MINUTES OF THE
VAN WERT CITY COUNCIL
October 28th, 2019

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

Pastor Keith Stoller gave the invocation.

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

Straley made a motion to approve the agenda for the October 28th meeting. Seconded by Agler. All concurred.

Trittschuh made a motion to approve the 10/14/19 minutes. Seconded by Straley. All concurred.

COMMENTS, COMMUNICATIONS & PETITIONS
Marshall shared that First responders were going to be honored on Wednesday, November 30th from 6:30-8pm at the American Legion, city council members were invited to celebrate. Stacey Adam was present to discuss upcoming legislation, specifically as it relates to the long-term facility proposed. The president reminded everyone next council meeting will be at 6:30pm on Wednesday, November 13th due to Veteran's Day.

Executive session was entered at 6:43pm.
Mergy motioned to exit executive session at 7:08pm. Straley seconded. All concurred.

ADMINISTRATIVE REPORTS

MAYOR: The Mayor was not present and no report was given.

SAFETY SERVICE DIRECTOR: Fleming reported that himself and a group of people have been organizing a comprehensive countywide trail program for existing trails. The most cost effective solution appears is to grind the trails, pulverize and top is off with fine stone and become aggregate trails, opposed to paved trails. The cost would be $200,000-$250,000 as opposed to $1.5 million dollars with the issue arising again in 15-20 years. The group is trying to get a comprehensive plan to use the plan to go through ODOT, DNR or capital budget requests with assistance from the foundation. Fleming also shared the success of other aggregate trails nearby. The paving projects are complete with the exception of manhole adjustments today and tomorrow. Leaf pickup is scheduled to begin Monday, November 4th and will run every week with the last week of pick being

November 25th. Monday, November 11th is observed as a holiday so pick up will be that Tuesday, November 12th. Leaves should be put in paper, biodegradable bags. Fleming also stressed that there are not ward pickups and that bags should be out by the curbs, early in the morning.
Curbs are completed at Dickinson Farms, paving is scheduled for Wednesday, November 6th, weather permitting. Blacktop should be complete in the next couple of weeks.
ODOT is planning a safety improvement project for the corner of 127 and Marsh Road. An open house is scheduled for Tuesday, November 19th from 6-8pm at Vantage Career Center Community Room to display options and public comment.

AUDITOR: Balyeat reported a Then and Now invoice that needed approved in the amount of $4,840.87 to Maznec, Paskin & Ryder CO. LPA for legal services. A proposed budget will be available for the next meeting on November 13th for 2020. A temporary budget will be passed out. Projected increases will not be put into the temporary budget. Labor contracts are up for negotiation. Once Martha has all the numbers together, she will be able to do projections at certain percentages before contracts are negotiated so that it is known what the increases will do to the budget.

LAW DIRECTOR: Hatcher asked Mergy to request for legislation to be drafted for the opioid litigation.

COMMITTEE REPORTS

HEALTH, SERVICE AND SAFETY: Marshall reported 30 code violations that were reported and only 11 are presently open. A code violation that keeps recurring is that of parked vehicles. Marshall reiterated a current code that is in effect for this matter. Violators will be cited.

ECONOMIC DEVELOPMENT: Straley made a motion for legislation to be made regarding the plan for the Van Wert Energy Special Improvement district on an emergency basis. Penton. Seconded. All concurred. Straley made a motion to introduce **Resolution Number 19-11-056**. Penton seconded. All concurred. Straley made a motion to suspend statutory rules to **Resolution Number 19-11-056**. Penton seconded. All concurred. Straley made a motion to pass **Resolution Number 19-11-056: A RESOLUTION APPROVING THE AMENDMENT TO THE PLAN FOR THE VAN WERT AREA ENERGY SPECIAL IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY** on its first and final reading. Penton seconded. All concurred. Straley made a motion for legislation to be made, approving the petition for special assessments for the special energy improvement projects and approving the necessity of acquiring, installing, equipping, and improving certain public improvements in the city of Van Wert, Ohio in cooperation with the Van Wert area energy special improvement district on an emergency basis. Penton seconded. All concurred. Straley made a motion to introduce **Resolution Number 19-11-057.** Penton seconded. All concurred. Straley made a motion to suspend statutory rules to **Resolution Number 19-**

