

CITY OF VANDALIA
Council Study Session Minutes
Monday, July 19, 2021
5:30 P.M.

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

Others Present: Jerry McDonald, Daniel Wendt, Missy Pruszynski, Amber Holloway, Darren Davey, Bridgette Leiter, Kristen Carnes, Holly Wiggins, Chief Chad Follick, Chief Kurt Althouse, Lt. Ben Walker, Steve Clark, Rob Cron, Jeff Kreill, Lisa Wendt, Zak Karto, Mike Koehl

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Mayor Herbst called the meeting to order at 5:30 p.m.

1. Monday, July 19, 2021

A. Items on this evening's council meeting agenda

Mayor Herbst asked the Councilmembers is there is anything on this evening's Council Meeting to discuss. Councilmember Follick had various inquires related to Resolution 21-R-45 as it relates to the final design of the Vandalia Bikeway Connector. He specifically, inquired if the construction costs are greater than expected, will Five Rivers be willing to contribute to the additional costs. Mr. Wendt responded with confidence that Five Rivers will move forward with the current terms. Then, Councilman Follick had various inquires related to Resolution 21-R-41 as it relates to refuse collection and disposal. He specifically wanted to know in what year did Vandalia originally enter into a contract for services. Mr. Cron responded probably since the 1990s. Brief discussion was held. Councilman Follick shared that, tonight, he will not vote in favor of this resolution based on the quoted price and level of service the company is willing to provide to Vandalia residents as compared to neighboring cities. Further discussion was held regarding pricing and corresponding services within the Vandalia agreement as compared to neighboring communities. Mr. Wendt advised Council he would like them to consider approving the current agreement and, in the mean-time, he make direct contact with Rumpke and express the desire for said weekly single stream curbside service out of the 90 gallon toters at the first available opportunity.

B. Resolution 21-R-44 Montgomery County Community Development Block Grant Application for Helke Park Playground Equipment

Parks and Recreation Director Clark is requesting Council's authorization to submit an application to Montgomery County for Community Development Block Grant Funds for a Playground Structure and Safety Surface at Helke Park. The proposed project would include the demolition and removal of the current two playground structures and the installation of a new playground structure. The project also would include the addition of one swing set bay and will be ADA accessible and inclusive in nature.

C. Ordinance 21-20 Chronic Nuisance Amendment

Mr. McDonald explained this ordinance will amend Section 642.16 of the Vandalia codified in order to efficiently enforce nuisance activities within the City of Vandalia. In consideration of the recommendations of Chief Althouse and Chief Follic. He continued by recommending that the ordinance be modified to include the advertising of massage, relaxation massage, any other massage technique or method, or any related service with the suggestion or promise of sexual activity as described in Ohio Revised Code 2327.17 as in the criminal activity as a nuisance section of Vandalia Codified Ordinance 642.16, et al.

Additionally, Mr. McDonald advised Council he would like to discuss the possibility of adopting a hotel registration ordinance. He continued explaining this would require all hotels to obtain an annual City permit. There would be a \$100 permit fee for the original application and any renewal. The permit can be denied for several specific reasons, including, there being a pattern of criminal activity at the premises - including the property being a chronic nuisance, no Ohio hotel license, the property not in good standing with the City Tax Division, has outstanding orders from the fire division that have not been corrected; the annual calls for service ratio for the hotel/motel is equal to or greater than 1.2 per room during the past twelve month period; and the applicant or any owner of the hotel/motel has hindered or prevented any inspection of the hotel/motel authorized by the City's property maintenance code. Along with the ability to close a hotel by not renewing a permit, the City can revoke a permit for violations during the year. Naturally, the hotel owner has appeal rights. For example, in Englewood, they appeal to the Property Maintenance Board and pay a \$250 appeal fee. Decisions of that board are final, from a City stand point, and can be appealed to Montgomery County Common Pleas Court. The ordinance also provides that an action to deny, revoke, or suspend a permit may be stayed if the hotel owner agrees to

