

CITY OF VANDALIA
Council Study Session Minutes
Tuesday, September 7, 2021
6:00 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: Katie Wahl, Daniel Wendt, Missy Pruszynski, Amber Holloway, Darren Davey, Bridgette Leiter, Chief Chad Follick, Rob Cron, Zak Karto, Cynthia Doogan, Rob Cron

Remote Audience: Kristen Carnes

Join Zoom Meeting

<https://us02web.zoom.us/j/81116877292>

Meeting ID: 811 1687 7292

One tap mobile: 1-646-558-8656, 81116877292#

Mayor Herbst called the meeting to order at 6:00 p.m.

1. Tuesday, September 7, 2021

A. Items on this evening's council meeting agenda

Mayor Herbst asked the Councilmembers if there is anything on this evening's Council Meeting agenda to discuss. Councilman Follick inquired about Ordinance 21-23 Section 878.06 Appeals, Hearing, and Remedy Process part (a) if the correct appeal board is the Property Maintenance Review Board and if there is a more appropriate board or committee. Brief discussion was held. Mr. Wendt recommended the proper board would be the Board of Zoning Appeals Board. Ms. Wahl advised Council, during tonight's Council meeting, two motions on Ordinance 21-23 will be required. One motion to amend the legislation and a second motion to approve the ordinance as amended.

B. Meet and Greet with Vandalia Arts Council Applicant Ms. Cynthia Doogan

Mayor Herbst explained an application for appointment to the Vandalia Arts Council from Ms. Cynthia Doogan has been received and Ms. Doogan is with us this evening. He called upon the applicant to share a little bit about herself and why she would like to be appointed to the Arts Council. Ms. Doogan shared information about her history in Vandalia, her family and her desire to serve on the Arts Council; specifically, she would like to increase the involvement of children in local arts. Mayor Herbst asked Council if there were any comments or questions for Ms. Doogan. There were none. Mayor Herbst thanked Ms. Doogan for her interest in serving the community and

advised her that Council will vote on the appointment at the Monday, September 20, 2021 Council Meeting.

C. Action Item: Designate Community Reinvestment Area Housing Council Member Mr. Matthew Bauer

Mr. Wendt advised although Mr. Bauer is currently a member of the CRAHC, they will need to officially designate Mr. Matthew Bauer as City Council's designee to the CRAHC in accordance with Resolution 88-R-30. There were no further comments or questions.

D. Resolution 21-R-59: Opioid Settlement

Ms. Wahl reminded Council this resolution is related to the litigation against certain opioid pharmaceutical distributors for their part in creating what has been referred to as the opioid crisis. In order to meet certain filing deadlines, the City of Vandalia previously filed its affirmation of the adoption of the One Ohio Memorandum of Understanding relating to the allocation and the use of the proceeds of any potential settlements. The passage of this resolution ratifies that filing and affirms that the City of Vandalia is willing to be included in and abide by the proposed settlement and distribution amount.

2. **Monday, September 20, 2021**

A. Resolution: Northeast Airport Logistics TRAC Project

Mr. Cron advised the Montgomery County Engineer's office has been awarded TRAC (Transportation Review Advisory Council) Funding for the Engineering and Design of Improvements to a portion of the roadway system to the north and east of the Dayton International Airport. He said the roadways include Lightner Road, N. Dixie Drive and Northwoods Boulevard. The total estimated engineering cost is \$3,164,000. TRAC has approved 80% of this cost or \$2,531,200 with the remaining amount to be paid with local funds. Mr. Cron advised Montgomery County has requested that the City of Vandalia share in the local cost of engineering by a percentage based on the length of the project within the City. By this method our share of the local match would be 30% or \$190,056 based on the estimate with Montgomery County's share being \$442,744. The total cost of the project including engineering is estimated around \$20,600,000. Montgomery County will again apply for TRAC Funding for the construction costs once design is in progress. Additionally, the County and the City will seek other funding possibilities. The City of Vandalia did

