

The Council of the City of Vandalia Meeting Minutes

**February 15, 2021**

**MEMBERS PRESENT:** Mayor Richard Herbst, Vice Mayor Robert Ahlers, Councilman Michael Blakesly, Councilman Corey M. Follick, Councilwoman Candice Farst, Councilwoman Constance Woods, and Councilman David Lewis

**OTHERS PRESENT:** Jerry McDonald, Mr. Wendt, Missy Pruszynski, Rob Cron, Amber Holloway, David Marlow, Steve Clark, Darren Davey, Bridgette Leiter, Holly Wiggins, Chief Chad Follick, Greg Barney, India Duke, Chief Kurt Althouse, Laura Wendt, Arlow Wendt, Forest Wendt, and Lisa Wendt

**Mayor Herbst** called the regularly scheduled meeting of the Council of the City of Vandalia to order at 7:05 p.m. **Mayor Herbst** called for a moment of reflection followed by the Pledge of Allegiance.

Oath of Office: Daniel D. Wendt, City Manager:

**Mayor Herbst** administered the Oath of Office to City Manager Daniel D. Wendt, and then welcomed and congratulated Mr. Wendt. Mr. Wendt introduced his wife and his children.

Approval of Previous Minutes:

The Council Study Session Minutes of January 19, 2021 and the Council Meeting Minutes of January 19, 2021 were approved as presented.

Communications, Petitions and Awards: None

Public Hearing: None

Comments from Interested Citizens:

**Mayor Herbst** called for comments from interested citizens. There were none.

**CITY MANAGER'S REPORT**

Information Items: None

Action Items:

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**251 North Dixie Drive**

**Mr. Wendt** respectfully requested direction from Council on this item. He reminded Council NorthPoint Development is requesting Council consider the provision of water service to property outside the corporate limits. It was moved by Councilwoman Farst, seconded by Councilman Lewis, not to approve the provision of water service outside the corporate limits. **Councilman Lewis** explained that he wants to be consistent in opposing any development that does anything to exacerbate truck traffic in the City of Vandalia. He noted the City of Dayton has been consistent with some of their activities. First, the City of Vandalia didn't want the development within such a close proximity to Vandalia and that desire was ignored. Second, the City of Vandalia offered in exchange for certain items not to maintain the Airport Access Road, which is principally to serve the airport and its environs there, of which the City of Dayton had no interest. Thus, the citizens of Vandalia bear that expense. Third, the City of Dayton has not moved in the direction to help the citizens of Vandalia until we put enormous pressure on them. He believes that Dayton pledged to help Vandalia legislate the prohibition against the truck traffic; however, nothing in that direction has manifested. **Councilman Lewis** commented that he is aware that the development will still go forward, that the City's primary function is to provide services to its citizens and in this case they are outside the City and we will not derive any income tax, the City of Dayton went out of its way, at great expense, to develop water and sewer services in order to terminate the provision of the those services by Vandalia knowing that it would impact Vandalia in a negative manner, and in the most recent development, certainly provisions would have been made in the contracting of the lease in that property that water services would have been available and the supposition of that is incorrect and therefore, it is not incumbent upon us to provide said service. **Councilwoman Farst** thanked Councilman Lewis for his comments. She noted that Dayton is responsible for their development and they have not been a good partner with the developer. She continued by noting it is

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not a positive thing to enable Dayton, or allow anyone, to walk away from their responsibilities. **Councilwoman Farst** concluded by noting that this should be recognized by anyone who chooses to partner with Dayton in the future.

**Councilman Follick** inquired when was the last time Council directed city management to revisit the historical issues with Dayton. Brief discussion was held about the history of communication between Dayton and Vandalia. After said discussion, **Councilman Follick** suggested Council re-evaluate their approach to airport development. Development will go on and there is nothing the City of Vandalia can do to change this. He noted denying access to our water system does not in any way shape or form impacts the City of Dayton. It will only affect the developer; a developer who has bent over backward to help the City of Vandalia.