11-057. Penton seconded. All concurred. Straley made a motion to pass **Resolution Number 19-11-057: A RESOLUTION APPROVING THE PETITION FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECTS UNDER OHIO REVISED CODE CHAPTER 1710 AND APPROVING THE NECCESSITY OF ACQUIRING, INSTALLING, EQUIPPING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF VAN WERT, OHIO IN COOPERATION WITH THE VAN WERT AREA ENERGY SPECIAL IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY** on its first and final reading. Penton seconded. All concurred. Straley made a motion for an ordinance determining to proceed with the acquisition, installation, equipment, and improvement of certain public improvements in the city of Van Wert, Ohio in cooperation with the Van Wert area energy special improvement district on an emergency basis. Penton seconded. All concurred. Straley made a motion to introduce **Resolution Number 19-11-058.** Penton seconded. All concurred. Straley made a motion to suspend statutory rules to **Resolution Number 19-11-058.** Penton seconded. All concurred. Straley made a motion to pass **Resolution Number 19-11-058: AN ORDINANCE DETERMINING TO PROCEED WITH THE ACQUISITION, INSTALLATION, EQUIPMENT, AND IMPROVEMENT OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF VAN WERT, OHIO IN COOPERATION WITH THE VAN WERTAREA ENERGY SPECIAL IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY** on its first and final reading. Penton seconded. All concurred. Straley made a motion for legislation to be made levying special assessments for the purpose of acquiring, installing, equipping, and improving certain public improvements in the city of Van Wert Ohio in cooperation with the Van Wert area energy special improvement district; authorizing the mayor to enter into an energy project cooperative agreement and a special assessment agreement on an emergency basis. Penton seconded. All concurred. Straley made a motion to introduce **Resolution Number 19-11-059.** Penton seconded. All concurred. Straley made a motion to suspend statutory rules to **Resolution Number 19-11-059.** Penton seconded. All concurred. Straley made a motion to pass **Resolution Number 19-11-059: AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, INSTALLING, EQUIPPING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF VAN WERT, OHIO IN COOPERATION WITH THE VAN WERT AREA ENERGY SPECIAL IMPROVEMENT DISTRICT; AUTHORIZING THE MAYOR TO ENTER INTO AN ENERGY PROJECT COOPERATIVE AGREEMENT AND A SPECIAL ASSESSMENT AGREEMENT; AND DECLARING AN EMERGENCY** on its first and final reading. Penton seconded. All concurred.

PARKS AND RECREATION: No report was given

PROPERTIES AND EQUIPMENT: No report was given.

JUDICIARY AND ANNEXATION: Mergy made a motion for a resolution to be made for Van Wert to maintain in the class action suit in the opioid litigation. Agler seconded.

All concurred. Mergy also mentioned legislation that was requested during the September 9th Council meeting, regarding Charter Government and putting it on the ballot for 2020 election. Mergy encouraged council members to become familiar with resolution number 19-11-061, any questions are encouraged with the City Law Director. Hatcher asked for questions to be forwarded to him so that it could be a part of the discussion regarding the matter. The President acknowledged if it was brought up at the next meeting, it could be read three times from there so it gave everyone time to learn more about Charter Government. Hatcher also noted the Ohio revised section regarding Charter Government, Chapter 705, explains how it is placed on the ballot and the different forms of Charter Government, etc. Balyeat noted she had an electronic handbook from ONL and it will be made available on the website for reference.

FINANCE: Markward made a motion to approve a Then and Now in the amount of $4,840.87 to Maznec, Paskin & Ryder CO. LPA for legal services. Seconded by Mergy. Penton, Straley, Marshall, Trittschuh concurred. Agler voted no.

STREETS AND ALLEYS: Trittschuh requested an ordinance be prepared to create a school zone speed limit for North Franklin Street, in front of Thomas Edison and Vantage Vocational School. The speed will go from 35 mph to 20 mph during the restricted hours of 8-9 am and 2:30-3:30 pm. Signage will be put up. Fleming is inquiring about markings on the street. Seconded by Markward. All concurred.

UNFINISHED BUSINESS

- Code Enforcement

NEW BUSINESS

CONSENT AGENDA

ORDINANCES AND RESOLUTIONS

Mergy made a motion to adjourn at 7:43 p.m.; seconded by Straley; with all concurring.

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CLERK PRESIDENT

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DATE