

The Council of the City of Vandalia Meeting Minutes

April 5, 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, Daniel Wendt, Missy Pruszynski, Amber Holloway, Darren Davey, Bridgette Leiter, Holly Wiggins, Laura Wendt, Gina Hall, Doug Rentz, Mark Myers, Jeanette Myers, Amber Aivalotis-Weaver, David Marlow, Rob Cron, and Robert Wolfe

Mayor Herbst called the regularly scheduled 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 of March 15, 2021 and the Council Meeting Minutes of March 15, 2021 were approved as presented.

Communications, Petitions and Awards: None

Public Hearing: None

Comments from Interested Citizens:

Ms. Gina Hall, 234 North American Boulevard, was excited to announce she and **Mr. Rentz**, 234 North American Boulevard, will be reopening the old Stubbies and it will be renamed The Flats. They both shared information about their goals for the restaurant. **Mayor Herbst** congratulated them, and commented that Council is glad to have a new business in town and wished them luck.

CITY MANAGER'S REPORT

Information Items:

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Mr. Wendt commented now that our meetings are open to the public, it is nice to have citizens come here in-person and share information with City Council. He recognized Ms. Hall and Mr. Rentz and thanked them for attending the meeting. **Mr. Wendt** advised the audience the Income Tax Division was open Saturday, April 3 from 8:00 a.m. to noon. They will also be open Saturday, April 10, from 8:00 a.m. to noon; Tuesday, April 13 from 7:30 a.m. to 6:00 p.m.; Wednesday, April 14 from 7:30 a.m. to 6:00 p.m., and Thursday, April 15 from 7:30 a.m. to 6:00 p.m. He noted the Tax office staff will be available to assist taxpayers in the preparation of city income tax returns. The deadline for filing is Monday, May 17. **Mr. Wendt** also noted income tax returns for Vandalia and Brookville can be completed electronically using the City Tax Online Preparation Tool. The Online Tool is available 24 hours a day, seven days a week, includes easy-to-follow, step-by-step instructions, and can be accessed through the city's website, www.vandaliaohio.org. If a taxpayer does not have access to the Internet, they are instructed to contact the tax office to receive a form.

Action Items: None

Old Business: None

Resolutions:

21-R-17 A Resolution Declaring Various Items As Surplus And Authorizing Disposal Of Such Items. **Mr. McDonald** read Resolution 21-R-17 by title. **Mr. Wendt** advised Council that department directors have compiled a list of items that staff would like Council to declare as surplus and grant authorization to dispose of those items. The surplus items would be placed on GovDeals or otherwise disposed of by the City Manager as provided by law. It was moved by Councilman Lewis, seconded by Vice Mayor Ahlers, to approve Resolution 21-R-17. All members present voted yes. Resolution 21-R-17 approved 7-0.

21-R-18 A Resolution Authorizing The Filing Of A Grant Application With The Montgomery County Arts And Cultural District (MCACD). **Mr. McDonald** read Resolution 21-R-18 by title. **Mr. Wendt** advised Assistant City Manager Holloway

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submitted an “Intent to Apply” with Montgomery County Culture Works for a special project grant to partially fund a public mural. This grant is available to various arts, cultural, and nonprofit agencies, including government agencies, within Montgomery County. The City’s “Intent to Apply” is currently under review. The grant is offered to local government organizations with a 50% match of funds. The City intends to request \$5,000 from Montgomery County Arts & Cultural District (MCACD) for a \$10,000 mural project. With Council’s support, the \$5,000 match could be allocated from the Cultural Arts fund in the current 2021 Budget. The plan for the mural project is to organize the painting of a mural in or near the center of the City. The exact location of the mural is yet to be determined, but location will be selected to have maximum visual impact from both pedestrians and those driving by. The City plans to engage a local artist to design and paint this mural. He noted it is our hope to engage the community in this process by having a community paint day. The community paint day will allow members of the Vandalia community to join in the painting of the mural which will inspire community pride in the project – **Mr. Wendt** noted this is also in the City’s Comprehensive Plan. The deadline to apply for this grant is April 23, 2021. Should the City elect to apply for this funding and if selected, this project would take place between July and October of this year. It was moved by Councilwoman Farst, seconded by Councilman Blakesly, to approve Resolution 21-R-18. All members present voted yes. Resolution 21-R-18 approved 7-0.