**Councilman Follick** continued by noting this is a developer who may want to do business, at some point, in Vandalia. He continued all our neighbors are on board with the development and Vandalia may start to suffer if we do not start to approach this with a regional attitude. Additionally, **Councilman Follick** noted the City would benefit from the additional revenue generated from providing service outside the City and support the Water Fund and future infrastructure projects. **Councilman Follick** paid respect to Councilman Lewis' comments and added it may be time to revisit some of these discussions because circumstances have changed over the years.

**Councilwoman Woods** had a discussion with a former Dayton Fire Chief this week and brought up some of these points for discussion. It was the Dayton Fire Chief's opinion that Vandalia and Dayton work great together on most levels and feels the disconnect is coming from administration. She commented the developer will be impacted as opposed to Dayton and she feels Council should consider allowing the provision of water as we will receive the revenue. After brief discussion, **Mr. Wendt** indicated he is hearing clear direction from Council to collaborate with Dayton about where there might be opportunities to work together. He pointed out, since coming on board, he has had several conversations with Deputy City of Dayton Manager Joe

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Parlette. Mr. McDonald reminded Council this is a motion not to approve the provision of water. Councilman Follick voted no, Councilwoman Farst voted yes, Councilman Lewis voted yes, Councilwoman Woods voted no, Councilman Blakesly voted yes, Vice Mayor Ahlers voted yes, and Mayor Herbst voted yes. Motion passed 5-2 not to approved water outside the corporate limits.

Old Business: None

Resolutions:

**21-R-09** A Resolution Authorizing The Agreement With Business First! For A Greater Dayton Regional Business Retention And Expansion Program. **Mr. McDonald**, read Resolution 21-R-09 by title. **Mr. Wendt** explained Vandalia has been participating in the Business First! Retention and Expansion program since 2002 under the terms of an intergovernmental cooperation agreement between the participating jurisdictions. The County is requesting approval of a five-year renewal agreement through December 31, 2025. The purpose of the program is to support the growth and retention of local businesses by identifying their needs, and providing information and resources to fulfill those needs. The program also promotes communication and cooperation between economic development entities participating in the program. The annual cost to participate in the Business First! program is \$1,500. It was moved by Councilman Follick, seconded by Councilman Lewis, to approve Resolution 21-R-09. All members present voted yes. Resolution 21-R-09 approved 7-0.

**21-R-10** A Resolution Waiving The Formal Bidding Requirement And Authorizing Certain Services From The Miami Valley Regional Crime Lab For Laboratory And AFIS Assessments For The 2021 Calendar Year. **Mr. McDonald**, read Resolution 21-R-10 by title. **Mr. Wendt** advised the Vandalia Police Department has utilized the services of the Miami Valley Regional Crime Laboratory for more than 40 years. He noted said services include laboratory analysis in all scientific sections, supplies for the department's evidence technicians and attendance by three officers at the MVRCL

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evidence technician course. The proposed annual fee for 2021 is \$25,351. This represents an 8.5% decrease from the 2020 rate. The 2021 budget for this contract is \$32,665. It was moved by Councilman Blakesly, seconded by Vice Mayor Ahlers, to approve Resolution 21-R-10. All members present voted yes. Resolution 21-R-10 approved 7-0.

Ordinances – First Reading: None

Ordinances – Second Reading:

**21-03** An Ordinance Rezoning 5.15 Acres Of Vacant Land At The Dead-End Of Waldsmith Way From Residential 2-Family (RTF) And Residential 4-Family (RFF) To Residential Single-Family 3 (RSF-3) And Amending The Zoning Map Of The City. **Mr. McDonald** read Ordinance 21-03 by title in the second reading. **Mr. Wendt** advised Jamar Investments, Inc. has requested the rezoning of 5.15 acres of land at 675 Waldsmith Way from Residential Two-Family and Residential Four-Family to Residential Single Family 3 (RSF-3). The purpose of this rezoning request is to allow construction of one single family home. He noted the property in question meets all applicable standards of the RSF-3 Zoning District. The Planning Commission reviewed this request at its January 12, 2021 meeting and voted 5-0 to recommend approval. There were no comments or questions during the public hearing. It was moved by Councilwoman Woods, seconded by Councilman Follick, to approve Ordinance 21-03 as read. All members present voted yes. Ordinance 21-03 was approved 7-0 in the second reading.

