

The Council of the City of Vandalia Meeting Minutes

March 3, 2025

COUNCIL MEMBERS PRESENT: Mayor 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, Mike Hammes, Ben Borton, Ben Graham, Jake Hayslett, Chad Follick, Leann Hanf, Brandon Sucher, Barbra Spurgeon, Don Hutchison, Larry Doogan, Amos Knipp, Ben Walker, Leticia Igoe, Lisa Sellers, Frances Goecke, Russell Muntz, Terrie Manuel, Jamie Spenser, Larry Taylor, Ed Burke, Tanya Brown, April Nugent, Kate Flinn, Tim Flinn, Sharie Coover, Tameal Weatherhead, Barbra Breisch, Don Engle, Patty Gomes, Ed Kelker, Alex Gunter-Dray, Joe Joity, Donna Imwalle, Donna Plant, Dave King, Bob McClinton, Helen, Andrew, Andy Burke, James Breisch, Gloria Shannahan, Bob Shannahan, Chris and Amy Vanderhorst, Venetia Green, Lenard Green, Cheutaunia Johnson, Sue Allen, Gary Allen, Kimerly Bish, Kristen Bell, Dan Hicks and Jennifer Hoagland.

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:

The Council Study Session Minutes from January 21, 2025, and the Council Meeting Minutes from January 21, 2025, were approved as presented.

Communications, Petitions and Awards: None

Public Hearing: **Mayor Herbst** advised the Addison Properties public hearing would be held during the second reading of Ordinance 25-02 later on the agenda.

Comments from Interested Citizens:

Mayor Herbst called for comments from interested citizens advising as they come to the podium, please clearly state their name and address for the record. **Mayor Herbst** asked those who speak to please follow the etiquette of communicating with respect to others, to please stay on topic with their statements, while addressing Council. **Mayor Herbst** reminded the audience, this is not the forum for arguments and asked in an effort to give all citizens an opportunity to express their thoughts and concerns, to keep their comments as brief as possible. **Mayor Herbst** asked that all Addison Properties comments be held until the agenda item number 12. **Amos Knipp**, 207 James Bohanan Drive, Apt. 2, addressed Council about the snow removal, noting the road crews have done a fantastic job, but there is room for improvement for crosswalks, sidewalks and bus stops. **Mr.**

The Council of the City of Vandalia Meeting Minutes

March 3, 2025

Knipp addressed Council about the meeting times of the Study Session and Council meetings needing to be consistent. **Dan Hicks**, 534 Rader Drive, addressed Council inquiring about revisiting the Zoning Code regarding solar panels due to the continued rising energy costs.

CITY MANAGER'S REPORT

Information Items:

Mr. Cron advised the first large debris drop-off for 2025 is Saturday, March 8th, offering Vandalia Residents free large debris drop off from 8 am – 2 pm at the Public Works Garage, noting proof of residency is required. **Mr. Cron** shared Daylight Savings time is Sunday, March 9th, advising everyone to set their clocks ahead one hour.

Action Item: None

Old Business: None

Resolutions:

25-R-15 A Resolution Authorizing The City Council To Elect Two Members To Serve On The City Of Vandalia Volunteer Firefighter Dependents Fund Board And Establishing An Annual Election Procedure. **Mr. McDonald** read Resolution 25-R-15 by title. **Mr. Cron** advised Council the Ohio Volunteer Firefighters' Dependents Fund is a fund that helps support the families of volunteer firefighters who die or become disabled in the line of duty. The fund is established in Ohio Revised Code Chapter 146. The Vandalia Division of Fire, in accordance with ORC Chapter 146, must elect a VFDF Review Board annually. The resolution proposed outlines how that board will be elected, this is a process that we will have to do annually moving forward. There were no comments from Council. It was moved by Councilmember Follick, second by Councilmember Farst to approve Resolution 25-R-15, electing Vice Mayor Michael Blakesly and Councilmember Aivalotis-Weaver to serve as representatives on the Volunteer Firefighters' Dependents Fund Board for a term beginning January 1, 2026, and expiring December 31, 2026. Resolution passed 7-0.

Ordinances – First Reading: None

Ordinances – Second Reading:

25-02 An Ordinance Approving A Planned Unit Development Preliminary Development Plan And Associated Zoning Map Change For Land Generally Located At 7848 South Brown School Road. **Mr. McDonald** read Ordinance 25-02 by title.

