

The Council of the City of Vandalia Meeting Minutes

January 6, 2025

COUNCIL MEMBERS PRESENT: Mayor Richard Herbst, Vice Mayor Mike Blakesly, Councilmember Amber Aivalotis-Weaver, Councilmember Cindy Doogan, Councilmember Candice Farst, Councilmember Corey M. Follick and Councilmember Dave Lewis.

OTHERS PRESENT: Jerry McDonald, Kurt Althouse, Rob Cron, Angela Swartz, Darren Davey, Steve Clark, Alicia McCracken, Bridgette Leiter, Mike Hammes, Ben Borton, Jake Hayslett, Chad Follick, Scott Jacobs, Mark Schwieterman, Brandon Sucher, Larry Doogan, Robert Hussong, Amos Knipp, Barbara Spurgeon, Scott Buchann, Jack Froschauer, Haywood Chappell, Ben Walker, Michael Brem, Nick Kavalauskas, Rod Creech and Mary Kilshimer.

Mayor Herbst called the council meeting of the Council of the City of Vandalia to order at 7:00 p.m. **Mayor Herbst** called for a moment of reflection followed by the Pledge of Allegiance.

Approval of Previous Minutes: None

Communications, Petitions and Awards:

Oath of Office: Interim City Manager Kurt Althouse

Mayor Herbst introduced and administered the Oath of Office to Interim City Manager Kurt Althouse.

Introduction and Oath of Office: Police Officer Alexander Plummer

Mr. Althouse introduced and administered the Oath of Office to Police Officer Alexander Plummer who began employment January 6, 2025.

Introduction and Oath of Office: Police Officer Hunter Stout

Mr. Althouse introduced and administered the Oath of Office to Police Officer Hunter Stout who began employment January 6, 2025.

Public Hearing: None

Comments from Interested Citizens:

Mayor Herbst called for comments from interested citizens asking if anyone would like to speak, to please state their name and address for the record slowly and clearly. **Mayor Herbst** advised in accordance with Ordinance 84-01, Time Limitation on Speaking, no person shall be allowed to speak for longer than five minutes on the same matter until every other member desiring to speak on that matter has had an opportunity to do so. Anyone wishing to make a comment shall wait for recognition from him before beginning to speak, and all comments need to be addressed to him. **Mayor Herbst** advised this is an opportunity for everyone to make statements. It is not the time or place for a question-answer debate or dialogue, adding comments that amount to personal attacks of any kind will not be permitted. **Mayor Herbst** advised only the speaker recognized to speak shall

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have the floor, asking others to please be respectful and refrain from talking among themselves while someone else is speaking. **Jack Froschauer**, 11600 Cassel Road, addressed Council sharing he feels the instructions read for Comments of Interested Citizens are condescending and discouraging towards the citizens of Vandalia. **Mr. Froshauer** addressed Council about the barter arrangement trading Vandalia's security and safety services for a tent at the Air Show, which he feels is not being used as it was originally intended for volunteers and businesses, noting there is no outlined specified benefits to the City of Vandalia. **Mr. Froshauer** noted that the Dayton International Airshow has become a multi-million dollar event, which the City of Vandalia should share in. **Mr. Froshauer** suggested the Airshow should pay a fair rate of a \$100,000 and two Chalet tents for the residents who have been inconvenienced and disturbed by what is a nuisance receive more than what they have been getting. **Mr. Froshauer** suggested that the School Board should come up with an incentive for students to attend with a parent. **Mr. Froshauer** addressed Council regarding the Director of the Air Show announcing the use of the Vandalia Rec Center for an AirShow event inquiring who gave this authorization and why there would be no Air Show parade this year. **Barbara Spurgeon**, 777 Northedge Drive, addressed Council sharing she has been coming to the Council meetings for the past several years, learning how the City operates and does not understand the restrictions on how citizens can speak and how long they can speak, voicing her concerns that residents do not need to be restricted.

