

The Council of the City of Vandalia Meeting Minutes

**October 1, 2018**

MEMBERS PRESENT: Mayor Arlene Setzer, Vice-Mayor Richard Herbst, Councilmember Farst, Councilmember Gerhard, Councilmember Lewis, Councilmember Ahlers, Councilmember Blakesly

OTHERS PRESENT: Jon Crusey, Amber Holloway, Bridgette Leiter, Rob Cron, Melissa Pruszynski, Jerry McDonald, David Marlow, Rob Heeter, Kathy Heeter, Jeff Leeper, Mary Ann Leeper

**Mayor Setzer** called the regularly scheduled meeting of the Council of the City of Vandalia to order at 7:00 p.m. **Mayor Setzer** called for a moment of reflection followed by the Pledge of Allegiance. The council study session minutes of September 17 and the council meeting minutes of September 17 were approved as presented.

Communications, Petitions and Awards: None

Public Hearing: None

Comments from Interested Citizens: None

CITY MANAGER'S REPORT

Information Items: None

Action Items: None

Old Business: None

Resolutions:

**18-R-61** A Resolution Awarding The Bid For The Asphalt & Concrete Maintenance Project At The Municipal Building, Sports Complex, Recreation Center, And Facility Maintenance Garage To A To Z Asphalt Contractors, Inc., At The Lowest And Best Bid Price Of \$67,836. **Attorney McDonald**, read Resolution 18-R-61 by title. **Mr. Crusey** said \$75,000 is budgeted for asphalt and concrete maintenance repairs at the Sports Complex, Rec Center, Municipal Building, and Parks Maintenance Garage. Bids were opened on August 22 with two bids being received. A to Z Asphalt submitted the lowest and best bid of \$67,836. It was moved by

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Councilmember Gerhard, seconded by Councilmember Blakesly, to approve Resolution 18-R-61 as read. All members present voted yes. Resolution 18-R-61 passed 7-0.

**18-R-62** A Resolution Awarding The Bid For The 2018 Slip Lining Of Sanitary Sewers Project, Requested By The Public Works Department, To Miller Pipeline In The Amount Of \$125,125.00 As The Lowest And Best Bid. **Attorney McDonald**, read Resolution 18-R-62 by title. **Mr. Crusey** explained \$125,000 is budgeted for the City's annual slip lining and manhole replacement project. \$60,000 of that amount being reimbursed by TCA. Bids were opened on September 10 with four bids being received. Miller Pipeline submitted the lowest and best bid of \$125,125. It was moved by Vice Mayor Herbst, seconded by Councilmember Gerhard, to approve Resolution 18-R-62 as read. All members present voted yes. Resolution 18-R-62 passed 7-0.

**18-R-63** A Resolution Approving The Re-Plat Of Lot 119 And 120 Of The Foxboro Manor, Section 8 Subdivision. **Attorney McDonald**, read Resolution 18-R-63 by title. **Mr. Crusey** advised Robert Heeter is requesting a replat to combine two lots into one 0.4793-acre lot at 1200 and 1220 Leaf Tree Lane. The lots are located in the Residential Single-Family (RSF-3) zoning district. The Planning Commission reviewed this replat at its September 11, 2018 meeting and voted 4-0 to recommend approval. It was moved by Councilmember Farst, seconded by Councilmember Blakesly, to approve Resolution 18-R-63 as read. All members present voted yes. Resolution 18-R-63 passed 7-0.

**18-R-64** A Resolution Extending The Limited Temporary Moratorium On The Acceptance, Consideration And/Or Granting Of Any Applications For Zoning Regarding Shooting Grounds Or Ranges And Issuance Of Permits To Discharge Firearms As Related To Such Uses Within The City Of Vandalia. **Attorney McDonald**, read Resolution 18-R-64 by title. **Mr. Crusey** advised at Council's November 6, 2017 meeting, Resolution 17-R-92 was adopted imposing a six-month moratorium on the acceptance and consideration of any zoning application or other

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zoning consideration relating to shooting ranges and the acceptance and consideration of any application for a permit to discharge firearms. He reminded council a public meeting was held regarding the establishment of shooting range legislation and discharging weapons in the City on December 12, 2017. The moratorium was extended for an additional six months with the adoption of Resolution 18-R-35 at Council's April 16, 2018 meeting due to the ongoing litigation with Miami Valley Shooting Grounds. However, the extension exempted limited 21-gun salute type of firearm discharges at memorial events and funerals. The moratorium is set to expire October 16. **Mr. Crusey** said this resolution would extend the moratorium until February 19, 2019 while the City remains in litigation and considers zoning regulations regarding shooting grounds as a use and firearm discharge permits in connection with the public health, safety and welfare of the citizens. This moratorium would continue to exempt limited 21-gun salute type of firearm discharges at memorial events and funerals. It was moved by Councilmember Ahlers, seconded by Councilmember Farst, to approve Resolution 18-R-64 as read. All members present voted yes. Resolution 18-R-64 passed 7-0.

**18-R-65** A Resolution Extending The Limited Temporary Moratorium On The Acceptance, Consideration And/Or Granting Of Any Applications For Zoning Regarding Shooting Grounds Or Ranges And Issuance Of Permits To Discharge Firearms As Related To Such Uses Within The City Of Vandalia. **Attorney McDonald**, read Resolution 18-R-65 by title. **Mr. Crusey** advised \$250,000 is budgeted for the replacement of the Finance Department's software. Proposals were received from three firms. He explained the Finance Department staff, as well as representatives from the various departments, were able to receive product demonstrations from the three vendors. While Software Solutions submitted the lowest quote, several services are either not available or available through a third-party vendor, for an additional cost to the City. Tyler Technologies submitted the second lowest quote and is the vendor preferred by staff. Tyler offers more services

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as part of their software package than the other vendors, thus eliminating the need for customization of their product or dealing with third-party vendors. **Mr. Crusey** added, \$25,000 is budgeted for a time management system. Tyler Technologies offers a time management system that is integrated with their financial software. He continued, when evaluating the cost of the financial software package plus the time management system, the difference between Software Solutions and Tyler Technologies is around \$4,500. This resolution also authorizes the payment of annual maintenance fees in subsequent years. It was moved by Councilmember Blakesly, seconded by Councilmember Ahlers, to approve Resolution 18-R-65 as read. All members present voted yes. Resolution 18-R-65 passed 7-0.

