

**MINUTES OF THE
VAN WERT CITY COUNCIL**
September 9, 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 September 9th meeting. Seconded by Agler. All concurred.

Trittschuh motioned to approve the 8/26/19 amended minutes. Seconded by Agler. All concurred.

COMMENTS, COMMUNICATIONS & PETITIONS

3 letters of communication were shared from Central Mutual Insurance, Mark Johnston and Fred Fisher, regarding building permit departments. The President also read two letters from The Ohio Municipal League regarding a program offered from the National League of Cities Service Line Warranty and the OML's 68th Annual Conference offered for October 23 and 24th in Columbus. Marshall and Markward indicated they wanted to attend and Agler announced that he would like to attend but only for one day. The Mayor and the President confirmed that there are budget funds to cover the conference expense. The President asked them to register for the conference through the Mayor's office.

ADMINISTRATIVE REPORTS

MAYOR: The Mayor announced that the last city brush pickup started today and will continue throughout the week. City Cleanup day is set for September 28, 2019 from 8am-1pm at Young's Trash Services and read off items that will and will not be accepted. A water bill or another form of identification will be needed; otherwise you will be turned away.

SAFETY SERVICE DIRECTOR: Fleming reported that Rosalie Drive would be repaved from Jennings to Spencer and to include Perry Street, Golden Oaks and the patching on Jackson Street. No date has been set but Fleming stated that he believed it was going to begin in October. Trittschuh inquired about the poles for Central Avenue and Fleming stated that the poles had arrived and would be put up this week.

AUDITOR: Balyeat reported financials had been distributed for this month; this is the first month the reconciliation has been on the new software so she included the old bank reconciliation. With the new software, there is a bank reconciliation with the new software system as opposed to Balyeat doing so on an excel spreadsheet. It only considers the bank balance as what is in our main account at Bank of Berne, not a sweep account that has several million dollars in it. A sweep account is considered an investment. The \$250,000 is what is in that bank account. The \$375,000 is total outstanding checks, which is what used to be separated with payroll and payables but it is now all lumped together. Due to the new software, there are new way things get posted, Balyeat explained deposits in transit, which are deposits that have hit the bank account but that Balyeat doesn't have anything on them, which is mostly from the State of Ohio,

such as net profit taxes and some of the utility billing that is paid on a credit card. Total investments are municipal court bond, investments with Huntington Bank and investments with UBs. Balyeat does not have certificates of deposit right now but stated that these are in our sweep account. Total NSF checks is the total in returned checks. Total adjustments total \$5,911.90 is interest that was paid on the sweep account that is unknown until after the bank account is received so the interest is posted, that is why this shows as an adjustment. Out of balance is \$100 but Balyeat stated that with the conversion and balancing them, there are still a couple of issues with utilities, Martha also stated she's hoping that is where the \$100 is. The President asked about the discrepancy between last month's \$12 million amount and the current reconciliation amounts. Balyeat explained the current reconciliation doesn't include the investment accounts.

The Statement of Cash Position report shows a positive balance in all of our funds in unexpended balances, which is required. The general fund is \$145,000 less than what we were last year, we have spent \$44,381.60 more than what has been taken in which is what was budgeted. Court fines are low and have been all year. Real estate taxes are down from last year but Balyeat has not received our full settlement from the county due to the treasurer and auditor issues. Balyeat anticipates that number exceeding from last year once received.

Balyeat noted an approved, expedited, type 1 annexation from the county for the property City Council approved, it does have to sit for 60 days before action can be taken. We will meet on 10/14/19 regarding this matter.

LAW DIRECTOR: Hatcher reported that a public hearing would be scheduled for the Greve Annexation, the property on the corner of Ervin and Westwood. No legislation can be passed until the 60-day period has passed. City Council approved the annexation agreement at the last meeting, since then, they've taken the annexation agreement to the County Commissioners who also passed it. They gave their passed copy of their approved annexation agreement to the City Auditor, who which by statute needs to be held for 60 days once received. A public hearing must be held no less than 20 and no more than 40 days from the assigned date. The President asked Mergy to schedule a public hearing to meet the time line. Paperwork has been filed for conditional zoning to be set up.

COMMITTEE REPORTS

HEALTH, SERVICE AND SAFETY: Marshall reported 29 code violations with 17 presently open. Marshall reported that most of them are fairly recent. 6 violations are older, 1 of them had been taken off the list leaving only 5. Marshall is meeting with the law director to speak about the disposition of those cases. Most violations are weeds and mowing. Marshall shared that he had given every council member a copy of 2015 international property maintenance code. He is hoping to use this to help with present and future ordinances and provisions. He also specified he was not suggesting this book to be adopted, but as a reference, specifically if Van Wert City does move forward with a charter city for addressing weakened areas in ordinances. Marshall also addressed council with any questions or comments regarding the State of Ohio presenting their services with inspections and also other area businesses who gave their opinions that were shared with council. Penton shared his experience with Central Mutual Insurance; he stated the present system is a system that works, if it's not broke why fix it? An area contractor that was present seconded this.