Mayor Herbst addressed the audience stating as this Ordinance is in the second reading, Council is required to hold a public hearing. **Mayor Herbst** opened the public hearing, adding that if anyone intends to speak tonight, please stand, raise their right hand to be sworn in. There were several members of the audience who stood to which Mayor Herbst asked if they swear or affirm that the testimony they were giving was true and accurate, all

The Council of the City of Vandalia Meeting Minutes

March 3, 2025

answered “I do”. **Mayor Herbst** instructed them to please be seated. **Mayor Herbst** asked those who speak to please follow the etiquette of communicating with respect to others, as a courtesy, please stay on topic with their statements, while addressing Council, reminding everyone that this is not the forum for arguments. **Mayor Herbst** advised to give all citizens an opportunity to express their thoughts and concerns, to keep their comments as brief as possible. **Mayor Herbst** advised in order to proceed in an organized fashion he would first ask that staff introduce this matter, then ask the applicant to provide any comments, after which he would then open the hearing for public comments and then give the applicant an opportunity to respond to the comments. **Mayor Herbst** called upon Mr. Rob Cron. **Mr. Cron** advised Council the applicant, Addison Properties, has requested the creation of a Planned Unit Development district and the approval of a Preliminary Plan for the Riverdale Subdivision. The proposed PUD involves three parcels totaling 84.8 acres currently located in the A – Agriculture district. The parcels are located at 7848 South Brown School Road. On January 14th, 2025, the Planning Commission voted 3-1 to recommend approval of the creation of the PUD district. The Planning Commission also voted 3-1 to recommend approval of the proposed Preliminary Plan for the development. **Mayor Herbst** asked the applicant if they would like to make a comment, to which Mr. Friedman responded, no comment. **Mayor Herbst** addressed the audience for those who took the oath to come to the podium, state their name and address clearly for the record and their comment. **Donald Engle**, 859 Bolton Abby, addressed Council with comparisons of the Foxfire subdivision and the proposed Riverdale Subdivision, expressing his displeasure of the quality of building materials, lot sizes and requested Council to vote no on the proposed PUD. **Barbara Briesch**, 898 Deerhurst Drive, addressed Council with her concern about the increased traffic the proposed subdivision would create, speaking against the proposed PUD. **Russell Muntz**, 825 Deerhurst Drive, addressed Council with his concerns of more cars and more traffic the proposed subdivision would bring, speaking against the proposed PUD. **Larry Taylor**, 1414 Carolina Avenue, addressed Council sharing the City has become dormant, losing banks, drug stores, restaurants, empty businesses, lower number of student enrollment and needs the growth with more housing. **Donald Engle**, 859 Bolton Abby Lane, addressed Council again, stating he is not against housing in Vandalia, but the type of housing in the proposed location, noting it would be better suited by the Redwood Development. **Gloria Shanahan**, 7733 South Brown School Road, addressed Council with her concerns about the traffic and the quality of homes being proposed, vinyl plat homes in the Riverdale Subdivision, noting she drove to other cities to look at the product of homes, noting other changes need to be made to the downtown area to draw people to the City. **Ed Burke**, 2337 Upper Trent Way, addressed Council with his concern about the increased traffic, the layout of the proposed subdivision, the width of the roads for EMS traffic, the mailbox clusters, the number of cul-