CITY MANAGER'S REPORT

Information Items:

Mr. Althouse shared City offices will be closed on **Monday, January 20** in observance of Martin Luther King, Jr. Day. The second meeting in January will be held on **Tuesday, January 21** at 7:00 p.m. **Mr. Althouse** shared The Parks and Recreation and Public Works Departments are offering Vandalia residents free recycling of their Christmas trees. Residents can drop off their trees at the Sports Complex until January 31. Beginning the first week of January, residents can also dispose of Christmas trees by placing them at the curb for pickup by Rumpke on your regular trash day.

Action Item:

2025 Annual Council Appointments to Various Committees

Mr. Althouse advised Council of annual councilmember and staff appointments to various regional organizations, and local boards and committees, including the current representatives. **Mr. McDonald** advised Council as discussed in the Study Session, rather than go through each of these appointments individually, Council desires to have one motion for the following appointments: Mayor Herbst is the representative, Rob Cron is the alternate representative to the MVRPC; Ben Borton will be the delegate to the Technical Committee, and Chad Baughman is the alternate; Mayor Herbst and Councilmember Doogan as

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representatives to the First Suburbs Consortium with Vice Mayor Blakesly as the alternate; Mayor Herbst appointed to the Montgomery County Community Improvement Corporation and Councilmember Aivalotis-Weaver as the odd year Councilmember appointment to Vandalia Development Corporation. It was moved by Councilman Lewis, second by Councilwoman Farst to approve the 2025 Annual Council Appointments to Various Committees. Motion passed 7-0.

Old Business: None

Resolutions:

25-R-01 A Resolution Authorizing The City Manager Or His Designee To Enter Into An Agreement For The Site And Tree Clearing Of 810 Northwoods Boulevard For A New Public Works Facility With Elevated Ground Solutions, LLC A Cost Not To Exceed \$110,000.00. **Mr. McDonald** read Resolution 25-R-01 by title. **Mr. Althouse** advised Council the City of Vandalia has acquired approximately 16 acres of land at 810 Northwoods Boulevard for a site to construct a new Public Works Facility. Staff has gone through the programming stage and has developed a budget estimate for the project that was recently approved as part of our 2025 Capital Improvement Budget. Staff is about to begin the final design phase of the project that will take several months. The site is heavily wooded and due to environmental regulations, the tree clearing can only be performed between November 1 and March 31. In an effort to keep the project on schedule, Staff would like Council to authorize a contract to have this work performed prior to March 31, 2025. Due to the short time frame to get the work done, Staff requested proposals from two land clearing companies that could proceed immediately and have the work completed by March 31, 2025. Elevated Ground Solutions submitted the lowest and best proposal of \$92,620.11. **Mr. Althouse** advised that Mr. Cron recommends Council enter into an agreement with Elevated Land Clearing to perform the site clearing work at 810 Northwoods Boulevard at a cost not to exceed \$110,000.00. The additional amount would be to cover any additional items that may need to be performed to satisfy any terms of the access agreement. There were no comments from Council. It was moved by Councilwoman Farst, second by Councilwoman Doogan to approve Resolution 25-R-01. Motion passed 7-0.

25-R-02 A Resolution Authorizing The City Manager To Extend A Master Services Agreement For The Architecture/Design And Construction Contract Administration Phases For A New Public Works Facility With WDC Group For An Amount Of \$2,083,930.00. **Mr. McDonald** read Resolution 25-R-02 by title. **Mr. Althouse** advised Council on September 18, 2023, City council Approved Resolution 23-R-60 authorizing us to enter into a Master Services Agreement with WDC Group for the Programming Phase of the Engineering and Design of a new Public Works Facility. **Mr. Althouse** advised Council this has been completed, and Staff is ready to proceed with the project

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as it has been approved in the 2025 Capital Improvement Budget. Staff has received a proposal from WDG Group for the final Architecture/Design fee and Construction Contract Administration fee. **Mr. Althouse** advised Council these fees are based on a percentage of the estimated construction costs per the Master Services Agreement. **Mr. Althouse** advised that Mr. Cron recommends entering into an agreement with WDC Group for the Phases 2 & 3 portion of the Architecture/Design and Construction Contract Administration for the Public Works Facility and site at a cost of \$2,083,930. There were no comments from Council. It was moved by Councilman Follick, second by Councilman Lewis to approve Resolution 25-R-02. Motion passed 7-0.

