THE BLUE LETTER



333 James E. Bohanan Drive • Vandalia, OH 45377 • (937) 898-5891

March 18, 2022

Honorable Mayor Herbst & Esteemed City Councilmembers:

Welcome Public Works Superintendent Walter Ritchie III! I am pleased to announce that after a competitive process consisting of an exercise designed to evaluate computer use, writing competencies, and the ability to communicate during a simulated public emergency; two extensive structured oral interviews with different panels; a leadership, personality, and critical thinking assessment by a professional industrial psychology firm; a ride along with Police Chief Althouse; a working lunch interview with Director Cron, Director Clark and Superintendent Wells; and an extemporaneous speech on a public works topic - I have appointed Mr. Walter Ritchie III to lead our Public Works Division as the next Superintendent. Mr. Ritchie has more than 20 years of progressively responsible public sector experience in construction and numerous trades; streets, parks, right-of-way, and facility maintenance; and water, wastewater, and storm water utility provision. Superintendent Ritchie is well-respected by his peers for his work ethic and high standards. I had the pleasure of working with Mr. Ritchie at the City of Norwalk where he managed the General Services Department, which is similar to and is larger than the City of Vandalia Public Works Division. Mr. Ritchie is a deep thinker who is committed to process improvement and leveraging technologies to gain efficiencies and heighten service levels. In all cases, he is a worthy successor who will bring pride to the community and build upon the tradition that was set by retired Superintendent Steve Nickels. No one is more excited for Mr. Ritchie to start work than Public Service Director Rob Cron who has been filling both roles since January 1. I would like to thank PW Technician Supervisors Hopping and Busse for their leadership and extra effort during the transition. Superintendent Ritchie will report for work on Monday, March 21, and I plan to introduce him at the 7 pm City Council meeting. I have enclosed Mr. Ritchie's cover letter and resume.

General Updates: This week, I met with leadership from the Ohio Department of Transportation to exchange recruitment ideas, to discuss signalization at I-75 and Northwoods Blvd., and to brainstorm about ongoing efforts to mitigate the negative effects of commercial truck traffic in Vandalia. I also met Metronet President and CEO Dave Heimbach and his leadership team to talk about the impact of fiber



on the local economy. I worked with several exciting business prospects and hope that we will have some great announcements in the coming months. In addition, I was named a Paul Harris Fellow at the Vandalia Rotary Club. Finally, I am honored that the members of the Ohio City / County Management Association have voted for me to join the Board of Directors later this year when Cincinnati's assistant city manager and Dublin's city manager leave the

board. Vandalia will be well-represented as there are only seven board seats for the whole state and ACM Holloway is entering her second year on the board.

Reduction of Fuel Consumption: As a result of rising gas and diesel prices; Chief Althouse, Chief Follick, and Director Clark have issued memoranda to their respective departments in order to reduce taxpayer expenditures relating to fuel costs (enclosed).



Infrastructure Article – Dayton Daily News: I have enclosed an article from the Dayton Daily News on the City's roof, HVAC, and infrastructure project. Thank you for protecting the public's investment while leveraging economies of scale to lock in good prices for more efficient systems.

Parks & Recreation Master Plan – Dayton Daily News: The City continues to receive favorable coverage relating to the master planning process (article enclosed). A video recording of the recent virtual community event is on the City Website (LINK).

Vandalia City Center Zoning Overlay: I will be attending the Planning Commission meeting this week to discuss the Vandalia City Center Overlay. Although not required by code, letters were sent to all property owners (sample and map enclosed) and the image to the right was shared on social media platforms.

In a recent study session, we discussed establishing the Vandalia City Center Overlay zoning district as one of the many initial steps that we are taking to catalyze the mixed-use development that is called for in the 2020 Vision Vandalia Comprehensive Plan. <u>Under this proposal, property owners will be able to continue the current uses on their properties.</u> The establishment of the overlay is an intermediate step that is necessary to prevent sub-optimal development while the City leads a community-wide master planning process that will eventually yield



Center Overlay (VCCO) is a proposed change to the City's zoning map that would serve to guide future development and redevelopment.

The establishment of an overlay district is an initial step in the 2020 Vision Vandalia Comprehensive

The 2020 Vision Vandalia Plan re-imagines Downtown Vandalia along Dixie Drive as a mixed-use district of retail, restaurants, office, open space, with a variety of housing options and



interconnected spaces for gathering. IMPORTANT

If you own a property inside the VCCO district, the proposed change **WILL NOT** impact the current use of your property.

LET'S TALK ABOUT IT!

The VCCO will be the subject of a public hearing at the Vandalia

Tuesday, March 22, at 6 p.m. Vandalia City Council Chambers 333 James E. Bohanan Memorial Drive

The meeting will also be broadcast via the Zoom app Call (937) 898-3750 to request log-in information.





permanent zoning modifications. In brief, our strategy for realizing the downtown development goals in the comprehensive plan include:

- 1. Create and seed Job Creation and Revitalization Fund and Program;
- 2. Establish and implement Vandalia City Center Overlay Zoning District;
- 3. Conduct professional market study to determine the types of restaurants, retail, commercial, and residential development options that would be successful in the area;
- 4. Assemble Downtown Blue-Ribbon Committee of stakeholders, property owners, businesspeople, and residents;
- 5. Conduct Downtown Master Plan;
- 6. Establish and implement in-depth and permanent zoning code modifications based on the Downtown Master Plan; and
- 7. Drive mixed-use development through strategic collaboration between property owners and developers.

Please let me know if there is additional information if you would like any prior to this item coming back to City Council.

Voluntary Well Sampling – PFAS Contamination: Matt Hilliard, the Director of Environmental Services for Montgomery County, informed me that the County will be sending out letters to 16 Vandalia property owners relating to an investigation that Montgomery County, the Ohio Department of Health, and the Ohio Environmental Protection Agency are conducting to understand the possible extent of polyfluoroalkyl (PFAS) groundwater contamination in the area. Sampling is free and is not required. I have attached a map which shows the recommended sampling area in red and includes the properties west of Dog Leg Rd.

The City is not party to this sampling effort. I have enclosed a sample letter and the map of the sampling area.

Background and Status Relating to Municipal Water Provision

The City of Vandalia conducted an engineering study to extend water and wastewater utilities to the areas east of Dog Leg Rd. (Phase I). The engineer's estimate is approximately \$5.1 million and debt service would likely be paid over 15-20 years from utility revenues, tax increment financing (while making the schools whole) and fees related to development. As this debt is related to enterprise funds, it is not rivalrous with other general obligations (e.g., general fund). Phase I of the project will not reach the recommended well sampling area. The Phase I utility expansion is designed to accommodate capacity west of Dog Leg Rd. to the corporate limits (i.e., Phase II - pending development and need).

At an upcoming study session, I will present the scope of the Phase I project, costs, and financing mechanisms. With your approval, I will request that we will go out to bid for Phase I of this project in the spring with construction beginning in the fall and wrapping up next year.

I do not have a timeline for Phase II but wanted to provide adequate background information in case you receive a call from a resident.



Concealed Carry and SB 288 Criminal Justice Omnibus: Earlier this week, Chief Althouse shared some information regarding changes to concealed carry regulations and the SB 288 Criminal Justice Omnibus. I have enclosed it for your reference.

Crime Statistics: I have enclosed crime statistics for February 2022. It is worth noting that over 86% of the calls for service are initiated by the Vandalia Police Division responds to nearly

Study Session

Monday, March 21, 2022, Items

- 1. Verify items on the agenda.
- 2. Action Item: Ohio Department of Liquor Control / 3119 Little York Road Ohio Department of Liquor Control has notified the city of a request for a license transfer from Creatif Catering, Inc. to Bolkem Event Décor & Rentals, LLC. DBA Grandeur Events Center located at 3119 Stop Eight Road. The Division of Police does not object to the transfer and does not recommend a hearing.
- 3. **Emergency Ordinance 22-10: Assessments** This emergency ordinance assesses properties for delinquent accounts related to storm water fees, trash collection, and delinquent sewer & water.

Monday, April 4, 2022 Items

1. **Resolution:** Thermal Imaging Camera – The Division of Fire continues to look for ways to "Sharpen the Saw" through its application of technology. The 2022 budget includes \$35,000 to replace and upgrade thermal imaging cameras, which are used public emergencies. This capital improvement project will provide a thermal imaging camera for every riding position on the ladder truck and engine. This project also provides thermal imagers for Medic 2, the "fire medic", assigned to structure fires, and generally designated as the rapid intervention team (RIT) who would be the first to respond to a mayday call on the fireground. Having a camera at their disposal means that they are immediately deployable to a downed, trapped, or missing firefighter. The following quotes were received:

Vendor All American Fire Apparatus	Total Cost of the Project \$31,976.00
Phoenix Safety Outfitters	\$32,900.00
Citizens First Fire Training	\$35,661.52

Based on the competitive quotes, I recommend that City Council waive formal bidding to allow for the purchase of thermal imaging cameras (and associated equipment) from All American Fire Apparatus for the quoted amount of \$31,976.00.

2. Ordinance: PUD Preliminary Plan / 3330 Mulberry Road / 11 Acres Across from Copperfield: The Applicant, DDC Management, has submitted an application requesting a Planned Unit Development (PUD) Preliminary Plan for a single 11-acre parcel located at 3330 Mulberry Road. The Applicant is



proposing to construct 87 owner-occupied attached townhome units in both two-unit buildings or three-unit configurations on the site with a density of 8 units per acre. This proposal is consistent with the 2020 Vision Vandalia Comprehensive Plan. The Planning Commission voted 4-1 to recommend approval of the proposed Preliminary Planned Unit Development Plan with the following conditions:

- Mulberry Road Right-of-Way is improved in accordance with city code section 1234.09(F)
 "Responsibility for Thoroughfare Improvements" east of their entrance to ensure the city has
 infrastructure in place for future development.
- Instead of Mulberry Right-of-Way improvements made west of their entrance, a vegetative screen with a variety in evergreen trees along the Access Road Ramp to better increase sound damping for this community and surrounding areas.

