

The Council of the City of Vandalia Meeting Minutes

January 18, 2022

MEMBERS PRESENT: Vice Mayor David Lewis, Councilman Robert Ahlers, Councilwoman Candice Farst, Councilwoman Constance Woods, Councilman Michael Blakesly, and Councilman Corey M. Follick

MEMBERS ABSENT: Mayor Richard Herbst

OTHERS PRESENT: Katie Wahl, Daniel Wendt, Amber Holloway, Darren Davey, Bridgette Leiter, Steve Clark, Missy Pruszynski, Chief Althouse, Kristen Carnes, Zak Karto, Pete Baldauf, Aimee Hancock, Amber Weaver, Lt. Brandon Sucher, Kevin Pruszynski, Emma Pruszynski, Molly Pruszynski, Lt. Ben Walker, Chief Chad Follick

REMOTE AUDIENCE: Mayor Herbst and Laura Wendt

Vice Mayor Lewis called the regularly scheduled meeting of the Council of the City of Vandalia to order at 7:00 p.m. **Vice Mayor Lewis** called for a moment of reflection followed by the Pledge of Allegiance. He noted the next item on the agenda is Approval of Previous Minutes of which there are none.

Approval of Previous Minutes: None

Communications, Petitions and Awards:

Oath of Office - Councilwoman Candice Farst

Vice Mayor Lewis congratulated Councilwoman Farst on her re-election and called upon Ms. Wahl to administer the Oath of Office to Councilwoman Candice Farst.

Oath of Office - Police Officer Connor Matlock

City Manager Wendt introduced Police Office Connor Matlock and asked Chief Althouse to share Mr. Matlock's background. Chief Althouse

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shared Mr. Matlock's professional background and introduced Mr. Matlock's family. Then Mr. Wendt administered the Oath of Office to Police Officer Connor Matlock and concluded by congratulating him.

Announcement: Human Resources Manager

Vice Mayor Lewis called upon City Manager Wendt to introduce Human Resources Manager Melissa Pruszynski in front of her family to celebrate Mrs. Pruszynski's promotion to Human Resources Manager. **Mr. Wendt** advised she assumed those duties last week and we are working to backfill Mrs. Pruszynski's Executive Assistant / Deputy Clerk of Council. **Mr. Wendt** shared that he is most impressed by her strong work ethic and her buy-in for Vandalia. He noted the purpose of a City of Vandalia employee is to improve quality of life for the citizens of Vandalia and that's exactly what Missy will do by building a devoted core of public servants. **Mr. Wendt** concluded by congratulating Missy.

Public Hearing: None

Comments from Interested Citizens:

Vice Mayor Lewis addressed the audience, specifically the remote attendees, and explained per the advice of the City Attorney, anyone wishing to comment needs to personally be at the meeting; he noted Council will not be able to take comments from those participating electronically through Zoom. **Vice Mayor Lewis** prompted anyone in the room who wished to speak on a topic to step forward. There were no comments from interested citizens.

CITY MANAGER'S REPORT

Information Items:

City/Township/Schools Joint Meeting

Mr. Wendt advised the audience that a joint meeting between the city, township and school district has been established for Monday, January 31 beginning at 5:30 p.m. The meeting will be held at the Butler Township Town Hall, 3780 Little York Road. Social distancing protocols will be followed.

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Mr. Wendt advised Mrs. Pruszynski and Mr. Davey would like to briefly share an upgrade to the Council videos. Mr. Davey delivered a step-by-step presentation on where and how to locate the indexed meeting on the City's website.