specific steps to remediate problems and list some the potential acceptable remediation steps such as: Completion of approved safety and security training, and/or training to identify criminal activity such as human trafficking; 24-hour presence of special duty uniformed police or qualified security; Installation of safety and security measures such as fencing, lighting, public space surveillance, etc.; Voluntary sharing of guest information with law enforcement; Voluntary participation in right-of-entry programs with law enforcement agencies; Implementation of minimum age of twenty-one for check-in for lodging properties; and Requirement of use of valid credit card at check-in, which is similar to the City's agreement with Knights Inn. Mayor Herbst indicated an interest in moving forward with this item. Councilman Follick shared that in Englewood this type of ordinance has worked out very well. He did inquire about the appeal process; specifically, asking if there is any problem with the appeal process being the City Manager when the employees issuing the action report to him. Mr. McDonald explained the initial appeal is to the City Manager; however, the ultimate appeal would be to an independent board that would be the deciding body.

D. Emergency Ordinance 21-17 Assessments

Finance Director Leiter advised this emergency ordinance assesses properties for delinquent accounts related to storm water fees, trash collection, weed cutting & sewer and water.

2. August 16, 2021 Items

A. Resolution Telephone Service Renewal

IT Manager Davey explained the City of Vandalia currently has Internet and telephony services with AT&T, Cincinnati Bell, and Spectrum. The contracts on these services have either expired or will expire in the next few weeks. In order to get competitive pricing for the services, the IT Department requested quotes from various vendors and consultants for services and published the RFQ to the city website. We received quotes from Cincinnati Bell and Metronet as well as quotes from Parallel Technologies and Granite Telecommunications, which are resellers that quote solutions from multiple vendors. After comparing each of the quotes, we would like to move forward with a multi-vendor solution. For our primary Internet service, we would like to switch from AT&T to Metronet, which will increase our speed by 6.6x at a cost of \$11,400/year an increase of only \$71.40/yr. For our backup Internet service, we would like to move the connection from the Justice Center to Station 1 and switch from Spectrum to

Metronet, which will increase our speed by 4x at a cost of \$1,559.40/yr, a savings of \$1,740.48 per year. For our alarm lines and backup phone circuits that utilize Plain Old Telephone Service (POTS), we would like to renew our contract with Cincinnati Bell, which is estimated at around \$7,497.00 per year. In addition, we would like to renew our Long Distance service with Cincinnati Bell, billed at \$0.03/min. For the city's primary inbound and outbound telephone circuit, we would like to switch from a Primary Rate Interface (PRI) to a Session Initiation Protocol (SIP), similar to Voice over IP (VoIP), moving away from Cincinnati Bell and switching to Granite Communications, at a cost of \$2,666.16/year, a savings of \$5,818.08/yr. These changes will result in faster connections at a much lower cost overall, allowing us to keep up with the increased demand for network speed and redundancy. Our estimated annual costs will go from around \$31,809.72/year to \$24,322.56/year for a savings of \$7,487.16/yr. Most of these services will be on a 36-month contract, resulting in a \$22,461.48 savings over the contract term. Since this project includes three different vendors, there will most likely be three separate resolutions. It is my recommendation to council to waive formal bidding and approve 36-month contracts for the respective services with Cincinnati Bell, Granite Communications, and Metronet. Mayor Herbst asked if all the contracts are the same term length. Mr. Davey responded in the affirmative. Then Mayor Herbst inquired if our system can handle the increase in speed. Mr. Davey responded in the affirmative. There was no further discussion.

B. Resolution VDC Donation in the amount of \$25,000

Assistant City Manager Holloway is requesting Council authorize a donation of \$25,000 to the Vandalia Development Corporation. She noted, if approved, this donation will bring the total donations in 2021 to \$50,000, or 50% of the budgeted amount.