21-R-19 A Resolution Awarding The Bid For The Facility Maintenance Garage Fuel Tanks Replacement Project To Reliable Construction Services In An Amount Not To Exceed \$29,298.97. **Mr. McDonald** read Resolution 21-R-19 by title. **Mr. Wendt** explained the two fuel tanks at the Facilities Maintenance Garage must be replaced. The tanks are original to the construction of the Sports Complex and Facility Maintenance Garage and are over 30 years old. The expected life for the design of the current tanks when stored outdoors is 15 - 20 years. The outer steel layer has ruptured in several places on the tanks and has deteriorated over time. Staff has

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sealed the ruptured areas with fiberglass material over the years as well as painted the tanks several times as was a permissible and acceptable form of normal maintenance. While the maintenance extended the useful life of the tanks, the outer shell has continued to deteriorate and could be a safety concern for the public. The new replacement tanks are a double wall steel design and have a 30 year limited warranty. Bids were advertised back on February 12, 2021 and February 19, 2021 and two proposals were received. The lowest and best bid was from Reliable Construction Services in the amount of \$33,492.73. The proposed cost is \$8,492.72 above the budgeted amount. This is largely due to having to incorporate a shut-off valve and install bollards. To meet safety requirements and to offset the unanticipated overage, Parks & Recreation Director Clark has directed our maintenance staff to install the required bollards in-house. This will result in a cost savings of \$4,193.75. To offset the remaining overrun of \$4,298.97, the Public Works Department has agreed to complete a portion of the paving maintenance work at the Sports Complex, which will be paid out of the same capital line item. The final project cost will be \$29,298.97. This strategy requires no additional appropriations and will allow the Parks and Recreation Department to complete all necessary work on the asphalt maintenance plan for 2021. It was moved by Councilman Follick, seconded by Councilman Lewis, to approve Resolution 21-R-19. All members present voted yes. Resolution 21-R-19 approved 7-0.

21-R-20 A Resolution Authorizing The City Manager To Enter Into An Agreement With Harris Sod And Seed. **Mr. McDonald** read Resolution 21-R-20 by title. **Mr. Wendt** explained with the closing of BR Mulch at the end of March, the City has negotiated an agreement with Harris Sod and Seed for the disposal of brush and yard waste debris for the City and our Residents. We will also use their facility as a disposal site for our leaf collection each fall. It was moved by Vice Mayor Ahlers, seconded by Councilman Follick, to approve Resolution 21-R-20. All members present voted yes. Resolution 21-R-20 approved 7-0.

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21-R-21 A Resolution Authorizing The Purchase Of Hardware And Software Services For Three Motorola Radio Consoles, Requested By The Division Of Police, To Motorola In The Amount Of \$27,945 And Repealing Resolution 21-R-15. **Mr. McDonald** read Resolution 21-R-21 by title. **Mr. Wendt** explained at the March 15 Council Meeting, Council approved Resolution 21-R-15 titled *A Resolution Authorizing The Purchase For Three Motorola Radio Consoles, Requested By The Division Of Police, To Motorola In The Amount Of \$27,945*. This resolution authorized the purchase of three Motorola Radio “consoles” as part of an upgrade to the existing system; however, the purchase was actually for hardware and software “services” for three Motorola Radio consoles as part of an upgrade to the existing system. Therefore, Resolution 21-R-21 repeals 21-R-15 and approves the purchase of said upgrade “services”. It was moved by Councilman Follick, seconded by Councilman Lewis, to approve Resolution 21-R-21. All members present voted yes. Resolution 21-R-21 approved 7-0.