Please consider the following notes relating to the proposed developments:

Resident Concern: School Enrollment

To build trust and confidence, I have spoken or corresponded via email with some residents in the area to understand the concerns they may have. Residents near the proposed developments have raised concerns about crowding in the Vandalia Butler City School District. Superintendent O'Leary and I have discussed the concern on two occasions. I have enclosed a table detailing the matriculation from 2012 to present and forecasting enrollment into 2027. You may recall that during our joint meeting between the City, VBCSD, and Butler Township; that the school district encouraged residential construction. From 2012 to present, enrollment has dropped by 18.47%. The school district forecasts that enrollment will decline from 3,313 in 2012 to 2,591 in 2027 – a 21.79% decrease. The last US Census showed that Vandalia population shrank for the first time – ever. Projections that have been provided to the City by Pros Consulting for the Parks & Recreation Master Plan show that the City's population will likely remain consistent – and that the population will be slightly older on average – resulting in fewer student-age residents.

Resident Concern: Noise Abatement

The Ohio Department of Transportation has indicated that its policies exclude this proposed development from ODOT funded noise abatement. Instead, ODOT has stated that noise abatement could be achieved through private construction and funding of a noise barrier on private property (at an anecdotal estimate of \$1,000,000 per mile) or through the construction of earthen berms that would be the responsibility of the developer. This is an important long-term consideration. Please note the relatively short length along Airport Access and exit ramp from I-70 compared to the subsequent development that could take place along I-70 over decades. In this case, it is worth debating whether Council's directives may influence subsequent developments and pressure for Council to fund noise abatement measure after-the-fact in the future.



- 3. Resolution: Public Works Asphalt Purchase Bids were opened publicly for the asphalt purchase on Tuesday March 15, 2022. Two asphalt suppliers submitted bids for the purchase of asphalt. Valley Asphalt was the low bidder with prices of \$72.00/Ton for Type II Base Asphalt and \$74.00/Ton for Type I Surface Asphalt. I recommend awarding the bid to Valley Asphalt as the lowest and best bidder at their bid price of \$72.00/Ton for Type II Base Asphalt and \$74.00/Ton for Type I Surface Asphalt.
 - This bid is for asphalt to be purchased and used by the Public Works Division to patch and to make repairs including utility repair holes such as water main breaks. \$40,000 is appropriated for asphalt purchases in the permissive tax fund. \$20,000 is appropriated for asphalt at Cassel Hills Golf course for cart path resurfacing. This work will also be performed by the Public Works Division. This purchase aligns with the City's *Enhance Infrastructure* policy goal by making these improvements to our roadways and golf course. The specifications allow us to purchase up to these amounts. The City is not required to purchase any specific amount and will only pay the unit cost based on consumption.
- 4. Resolution: Resurfacing Bids Bids were publicly opened for our Annual Street Resurfacing Project on Tuesday March 15, 2022. Two sets of specifications were issued, and both contractors submitted bids for the project. Bids ranged from \$1,059,893.42 to \$1,094,157.42. Our estimate for the project was \$995,000. This project along with our curb and sidewalk replacement project is a major part of the City's Enhance Infrastructure policy goal. I recommend awarding the contract for this project to John R. Jurgenson Company as the lowest and best bid at their bid price of \$1,059,893.42. John R. Jurgenson has performed our street resurfacing many times in the past years and we have had no issues with them. This amount combined with our concrete repair project total \$1,442,800.42 to be used for improvements on our roadways this year. We have a total of \$1,300,000 appropriated in the 2022 Capital Improvement Budget for concrete repairs and street resurfacing. The remainder of these costs will come from American Rescue Plan Act funds that have been designated for roadway improvements.
- 5. **Resolution:** Decorative Fencing / National Road and I-75: Bids were publicly opened for the Installation of a Decorative Fence to replace the chain link fence at the northwest quadrant of I-75 and National Road on Tuesday March 15, 2022. Nine contractors took out bid packages and six contractors submitted bids for the project. Bids ranged from \$120,037.50 to \$213,458.20. Our estimate for the project was \$130,000. This project meets the City's Enhance Infrastructure and Vibrant policy goals as this will be a great addition to one of the City entryways. The fence will match the fence in the southwest quadrant near McDonalds that was installed back in 2011. I recommend awarding the contract for this project to Buckeye Fence Builders as the lowest and best bid at their bid price of \$120,037.50. We have \$150,000 appropriated in the 2022 Budget for this project.
- 6. Variance: Fence in Front Yard / 22 Ranchview Drive The Applicant, Rick Turner, Diamond Z Engineering, has requested a variance on behalf of True North Energy LLC, property owner, to allow for the construction of an 8' vinyl fence within the front yard at approximately 32' from the right-ofway. The Board of Zoning Appeals voted 4-0 to recommend approval to allow for the construction of an 8' vinyl fence within the front yard at approximately 32' from the right-of-way with one condition.
 - 1. The vinyl shall be a complementary color to the building, such as beige. White or Black shall not be used.



7. **Resolution: Art Park Restroom Building** – I request and recommend that Council waive the formal



bid process and award the Art Park Restroom Facility project to Vancon General Contractors as a design build project. Funding for the restroom building will come from 2021-2022 American Rescue Plan Act funds for this project. As part of the project, Vancon will provide a turnkey scope of work to include design, fabrication and installation of a men's/women's restroom building that is ADA compliant in the Art Park. Vancon prepared drawings and specifications for a restroom building and

submitted a proposal that includes a project scope that encompasses project management, on-site supervision, scheduling of trades and all sitework (earthwork, storm systems, sanitary sewer, water service, electric service, concrete foundation and exterior, masonry, carpentry) at a cost of \$247,888. The design includes a women's restroom with three partitioned toilets and two sinks and a men's restroom with one partitioned toilet, two toilets and two sinks (see attached floor plan). The Vancon design and proposal also includes a concrete walkway perimeter and connection to the current pathway. Some exterior features of the restroom building include a metal roof, composite siding with stone wainscot, a drinking fountain, exterior hose bibs, exterior lighting and exterior receptacles (see attached facility renderings).

Based on the information presented, I am requesting Council waive the bid process and award a design build contract to Vancon General Contractors of Vandalia, Ohio for the Art Park Restroom Building Project at a cost not to exceed \$250,000. Thanks for your time and consideration.

Discussion Items

1. Recreation Center Scoreboards Replacement / Under \$25,000 – I request and recommend for the City of Vandalia to enter into a purchase agreement for the replacement and installation of scoreboards in the gymnasium at the Vandalia Recreation Center with Nevco Sports, LLC. The project will include the purchase of four wireless digital scoreboards, installation and freight. The 2022 capital budget includes \$16,000 for this project. The current scoreboards are original to the facility and are no longer functioning properly due to outdated equipment (controllers and receiver kits). Recreation Center Facility Manager Alicia McCracken requested proposals from three scoreboard manufacturers, receiving a quote from two:

Nevco Sports, LLC of Chicago, Ill. - \$13,563.92

Daktronics, Inc. of Brookings, SD. - \$17,562.00

All American Scoreboards of Pardeeville, WI - No quote submitted.

Based on the proceeding information, I am recommending approval to enter into a purchase agreement with Nevco Sports, LLC of Chicago, Ill at a cost of \$13,563.92 for the Recreation Center Scoreboard Replacement Project.

2. **Firewall Annual Support / Under \$25,000** - As the City's firewalls are critical to the security and operation of the organization, the firewalls require annual support and maintenance agreements for continued, safe operation. The FortiGate firewalls are the first line of defense against hackers, viruses, and related attacks. The city utilizes Cadre as our vendor for network security and related



services. Due to the sensitive nature of the equipment, we would like to continue utilizing Cadre for such services. The cost of the annual renewal through Cadre for our FortiGate Firewalls is \$11,437.56, covering the term from 6/24/2022 through 6/23/2023.

- 3. Part-Time Pay Plan In an attempt to Sharpen the Saw and to continue to enhance the Vibrant aspects of our organization and community I am recommending that Council consider amendments to the city-wide part-time pay plan. Part-time labor is cheaper than full-time labor. Prior to seriously considering modifications to full-time staffing structures, I propose that the City address part-time compensation and conduct aggressive recruiting to fill vacant posts. Staff has researched various part-time wages in the region. A market adjustment is necessary to be competitive with other regional part-time wages and to attract and to retain exceptional part-time employees who will genuinely contribute to shaping Vandalia into a top-tier suburb. I have enclose the proposed part-time pay plan and exhibits.
- 4. **January and February Financial Reports** Mrs. Leiter will deliver the January 2022 and February 2022 financial reports.
- 5. **6o-Day Calendar -** The calendar is included in your packets for your review.