have the portion of Northwoods Boulevard that is included in this project as part of our 5-year Capital Improvement Plan, which is scheduled to be designed and built in 2024. We estimated \$1,200,000 for construction and \$100,000 for engineering. Our project did not include the signal upgrade that would be part of the TRAC project. He recommended the City enter into the agreement with Montgomery County and to partner in this project as it is a great opportunity to leverage dollars that we were already scheduled to spend. As well, the City will have the opportunity to participate in a much larger and more impactful project that will benefit us greater in the long run. General Discussion was held about when the project would begin, the specific route and how truck traffic will be mitigated. Councilman Follick asked about the signal upgrade and if all the traffic signals will match. Mr. Cron responded in the affirmative. Councilman Follick inquired if, for some reason, we do not receive said federal funding, and we end up getting the TRAC funding if it will be the same 30% match for the project. Mr. Cron explained the process in detail by which Montgomery County estimates the cost and advised it would probably end up being more like 34%.

B. Resolution: Proposal for Income Tax Collection – Village of Lewisburg

Mrs. Leiter explained the City of Vandalia is able to gain additional revenue by collecting income tax for the Village of Lewisburg without increasing current staffing. Recently, the Village of Lewisburg contacted the City of Vandalia to request services to enter into an agreement to provide and administer income tax collection on behalf of the Village. The proposal includes one-time set up costs, estimated annual license fee expenses and a monthly service fee of which will be increased annually by 5%. The estimated number of accounts is approximately 1,000, and the amount of additional revenue to be received by the City is \$35,500, with an annual increase of 5%. The workload for this project can be absorbed by current personnel without adding additional staff. Staff recommends that we enter into a contract to collect the local income tax for the Village of Lewisburg. The contract would provide additional revenue to the City, with minimal collection costs. Brief discussion was held regarding the feasibility of the agreement and which communities Vandalia currently provides said services.

3. Discussion

A. 60 Day Calendar

Mayor Herbst solicited comments or questions on the 60 Day Calendar. There were none.

Councilman Follick asked if the two appointments, on tonight's Council Meeting agenda, to the Community Reinvestment Area Housing Council, are being designated as Council's designee. Mr. Wendt responded in the affirmative. Councilman Follick inquired about the other CRAHC members and how will their appointments be officially designated in accordance with Resolution 88-R-30. Mr. Wendt explained the process for the designation of each of the remaining members. Councilman Follick asked if the members are required to be Vandalia residents. Mr. Wendt advised the only members who are required to be residents are those who are appointed by the CRAHC.

Councilman Blakesly inquired about Budget Workshop dates. General discussion occurred; Mr. Wendt specifically noted he has a new approach to the budget workshop process. Mr. Wendt advised he has the dates drafted and will have them added to the 60-Day Calendar.

Mr. Wendt reminded there are changes in the open meetings law legislative changes as it relates to remote attendees. He shared the City of Vandalia is committed to transparency and open meetings and will continue to broadcast city council meetings via the Zoom meeting app. He reminded Council that at the last meeting Mr. McDonald advised, due to changes in Ohio's Open Meeting Laws, participation in, and comments regarding, any public hearing matter scheduled for this meeting will be only permitted by persons physically present at the meeting. No comments on public hearing matters will be allowed by people participating electronically through Zoom. Council will permit general comments from participants on the Zoom app - unrelated to public hearing matters, during the Comments from Interested Citizens portion of the meeting. Mr. Wendt solicited Council's thoughts on this new law and specifically asked if they would like to allow the comments as the change in the law will require quite a bit of hall monitoring. Discussion was held and Ms. Wahl explained the background of the law and advised the law director's recommendation being that community members may view via remote access, but will not be able to comment at all. She continued by explaining not only is it harder to patrol remote attendee comments, but it is also more difficult to have them stick to the item; additionally, if there is a question about whether or not the person is a resident, if they are physically present, they can

show identification to ensure that they are eligible to speak. If the person is viewing remotely, we do not have the ability to ensure the identity of the person speaking. Discussion continued about the pros and cons of the legislative change. Then, Council indicated a preference to stand behind the Law Director's recommendation and indicated a desire to have the changes disseminated to the public as soon as possible.

4. **Executive Session** – No Executive Session was held.

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