Action Items: None

Old Business: None

Resolutions:

22-R-03 A Resolution Authorizing The Purchase Of Ten Sets Of Lion Apparel Fire Protective Clothing, Requested By The Division Of Fire, From Phoenix Safety Outfitters At A Price Of \$33,774. **Ms. Wahl** read Resolution 22-R-03 by title. **Mr. Wendt** explained the Division of Fire has a multi-year firefighter total replacement protective clothing program built into our capital budget. The goal of the replacement program is to replace ten (10) sets of protective clothing/year. \$50,000 is budgeted in 2022 for the replacement of 10 sets of firefighter protective clothing. Chief Follick is requesting that city council waive formal bidding and allow us to purchase our firefighter protective clothing from Phoenix Outfitters, an authorized, Lion Apparel dealer a Vandalia company, as a sole source provider, at a total cost of \$33,774.00. It was moved by Councilman Blakesly, seconded by Councilwoman Farst, to approve Resolution 22-R-03. Motion passed 6-0.

22-R-04 A Resolution Awarding The Bid For Three Police Patrol Vehicles Requested By The Division Of Police To Beau Townsend Ford In The Amount Of \$130,350 As The Lowest And Best Bid And Declaring Two Existing Police Patrol Vehicles Being Replaced Surplus Property. **Ms. Wahl** read Resolution 22-R-04 by title. **Mr. Wendt** explained VPD is seeking to purchase three new marked patrol vehicles to replace aging patrol vehicles. Bids for marked patrol vehicles were posted in the Daily Court Reporter and bid packets were delivered to a variety of dealerships. The City also posted the bid specifications on the city website. At the last meeting, there was some discussion about the price that was submitted by Beau Townsend Ford in comparison to the state bid price. Beau Townsend's price is 1.8% above the

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state bid price for the marked vehicles - \$2,184. **Mr. Wendt** concluded by recommending authorization to purchase the marked vehicles at a price of \$121,560, which is \$17,940 below the budgeted amount. It was moved by Councilman Ahlers, seconded by Councilwoman Farst, to approve Resolution 22-R-04. Motion passed 6-0.

22-R-05 A Resolution Awarding The Bid For One Unmarked Sport Utility Vehicle Requested By The Division Of Police To Beau Townsend Ford In The Amount Of \$46,440 As The Lowest And Best Bid. **Ms. Wahl** read Resolution 22-R-05 by title. **Mr. Wendt** advised VPD is seeking to purchase one unmarked sport utility vehicle for police administration. Bids for an unmarked sport utility vehicle were posted in the Daily Court Reporter and bid packets were delivered to a variety of dealerships. The City also posted bid specifications on the city website. He noted one bid packet was received and opened on December 16. Beau Townsend Ford offers a 2022 Ford Interceptor Utility AWD vehicle at a revised unit price of \$43,905. City Council budgeted \$46,500.00 for this 2022 capital purchase. This price is 1.7%, \$748, above the state bid price. **Mr. Wendt** recommended authorization to purchase the unmarked vehicle from Beau Townsend Ford. It was moved by Councilwoman Farst, seconded by Councilman Ahlers, to approve Resolution 22-R-05. Motion passed 6-0.

22-R-06 A Resolution Authorizing The Purchase For Ten Flock Safety Cameras, With Installation Costs Requested By The Division Of Police, From Flock Safety In The Amount Of \$30,000. **Ms. Wahl** read Resolution 22-R-06 by title. **Mr. Wendt** explained Flock Safety devices capture objective evidence and utilize machine learning to create and to deliver unbiased investigative leads to law enforcement. A significant number of crimes occur with vehicle involvement and obtaining a license plate is often the best evidence to solve crimes. Flock Safety devices will provide leads and alert officers when a vehicle involved in criminal activity passes any location where a device is deployed. The 2022 budget includes \$30,000 to install ten Flock Safety devices at the annual cost of \$2,500/device plus a \$500 one-time installation

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fee. Flock Safety is the sole-source provider of such safety system. **Mr. Wendt** requested that City Council waive competitive bidding and authorize an agreement with Flock Safety for the installation and utilization of the safety equipment and software. It was moved by Councilman Follick, seconded by Councilman Blakesly, to approve Resolution 22-R-06. Motion passed 6-0.