Monday, March 4, 2022 Council Meeting

Resolutions

- 1. Resolutions 22-R-23 and 22-R-24: Purchase Five Yard Dump Truck This item will require two resolutions, one for the cab & chassis and another for the upfit equipment. We currently have a total of 4 single axle dump trucks and 3 tandem axle dump trucks. For snow & ice operations we use all single axle and 2 of the tandem axle trucks. The remaining truck is used for hauling spoils from water main breaks, hauling gravel and other general use purposes through the winter. Our six snow & ice vehicles are responsible for clearing over 210 lane miles of roadway during the snow & ice events. Keeping our fleet current and dependable plays a major role in meeting the **Safe and Secure** city wide policy goal. The dump trucks are used throughout the year on a daily basis moving spoils, hauling brush, gravel, asphalt and general maintenance. The City purchased two single axle and two tandem axle trucks in 2014 because we were behind on our replacement cycle. Service Director Cron is recommending the city revert to staggering the replacement as to not have such a huge expense in any one year. The Cab & Chassis for proposed truck is available at the State of Ohio contract price of \$91,410.46 from Rush Truck Centers of Vandalia. The Upfit with snow & ice equipment is available at the Sourcewell cooperative bidding price of \$130,007.00 from K. E. Rose Company. I recommend we purchase the Cab & Chassis from Ruch Truck Centers and the Upfit w/Snow & Ice Equipment from K.E. Rose Company at the respective prices. The total purchase is \$221,417.46 which is \$1,417.46 over the amount appropriated. Staff plans to cover the funds from an excess of money budgeted for the message boards, \$5,534.00. This will cover the \$1,417.46 over expenditure for these two items. Finally, staff will also request the that Council declare the current 2008 truck surplus and dispose of on Gov-Deals.
- 2. **Resolution 22-R-25 Patrol Vehicle Equipment** The Police Division opened bids on February 24, 2022, for the purchase and installation of new equipment for three new Ford Utility Interceptor police vehicles. The 2022 budget for this project is \$54,285. I am requesting Council consider awarding the bid to K.E. Rose Company submitting a bid of \$51,363. K.E. Rose LTD. has been instrumental in



guiding the Division towards the latest and most reliable technology. K.E. Rose LTD is an established company with the resources to purchase the equipment and complete the installations on all three police vehicles without requiring payment prior to completion. Remaining funds will be used for the installation. Their facility is in good order and the K.E. Rose technicians are professional. The remaining budgeted funds, \$2,595, will be used for payment to Fast Signs for the decals and graphics work involved with the three new patrol vehicles. I further recommend City Council declare any old equipment not compatible with the new Ford Utility Interceptors as surplus equipment to be placed on GovDeals or otherwise disposed of by the City Manager as provided by law.

- 3. Resolution 22-R-26: Verizon Service Agreement The City of Vandalia utilizes Verizon Wireless as the primary provider of cellular service, which includes cellular data connections for fire and police computers, cellular phones, tablets, and wireless hot spots, totaling 64 lines of service. The majority the city's cellular devices are carrier specific, meaning that they cannot be switched to another carrier unless they are replaced. The City has received excellent service from Verizon and believe that they are the best solution for the city. We can purchase Verizon cellular services at a competitive rate on the General Services Administration (GSA) Federal Supply Schedule 47QTCA20DooB5. In order to utilize the GSA pricing, Verizon requires that we sign a purchase order document that indicates our intent to purchase from the GSA contract. The agreement outlines an estimated cost and number of lines, which allows us to purchase services for an amount not to exceed the amount indicated on the funding document. We estimate the annual costs associated with these services will not exceed \$39,560. I am recommending that council waive formal bidding for the city's cellular service and authorize the City to purchase cellular service and devices from Verizon Wireless for services covered on the General Services Administration (GSA) Federal Supply Schedule Number 47QTCA20DooB5 for an amount not to exceed \$39,560 for the period of March 21, 2022 through March 20, 2023.
- 4. **Resolution 22-R-27: Emergency Management Jurisdictional Agreement** Approval of this agreement will authorize Montgomery County to provide its emergency preparedness, homeland security and emergency management services to the City of Vandalia. The annual cost for these services will be determined by a representative executive committee and then approved by the Montgomery County Board of Commissioners.
- 5. Resolution 22-R-28: Appointment of a City of Vandalia Representative to the Joint Economic Development Zone This resolution appoints representatives to the Butler Township Miller Lane Business District JEDZ Board and the Butler Township Miller Lane Hotel District JEDZ Board. Resolution 20-R-70 appointed the City Manager, the Human Resources Manager, and the Assistant City Manager to the JEDZ Board. I am asking Council to consider the appointment of the City Planner position. This position is better suited for the appointment to said board as it directly relates to economic development and planning of the Miller Lane Business District. As a secondary consideration, this change will proactively eliminate concern for any potential conflicts of interest. The JEDZ agreement provides for the receipt and dispersal of all tax collections on behalf of the Butler Township Miller Lane Business District JEDZ and the Butler Township Miller Lane Hotel JEDZ by the City of Vandalia Finance Department.

<u>Ordinances – First Reading</u>

1. Ordinances 22-11 and 22-12: Amending the Codified related to various Development &



Engineering Services Fee Schedules - I am proposing to update the fee schedule for DES. This would include all building permit fees, zoning fees, misc. permit fees and water/sewer tap fees. The Building fees were last updated in 2015. The tap fees have not been updated since 2004. The last updates on any zoning were 2004 as well. Mr. Cron will present a detailed presentation on the new and improved fee schedule that considers future development. I also plan to propose a \$1 per square foot infrastructure fee that will be used for water, sewer, roadways, and debt service related to infrastructure. This is a common practice that is used to capture and account for expenses related to the initial impact such developments. I will ask that Council consider passing these modifications as an emergency (after two readings) at the next regular meeting.

<u>Ordinance – Emergency Reading</u>

1. **Emergency Ordinance 22-10 - Assessments -** This emergency ordinance assesses properties for delinquent accounts related to storm water fees, trash collection, & delinquent sewer and water.

The **March 21** Study Session and City Council Meeting will be a hybrid (in-person & remote) meeting in Council Chambers. The meeting is open to Council, staff, and the public to attend in-person or virtually through Zoom (LINK). The study session will begin at 6:00 pm followed by the City Council Meeting at 7:00 pm.

Please contact me directly with comments and questions.

Very Respectfully,

Dan Wendt City Manager

Attachments:

- 1. Superintendent Walter Ritchie Cover Letter and Résumé;
- 2. VBCSD Enrollment History and Forecast;
- 3. Memoranda Police, Fire, Parks directives pertaining to the reduction of fuel consumption;
- 4. Vandalia City Center Zoning Overlay Sample Letter and Map;
- 5. Voluntary Well Sampling PFAS Contamination Sample Letter and Map;
- 6. Article City Infrastructure Project Dayton Daily News;
- 7. Crime Statistics February 2022;
- 8. Article Parks & Recreation Master Plan Dayton Daily News;
- 9. Email from Chief Althouse on concealed carry considerations;
- 10. SB 288 memorandum on Criminal Justice Omnibus; and
- 11. Part-Time Pay Plan Proposal and Amendments.

CC:

Board and Commission Members All City Employees



Walter G. Ritchie, III

<Address Removed> Norwalk, Ohio 44857 <Phone Removed> <Email Removed>

December 10, 2021

Mr. Dan Wendt City Manager City of Vandalia 333 James E Bohanan Drive Vandalia. OH 45377

Dear Mr. Wendt:

I was excited to see your job listing for the Superintendent of Public Works position on the City of Vandalia website. From planning project operations and managing stakeholders to allocating resources, and completing milestones; as well as, my ability to lead teams and achieve on time and under budget completion, I am confident you will find that I am the right fit to fill this vacancy. Please accept my completed digital application forms, cover letter, and resume as formal application for the Superintendent opening with the City of Vandalia.

With more than 28 years' experience in progressively responsible building maintenance/grounds/construction supervisory and administrative positions with the City of Norwalk and Lorain County, I am adept in project planning, budgeting, training, and development. Moreover, while my on-the-job experience has afforded me a well-rounded skill set, including first-rate communication and time management skills, I excel at:

- Team building and leading
- Project management
- o Safety and Health awareness
- Welding, plumbing, carpentry, asphalt and cement paving, electrical work, painting, drywall, HVAC repair, and grounds maintenance.

I am confident that my combination of project management experience, communication skills, and on the job training are the right fit for this position. Included with my digital application is a copy of my resume with additional information about my qualifications for your review. Thank you very much for your consideration. I look forward to speaking with you further about this wonderful opportunity.

Most sincerely,

Walter G. Ritchie III

Walter G. Ritchie III

<Address Removed>
Norwalk, Ohio 44857
 419.577.3108
<Phone Removed>
<Email Removed>

Career Objective

To utilize the vast range of skills and knowledge that I have acquired in multiple disciplines throughout my tenure with the City of Norwalk and Lorain County Engineers.

Skills

Site lay-out and preparation. Blueprint reading and interpretation. Ability to analyze existing systems and processes in order to increase efficiency and productivity. Operation of heavy equipment such as; excavators, dozers, backhoes, plows, dump trucks, cranes and lift platforms. Pool operations, repair and chemistry

Inventory control of multi-million-dollar facilities. Price and contractual negotiations. Effective communication with organizations, contractors, volunteers, employees and the general public. Budgeting and supervision.

Knowledge of

Electrical, plumbing, masonry, inventory control, HVAC and hydronics, welding, concrete and asphalt paving, safety procedures, commercial and residential construction, survey and leveling equipment, excavation and demolition, snow plowing, vehicle and equipment repair, septic systems, back flow devices, water lines, sewer lines, lift stations, aeration systems and drainage applications. Certified for 30-hour OHSA safety course.

Work Experience

(June 2021-Present)

Position: Lorain County Engineers, Sanitary Division, Elyria Ohio

Maintain and operate main and service water and sewer lines. Maintain and multiple waste water plants and lift stations. Operate and calibrate testing equipment with EPA standards. Knowledge of EPA standards and regulations.

(March 2020-September 2020)

Position: Public Works Director, Safety Coordinator, City of Norwalk

Responsibilities: Planning, budgeting, maintenance, repair, construction, Improvements of water and wastewater treatment, storm water management, Water distribution, sewer collection, street lighting and signals, sidewalls and zoning enforcement. State and federal grant programs. Capital Improvement projects. Safety practices and procedures.

Walter G. Ritchie III

13313 Arlington Road Norwalk, Ohio 44857 419.577.3108 waltergritchieiii@gmail.com

(January 2015-February 2020)

Position: Superintendent, Safety Coordinator City of Norwalk General Service

Department Responsibilities: Oversee and supervise the budgets of streets fund, signals and lights fund, State Highway fund and parks fund. Oversee and allocate budgets for water distribution, sewer collections and storm water. Prepare and maintain documentation. Employee supervision, scheduling and training. Assist in planning of construction projects. Blueprint reading and review for code compliance. Maintain and oversee City wide safety program.