25-R-03 A Resolution For The Purchase Of Playground Equipment And Authorizing The Purchase From Landscape Structures Through The State Of Ohio Procurement Contract #800841-STS640. **Mr. McDonald** read Resolution 25-R-03 by title. **Mr. Althouse** advised Council the Parks & Recreation Department is recommending waiving the bid process for the purchase and installation of a new playground unit at Victory Park, authorizing the purchase through the State of Ohio Procurement Program with Landscape Structures of Delano, Minnesota at a cost not to exceed \$60,000. The total payment of the playground equipment contract when combined with the playground safety surface contract with Forever Lawn of Ohio shall not exceed the total budget amount of \$100,000 for the playground project at Victory Park. Funding for this project will come from a \$50,000 Community Development Block Grant and \$50,000 from the City of Vandalia CIP fund. It was moved by Councilman Follick, second by Councilwoman Farst to approve Resolution 25-R-03. **Councilman Follick** thanked Staff for securing 50% funding through a grant for the project. There were no further comments from Council. Motion passed 7-0.

25-R-04 A Resolution Authorizing The Purchase Of A 2025 Kenworth T480V Single Axle Cab & Chassis By The Public Works Division, From Palmer Trucks, Inc. At The Sourcewell Cooperative Bidding Contract Price In The Amount Of \$128,367.00. **Mr. McDonald** read Resolution 25-R-04 by title. **Mr. Althouse** advised Council in the 2025 Capital Improvement budget, Staff has appropriated a total of \$307,000 in various funds to purchase a new single-axle five-yard dump truck to replace our current Public Works truck #20, with over 38,405 miles before this snow & ice season. The dump trucks are used throughout the year on a daily basis moving spoils, hauling brush, gravel, asphalt, and general maintenance. Our six main snow & ice vehicles are responsible for clearing over 210 lane miles of roadway during the snow & ice events. Staff received government pricing for a Peterbilt and Sourcewell contract pricing for a Kenworth for a new single-axle five-yard dump truck cab & chassis. **Mr. Althouse** advised that Director Borton recommends Council waive formal bidding and purchase the cab & chassis as specified from Palmer Trucks / Kenworth of Dayton at their quoted price of \$128,367.00.

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It was moved by Councilwoman Doogan, second by Vice Mayor Blakesly to approve Resolution 25-R-04. **Councilwoman Aivalotis-Weaver** thanked Staff for the follow up and extra work answering her questions. There were no further comments from Council. Motion passed 7-0.

25-R-05 A Resolution Authorizing The Purchase Of The Upfit Equipment For A 2025 Kenworth T480V Single Axle Cab & Chassis Including Snow & Ice Accessories By The Public Works Division, From K.E. Rose Company At Sourcewell Cooperative Bidding Contract Price In The Amount Of \$168,925.00. **Mr. McDonald** read Resolution 25-R-05 by title. **Mr. Althouse** advised Council as mentioned above, in the 2025 Capital Improvement budget, Staff has appropriated a total of \$307,000 in various funds to purchase a new single-axle five-yard dump truck to replace our current Public Works truck #20. The dump trucks are used throughout the year on a daily basis moving spoils, hauling brush, gravel, asphalt, and general maintenance. The six main snow & ice vehicles are responsible for clearing over 210 lane miles of roadway during the snow & ice events. Staff received a quote from K. E. Rose Company of Huber Heights for the upfit of snow & ice equipment with government discount pricing. Staff has used the K. E. Rose Company in the past for most of the snow & ice upfits and they have performed excellent work at a reasonable price. **Mr. Althouse** advised that Director Borton recommends Council waive formal bidding and purchase the upfit dump body with snow & ice equipment as specified from K.E. Rose Company with government incentives for \$168,925.00. The total of the cab & chassis and the upfit is \$297,292.00, which is \$9,708.00 under the amount appropriated. There were no comments from Council. It was moved by Vice Mayor Blakesly, second by Councilman Lewis to approve Resolution 25-R-05. Motion passed 7-0.