ECONOMIC DEVELOPMENT: No report was given

PARKS AND RECREATION: Penton reported volunteers are needed for grass cutting.

PROPERTIES AND EQUIPMENT: No report was given.

JUDICIARY AND ANNEXATION: Mergy reported legislation was needed accepting the final plat for phase 1 at Dickinson Farms. Safety Service Director Fleming stated once a preliminary plat is laid out and everything is encompassed in the plat, it comes back for final approval. Final approval allows them to record it and start the building process. Mergy motioned for the law director to prepare a resolution accepting the final plat for the landing at Dickinson farms on an emergency basis. Seconded by Marshall. All concurred. Mergy made a motion to introduce **Ordinance Number: 19-09-049 A RESOLUTION ACCEPTING THE FINAL PLAT FOR THE LANDING AT DICKINSON FARMS, PHASE I, IN THE CITY OF VAN WERT AND DECLARING AN EMERGENCY.** Seconded by Marshall. All concurred. Mergy motioned to suspend statutory rules for **Ordinance Number: 19-09-049 A RESOLUTION ACCEPTING THE FINAL PLAT FOR THE LANDING AT DICKINSON FARMS, PHASE I, IN THE CITY OF VAN WERT AND DECLARING AN EMERGENCY.** Seconded by Marshall. All concurred. Mergy motioned to pass **Ordinance Number: 19-09-049 A RESOLUTION ACCEPTING THE FINAL PLAT FOR THE LANDING AT DICKINSON FARMS, PHASE I, IN THE CITY OF VAN WERT AND DECLARING AN EMERGENCY** on its first and final reading. Straley seconded. All concurred. Mergy invited any questions or a comment about the council of the whole meeting that was held with Gary Hunter regarding charter government. Mergy made a motion to prepare a resolution regarding charter city legislation. Seconded by Marshall. Markward, Penton, Straley, Trittschuh concurred. Agler voted no. Mergy also motioned that legislation be prepared to allow council to contract with Ohio Municipal Attorney Association to serve as consultants to the process of establishing a charter commission. Seconded by Marshall. Markward, Penton, Straley, Trittschuh concurred. Agler voted no. Lastly, Mergy scheduled a public hearing regarding the annexation on the Greve property for October 28th at 6:15.

FINANCE: Markward reported a formal letter from the BDC had been received and would be holding on to it since it relates to the 2020 budget and consider it at that time. Markward motioned to prepare an ordinance related to the community reinvestment with Greve Chrysler Jeep Dodge and declaring an emergency. Mergy seconded. All concurred. Markward motioned to introduce **Ordinance Number 19-09-051 AN ORDINANCE APPROVING THE COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF VAN WERT AND GREVE CHRYSLER JEEP DODGE OF VAN WERT AND DECLARING AN EMERGENCY.** Mergy seconded. All concurred. Markward motioned to suspend statutory rules for **Ordinance Number: 19-09-051 AN ORDINANCE APPROVING THE COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF VAN WERT AND GREVE CHRYSLER JEEP DODGE OF VAN WERT AND DECLARING AN EMERGENCY.** Seconded by Mergy. All concurred. Markward motioned for **Ordinance Number: 19-09-051 AN ORDINANCE APPROVING THE COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF VAN WERT AND GREVE CHRYSLER JEEP DODGE OF VAN WERT AND DECLARING AN EMERGENCY** to pass on its first and final reading. Mergy seconded. All concurred. **STREETS AND ALLEYS:** Trittschuh asked for a follow-up from Fleming regarding streets that had been cut out and if they would be on the agenda for next year. Fleming confirmed.

UNFINISHED BUSINESS

Code Enforcement

NEW BUSINESS

CONSENT AGENDA

ORDINANCES AND RESOLUTIONS

Resolution Number: 19-06-034

Committee: Health Services and Safety

AN ORDINANCE/RESOLUTION CREATING THE CITY OF VAN WERT BUILDING DEPARTMENT AND AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS FOR CERTIFICATION AS A SUB-DEPARTMENT OF VAN WERT COUNTY BUILDING DEPARTMENT FOR ENFORCEMENT OF THE OHIO BUILDING CODE

2nd reading advisory vote:

Markward, Penton, Mergy, Straley, Marshall, Agler and Trittschuh voted no.

Straley made a motion to adjourn at 7:22 p.m.; seconded by Agler; with all concurring.

CLERK

PRESIDENT

DATE