22-R-07 A Resolution Declaring A Moratorium On Acceptance, Consideration And/Or Granting Of Any Applications For Zoning Regarding The Manufacturing And/Or Sale Of 1.3g And 1.4g Fireworks. **Ms. Wahl** read Resolution 22-R-07 by title. **Mr. Wendt** in November of 2021, the State of Ohio enacted HB 172 which makes changes to the sale and use of fireworks. When HB 172 becomes effective on July 1, 2022, it will make the use of 1.4G fireworks, commonly referred to as consumer fireworks, legal on certain permitted dates including New Years Day; Chinese New Year; Cinco de Mayo; Memorial Day weekend; Juneteenth; July 3, 4, and 5; and the Friday's, Saturday's and Sunday's preceding and following Labor Day weekend; Diwali; and New Year's Eve. 1.4G fireworks include firecrackers, bottle rockets, roman candles, and fountains. Prior to the passage of HB 172, consumers could purchase these fireworks in the State of Ohio but were not permitted to discharge them. The passage of HB172 may increase the demand for fireworks including the demand for locations to sell and manufacture these novelties, specifically 1.3G fireworks, those which may only be sold to licensed manufacturers, wholesalers, or exhibitor, and 1.4G consumer fireworks. The sale, use, and storage of fireworks is inherently dangerous. Therefore, Staff respectfully requests that City Council enact a 120-day moratorium on the manufacturing of 1.3G fireworks and the sale and discharge of 1.4G fireworks in the City of Vandalia. This moratorium period will provide Staff an opportunity to evaluate and report to Council on a recommendation dealing with the future use of 1.4G fireworks and the sale or manufacturing of 1.3G and 1.4G fireworks. It was moved by Councilman Blakesly, seconded by Councilwoman Farst, to approve Resolution 22-R-07. Motion passed 6-0.

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Ordinances – First Reading: None

Ordinances – Second Reading:

22-01 An Ordinance Vacating Unnecessary Right Of Way To The Abutting Land Owner And Maintaining All Easements Therein. **Ms. Wahl** read Ordinance 22-01 by title in the second reading. **Mr. Wendt** explained Contegra Construction has submitted a petition and Vacation Plat to vacate the Right of Way of Top Notch Court in the Northwoods Business Park. The vacation of this right of way would accommodate the proposed development of this 35-acre site. The developer would be responsible to abandon or have relocated any and all utilities within the existing right of way before developing the property. There were no comments or questions during the Public Hearing. It was moved by Councilman Ahlers, seconded by Councilman Blakesly, to approve Ordinance 22-01 in the second reading. All members present voted yes. Motion passed 6-0 in the second reading.

Ordinances – Emergency:

22-02 An Ordinance Approving Individual Assessments Amounts And Directing The Finance Director Or Her Designee To Certify The Amounts To The County Auditor For Collection And Declaring An Emergency. **Ms. Wahl** read Ordinance 22-02 by title in an emergency reading. **Mr. Wendt** explained this emergency ordinance assesses properties for delinquent accounts related to storm water fees, trash collection, & sewer and water. There were no comments or questions during the Public Hearing. It was moved by Councilwoman Farst, seconded by Councilman Follick, to approve Ordinance 22-02 in an emergency reading. All members present voted yes. Motion passed 6-0.

22-03 An Ordinance Authorizing An Amendment To The City Manager Contract And Declaring An Emergency. **Ms. Wahl** read Ordinance 22-03 by title in an emergency reading. There were no comments or questions during the Public Hearing. It was moved by Councilman Blakesly, seconded by Councilman Ahlers, to approve

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Ordinance 22-03 in an emergency reading. All members present voted yes. Motion passed 6-0.