(February 2013 to 2014)

Position: Maintenance Specialist, City of Norwalk General Services Department

Responsibilities: Supervise special projects. Building and grounds maintenance. Pool operations and repair. Prepare and maintain documentation. Assist with the planning and construction of playground equipment, shelters, restrooms, piers and walkways. Installation and repair of septic systems. Installation and repair of sewer lines, water lines, drainage systems and aerations systems. Employee supervision, scheduling and training.

(1998 to February 2013)

Position: Maintenance Specialist, City of Norwalk Parks and Recreation Department

Responsibilities: Building supervision. Assist with programs, special events and games. Supervise special projects. Building and grounds maintenance. Pool operations and repair. Prepare and maintain documentation. Assist with the planning and construction of playground equipment, shelters, restrooms, piers and walkways. Installation and repair of septic systems. Installation and repair of sewer lines, water lines, drainage systems and aerations systems. Employee supervision, scheduling and training.

Computer Skills

Microsoft Office 2019, Microsoft Windows operating system, building management software programming, Logics, ADP, and Maintenance Coordinator software applications

Education

Norwalk High School, Diploma

Certifications

CDL- Class B with air brakes and tanker endorsement, 30-hour OHSA Safety Instruction Construction Industry Certification, Ohio LTAP training for State and Federal funding programs.

Special Interests

Ten years Schutzhund and police dog training. Instructed multiple police departments in K-9 narcotics, bomb and protection training and tactics. National helper for USA Schutzhund clubs of America. Ten years Basketball Coaching with Norwalk High and Middle School. Licensed Basketball official.

Historic & Projected Enrollments 2012 - 2027 Vandalia Butler City School District

Grade	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Kindergarten	202	193	194	175	177	180	188	205	167	168	168	183	152	177	170	170
1	224	220	202	203	192	189	189	190	234	174	174	178	194	162	188	180
2	223	213	210	206	213	209	196	206	196	219	219	180	185	201	168	195
3	254	232	206	204	214	209	215	207	211	199	199	224	184	189	206	171
4	243	250	225	218	214	226	217	220	207	201	201	202	227	187	192	209
5	266	233	245	221	203	215	228	227	238	209	209	207	208	234	192	197
6	251	267	241	243	226	207	221	241	234	229	229	213	211	212	238	196
7	301	250	256	241	243	224	214	214	248	228	228	229	213	211	212	238
8	268	299	247	250	233	245	225	219	219	250	250	231	232	216	214	215
9	286	297	293	252	265	233	264	236	230	225	225	260	241	241	225	223
10	257	264	281	287	246	265	248	257	240	221	221	226	261	241	242	225
11	254	259	258	234	231	192	208	176	201	175	175	167	171	198	183	183
12	284	245	249	209	223	234	204	211	183	203	203	180	172	176	203	188
Total K-12	3,313	3,222	3,107	2,943	2,880	2,828	2,817	2,809	2,808	2,701	2,701	2,680	2,651	2,644	2,632	2,591
Annual Change		-2.7%	-3.6%	-5.3%	-2.1%	-1.8%	-0.4%	-0.3%	0.0%	-3.8%	0.0%	-0.8%	-1.1%	-0.3%	-0.5%	-1.6%

Source: Superintendent Rob O'Leary, March 2022



Special Order

TITLE: FUEL CONSERVATION NO. 22-09

EFFECTIVE DATE: March 11, 2022

Due to the recent significant increases in the cost of fuel, it is imperative for us to implement several protocols to conserve fuel and remain responsible with our fuel consumption in City vehicles, including our patrol vehicles and unmarked vehicles. Effectively immediately, we will implement the following requirements for Police Division vehicles:

- Limit mileage on patrol vehicles to no more than 50 miles per shift. There will be limited exceptions to this protocol, such as an officer driving downtown to court, jail, or prisoner transport from another jurisdiction, etc.
- When the outdoor temperature is at least 35 degrees or higher or 80 degrees or lower, patrol vehicles will be turned off and not idle for more than five minutes while stationary, unless on a traffic post, traffic stop, or another call for service that requires emergency equipment to be operated. Patrol vehicles should not sit idling for any extended period of time (five minutes or more) when an officer is attending roll call, handling business inside the Justice Center, conducting a foot patrol, business check, Permit Holders Check, etc.
- When handling a call for service and not in the patrol car, patrol vehicles will be turned off and not idle for more than five minutes.
- Patrol officers are encouraged to initiate more patrols outside their patrol vehicle, such as bike patrol, school visits, foot patrols, business checks, PHCs, VHCs, etc. where fuel can be conserved.

Our goal is to be fiscally responsible with our fuel use so we can remain within our allotted budget for fuel expense, especially with the uncertainty of future fuel costs. I appreciate your cooperation and assistance with these protocols.

Issued by: Chief Althouse Post: March 11, 2022

Remove: March 25, 2022



CITY OF VANDALIA DIVISION OF FIRE Operational Bulletin

Issued By: Chad E. Follick, Fire Chief

Effective Date: Revised Date:

2022-

The purpose of this Operational Bulletin is to outline the steps that the Division of Fire will be taking to address increasing fuel costs.

Locally fuel has increased to more than \$4.00/gallon. In the current geo-political climate fuel costs are not anticipated to rebound and become more affordable and stable for quite some time. Below are recommendations for how the Division of Fire is going to address the cost of fuel on our overall budget. These recommendations are also being proposed to assist us in sending the appropriate message to the customers we serve, who are also "feeling the pain" of increasing fuel costs.

Therefore, I would ask that everyone make every attempt to apply the <u>AWARENSS</u> level fuel conservation actions steps immediately, again realizing that some of these steps are perception based efforts, meant to show that we understand the taxpayers concerns and that we also understand that they are feeling the "pinch".

The **CRISIS** action steps are listed here in anticipation of costs rising significantly beyond rates that are currently considered to be "high". If costs would become untenable, we will work to implement these CRISIS level action steps. If this would be necessary, an updated bulleting would be issued.

Awareness Action Items:

- 1. Limit routine trips, errands, using Medics, Engines, or Ladder Truck. Have one member respond to routine errands (meal shopping or meal pick-up is a big one). If you can send a single member of the crew to run these routine errands in a staff car, please make every attempt to do so.
- 2. Combine trips, if errands (non-emergency trips) can't be avoided (due to staffing), try to combine your trips (i.e., if you have business at Fire Station 1, don't come over in the AM and then again in the PM, combine the meetings, trainings with supply pick-up's).
- 3. When possible, not necessarily the rule yet, use ZOOM or Teams for meetings, small trainings, policy review, etc. Again, we are NOT going back to no in-person meetings, just asking us to consider this as an alternative to running medics/fire apparatus back and forth between fire houses for meetings that could be done via video conferencing.

- 4. Idling, if EMS/fire vehicles are out and about on NON-EMERGENCY trips. An example would be; if we are parked at the fire stations for trainings, meetings, etc. and weather permits (temps near or below freezing NOT weather that permits) Vehicles should be shut off.
- 5. Fire Prevention Bureau, consider grouping inspections, so that an inspector can "knock-out" several inspections by walking short distances.
- 6. Consider carpooling non-emergency meetings, errands, trainings, and or meals.

CRISIS Action Items:

- 1. Strict implementation of AWARENESS action items.
- 2. Suspend travel outside of the city for non-essential meetings, training or conferences
- 3. Eliminate non-emergency trips errands.
- 4. Consider implementing modified EMS transport guidelines.
- 5. Reduce significantly (eliminate) non-essential trainings, where crews have to travel outside of Fire Stations. Combine training, reduce training times.
- 6. Consider rescheduling, delaying, or cancelling outreach that requires EMS/Fire apparatus.



To: Parks & Recreation Staff

From: Steve Clark, Director Parks & Recreation

Subject: Fuel Conservation

Date: March 14, 2022

Due to the recent significant increases in the cost of fuel, it is imperative for us to implement several protocols to conserve fuel consumption in Parks & Recreation vehicles and gas/oil powered equipment. Effectively immediately, we will implement the following requirements:

- Vehicles and equipment must be shut off when not in use. Do not allow vehicles and equipment to idle
 when not in use.
- Minimize and coordinate trips for supplies. If not an emergency purchase please wait until the product is
 needed to aid in minimizing trips. Please communicate with fellow staff when planning a purchase from
 Lowes, Menards, Do It Best Hardware and other places where trips for supplies can be coordinated and
 combined.
- Minimize mileage on all vehicles and equipment. Plan work days accordingly to achieve the greatest fuel efficiency.
- Maintain equipment operation as needed to prevent premature failure. Idle diesel equipment and shut off after five minutes of cool-down.

Our goal is to be fiscally responsible with our fuel use so we can remain within our allotted budget fuel expense, especially with the uncertainty of future fuel costs. I appreciate your cooperation and assistance with these established protocols.



333 James E. Bohanan Memorial Drive Vandalia, OH 45377

call 937.898.5891 fax 937.898.6117

March 14, 2022

AKA INVESTMENTS CO LLC P O BOX 9365 WBS DAYTON OH 45409

To whom it may concern:

The City of Vandalia Planning Commission will conduct a public hearing on Tuesday, March 22, 2022 at 6:00 p.m. The meeting is to consider a proposed amendment to the zoning map and code through the creation of a new Overlay District, the Vandalia City Center Overlay (VCCO), including its purpose, proposed location, uses, development standards, and applicability to other existing regulations.

The proposed change to the zoning map would result in the Vandalia City Center Overlay (VCCO) being overlaid on top of existing zoning regulation and districts. You are receiving this letter because you are the owner of property located within this proposed overlay area. A map of the proposed area is attached. The proposed overlay will not impact the current use of your property, and it will serve to guide future development and redevelopment.

The establishment of an overlay district is an initial implementation step in the 2020 Vision Vandalia Comprehensive Plan. The Vision Vandalia Plan re-imagines Downtown Vandalia along Dixie Drive as a mixed-use district of retail, restaurants, office, open space, with a variety of housing options and interconnected spaces for gathering.