The Council of the City of Vandalia Meeting Minutes

March 3, 2025

de-sacs, the strain on the schools and possibility of lead contamination. **Mayor Herbst** called upon Fire Chief Chad Follick to speak on any concerns with the layout of the development and the size of the roads. **Chief Follick** advised the initial information the Fire Marshal has received with the preliminary plan, the roads are wide enough for the ladder truck, the largest apparatus, to respond with cars parked on both sides of the street. **Tonya Brown**, 4428 Poplar Creek Road, addressed Council with her concerns about the cul-de-sacs violating the current code of 600 feet, the amount of traffic, the low connectivity to the City and the possibility of lead contamination. **Mayor Herbst** called upon Mr. Mike Hammes to speak on the cul-de-sac issue. **Mr. Hammes** advised the 600 feet for a cul-de-sac is to allow easy access and for the distance utilities would need to be ran, such as hydrants. **Mr. Hammes** advised if the contours of the property or other unique circumstances warrant a slightly longer cul-de-sac is permitted in the Code particularly in a PUD Development, as it is its own district, noting the length of a cul-de-sac is approved by approving a preliminary plan that allows for a cul-de-sac of that length. **Mr. Hammes** advised if the plan proposed 1,500 feet or if fire service had objections based on the design, then staff would not recommend approval. **Mr. Hammes** advised that the proposed PUD is within the 10 to 15% of the 600 foot rule and designed with the adequate radiuses to allow for emergency access. **Councilmember Doogan** called upon Mr. Hammes inquiring if the exception to the cul-de-sac length was written in the code. **Mr. Hammes** advised it is written in the structure of the Planned Unit Development that allows for the 600 foot rule or the lot frontage, which these standards can be adjusted as part of the Planned Unit Development process, which is what Council would be voting on tonight, to adjust the requirements to suit the proposal for this development. **Mr. Cron** advised there has been a change in the code since the original adoption of the 600 foot length cul-de-sac, increasing the minimum radius size of the ball of the cul-de-sac so fire apparatus and snow plows have more room to operate. **Tonya Brown**, 4428 Poplar Creek Road, addressed Council again, stating this PUD is the same design at the R4 that was previously presented and inquired if there was adequate access for machinery or equipment to get to the green space from the cul-de-sacs. **Mr. Cron** advised on the proposed plans, there are easements, access points at the end of the cul-de-sacs to the green space, which are not part of the lots. **Terrie Manuel**, 2431 Old Derby Court, addressed Council sharing she lives on a cul-de-sac in Foxfire, inquiring why the City sent a pick up truck with a plow to clear her street and why the fire hydrant is always covered with snow when the road is plowed. **Alex Gunter-Gray**, 751 Foxfire, addressed Council advising there are three people who will make money on this project, with only one being a Vandalia resident, with the other two not being in the greater Dayton area. **Mr. Gunter-Gray** asked Council to listen to the Citizens, and approve the development the way Council would want to live there and to think about the future Councilmembers with the

The Council of the City of Vandalia Meeting Minutes

March 3, 2025

decision made tonight. **Mr. Rick Ford** approached the podium to address Council, advising he had not taken the oath earlier to speak during this public hearing. **Mayor Herbst** asked if there was anyone else that came in late that would like to speak, please stand, raise their right hand to be sworn in. There were a few members of the audience who stood to which Mayor Herbst asked if they swear or affirm that the testimony they were giving was true and accurate, all answered "I do". **Mayor Herbst** instructed them to please be seated. **Rich Ford**, 1616 Ashworth Drive, addressed Council with his concerns about the quality of the building materials of vinyl siding proposed for the subdivision, adding it should be natural products asking Council to vote no as the development is presented. **Mr. Ford** announced he is running for City Council. **Kristen Bell**, 781 Foxfire Trail, addressed Council sharing her family moved to Vandalia two years ago and they love it here and the schools are great. **Mrs. Bell** shared about the early testing for kindergarten and preschools for her daughters and was told there are not enough teachers for classes for students to test in. **Mrs. Bell** expressed her concerns about the proposed development and the additional strain it would put on the schools. **Mrs. Bell** expressed her concern on the increase of traffic the proposed development would cause. **Robert Shanahan**, 7733 South Brown School Road, addressed Council with his concerns of the quality of homes sharing, Arbor Homes received low stars, his concerns about the roads and traffic issues. **Mr. Shanahan** compared the proposed PUD on South Brown School Road to the PUD for 87 homes on Mulberry Road in 2022, to which Council denied. **Lisa Sellers**, 2041 Waterfall Lane, addressed Council expressing her concern about the traffic nightmare if Council approves the proposed development on South Brown School Road. **Sharon Hamby**, 4410 Poplar Creek Road, addressed Council inquiring why Redwood was not included in the opportunity of housing and why it was built with single dwelling, giving examples of apartments built in downtown Dayton and Huber Heights. **Mrs. Hamby** expressed her concerns about photos being presented of the property not being aerial photos showing where the trees are. **Mayor Herbst** advised at this time, he would like to give the applicant an opportunity to make any comments. **Mr. Jason Friedman** addressed Council, advising his company goes through a very rigorous process of review before a plan is presented to a City, with this proposed plan being thought out and reworked with their staff as well as City staff to put forward a plan that works, meets the City's code, and can be built. **Mr. Friedman** advised they will follow and meet all 13 of the review criteria and have made adjustments including increasing the lots sizes on Brown School Road, a commitment to complete a traffic study impact study, and make any improvements that will come out of the report. **Mr. Friedman** advised this is the best housing option for this property and residential growth spurs growth within the City. At 8:13 p.m., **Mayor Herbst** closed the public hearing. **Mayor Herbst** addressed Councilmembers inquiring if they had any questions or comments before entertaining a motion. There was a brief discussion