Reports from Boards and Commissions:

Conditional Use– 22 Ranchview Drive

Mr. Wendt explained the Applicant, Rick Turner, has submitted an application requesting a conditional use permit to allow the use of a fuel station on the property located at 22 Ranchview Drive in the Downtown Business (DB) Zoning District. The proposal is to raze the existing fuel station and amenities to make way for the construction of a new fuel station with a modern ancillary C-store, canopy, and 4 fuel dispensers. The Applicant within their narrative statement, indicated that they are seeking to eliminate 2 out of the 4 curb cuts, the current car wash, the driveway between the C-store and residential property, yard light against the southern fence and to install a refreshed landscape. The Planning Commission voted 4-0 to recommend approval of the requested conditional use permit allowing a “fuel station” use within the Downtown Business (DB) Zoning District with the following conditions:

1. Complete to a minimum of 75% opacity landscape screening between adjacent residential properties and the fuel station property
2. Complete landscape screening of the vehicular use area from public right-of-way
3. Privacy fencing between the C-store and the residential properties
4. The base of both free-standing signs are clad in brick or stone.
5. A re-plat of parcels into a single parcel

It was moved by Councilman Follick, seconded by Councilman Blakesly, to approve the conditional use with the following conditions:

1. Complete to a minimum of 75% opacity landscape screening between adjacent residential properties and the fuel station property

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2. Complete landscape screening of the vehicular use area from public right-of-way
3. Privacy fencing between the C-store and the residential properties
4. The base of both free-standing signs are clad in brick or stone.
5. A re-plat of parcels into a single parcel

All members present voted yes. Motion passed 6-0.

Variance: Fuel Pump to Residential Line – 22 Ranchview Drive

Mr. Wendt explained the Applicant, Rick Turner, on behalf of True North Energy LLC, property owner, has requested a variance to allow for fuel pumps within 200' of a residential lot line. The existing fuel pumps are approximately 65' from the residential lot line and the proposal is to construct the fuel pumps 70' from the residential lot line. The Applicant, in their letter of justification states that the facility is in need of substantial upgrades and it is believed with the enhancements to the C-store, elimination of car wash and curb cuts, and refreshed and enhanced landscaping that the neighborhood would benefit and the overall character would improve. The Board of Zoning Appeals voted 3-0 to recommend approval of the requested variance to allow fuel pumps within 200 feet of a residential lot line as proposed within the site plan proposal. It was moved by Councilman Follick, seconded by Councilman Ahlers, to approve the variance. All members present voted yes. Motion passed 6-0.

Variance: Minimum Setback for Fuel Stations – 22 Ranchview Drive

Mr. Wendt advised the Applicant, Rick Turner, on behalf of True North Energy LLC, property owner, has requested a variance to allow for a setback greater than 30' from the back of the sidewalk. The proposal is to construct the fuel station approximately 46' from the front of the sidewalk on the access drive to the north and approximately 120' from the property line on Ranchview Drive. The existing C-store is approximately 60' from the back of the sidewalk on the access drive and approximately 80' from the back of the sidewalk along Riverview Drive. The variance being requested is for both frontages. The Board of Zoning Appeals voted 3-0 to

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recommend approval of the requested variance to allow for a setback greater than 30' on both front setbacks as proposed within the site plan proposal with the following condition being that privacy fencing is incorporated into the screening on the southern side of the property along the property line of 20 Ranchview Drive. To complete this, an additional variance for fencing within the front yard of a nonresidential property would be needed. It was moved by Councilman Ahlers, seconded by Councilman Blakesly, to approve the variance with the condition being that privacy fencing is incorporated into the screening on the southern side of the property along the property line of 20 Ranchview Drive. All members present voted yes. Motion passed 6-0.

Variance: Minimum Setback for Fuel Stations – 22 Ranchview Drive

Mr. Wendt explained the Applicant, Rick Turner, on behalf of True North Energy LLC, property owner, has requested a variance to allow for a setback less than 50' from the right-of-way line. The proposal is to construct the fuel station approximately 46' from the front of the sidewalk on the access drive to the north. The existing C-store is approximately 60' from the back of the sidewalk on the access drive. The variance being requested is for the front setback to the north. The Board of Zoning Appeals voted 3-0 to recommend approval of the requested variance to allow for a 46'3" front setback on the northern side of the property. It was moved by Councilwoman Farst, seconded by Councilman Follick, to approve the variance. All members present voted yes. Motion passed 6-0.