The meeting will take place in the Council Chambers at 333 James E. Bohanan Memorial Drive. The City of Vandalia is committed to transparency and open meetings and will live broadcast this meeting via the Zoom app. Please note, this will be a hybrid meeting and the public may participate either in-person or via Zoom. You can request log in information by contacting the Development and Engineering Services Department at 937-898-3750. Log in information will also be available on-line at the day of the meeting at www.vandaliaohio.org.

This meeting will contain a public hearing, if you wish to submit any documents or other evidence for the public hearing it must be received by the City no later than 5:00 p.m. on March 17, 2022 to be included in the packet. Additional items will also be accepted at the meeting. The public may request to view the application in the Development & Engineering Services (DES) Department at the City of Vandalia Municipal Building.

Any interested party is invited to attend the public meeting.

Sincerely,

Zachary Karto City Planner

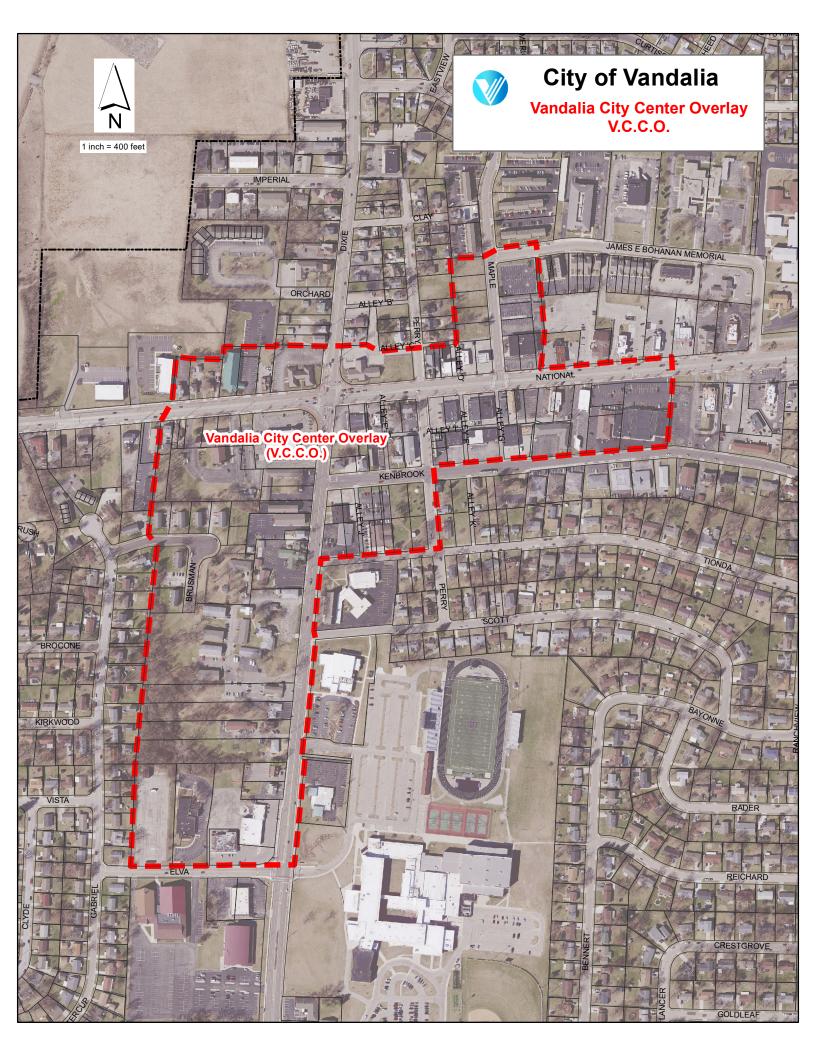












What is the Vandalia City Center Overlay?

The Vandalia City Center Overlay (VCCO) is a proposed change to the City's zoning map that would serve to guide future development and redevelopment.

The establishment of an overlay district is an initial step in the 2020 Vision Vandalia Comprehensive Plan.

The 2020 Vision Vandalia
Plan re-imagines
Downtown Vandalia
along Dixie Drive as
a mixed-use district of
retail, restaurants, office,
open space, with a variety
of housing options and
interconnected spaces for gathering.



IMPORTANT

If you own a property inside the VCCO district, the proposed change **WILL NOT** impact the current use of your property.

LET'S TALK ABOUT IT!

The VCCO will be the subject of a public hearing at the Vandalia Planning Commission;

Tuesday, March 22, at 6 p.m. Vandalia City Council Chambers 333 James E. Bohanan Memorial Drive

The meeting will also be broadcast via the Zoom app. Call (937) 898-3750 to request log-in information.





Kettering, Ohio 45432 937-781-2500

www.mcohio.org/water www.mcswd.org

COUNTY COMMISSIONERS

Judy Dodge Debbie Lieberman Carolyn Rice

COUNTY ADMINISTRATOR

Michael B. Colbert

DEPARTMENT DIRECTOR

Matt Hilliard

March xx, 2022

Dear Resident,

We are writing you as part of Montgomery County Environmental Services' (MCES) continuing efforts to better understand the extent of possible PFAS contamination in your area.

In July 2021, you should have received communication from the Ohio Department of Health regarding a Citizen Advisory for your area. You are receiving this letter because your property is in the Recommended Well Sampling Area identified by the Ohio Department of Health. MCES and the City of Vandalia wants to ensure all residents in the Recommended Well Sampling Area are offered free well testing.

What you need to do

You will soon be receiving additional information about how to sign up for free well testing. Please look for that information within a few months.

In the interim, you can find additional information about this issue on the US EPA's website at https://www.epa.gov/pfas. Please feel free to reach out to Tiffany Petry by phone at 937-781-2620 or email petryt@mcohio.org with any questions or concerns you may have.

Thank you for your time.

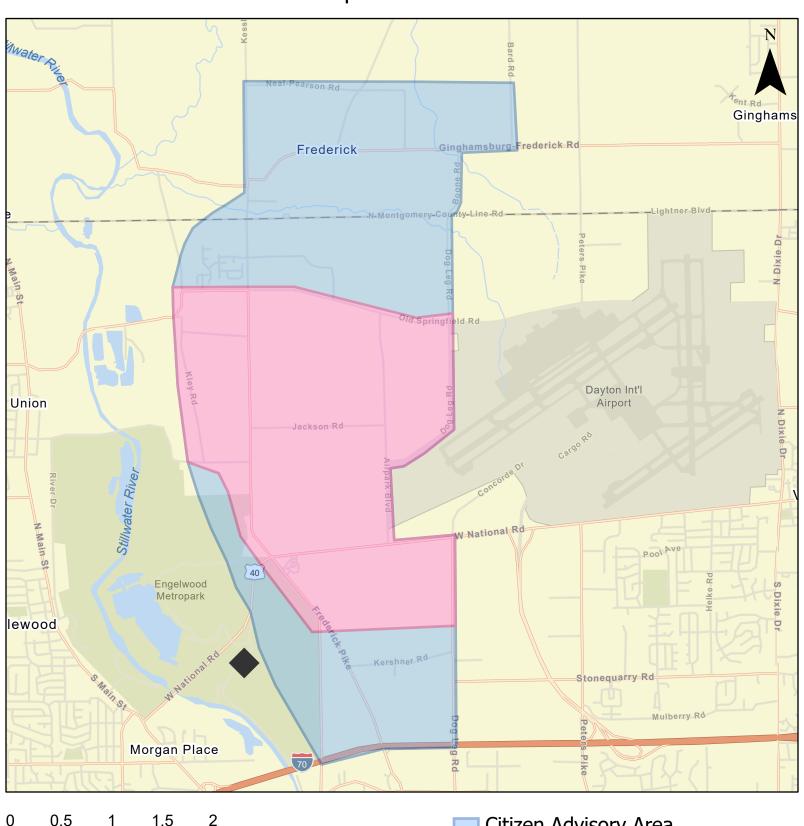
Sincerely,

Tiffany Petry, Project Manager

Klony Pertug

Montgomery County Environmental Services

Investigation Area for PFAS in Private Water Wells near Aullwood **Discovery Center** Ohio Department of Health



Citizen Advisory Area

Recommended Well Sampling Area

Aullwood Farm Discovery Center

1.5

Ohio Environmental Protection Agency Miles

Department

of Health













Vandalia infrastructure upgrades set to begin this summer



LOCAL NEWS

By Aimee Hancock, Staff Writer

March 7, 2022

Advertisement

VANDALIA — The city of Vandalia is finalizing plans to start several critical upgrades to city buildings, street improvements and other infrastructure projects as early as this summer.













Over the past year, staff members from several city departments, namely building inspector Chris Mastrino and facilities superintendent Rudy Wells, have examined the detailed history of the city's infrastructure in preparation for this project, said city manager Dan Wendt.

The cost of the improvements will total around \$8.2 million, Wendt said, and the city is currently in the bond rating process for issuance of a bond in an amount not to exceed \$10.2 million—with the excess to account for unforeseen project expenses.

According to Wendt, the city's aging buildings, which include the 50-year-old Municipal Building at 333 James Bohanan Drive, has led to a need for continuous unplanned repair costs throughout recent years, further solidifying the urgency for permanent upgrades.











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In October 2021, the city hired Energy Systems Group (ESG) to provide managing services related to the infrastructure project, Wendt said.

"With the complexity of the project, it's impossible for city staff to do their jobs and get this project right, so we're bringing in a professional group to do that and get the competitive procurement," he said.