25-R-06 A Resolution Authorizing The Purchase Of A 2025 Ford F-550 4x4 SD Regular Cab & Chassis By The Public Works Division, From Beau Townsend Ford In The Amount Of \$61,210.00. **Mr. McDonald** read Resolution 25-R-06 by title. **Mr. Althouse** advised Council in the 2025 Capital Improvement budget, Staff has appropriated a total of \$125,000 in various funds to purchase a new one-ton dump truck to replace our current Public Works truck #16, with over 61,400 miles before this snow & ice season. The dump trucks are used throughout the year on a daily basis moving spoils, hauling brush, gravel, asphalt, and general maintenance. The six main snow & ice vehicles are responsible for clearing over 210 lane miles of roadway during the snow & ice events. Staff received the State contract pricing and a quote with government discount pricing from Beau Townsend Ford of Vandalia for a new one-ton dump truck cab & chassis. **Mr. Althouse** advised that Director Borton recommends Council waive formal bidding and purchase the cab & chassis as specified from Beau Townsend Ford at their quoted price with government incentives of \$61,210.00. There were no

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comments from Council. It was moved by Councilman Follick, second by Vice Mayor Blakesly to approve Resolution 25-R-06. Motion passed 7-0.

Ordinances – First Reading: None

Ordinances – Second Reading: None

Ordinances – Emergency Reading: None

Reports from Boards and Commissions:

Variance: BZA 24-14 Front Yard Drive-Through ATM – 750 West National Road – Fifth Third Bank – Imperial Shopping Center. **Mr. Althouse** advised Council the enclosed memorandum from Mr. Graham wherein the Applicant, OptiVia Solutions, on behalf of Fifth Third Bank has requested a variance to allow a front yard drive-through ATM for the property located at 750 West National Road. The purpose of this request is to add an ATM with a drive-through in the front yard of the Imperial Shopping Center. The Board of Zoning Appeals voted 4-0 to recommend approval of the proposed variance with two conditions being, 1. The parking islands are served with a concrete curb, mulch, and shrubs. The parking island on the west side of the property is served with at least 1 shade tree. 2. The lighting for the drive-through follows the provisions of Section 1226.08 “Outdoor Lighting.” It was moved by Vice Mayor Blakesly, second by Councilman Follick to approve Variance: BZA 24-14 Front Yard Drive-Through ATM – 750 West National Road – Fifth Third Bank – Imperial Shopping Center with the two conditions provided by the BZA and amend to add a third condition that this variance shall lapse and be of no further affect, notwithstanding any intent to reinstate its use, or other reason if the drive-thru use ceases for 12 consecutive months. In such an event, the drive-thru, together with any remaining curbs, bollards, canopies, and/or equipment shall be removed. **Councilman Lewis** stated he would be voting no due to there not being any significant terms of tax revenue and the lack of investment in the Vandalia community with the closing of the Fifth Third Bank Branch. **Vice Mayor Blakesly** shared he hopes the ATM will allow the residents an opportunity for convenience and the third condition will safeguard from the site becoming vacant. There were no further comments from Council. Motion passed 5-2, with Councilman Lewis and Mayor Herbst voting no.

Variance: BZA 24-15 Minimum Lot Frontage – 304 North Dixie Drive (North Point Community Church). **Mr. Althouse** advised Council enclosed is a memorandum from Mr. Graham wherein the Applicant, Robert Hussong, on behalf of North Point Community Church, has requested a variance to not meet the minimum lot frontage requirement for the property located at 304 North Dixie Drive. The purpose of this request is to allow a place of worship to have 50 feet of lot frontage. The Board of Zoning Appeals voted 4-0 to recommend approval of the proposed variance. There were no comments from Council. It was moved by Councilman Follick, second by Vice Mayor Blakesly to approve

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Variance: BZA 24-15 Minimum Lot Frontage – 304 North Dixie Drive (North Point Community Church). Motion passed 7-0.