C. Resolution Highway Rock Salt

Public Service Director Cron advised the City participates in the Southwest Ohio Purchasers for Government (SWOP4G) purchasing consortium for the bidding of highway rock salt. SWOP4G recently received bids on behalf of 86 entities. Mr. Cron shared the City received six bids with Cargill, Inc. providing the lowest and best bid of \$56.82 per ton, for up to 2,000 tons. This price is \$10.00 per ton more than last year's bid.

D. Resolution: Foley Drive Phase II OPWC Application

Mr. Cron explained and requested Council's authorization to submit an application, this year, for the second phase of the Foley Drive Reconstruction which runs from Bristol Drive to North Brown School Road. The project will also include Enola Drive which runs from Foley Drive to Robinette Park. This will be a complete reconstruction of Foley Drive and Enola Drive including curbs, subbase, asphalt, drive approaches, watermain, sanitary sewer and storm sewers. The preliminary engineer's construction cost estimate for the project is \$967,500.00. He noted staff will be performing the survey, engineering, contract administration and inspection for this project in house and those estimated in-kind costs of \$30,000 are part of the overall cost and the local match for the project. The application will request a total project cost in the amount of \$997,500; additionally, the application will be requesting funding for 50% of the project with 25% being in a grant and 25% in a 0% interest loan. Brief discussion was held about various funding options and how the project relates to the current capital budget. General discussion occurred about other current and planned projects.

Discussion

A. Removal of Damaged Structure on Private Property

Mr. Cron advised Council the City has been authorized through a court order to remove or have removed a structure, an attached garage, at 7359 Little York Road. Late in 2017 a tree fell on this garage caused significant damage and made the structure unsafe. Through many attempts to get the property owner to remove the structure via our property maintenance code we ultimately obtained the court order. Staff contacted multiple contractors for proposals for the demolition of the structure, to disconnect the electric, and to secure the breezeway that connects the garage to the house. He explained only one contractor submitted an estimate due to the complications involved in the project and the inability to enter the property and to inspect the structure themselves. The estimated cost for this work is \$16,843.14 with a potential additional cost of \$1,500 if the small bridge on the property will not support the use of roll-off dumpsters. I am recommending that we authorize a supplemental appropriation to the 2021 budget of \$18,343.14 to cover the cost of removing the unsafe structure from this property. The property owner will be invoiced for this work and this amount will be assessed to the property taxes if not paid. The contractor is estimating the work to take place in late August.

B. Sports Complex Asphalt Maintenance Project

Mr. Clarks advised the Capital Improvement Budget has \$30,000 allotted for an asphalt maintenance project at the Sports Complex. Staff disseminated request for proposals to four companies and received two proposals – one from A to Z Asphalt and the other from Vandalia Blacktop & Sealcoating. Parks and Recreation Director Clark is recommending to award a contract to A to Z Asphalt of Vandalia, Ohio as the lowest and best bid in the amount of \$15,632. He reminded Council, a portion of the funds for this project were allocated to cover the overage on the Parks Garage Fuel Tank replacement project (\$4,033), the Public Works Department agreed to complete a portion of the paving maintenance work at the Sports Complex (main drive near volleyball courts and baseball path junction), which allows the Parks and Recreation Department to complete all necessary work in the Sports Complex Asphalt Maintenance Plan for 2021.

C. Cassel Hills Pool

Mr. Wendt shared updates on areas of public concern at Cassel Hills Pool. He shared that staff continues to work with SwimSafe on various issues and concerns at Cassel Hills Pool. He continued explaining that he and staff sat down with SwimSafe and had a very productive, honest meeting. It was determined that police officers will establish a presence on a daily basis, improved best practices, video surveillance signage, the need to be more strict enforcement of rules and other steps to eradicate unwanted behaviors. Mr. Wendt advised Council staff is seeing improvement in behaviors and how the situations are being handled. There were no comments or questions from Council.