21-R-22 A Resolution Authorizing The City Manager To Enter Into An Agreement With The Vandalia Professional Firefighters Association, Local 3519 IAFF. **Mr. McDonald** read Resolution 21-R-22 by title. **Mr. Wendt** advised this legislation authorizes the City Manager to enter into a successor collective bargaining agreement with the Vandalia Professional Firefighters Association, Local 3519 IAFF. It was moved by Councilman Lewis, seconded by Vice Mayor Ahlers, to approve Resolution 21-R-22. All members present voted yes. Resolution 21-R-22 approved 7-0.

Ordinances – First Reading: None

Ordinances – Second Reading: None

Ordinances – Emergency:

21-07 An Ordinance To Revise Appropriations For Current Expenses And Other Expenditures Of The City Of Vandalia, Montgomery County, Ohio During The Calendar Year Ending December 31, 2021, And Amending Ordinance 20-36 And Declaring An Emergency. **Mr. McDonald** read Ordinance 21-07 by title in an

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emergency reading. **Mr. Wendt** advised Finance Director Leiter is requesting the approval of the following supplemental appropriation ordinance for a net overall increase in the General Fund in the amount of \$48,100, and an increase in the Crisis Intervention Training Fund in the amount of \$90,000. This supplemental is for the following reasons:

A. General Fund:

- \$30,000: An increase of 2021 budget appropriations to account for rental storage expenses for the Fire Division. The City entered into a lease agreement for space to store various property and equipment. The lease includes a term of 24 months and commenced January 1, 2021 at a rate of \$2,300/month. The rental amount was not included in the 2021 budget and therefore an increase in appropriations to account for the lease payments is necessary.

- \$18,100: An increase of 2021 budget appropriations to account for an unexpected expense regarding an invoice dated April 20, 2019 received by the Police Division from a vendor in late December 2020.

B. Crisis Intervention Training Fund:

- \$90,000: An increase of 2021 budget appropriations to account for expenses related to the agreement with the County for assistance with cases involving addiction, mental health, etc. The City previously entered into a memorandum of understanding with the Montgomery County Alcohol, Drug Addiction and Mental Health Services Board for a period of 12 months in 2020, and again in 2021. The agreement provides for assistance to the City's Police Officers related to police calls involving mental health situations. The City invoices and receives funds from the County, and subsequently reimburses South Community for the same amount. Due to COVID-19, timing of the receipts of the invoices, and funds received from the

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County to reimburse South Community, the appropriations must be increased for years 2020 (\$45,000) and 2021 (\$45,000). There were no comments or questions during the public hearing. It was moved by Councilwoman Woods, seconded by Councilman Follick, to approve Ordinance 21-07 as an emergency. All members present voted yes. Ordinance 21-07 was approved 7-0 in an emergency reading.

Reports from Boards and Commissions:

Variance: Landscaping – 6425 Miller Lane (Culver's)

Mr. Wendt explained the purpose of this variance request is to allow a 10-foot wide screening between Culver's and New Life Worship Center, where a 30-foot wide screening is required. He noted if a fence or mound was proposed between the two properties, then a 15-foot wide screening would be required. Culver's has provided a landscape plan that, in their opinion, would enhance the existing landscaping and screening between the two properties and would be more visually appealing than a fence. The Board of Zoning Appeals voted 5-0 to recommend approval subject to two conditions. It was moved by Councilman Follick, seconded by Vice Mayor Ahlers, to approve the variance request as recommended by the Board of Zoning Appeals. All members present voted yes. The variance request was approved 7-0.

Variance: Drive-Through Facility– 6425 Miller Lane (Culver's)

Mr. Wendt advised the purpose of this variance request is to allow for a drive-through facility to be located in the front yard, where drive-through facilities are only permitted in the side or rear yard. This request is part of a proposal to demolish the existing building that formerly occupies Ruby Tuesday and construct a new Culver's Restaurant with a drive-through facility. Culver's has provided a landscape plan that, in their opinion, would minimize the visibility of the drive-through facility from the public right-of-ways. The Board of Zoning Appeals voted 5-0 to recommend approval subject to one condition. It was moved by Councilwoman Farst, seconded by Councilman

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Blakesly, to approve the variance request as recommended by the Board of Zoning Appeals. All members present voted yes. The variance request was approved 7-0.