City of Vandalia Division of Police Monthly Crime Statistical Report February 2022

CATEGORY	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Y-T-D	2021 Y-T-D	% Change	% Clear
How Calls Received:	ow Calls Received:															
Total Calls for Service	992	946											1938	1949	-0.6%	N/A
Citizen Initiated = 816	87.90%	86.26%											1688	1721	-1.9%	N/A
Officer Initiated = 130	12.10%	13.74%											250	228	9.6%	N/A
9-1-1 Call = 258	31.45%	27.27%											570	511	11.5%	N/A
Homicide	0	0											0	0	0.0%	0.00%
Rape	1	0											1	3	-66.7%	100.00%
Robbery	0	0											0	1	-100.0%	0.00%
Assault	1	5											6	10	-40.0%	66.67%
Burglary/B&E Total	5	5											10	6	66.7%	30.00%
Residence	3	4											7	3	133.3%	42.86%
Non-residence	2	1											3	3	0.0%	0.00%
Theft - Felony	11	10											21	16	31.3%	14.29%
Theft - Misd	7	6											13	15	-13.3%	0.00%
Motor Veh Theft	7	4											11	4	175.0%	45.45%
Arson	0	0											0	0	0.0%	100.00%
Crim Dam & Vandal	4	5											9	10	-10.0%	22.22%
Drug Offenses (Fel)	0	0											0	2	-100.0%	100.00%
Drug Offenses (Misd)	1	2											3	9	-66.7%	66.67%
Domestic Violence	11	5											16	10	60.0%	100.00%
Totals	48	42	0	0	0	0	0	0	0	0	0	0	90	86	4.7%	43.33%



Dayton Daily News



Welcome back. Stay connected with newsletters about our community.

Vandalia wants resident input on major parks and recreation plan



LOCAL NEWS

By Aimee Hancock, Staff Writer

March 16, 2022

Survey goes out within a month; city has \$100K contract with consultant

Advertisement

VANDALIA — The city of Vandalia is launching a new master plan for its Parks and Recreation Department, and is about to ask residents what changes they want to see in their parks system.

Vandalia recently entered into a \$100,000 agreement with PROS Consulting to help lead the master plan process and provide clear objectives to city officials and the parks advisory board.

Within the next month or so, 300 to 400 residents will receive a survey sent to their home, which will request input regarding amenities and services they'd like to see provided by the parks system.

Those who do not receive a survey in the mail will still have the opportunity to complete one virtually through the city's website. Along with surveys, the city will host community engagement events at each park, according to Parks and Recreation Director Steve Clark.

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"I think that will be vital because we've got a number of what we call pocket parks, in smaller parts of neighborhoods, that at this point in time are pretty much just green space with park benches, so we've had some people in the community ask us to develop those more, or to put playground equipment or some sort of activity in these parks," Clark said. "And, in our larger parks, it will allow the community to come in to tell us what they would like to see, in terms of the maintenance level, what we need to bring up-to-date, and anything new they would like to see or recommend."

Explore Vandalia plans park upgrades with federal ARPA funds

City Manager Dan Wendt said the master plan process will be thorough, collecting information from parks staff, city residents who are parks users, school officials and businesses. The consulting firm will then incorporate the community input into the final plan.

"They'll create a capital plan, they'll make staffing recommendations, and they'll set out concrete goals for us to work to achieve over the next 10 years," Wendt said.

The city has also created a steering committee for the plan project, Wendt said, which includes participation from multiple residents, a police officer, a firefighter, teachers, a lawyer, a Butler High School student, and some city staff members, as well as Montgomery County Board of Development Disabilities Services Superintendent Dr. Pamela Combs.

At the end of this year, the consultant will present its plan draft to the steering committee, which will then vote to recommend it for adoption by city council, Wendt said.

Explore Vandalia infrastructure upgrades set to begin this summer

As part of the 2022 city of Vandalia budget, the city has appropriated \$675,000 of its total \$1.5 million in allocated American Rescue Plan Act (ARPA) funds to go toward improvements of playgrounds and other equipment in Robinette Park, Helke Park, and at the Sports Complex.

"We want to see what comes out of this process and what initial feedback we get before we make these (improvements)," Wendt said. "We're committed to making those investments and this process is going to help us make the right investments."

According to Clark, construction on some improvements will begin early next year.

"Our goal is for the playgrounds and any of those types of things where there are already funds allotted to begin as early as possible in 2023," he said.

However, construction of new restroom facilities at the Cassel Hills Golf Course and Art Park, both of which are estimated to cost around \$75,000 of allotted ARPA funds, may still take place this year, Wendt said.

Explore Vandalia hopes to build training center for first responders

In Other News

- 1 2 OVI checkpoints underway in Dayton tonight
- **2** Recalls: Cap on gummies bottle might hurt you
- 3 Medical students learn their future at Wright State Match Day 2022
- 4 Military, overseas ballots on hold, but May 3 primary still on
- **5** Dayton seeks \$5 million to fight homelessness, expand housing supply

About the Author

Aimee Hancock

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From: Kurt Althouse
To: Police Department
Cc: Dan Wendt

Subject: Ohio Criminal Justice Legislation

Date: Tuesday, March 15, 2022 2:48:18 PM

Attachments: <u>image003.png</u>

image004.pnq image005.pnq image006.jpq image007.pnq

Memo on SB 288 (Criminal Justice Omnibus) - Concerns 030722.pdf

image008.png

Importance: High

Ladies & gentlemen,

Please be aware that yesterday the governor signed SB 215, known at the "constitutional carry" law, permitting anyone over 21 years of age to carry a concealed weapon with no duty to notify and no mandates on training or permits. This legislation will take effect 10 days following the governor's signature. Obviously, it will change on how officers will handle firearms investigations, if a person is in legal possession of a weapon (concealed or not), unless they are a convicted felon. As training updates on this new legislation are drafted, we will distribute them. If you were unaware, this legislation was adamantly opposed by the Ohio Fraternal Order of Police as well as the Ohio Association of Chiefs of Police due to the unrestrictive measures that it gives an individual to possess and carry a firearm with no training or CCW permit and no requirement to notify an officer of their possession of a firearm. As an OACP member, we believe this legislation puts officers at a higher risk when encountering individuals who may possess weapons and officers never know it.

Another concerning piece of legislation that is pending in the Ohio General Assembly is Senate Bill 288, known as the Criminal Justice Omnibus Bill, that could have serious implications for crime victims, judicial and prosecutorial staff, and law enforcement. This bill reduces or eliminates penalties for a variety of criminal offenses and makes some drastic changes to the Ohio Revised Code. This bill is being opposed by the Ohio Prosecuting Attorneys Association, the Ohio Fraternal Order of Police, and the Ohio Association of Chiefs of Police. I, along with other police chiefs, are working to fight this legislation to prevent it from passing by speaking with and communicating our opposition to our legislators. A summary of this bill is attached for your review. I would encourage each of you to consider contacting or emailing your legislators to oppose this bill.

Kurt E. Althouse

Police Chief

City of Vandalia, Ohio 245 James E. Bohanan Dr. Vandalia, OH 45377 937-415-2290 Office 937-898-5868 Dispatch 937-898-5040 Fax



vandaliaohio.org









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Ohio Prosecuting Attorneys Association

To: All Prosecutors

From: Lou Tobin, Executive Director

Date: March 7, 2022

Re: Senate Bill 288 (Criminal Justice Omnibus Bill)

Senate Bill 288, introduced February 2, 2022, is an 1800 page criminal justice reform measure that includes some of the recommendations of the Ohio Criminal Justice Recodification Committee from several years ago along with a variety of other proposals that have been debated in the General Assembly for several years but have failed to pass as stand-alone measures. While there are some things in the bill that would be beneficial to prosecutors, those things are far outweighed by changes in the bill that would be damaging to public safety and to victims. Our Executive Committee has voted to oppose the measure and to make every effort to see that it is not enacted. To that end, I have compiled the following list of problems with the bill. This represents my best understanding of what is in this very lengthy bill. I'm not sure that it reflects a complete list of problems.

Senate Bill 288 is being touted as non-controversial legislation about relieving the collateral consequences of convictions. In reality, the bill is a massive criminal justice reform bill that will be a huge windfall for criminals. At a time of increasing violence and increasing crime the legislation will make it harder to hold criminals accountable, guarantee that many are released from prison early, and make it easier for people with criminal histories to commit new crimes.

Top 11 ways Senate Bill 288 is bad for victims and bad for public safety in Ohio:

- 1) Makes it more difficult to obtain a conviction for aggravated murder. R.C. 2901.01(C)(5).
- 2) Makes it more difficult to obtain a conviction for rape of a child under 13 by allowing child rapists to claim ignorance of the child's age. This seriously jeopardizes the safety of children in Ohio. Rape of a child under 13 is currently a strict liability offense, placing the onus, responsibility and risk where it should be, on the adult perpetrator. R.C. 2907.011.
- 3) Allows a drunk driver who kills a person while driving drunk to retain their driver's license without any suspension. R.C. 2903.06.
- 4) Allows misdemeanor domestic batterers to have their records sealed or expunged making it more difficult to hold repeat domestic batterers accountable. R.C. 2953.32.
- 5) Allows some sex offenders to have records sealed or expunged. R.C. 2953.32.
- 6) Allows a court to expunge (i.e. destroy) any record that it can seal. This will prevent law enforcement and employers from having any knowledge of certain convictions. Nursing homes, in-home health care agencies, and child day care centers, among others, could be blind to a person's criminal history. R.C. 2953.32.

- 7) Reduces the punishment for someone who tries but fails to deprive a law enforcement officer of their service weapon. There is generally only one reason to try to take an officer's gun and that is to slay the officer. This bill ignores the danger to the officer and others of this act and rewards the person's failure with a reduced punishment. R.C. 2911.01.
- 8) Substantially reduces the punishment for people who break into businesses while armed or who break into businesses and attempt to harm or threaten to harm others. R.C. 2911.03.
- 9) Repeals higher penalties for theft and fraud offenses for particularly vulnerable victims like the elderly or disabled making it more likely that they will be targeted and victimized. R.C. 2913.02, 2913.03, 2913.04, 2913.05, 2913.21, 2913.31, 2913.43, 2913.49, 2913.61.
- 10) Gives bureaucrats at ODRC the authority to substantially reduce prison sentences for many offenders, through judicial release and transitional control, while minimizing the role of prosecutors, victims, and judges in these release decisions. R.C. 2929.20 and R.C. 2967.26.
- 11) Allows most offenders, even violent offenders, to seek immediate release from prison during a "state of emergency" and allows for their release without any input from victims or prosecutors. R.C. 2929.20.