Conditional Use: PC 24-15 – 304 North Dixie Drive (North Point Community Church) – Place of Worship in Neighborhood Business (NB). **Mr. Althouse** advised Council enclosed is a memorandum from Mr. Hammes wherein the Applicant, Robert Hussong, on behalf of North Point Community Church, has requested Conditional Use approval to operate a Place of Worship at 304 North Dixie Drive. Places of Worship are conditional uses in the Neighborhood Business district. The Planning Commission voted 4-0 to recommend approval of the proposed conditional use. It was moved by Councilwoman Aivalotis-Weaver, second by Councilwoman Farst to approve Conditional Use: PC 24-15 – 304 North Dixie Drive (North Point Community Church) – Place of Worship in Neighborhood Business (NB). **Councilwoman Aivalotis-Weaver** shared she received positive feedback from the neighbors and the community. There were no further comments from Council. Motion passed 7-0.

Council Comments

Mr. Althouse thanked Council for the opportunity to serve as Interim City Manager and he looks forward to the opportunity to work with Council in the upcoming year and thanked all his friends and colleagues that were in attendance tonight. **Mr. Althouse** commended the Public Works employees for their time and dedication to clearing the roadways in the City.

Councilmember Aivalotis-Weaver echoed Mr. Althouse's comments about the Public Works employees. She reminded everyone Thursday is National Police Appreciation Day, encouraging everyone to thank a police officer and thanked her fellow Councilmember Corey Follick for leading his team and his leadership. **Councilmember Aivalotis-Weaver** noted she is seeing comments on social media about the water rates and Council will be receiving a review from Staff on this to see if there is anything that can be done.

Councilmember Farst addressed Mr. Althouse, sharing she is glad that he is coming on board and looking forward to 2025. She shared it was nice to meet the two new police officers and appreciates when new employees are introduced at the Council meetings. **Councilmember Farst** shared although she does not agree with everything Mr. Froshauer stated in his comments, this would be an opportunity to review the invite list and involve students from the schools in some manner and would like to discuss this in an upcoming Workshop. **Councilmember Farst** stated Council is planning a Workshop to discuss and look at the City's needs of the water and sewer funds.

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Councilmember Follick echoed the kudos to Public Works personnel and the Parks and Recreation personnel for keeping the roads and public facilities cleared. He thanked Staff for following up on getting information out to the residents with the Focus Vandalia on Electric Aggregation and hopes that residents are taking advantage of the Aggregation Program, with an average of \$350 savings annually for residents. **Councilmember Follick** requested clarification on the Christmas Tree recycling dates, noting the My Vandalia Magazine states the first two weeks of January and requested if the dates have been extended to the end of January, to publish so residents are aware of this change.

Councilmember Lewis thanked the Public Works department for the fine job they have done and congratulated Mr. Althouse and is happy to have him on board.

Councilmember Doogan congratulated Mr. Althouse and is glad to have him with us. She welcomed the new police officers and said to be safe.

Vice Mayor Blakesly welcomed Mr. Althouse, stating he looks forward to 2025 and appreciates all the hardworking time spent by City Staff in both the Public Works and Parks Department keeping the streets clean and travelable. **Vice Mayor Blakesly** shared he is looking forward to the upcoming Workshops, reviewing Council's goals and concerns.

Mayor Herbst thanked the Public Works department for their hard work keeping the streets clean and well-treated. **Mayor Herbst** congratulated the two new officers and again congratulated Mr. Althouse on his appointment, stating he is looking forward to working with him. **Mayor Herbst** shared there has been a lot of positive comments from the community that Council could not have picked a better person for this role.

The Regular meeting was adjourned at 7:51 p.m.

APPROVED:

Richard Herbst, Mayor

ATTEST:

Angela Swartz, Deputy Clerk of Council

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