastor Keith Stoller gave the invocation.

On call of the roll: Markward, Marshall, Agler, Trittschuh, Penton, Mergy and Straley.

Trittschuh made a motion to approve the agenda for the August 12th meeting. Seconded by Straley. All concurred.

Trittschuh motioned to approve the 8/12/19 minutes. Seconded by Mergy. All concurred.

COMMENTS, COMMUNICATIONS & PETITIONS

President Tomlinson acknowledged the printed letters provided from local contractors regarding the building department information under health and safety services to discuss.

ADMINISTRATIVE REPORTS

MAYOR: The Mayor had no report but wanted to thank Markward for his work on accumulating information from the local contractors regarding the building department options and is looking forward to discussion relating to that subject.

SAFETY SERVICE DIRECTOR: Jay shared a request to extend the dates to a CRA agreement from The Edition, LLC for September 30, 2020. Opening Bids begin on August 13 for miscellaneous paving, water tower painting and boiler replacement project at the waste water plant. John Brown Road and Vision Drive will be paved on Saturday and production will be finished on Monday. Fleming gave an update for the posts for Washington Street and Central Avenue, posts arrived, not equipped to use so they are being sent back and replaced, thus delaying the project for a month or so.

AUDITOR: Balyeat reported that the July 31st bank reconciliation is available. 12.4 million dollars are on the books and 12.4 million dollars are in the various bank accounts and investments. She showed the cash position report balances, which are positive and is what is required. She did state she would like to see general fund revenues increase. General Fund revenues are \$33,000 behind than where we were last year. The tax administrator report shows the income tax report and shows \$41 thousand dollars ahead of where we were last year. She also stated that she was unsure that we were going to meet the projected revenue number of a 2% increase. Year to date revenues are 3.861 million with expenses of 3.803 noting that we have taken in \$57k more than we have spent. Balyeat pointed out that the county does not do a reconciliation report and the current issues with the auditors and also shared the benefits of pursuing Charter Government. Martha also shared the tax administrator's first quarterly report for credit cards.

LAW DIRECTOR: Hatcher reported that action was being taken against a party that had taken out a concrete pole on the northwest corner of Main and Washington making sure the party that damaged the pole, replaces the pole. House Bill 57 recently passed through the state legislature

regarding hemp, because of the minimal amount of THC that is in most hemp, our local authorities are not equipped with testing equipment to give percentage amount of THC so at this point and time the police will not be writing citations for possession of marijuana in misdemeanor amounts. Amounts that are larger than that, the county prosecutor decides if she wants to send those to BCO to be tested. Police will only be confiscating as contraband, not writing citations. Municipal numbers and fines and court costs will be down. The Attorney General's letter regarding this has been forwarded to the Sherriff and Chief of Police and circulated to all the officers.

COMMITTEE REPORTS

HEALTH, SERVICE AND SAFETY: Marshall reported that there are 22 open code violations, 7 are new. Marshall will be reviewing with Hatcher and Lawson for cases that are open longer than a two-month period.

The President shared that Markward had provided five commercial contractors' responses to the City becoming a sub-department in the county with Miami or Lima, or remaining with the state. He also read an email from Stacey Adam regarding the issue.

The President also stated he would like council to read the letters and communications to make a decision of becoming a sub department or remaining with the state in the next city council meeting and would speak to county commissioners to hear their views and benefits to the services offered.

ECONOMIC DEVELOPMENT: Straley reported he had passed out a flyer for the city trash day. Mr. Young was present to go over Young's Trash Services. He offered a couple of dates with the hours of 8am-1pm, \$80 per ton and anything over \$3,000 or under 80 tons Young's Trash Services is willing to donate. He did state these services are for bulk items, no solid waste and that this service is only for city residents with a valid I.D. and city address and not for commercial use. Council set the date for Saturday, September 28th to communicate and advertise to city residents. Straley motioned for an ordinance to be prepared to facilitate the agreement with Young's Trash and to appropriate the funds on an emergency basis. Agler seconded. All concurred. It was also decided to change the event name to Citywide Clean Up Day. Straley made a motion to amend the Community reinvestment area agreement between the city of Van Wert and the Edition, LLC originally dated August 11, 2015 to be extended to September 30, 2020 and declaring an emergency. Agler seconded. All concurred.

PARKS AND RECREATION: Penton reported there have been no issues with mowing or trash pickup. With the loss of the temporary summer help, it is possible that volunteers may be needed but that is unknown at this time.

PROPERTIES AND EQUIPMENT: Agler made a motion to prepare an ordinance authorizing the Mayor to sign deeds transferring the rail property and spur crossing US 127 near Town Center Boulevard as well as transferring its interest in an easement over a separate portion of the same rail spur to the community improvement corporation of the city of Van Wert and County of Van Wert (CIC) and declaring an emergency. Straley seconded. All concurred.

JUDICIARY AND ANNEXATION: Mergy made a motion to prepare a resolution from the Van Wert City Council supporting the Ohio municipalities in opposition to HB 49 in the current Ohio Supreme Court challenging its constitutionality and declaring an emergency. Agler seconded. All concurred. Mergy made a motion to introduce **Ordinance Number: 19-08-040: A**

RESOLUTION FROM THE VAN WERT CITY COUNCIL SUPPORTING THE MANY OHIO MUNICIPALITIES IN THE OPPOSITION TO HB 49 IN THE CURRENT OHIO SUPREME COURT CHALLENGING ITS CONSTITUTIONALITY AND DECLARING AN EMERGENCY;

seconded by Agler. All concurred. Mergy motioned to suspend statutory rules for the consent agenda. Agler seconded. All concurred. Mergy motioned to pass on its first and final reading. Agler seconded. All concurred.

Mergy reported she has been in contact with Garry Hunter and was planning on having a meeting with him on Thursday, August 29th with Council of the Whole at 6pm to discuss contracting with a consultant group to assist pursuing charter government status.

FINANCE: No report was given.

STREETS AND ALLEYS: Trittschuh reported that a request had been made for signs to be put up at East Main Street, Wayne Street and Zimmerman because of kids in the area and on bikes. He spoke to the safety service director about it and it was discussed that it was a city stance that those signs aren't put up because they are disregarded and children are present everywhere. Hatcher thanked Trittschuh and Fleming for setting up the speed display at Monte Carlo Drive for drivers to be aware of their speed. Trittschuh made a motion to prepare an ordinance creating a designated parking spot for Purple Heart recipients at the county court house. Agler seconded. All concurred.

UNFINISHED BUSINESS

Code Enforcement

NEW BUSINESS

CONSENT AGENDA

ORDINANCES AND RESOLUTIONS

Agler made a motion to adjourn at 7:49 p.m.; seconded by Straley; with all concurring.

CLERK

PRESIDENT

DATE