Other ways SB 288 is bad for victims and bad for public safety:

Chapter 2901 – General Provisions

- Changes the definition of "affirmative defense," ostensibly in response to the Supreme Court of Ohio's decision in *State v. Nucklos*, 121 Ohio St.3d 332, in a way that is burdensome to the prosecution, overly beneficial to criminal defendants, and will create years of unnecessary litigation. R.C. 2901.05.
- Unnecessarily restricts the use and consideration of prior juvenile adjudications in adult criminal proceedings. These adjudications can be properly considered when an adult defendant has a weapons disability for a juvenile adjudication, as a predicate for the now adult offender's sex-offender registration, and as a sentencing factor. R.C. 2901.08.

Chapter 2909 – Arson and Related Offenses

- Increases the amount of damages a person must cause to be charged with felony arson. More arson offenses will be prosecuted as misdemeanors. R.C. 2909.03.
- Increases the amount of damages a person must cause to be charged with felony vandalism. R.C. 2909.05.
- Reduces the penalty for discharging a laser into the cockpit of an aircraft. R.C. 2909.081.
- Potentially reduces the punishment for terrorism by providing for parole eligibility for terrorists convicted of murder or a first degree felony. R.C. 2909.24.
- Repeals current criminal prohibitions against the possession, use, and manufacture of explosive devices. R.C. 2909.26.
- Repeals current criminal prohibitions against the illegal assembly or possession of chemicals or substances for the manufacture of an explosive device. R.C. 2909.28.

Chapter 2911 - Robbery, Burglary, Trepass, and Safecracking

- Makes it more difficult to obtain a conviction for aggravated robbery by adding a mens rea of knowingly
 to what is currently a strict liability offense. Strict liability remains appropriate because of the heightened
 potential for harm during an aggravated robbery. R.C. 2911.01.
- Requires the actual infliction of serious physical harm in order to complete an aggravated robbery. Currently the attempt to inflict the harm is enough. R.C. 2911.01.

- Removes attempts to inflict physical harm from the robbery statute requiring the actual infliction of physical harm. Net effect is that this reduces the punishment for attempting or threatening to inflict harm during the commission of a theft offense. R.C. 2911.02.
- Weakens aggravated burglary so that trespassing in a business, or other occupied structure, with the purpose to commit a criminal offense is excluded. Current law applies to businesses and occupied structures. People will no longer be prosecuted for aggravated burglary for breaking into a business even though this is just as likely to place people at risk. R.C. 2911.03.
- Requires the actual infliction of physical harm for the person to complete an aggravated burglary. Currently the attempt to inflict harm is enough. R.C. 2911.03.
- Weakens burglary so that trespassing in a business, or other occupied structure, with the purpose to commit a criminal offense is excluded. Fails to recognize the risk of harm to persons outside the home. R.C. 2911.12.
- Weakens the penalties for breaking and entering by requiring that the structure in which the offender is trespassing through the use of force, stealth, or deception, have a person present. Burglars will receive a benefit for committing their burglary when no one is present. R.C. 2911.05.
- Reduces penalties for some forms of trespass. R.C. 2911.06.
- Removes breaking into a "strongbox" from the offense of safecracking despite the fact that people and businesses are just as likely to keep valuables or cash in a strongbox. R.C. 2911.07.

Chapter 2913 - Theft and Fraud

- Makes theft up to \$2500 a misdemeanor. R.C. 2913.02.
- Reduces penalties for unauthorized use of a motor vehicle. R.C. 2913.03.
- Reduces penalties for unauthorized use of property. Particularly for elderly and disabled victims. R.C. 2913.04.
- Removes attempts to gain access to the law enforcement automated database system from the
 prohibition on unauthorized use of property. The bill rewards people's failure to gain access to the
 database. R.C. 2913.04.
- Reduces penalties for telecommunications fraud. Particularly for elderly and disabled victims. R.C. 2913.05.
- Reduces the penalty for passing bad checks. Particularly for elderly and disabled victims. Misdemeanor offenses (up to \$2500 under the bill) unlikely to ever be prosecuted because of the resources required for investigation. R.C. 2913.11.
- Reduces the penalty for forgery. Particularly for elderly and disabled victims. Misdemeanor offenses (up to \$2500 under the bill) unlikely to ever be prosecuted because of the resources required for investigation. R.C. 2913.31.
- Makes Medicaid fraud up to \$2500 a misdemeanor. R.C. 2913.40.
- Makes Medicaid eligibility fraud up to \$2500 a misdemeanor. R.C. 2913.41.
- Reduces penalties for illegal use of SNAP benefits or WIC program benefits. R.C. 2913.46.
- Makes insurance fraud up to \$2500 a misdemeanor and removes prohibitions on aiding and abetting insurance fraud. R.C. 2913.47.
- Makes workers compensation fraud up to \$2500 a misdemeanor. R.C. 2913.48.
- Substantially reduces the punishment for identify fraud when the victim is elderly, disabled, or an active duty service member. R.C. 2913.49.
- Makes receiving stolen property up to \$2500 a misdemeanor. R.C. 2913.51.

Chapter 2917 – Offenses Against the Public Peace

- Makes it harder to obtain a conviction for inciting to commit violence by requiring that the conduct actually result in the commission of an offense of violence. This allows people to try to get other to commit violence with no consequences unless the violence actually occurs. R.C. 2917.01.
- Introduces confusion into prosecutions for riot and aggravated riot by requiring that the person "actively" participate in the disorderly conduct that leads to the riot. This is redundant with complicity and will lead to unnecessary litigation. R.C. 2917.02 and 2917.03.
- Makes it more difficult to obtain a conviction for disrupting a lawful meeting, procession, or gathering. R.C. 2917.12.
- Makes telecommunications harassment up to \$2500 a misdemeanor. R.C. 2917.21.
- Reduces the punishment for inducing panic even when the violation pertains to the threatened or actual use of a chemical weapon, biological weapon, or radiological or nuclear weapon. R.C. 2917.31.

Chapter 2921 – Offenses Against Justice and Public Administration

- Removes attempt from prohibitions on intimidating public servants, party officials, attorneys or witnesses rewarding those who attempt but fail to accomplish their intimidation. R.C. 2921.03.
- Reduces the punishment for perjury in many cases by tying the degree of perjury to the degree of the charges underlying the offense. This denigrates the sanctity of the judicial system and the oath a person takes as a witness. R.C. 2921.11.
- Reduces the punishment for tampering with evidence from an F3 to an F5 unless the evidence was substantially altered (F4) or destroyed, concealed, or made completely unavailable (F3).
- Makes it harder to obtain a conviction for resisting arrest by changing the mens rea from recklessly to knowingly, providing criminals a better chance at escaping responsibility.
- Makes it harder to obtain a conviction for failure to comply by disallowing consideration of whether the
 offender failed to stop for traffic lights or stop signs in determining the seriousness of their conduct.
 Makes the license suspension permissive rather than mandatory. R.C. 2921.331.
- Removes escaping from supervised release from the escape statute making it easier for criminals who are on parole or post-release control to avoid their supervision. R.C. 2921.34.
- Reduces the punishment for attempts to convey deadly weapons and drugs into prisons rewarding people for their own failure. R.C. 2921.36.
- Reduces the punishment for attempting to harass another with a bodily substance such as blood, urine, semen, or feces, rewarding people for failing to make contact with their victim when throwing or expelling the substance. This most often applies to corrections officers at work. R.C. 2921.38.
- Reduces the punishment for attempting to deprive a person of their civil rights. R.C. 2921.45.

Chapter 2923 - Conspiracy, Attempt, and Complicity

- Eliminates the crime of conspiracy as it applies to abduction, certain compelling prostitution offenses, promoting prostitution, arson, some robberies, some burglaries, some forms of corrupting another with drugs, some drug trafficking offenses, and some unauthorized use of a motor vehicle offenses. The bill makes it easier for people to conspire to commit these crimes. R.C. 2923.01.
- Completely eliminates the form of conspiracy that involves aiding in planning the commission of the underlying offense. R.C. 2923.01.
- Allows a person to escape responsibility for conspiring to commit a crime if they abandon the conspiracy
 at any stage before the conspiracy is completed. Currently they must abandon it prior to the commission
 or attempt to commit any crime that is the object of the conspiracy. R.C. 2923.01.
- Removes causing an innocent or irresponsible person to commit an offense from the crime of complicity. R.C. 2923.03.

Miscellaneous Provisions

- Makes significant changes to judicial release that would allow most offenders to seek judicial release during any state of emergency flooding the courts with motions for judicial release and throwing open the prison doors during what is already an emergency situation. R.C. 2929.20.
- Makes another significant change to judicial release that would authorize the director of ODRC to cause offenders to receive judicial release while minimizing the role and input of judges, prosecutors, and victims, R.C. 2929.20
- The bill reduces the possible criminal liability of people who commit multiple offenses by replacing the "same conduct" test for merger with a "single event" test. R.C. 2941.25.
- The bill expands the types of offenses for which records can be sealed and allows a court to order the expungement (i.e. destruction) of any records which can be sealed. This includes the opportunity to seal/expunge violent misdemeanor offenses like domestic violence and some sex offenses. The bill's expansion of record sealing to include record expungement is dangerous. There are very good public policy and public safety reasons to not allow the expungement of records. Sealed records are still available to law enforcement under certain circumstances and certain employers considering employment applications. Expunged (i.e. destroyed) records are gone forever. R.C. 2953.31 2953.36.
- Expands earned credit from 8% to 15%. R.C. 2967.193.
- Repeals the judicial veto of transitional control when the sentence was less than 2 years. R.C. 2967.26.