The Council of the City of Vandalia Meeting Minutes

March 3, 2025

with Councilmembers and Mr. Friedman regarding the completion of an environmental study for any possible lead contamination, which has yielded a clean report, the clarification of mailbox clusters now being a requirement of the United State Postal Service for new developments, an independent traffic study, roadway widening of South Brown School Road, a dedicated turn lane, increasing the lot size of homes along South Brown School Road, sufficient architectural variety of elevations of homes or exterior color package, landscape buffering behind the 13 lots and the right away on South Brown School Road, using natural building materials of the exterior façade, the need for homes and businesses in Vandalia to support the services through income tax. It was moved by Councilmember Follick, to approve Ordinance 25-02 in the second reading with the amendments to the following in Exhibit B, Architectural Standards; (h) those lots located along South Brown School Road (Lots 31 through 35 and 119 through 126, inclusive) will be limited to Dwelling Units of 2,000 square feet and larger, (i) no two Dwelling Units with the same elevation or exterior color package shall be permitted on either side of each other and directly across the street from each other and Other Standards; adding (d) adequate landscaping buffer consistent with Chapter 1232 of the Zoning Code shall be provided between the rear yards of lots 31 through 35 and lots 119 through 126 inclusive and South Brown School Road. Councilmember Lewis added two additional conditions, as part of the approval for the final development plan, a traffic study be completed, meeting the requirements of the City Code and mandating 25% or more of the exterior of the home be constructed of a hard-fixed brick or stone, with the remaining exterior being constructed of hardy board, no vinyl siding. Councilmember Follick accepted Councilmember Lewis' amendment to his motion. Councilmember Doogan second the motion. Motion failed 6-1, with Councilmembers Doogan, Follick, Farst, Aivalotis-Weaver, Vice Mayor Blakesly and Mayor Herbst voting no . **Law Director McDonald** advised Councilmembers they must either approve, deny or approve with conditions, noting Council made a motion to approve with five conditions, which failed, not meeting these three options. Councilmember Follick made a motion, second by Vice Mayor Blakesly to approve Ordinance 25-02 in the second reading with the amendments to the following in Exhibit B, Architectural Standards; (h) those lots located along South Brown School Road (Lots 31 through 35 and 119 through 126, inclusive) will be limited to Dwelling Units of 2,000 square feet and larger, (i) no two Dwelling Units with the same elevation or exterior color package shall be permitted on either side of each other and directly across the street of each other and Other Standards; adding (d) adequate landscaping buffer consistent with Chapter 1232 of the Zoning Code shall be provided between the rear yards of lots 31 through 35 and lots 119 through 126 inclusive and South Brown School Road, as part of the approval for the final development plan, adding under Other Standards; a traffic study must be completed, meeting the requirements of the City Code and Architectural Standards; (c) 25% of the three sides of

The Council of the City of Vandalia Meeting Minutes

March 3, 2025

the exterior of the home be constructed of a hard-fixed brick or stone, permitting vinyl siding. Motion passed 5-2, with Councilmember Farst and Councilmember Lewis voting no.

Ordinances – Emergency Reading: None

Reports from Boards and Commissions:

Mayor Herbst called for comments or questions on the Civil Service Minutes of December 5, 2024 and the Board of Zoning Appeals Minutes of December 11, 2024.

There were none.

Council Comments

Councilmember Aivalotis-Weaver shared she attended the Employee Appreciation Luncheon which was very nice, noting the longevity of many of the City of Vandalia's employees. **Councilmember Aivalotis-Weaver** thanked everyone for their work on a very hard decision concerning the PUD on South Brown School Road.

Councilmember Follick shared the ten City Employees who were recognized at the Employee Service Awards luncheon last Friday for a combined 155 years of service, with two 25 year recipients, Chad Baughman and Kristen Carnes, congratulations to all the employees. Councilmember Follick congratulated Captain Sucher on his appointment to Police Chief May 1st.

Vice Mayor Blakesly echoed all the sentiments and gave kudos to all the employees on the number of years of service, providing top-tier services to the community, which is greatly appreciated.

Mayor Herbst echoed the other Councilmembers comments, congratulating the employees honored last week and Captain Sucher on his appointment to Police Chief. **Mayor Herbst** thanked the members of the community for coming tonight and speaking.

The Regular meeting was adjourned at 9:43 p.m.

APPROVED:

Richard Herbst, Mayor

ATTEST:

Angela Swartz, Deputy Clerk of Council

The Council of the City of Vandalia Meeting Minutes

March 3, 2025

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