**21-04** An Ordinance Amending Section 678.09 Of The Vandalia Codified Ordinances. **Mr. McDonald** read Ordinance 21-04 by title in the second reading. **Mr. Wendt** advised this ordinance cleans up the language in Section 678.09 and adds additional discharge language that was inadvertently left out when this ordinance was amended in 2019. There were no comments or questions during the public hearing. It was moved by Councilman Follick, seconded by Councilman Blakesly, to approve

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Ordinance 21-04 in the second reading. All members present voted yes. Ordinance 21-04 was approved 7-0 in the second reading.

Ordinances – Emergency:

**21-05** An Ordinance Approving Individual Assessments Amounts And Directing The Finance Director Or Her Designee To Certify The Amounts To The County Auditor For Collection And Declaring An Emergency. **Mr. McDonald** read Ordinance 21-05 by title in an emergency reading. **Mr. Wendt** advised this emergency ordinance assesses properties for delinquent accounts related to water, sewer, storm water fees, trash collection, property cleanup and weed cutting. There were no comments or questions during the public hearing. It was moved by Councilman Blakesly, seconded by Councilwoman Woods, to approve Ordinance 21-05 as an emergency. All members present voted yes. Ordinance 21-05 was approved 7-0 in an emergency reading.

**Reports from Boards and Commissions:**

Vandalia Development Corporation Meeting Minutes: November 19, 2020

Vandalia Development Corporation Meeting Draft Minutes: December 16, 2020

**Mayor Herbst** reviewed the January Bill Listing in the amount of \$3,273,219.73 and January Purchasing Card Detail in the amount of \$19,419.85. There were no comments or questions.

Council Comments:

**Mr. Wendt** informed Council Mr. Dave Heckler, General Manager of the Tri Cities North Regional Wastewater Authority, has announced his retirement in May 2021. The Board accepted his resignation and the board is beginning the recruitment process and he will update Council as information becomes available. **Mr. Wendt** also advised Council the City received correspondence from Mr. Steve Stanley the Executive

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Director of the Montgomery County Transportation Improvement District regarding the first phase of construction with the US Rt. 40 improvement project. In the letter, Mr. Stanley indicates that it is necessary to close the two ramps to the Dayton International Airport on the north side of National Road. The two ramps on the south side of National Road will remain open throughout the project. The detour will direct traffic from National Road to Concorde Drive and eventually over to Terminal Drive. **Mr. Wendt** asked Mr. Cron for comments. **Mr. Cron** indicated no further information is available.

**Councilman Follick** advised the audience the Division of Fire has been recognizing their personnel on social media for their 2020 achievements. He noted there are a series of FaceBook posts outlining staff accomplishments. The posts share which staff members received unit citations and letters of commendation in 2020, and he encouraged the audience to look on FaceBook for these posts. **Councilman Follick** continued by highlighting Matt Buker who was selected as the EMS person of the year and Mya Mitchell who was selected as the Firefighter of the year. He congratulated Mr. Beau Townsend who recently celebrated 45 years of business ownership in Vandalia and thanked him for his continued support. **Councilman Follick** concluded by recognizing the Public Works crews for their efforts during the recent snow events and thanked them for their efforts.

**Councilman Blakesly** echoed Councilman Follick's comments related to the Public Works Department and added his gratitude for all their cold-weather work especially, the work related to water main breaks of which he recently witnessed.

**Mayor Herbst** advised the audience, recently, Superintendent Rob O'Leary provided an in-depth tour of the Vandalia-Butler City School District to Mr. Wendt.

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He concluded by noting this is yet another example of how well our City works with the School District and Township.

No executive session was held during the Council Meeting.

The regular Council Meeting was then adjourned at 7:50 p.m.

APPROVED:

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Richard Herbst, Mayor

ATTEST:

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Missy Pruszynski, Deputy Clerk of Council

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