Variance: Accessory Structure – 4511 Poplar Creek Road

Mr. Wendt explained the purpose of this variance is to allow for a 480 square foot addition to an existing detached garage in the front yard where detached garages must be located in the side or rear yard. He continued by noting the existing detached garage is 1200 square feet and was approved of a variance in 2006. The detached garage is located approximately 10-feet from the front property line adjacent to S. Brown School Road and the requested addition would reduce the setback to approximately 4 feet. The property has several topography challenges, which limits the location of where the accessory structure could be constructed. The Board of Zoning Appeals voted 4-0 to recommend approval. It was moved by Councilman Lewis, seconded by Vice Mayor Ahlers, to approve the variance request as recommended by the Board of Zoning Appeals. All members present voted yes. The variance request was approved 7-0.

Arts Council Minutes: January 19, 2021

Arts Council Draft Minutes: March 16, 2021

Civil Service Minutes: February 2, 2021

Civil Service Minutes: February 18, 2021

Civil Service Draft Minutes: March 3, 2021

Planning Commission Minutes: January 12, 2021

Council Comments:

Mr. Wendt recognized all City staff. He thanked them for their continued hard work and service to our community and concluded by saying that it is a pleasure to serve with them.

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Councilman Lewis commented on the American Rescue Plan funds and in anticipation of receipt of said funds he suggested staff research a quantitative strategy for some of the funds to be allocated to City of Vandalia businesses. **Mr. Wendt** advised **Councilman Lewis** he will work with Assistant City Manager Holloway to assemble a task force and report back to Council at the April 19 Council Study Session.

Councilwoman Farst began by concurring with Councilman Lewis' suggestion to allocate funds back to qualified City of Vandalia businesses. She thanked Mr. Wendt for the invitation to attend the Annual City of Vandalia Service Awards Luncheon. **Councilwoman Farst** shared she was honored to attend and noted there were twenty-three employees who were recognized with combined service years of over 420 years. She continued it was a very nice, uplifting event, and a tribute to the great employees the City has. **Councilwoman Farst** advised the audience they should have received a postcard requesting the residents to complete a survey related to Cassel Hills Pool. She noted the deadline has been extended to tonight at midnight and urged the community to go online and take the Cassel Hills Pool survey if they have not already done so.

Councilman Follick echoed Councilwoman Farst's comments related to the Annual City of Vandalia Service Awards Luncheon. He specifically recognized the number of City employees who were recognized for 25 or 30 years of service – there were seven. **Councilman Follick** continued by noting the fact that we have so many long tenured employees within the organization says great things about the City's history and management over the years. As he concluded this comment he congratulated all the employees who were recognized at the Service Award Luncheon. Next, he advised the audience the Police Department, for the month of April, was recognized by the

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Ohio Chiefs of Police and the Law Enforcement Foundation for a program Lt. Dan Swafford implemented last year, Endangered Adults and Children Program (EMAC). He congratulated the Police Department for this award. **Councilman Follick** mentioned he had a chance to review the annual water and sewer rate survey conducted annually, by the City of Oakwood. Vandalia is ranked the fifth lowest combined water and sewer rate out of sixty-three jurisdictions. He concluded by noting it is great to see our public water and sewer utility is being provided at an affordable price still keeping in mind that there are infrastructure challenges in the future.

Mayor Herbst thanked everyone for coming tonight and commented it is good to be back together in-person.

Executive Session - The purpose is to discuss negotiations with International Association of Firefighters (IAFF) as it relates to City of Vandalia full-time Firefighter-Paramedics.

No executive session was held during the Council Meeting.

The regular Council Meeting was then adjourned at 7:34 p.m.

APPROVED:

Richard Herbst, Mayor

ATTEST:

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Missy Pruszynski, Deputy Clerk of Council

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