D. Financial Reports for June 2021

Cognizant of Council's duty to monitor the City's financial activity, Mayor Herbst introduced Mrs. Leiter to timely provide financial information for Council's review and analysis. Mrs. Leiter reminded council the financial reports were previously provided in their council packets. She began by reviewing the General Fund Revenues explaining Year-To-Date June 30, 2021, overall Income tax revenue is up 15.54% (\$1,297,342) from 2020. Withholding tax is up YTD 6.27% (\$411,647); individual tax up YTD 53.67% (\$374,322); Business net profit tax up YTD 46.95% (\$511,373). The amount of income tax revenue budgeted for 2021 is \$16,995,000. The amount collected YTD was \$9,646,128. Therefore, the amount collected to date (57%) in 2021 is approximately 7% (\$1,148,628) higher than where we expected we would be through June based on the budgeted amount (\$16,995,000 x 50% = \$8,497,500). However, with the due date changes in 2020 and 2021, the comparison between years will be skewed until August. Mrs. Leiter shared the

Intergovernmental due to the timing of ED/GE grants received; Licenses, Permits, and Fees revenue is down due to a decrease in construction and electrical permit revenues; and, Other Revenue is down Year-To-Date due to a decrease in interest revenue received, and sale of the fire station in 2020. Next, she shared the General Fund Expenditures Year-To-Date expenses are up; however, due to COVID-19, and the receipt of CARES Act funds in 2020, we reduced personnel expenses as an offset, which explains most of the increase in 2021 vs 2020. Then she reviewed the Cost Recovery data for the Golf Course, Recreation Center and Cassel Hills Pool.

Mrs. Leiter advised Council the Golf Fund revenues are up YTD and Golf Fund expenses are up YTD due to an increase in personnel and contractual expenses (mower repairs and expenses related to a pressure relief valve pump) and increase in miscellaneous materials and supplies. She noted that this is the first time in many years the fund has not been in the red. Mrs. Leiter continued sharing Water Fund revenues and expenditures as well as the Sewer Fund revenues and expenditures in detail. She reminded Council the time is nearing wherein staff will need to conduct a rate study to determine all of the utility rates moving forward.

Councilman Follick referred to the Cost Recovery report and inquired if it would be possible to add a column for the 2019 expenses since the 2020 numbers are skewed due that being a pandemic year.

Then, Mrs. Leiter reviewed the debt schedule in detail and the purchasing card balances. After that a brief discussion was held, question and answer session took place, and then Council indicated their approval of all reports.

Additionally, Vice Mayor Ahlers inquired about the progress of the new software. Mrs. Leiter explained that staff is definitely getting more familiar with the software as time goes by; however, it will be a while before the savings are yielded. As well, the finance department is currently very short staffed and in spite of that her staff is working very hard. Mayor Herbst called for additional comments or questions. There were none.

E. 60 Day Calendar

Mayor Herbst solicited comments or questions on the 60-Day Calendar. Mr. Wendt requested Council consider changing the August 16 Council Meeting to August 23. He indicated he would normally have Assistant City Manager Holloway administer the

meetings; however, he anticipates some important discussions with regard to economic development for which he would strongly like to be here for. Mr. McDonald added the summer schedule is set by resolution and if Council does decide to reschedule the meeting it will need to be done by resolution.

F. Executive Session -

At 6:44 p.m. Mayor Herbst advised the audience Council will adjourn to Executive Session to discuss and consider the possible purchase of property and to discuss and consider the employment, discipline, promotion, or compensation of a public employee.

Adjournment to Executive Session

It was moved by Councilman Follick, seconded by Councilwoman Farst, to adjourn to Executive Session to discuss and consider the possible purchase of property and to discuss and consider the employment, discipline, promotion, or compensation of a public employee. Councilman Lewis voted yes, Councilwoman Woods voted yes, Councilman Blakesly voted yes, Councilwoman Farst voted yes, Councilman Follick voted yes, Vice Mayor Ahlers voted yes, and Mayor Herbst voted yes. Motion passed 7-0. City Manager Wendt advised there will be no further Study Session business following the Executive Session as the Study Session will adjourn when Council exits the Executive Session.

The Executive Session concluded at 7:03 p.m. there was no further Study Session business and the Study Session was adjourned.

The study session was adjourned at 7:03 p.m.

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