DEPARTMENTAL CORRESPONDENCE

TO:	City Manager Daniel Wendt
FROM:	Human Resources Manager Missy Pruszynski
DATE:	March 16, 2022



Part-Time Pay Plan Recommendations



In an attempt to **Sharpen the Saw** and to continue to enhance the **Vibrant** aspects of our organization and community we are recommending Council consider amendments to the city-wide part-time pay plan. The various economic impacts of the pandemic have taken a toll on the labor pool and as a result part-time wages are no longer competitive and this has created recruitment challenges. Staff has researched various part-time wages in the region. A market adjustment is necessary to be competitive with other regional part-time wages and to attract and to retain exceptional part-time employees who will genuinely contribute to shaping Vandalia into a **top-tier** suburb. The Division of Fire part-time pay structure has not been evaluated and improved since 2017, as a result Chief Follick and his staff recently conducted a comprehensive part-time pay study. His recommendations are designed to:

- 1. Recruit (attract) Firefighter/Paramedics that are currently working for another fire department in a full-time capacity and are looking for a "day-off" job. This brings experienced personnel to the Division of Fire.
- 2. Get entry level firefighter/EMT/Paramedics starting rates up into the top tier of pay for the region.
- 3. Create a "firefighter" only position in our daily staffing that can be used as a "force multiplier", assisting us in keeping at least one firefighter resource in service (with three personnel) on every shift.
- 4. Encourage our current part-time personnel to stay. One of the main reasons stated during exit interviews is pay.

Chief Follick has noted this proposal is designed to be the catalyst for a change in our part-time recruiting process to make the Division more attractive. His proposed changes are below and are included on the attached Part-Time Pay Plan.

For Tenured Firefighter/Paramedics:

Tenured Firefighter/Paramedic	Starting Rates of Pay:	Required hours:
Defined: Any certified firefighter/paramedic that is working full-time as firefighter/paramedic in another fire department (with a year or more in this position).	1-Year full-time experience \$19.25 2-Years of full-time experience \$20.00 3-Years full-time experience \$20.75 4-Years full-time experience \$21.50 5-Years or more full-time	Tenured firefighter/paramedics must work as a minimum of 72 hours (12 or 24-hour shifts) per month to maintain tenured status. Explanation- part-time employees are schedule to work (average) six
	experience \$22.25 Tenured part-time employees can earn "step increase" with a "meets standard" performance review. Performance review will include	24 shifts/month (144 hours). 72 hours would allow a tenured part-time employee to work at least 50% of the regular scheduled shifts/month, while not exceeding Fair Labor Standards Act rules.

Entry Level Positions (Personnel Not Working in full-time Firefighter/Paramedic positions outside of Vandalia):

Firefighter/Paramedic	\$ 18.50	Annual increase of up to 2.0% with a "meets standards"
Firefighter/EMT-I	\$ 18.25	performance evaluation.
Firefighter/EMT	\$ 17.00	24 hours shifted or 12-hour slots available. Hourly
Firefighter	\$ 15.00	candidates MUST submit and/or work at least <u>48</u> hours per month.
Fire-Inspector (Part-Time)	\$ 20.00	Part-time inspectors will be scheduled 28 hours per/week. Annual increase of up to 2.0% with a "meets standards" performance evaluation.

^{*}The hours requirements listed in both tenured and entry level explanations are the REQUIRED MINIMUM number of hours that we need part-time personnel to be at work. Personnel can work additional hours, not to exceed Fair Labor Standards Act (FLSA) rules.

Part-Time Pay Plan					
Position	Rate				
Tenured Firefighter/Paramedic with 5 or More Full-Time Years Experience	\$22.25				
Tenured Firefighter/Paramedic with 4 Years Full-Time Experience	\$21.50				
Tenured Firefighter/Paramedic with 3 Years Full-Time Experience	\$20.75				
Tenured Firefighter/Paramedic with 2 Years Full-Time Experience	00.000				
Entry Level Fire-Inspector	\$20.00				
Tenured Firefighter/Paramedic with 1 Year Full-Time Experience	\$19.25				
Entry Level Firefighter/Paramedic	\$18.50				
Entry Level Firefighter/EMT-I	\$18.25				
Assistant Golf Pro	\$18.00				
Entry Level Firefighter/EMT	\$17.00				
Grounds Foreman - Golf	\$16.00				
Administrative Assistant					
Recreation Rental Coordinator	7				
IT Support Technician					
Entry Level Firefighter	\$15.00				
Seasonal Maintainer II					
Crossing Guards	1				
Group Fitness Instructor	_				
Food Service Operations Assistant					
Facility Maintainer	\$14.00				
Seasonal Maintainer I					
Facility Coordinator					
Income Tax Clerk	\$13.00				
Camp Supervisor	E COUNTY THE				
Custodian	\$12.00				
Special Events Coordinator					
Front Desk Attendant					
Athletic Supervisor	\$11.00				
Clerk Typist					
Basketball Scorekeeper					
Rec Tech					
Golf Tech					
Food Tech	\$10.00				
Rec Leader					
Camp Leader					
Snack Bar Attendant/Beverage Cart	\$4.85				
Indated: 03/16/2022	Ψ1.00				

Updated: 03/16/2022



INTEROFFICE MEMORANDUM

TO:

DAN WENDT, CITY MANAGER

FROM:

CHAD E. FOLLICK, FIRE CHIEF

SUBJECT:

CHANGE IN PART-TIME PAY PROGRAM

DATE:

MARCH 10, 2022

Thank you for meeting with me today, the Division of Fire continues to work to achieve the established policy goals of the City of Vandalia.

In an attempt to "Sharpen the Saw", we are recommending a process improvement in this memo that is meant to purposefully refine our part-time pay procedures. As I indicated during our meeting, we have conducted a comprehensive part-time pay study. Our part-time pay structure has not been evaluated and improved since 2017.

As we discussed, part-time employees are a key component of the Division of Fire's staffing and deployment strategy. Recruitment and retention of part-time employees has truly become a competition between not only other fire/EMS departments in the areas, but also between the public sector and private EMS services.

As we discussed today, my recommendations are designed to do the following:

- 1. Recruit (attract) Firefighter/Paramedics that are currently working for another fire department in a full-time capacity and are looking for a "day-off" job. This brings experienced personnel to the Division of Fire.
- 2. Get entry level firefighter/EMT/Paramedics starting rates up into the top tier of pay for the region.
- Create a "firefighter" only position in our daily staffing that can be used as a "force
 multiplier", assisting us in keeping at least one firefighter resource in service (with three
 personnel) on every shift.
- 4. Encourage our current part-time personnel to stay. One of the main reasons stated during exit interviews is pay.

This proposal is designed to be the catalyst for a change in our part-time recruiting process to make the Division more attractive.

Pay Structure Proposed Changes:

Tenured Firefighter/Paramedic

Defined: Any certified	
firefighter/paramedic that is	

working full-time as firefighter/paramedic in another fire department (with a year or more in this position).

Starting Rates of Pay:

- 1-Year full-time experience \$19.25
- 2-Years of full-time experience \$20.00
- 3-Years full-time experience \$20.75
- 4-Years full-time experience \$21.50
- 5-Years or more full-time experience \$22.25

Tenured part-time employees can earn "step increase" with a "meets standard" performance review. Performance review will include

Required hours:

Tenured firefighter/paramedics must work as a minimum of 72 hours (12 or 24-hour shifts) per month to maintain tenured status.

Explanation- part-time employees are schedule to work (average) six 24 shifts/month (144 hours). 72 hours would allow a tenured part-time employee to work at least 50% of the regular scheduled shifts/month, while not exceeding Fair Labor Standards Act rules.

Entry Level Positions (Personnel Not Working in full-time Firefighter/Paramedic positions outside of Vandalia).

Firefighter/Paramedic	\$ 18.50	Annual increase of up to 2.0% with a "meets standards"
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Firefighter	\$ 15.00	and/or work at least <u>48</u> hours per month.
Fire-Inspector (Part-Time)	\$ 20.00	Part-time inspectors will be scheduled 28 hours per/week.
		Annual increase of up to 2.0% with a "meets standards" performance evaluation.

^{*}The hours requirements listed in both Tenured and Entry Level explanations are the REQUIRED MINIMUM number of hours that we need part-time personnel to be at work. Personnel can work additional hours, not to exceed Fair Labor Standards Act (FLSA) rules.

If these changes are acceptable, I would propose implementation at the beginning of the first pay period in May of 2022. This will give us time to meet with our current part-time personnel and to launch an update part-time recruitment effort.

Thank you for your time and consideration, please let me know should you have any questions.

PART-TIME/SEASONAL POSITIONS & START RATES

Effective 01/01/2021 Min. Wage \$8.80/hr

\$4.40 Start Rate - Minimum Wage

Beverage Cart

\$4.85 Start Rate

Snack Bar Attendant

\$8.80 Start Rate - Minimum Wage

Concession Attendant Basketball Scorekeeper

Rec Tech

Golf Cashier

Golf Tech

Food Tech

Maintainer I

Seasonal Maintainers I

Public Works Technician

Camp Leader

Crossing Guards - Police

Custodian

Rec Leader

\$9.00 Start Rate

Officials Scheduler

Concession Supervisor

Camp Leader II

\$9.50 Start Rate

IT Support Technician

Seasonal Maintainers II

Athletic Coordinator

Camp Supervisor

Special Events Coordinator

Athletic League Supervisor

Front Desk Attendant

\$10.00 Start Rate

Administrative Assistant-CMO

Clerk-Typist-Recreation/Engineering

Grounds Foreman - Golf

Food Service Operations Assistant

Assistant Golf Pro

Income Tax Clerk

Concession Manager

\$10.50 Start Rate

Facility Coordinator

\$11.00 Start Rate

Building Maintaine

\$12.00 Start Nate

Recreation Coordinator

FF - Single Certification

FMT. Single Certification

MT-I Single Certification

Faramedic - Single Certification

\$14.00 Start Rate

FF/EMT

\$14.50 Start Rate

FF/EMT-I

\$15.00 Start Rate

Parks & Recreation Assistant

Group Fitness Instructor

Fire Inspector

Fire Captain

\$16.00 Start Rate

FF/Paramedic

Assistant Fire Chief

City Manager