Ordinances – First Reading: None

Ordinances – Second Reading:

**18-20** An Ordinance Approving A Major Amendment For The Properties Located At 14 And 16 Clubhouse Way And Owned By Swafford Construction Company, In The Residential Single-Family 3 District With A PUD Overlay. **Attorney McDonald** read Ordinance 18-20 by title in its second reading. **Mr. Crusey** advised the applicant, Allen Swafford, is requesting a Planned Unit Development (PUD) Major Amendment to modify the floor plan of a twin home at 14 & 16 Clubhouse Way. He explained the proposed setback modifications details below:

16 Clubhouse Way

Approved East Side Yard Setback	8 feet
Proposed East Side Yard Setback	3.5 feet
Required Side Yard Setback	7.5 feet

14 Clubhouse Way

Approved Rear Yard Setback	18 feet
Proposed Rear Yard Setback	14 feet

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Required Rear Yard Setback                      35 feet

**Mr. Crusey** said additionally, the approved patio at 14 Clubhouse Way is proposed to be relocated from the northwest corner of the home to rear of the home and the approved patio at 16 Clubhouse Way is proposed to be relocated from the rear of the home to the to the northeast corner of the home. The proposed patio at 16 Clubhouse Way would be 5.5 feet from the adjacent property where 5 feet is the minimum required for an open patio, and a solid fence as indicated in Planning Commission recommendation. There were no comments or questions during the public hearing. It was moved by Councilmember Lewis, seconded by Councilmember Blakesly, to approve 18-20 in its second reading. Councilmember Gerhard abstained, Councilmember Farst voted yes, Councilmember Lewis voted yes, Councilmember Ahlers voted yes, Councilmember Blakesly voted yes, Vice Mayor Herbst voted yes, and Mayor Setzer voted yes. Ordinance 18-20 passed 6-0-1 in its second reading.

**18-21 An Ordinance Amending Section 234.03 Investment Of Idle City Funds.**

**Attorney McDonald** read Ordinance 18-21 by title in its second reading. **Mr. Crusey** advised this resolution would amend the City's Investment Policy to comply with the Ohio Revised Code, to follow best practices, and to incorporate current practices. He read the major changes to the policy listed below:

- a. Diversification – Add limitations for commercial paper, bankers acceptances and obligations of political subdivisions
  - i. Limited to 40% of investment portfolio in either commercial paper or bankers acceptances
  - ii. Limited to 5% of investment portfolio with a single user
  - iii. Limited to 20% of investment portfolio in obligations of political subdivisions of the state
- b. Collateralization – Applies to uninsured balances.

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- i. Collateralization shall be 105% of market value of principal and accrued interest when specific collateral is provided
- ii. Collateralization shall be 102% when market value of principal and accrued interest when pooled collateral is provided
- c. Authorizing Investments
  - i. Additional requirements for bankers acceptances
    - 1. Bank must be FDIC insured
    - 2. Maturity limits of not more than 180 days
  - ii. Political subdivision obligations must be payable from general revenues
  - iii. Added STAR Plus at authorized investment
- d. Safekeeping and Custody – Investment services providers are prohibited from safekeeping the City’s investment securities.

There were no comments or questions during the public hearing. It was moved by Councilmember Ahlers, seconded by Councilmember Gerhard, to approve 18-21 in its second reading. **Councilmember Lewis** inquired if this item was initiated by the state. **Mr. Crusey** replied in the affirmative. All members present voted yes. Ordinance 18-21 passed 7-0 in its second reading.

Ordinances – Emergency: None

Reports from Boards and Commissions:

**Variance Request (Sign) – 626 W. National Rd.**

**Mr. Crusey** explained Vandalia Church of Christ is requesting a variance to allow a 100 square foot temporary sign where 64 square feet is the maximum permitted at 626 W National Road. He noted the subject property is located in the Highway Business Zoning District. The sign is being utilized to advertise the property for lease. The sign has been in place since at least July 24 and was erected without a permit.

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The Board of Zoning Appeals reviewed this request at its September 12 meeting and voted 4-0 to recommend approval provided that :

- a. The Applicant shall apply for his first of 2 temporary sign permits no later than seven calendar days following City Council's potential approval of this request on October 1, 2018
- b. The sign shall not be moved from the existing structure
- c. The Applicant shall fold the lower portion of the sign with the words "Bison Investment Group" underneath the sign.

It was moved by Councilman Lewis, seconded by Councilmember Blakesly, to approve the variance request at 2700 W. National Road. All members present voted yes. The variance request was approved 7-0.

Board of Zoning Appeals Minutes: September 12, 2018

Parks and Recreation Advisory Board Draft Minutes: September 19, 2018

Public Art in Vandalia Committee Draft Minutes: September 18, 2018

Vandalia Cultural Arts Draft Minutes: September 18, 2018

Council Comments:

There were no comments from Mr. McDonald, **Mr. Crusey**, or councilmembers.

The regular council meeting was then adjourned at 7:16 p.m.

APPROVED:

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Arlene Setzer, Mayor

ATTEST:

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Missy Pruszynski, Deputy Clerk of Council

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