Vice Mayor Lewis reported that December 2021 Bill Listing being \$3,214,321.19, the list of December Expenses over \$50,000 and the December Purchasing Card Detail in the amount of \$39,700.90. He called for comments or questions. There were none

Council Comments:

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Mr. Wendt complimented the Public Works Crews for their work with the recent snow event and also the three water main breaks that we had last week in the absence of a Public Works Superintendent. He recognized Supervisors Dewayne Hopping and Mike Busse for their strong leadership. **Mr. Wendt** advised Chief Building Official Ted Baker is retiring at the end of the week and there may be a modification to his retirement event. **Mr. Wendt** concluded by thanking Council for their endorsement and noted it is a privilege to work here in Vandalia.

Councilwoman Woods commented that this past week she was afforded the opportunity to meet with one of the residents who expressed vehement displeasure with a vote at the last Council meeting. **Councilwoman Woods** noted that we all want the same results for the City, but sometimes it is just about how we get to that point and sometimes we take different paths to accomplish goals. **Councilwoman Woods** concluded by noting she welcomes conversations of all kinds from all residents and believes all of Council feels that it is a privilege to hear the residents' voices.

Councilman Follick congratulated Councilwoman Woods on being awarded CPA of the year by *Money Concepts Wealth Management and Financial Planners*. He congratulated Mr. Baker on his upcoming retirement. Councilman Follick recognized and congratulated Division of Fire Community Risk Reduction Coordinator Scott Jacobs, Firefighter Paramedic Mya Mitchell, and Firefighter Paramedic Matt Bucher on being awarded, by Montgomery County Fire Chiefs Association, the 2021 Firefighter of the year for their involvement in establishing the mobile vaccination team and serving the residents. He then shared condolences to retired Police Lieutenant Charlie Reboulet and his family in the passing of his wife Ann. **Councilman Follick** noted that not only was Ann a very special lady, but she also trained him in dispatch. He continued by sharing her work history in the City of Vandalia. **Councilman Follick**

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expressed condolences to retired Finance Director Bill Hoffman and his family for the loss of his wife Dee.

Councilwoman Farst congratulated Mr. Wendt noting that we have had an exciting year. She congratulated and welcomed Officer Connor Matlock. **Councilwoman Farst** sincerely congratulated Mrs. Pruszynski and noted she is glad Missy is onboard in the Human Resources position.

Councilman Blakesly moved to excuse Mayor Herbst from all tonight's meetings. Councilwoman Farst seconded the motion. All members present voted yes. Motion passed 6-0. He echoed Councilman Follick's comments and also congratulated the Division of Fire CRRC Jacobs, FF/Paramedic Mitchell, and FF/Paramedic Bucher for their creativity in establishing a mobile vaccination program. **Councilman Blakesly** commented the City of Vandalia has a very dedicated core of employees. He congratulated Mrs. Pruszynski and wished her well in her new, well deserved position. **Councilman Blakesly** wished CBO Ted Baker the best of luck in his upcoming retirement and noted he will be missed.

Vice Mayor Lewis personally thanked Mrs. Pruszynski for her kind assistance over the last several years noting Council is always pressed for time and information and she has always been well prepared and a very big help to Council members. He said it is a wonderful thing for the City and her family. **Vice Mayor Lewis** recognized and congratulated CBO Ted Baker on his upcoming retirement noting his role in the City was much larger than just his role as a building official.

No Executive Session was held.

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The regular Council Meeting was then adjourned at 7:48 p.m.

APPROVED:

Richard Herbst, Mayor

ATTEST:

Missy Pruszynski, Deputy Clerk of Council

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