

CITY OF VANDALIA
January 18, 2022
City Council
Study Session - 6:00 PM

CITY OF VANDALIA
Council Study Session Minutes
Municipal Building
333 Bohanan Drive
Tuesday, January 18, 2022
6:00 P.M.

Councilmembers 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, Chief Althouse, Kristen Carnes, Captain Chad Garver, Rob Cron, Holly Wiggins, Lt. Ben Walker, Larry Sherman, Keith Valiquette

Remote Audience: Mayor Herbst and Laura Wendt

1. Tuesday, January 18, 2022

A. Items on this evening's Council Meeting Agenda

Vice Mayor Lewis called for questions or comments regarding items on this evening's Council Meeting agenda. There were none.

B. Resolution 22-R-07 Fireworks Moratorium

Miss Holloway explained in November of 2021, the State of Ohio enacted HB172 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. She noted 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. Miss Holloway advised 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.

C. Emergency Ordinance 22-02 Assessments

Mrs. Leiter explained this emergency ordinance assesses properties for delinquent accounts related to storm water fees, trash collection, & sewer and water.

2. **Monday, February 7, 2022**

A. Resolution: Fireworks Display Agreement

Mr. Clark advised a request for qualifications (RFQ) was issued on December 3, 2021 for the identification of a professional fireworks company to provide fireworks display services for the Annual City of Vandalia Star Spangled Celebration. The purpose of the RFQ is to identify and to select a highly experienced and qualified firm to provide a safe and turnkey firework display for the 2022 and 2023 Star Spangled Celebration events with an option for two, one-year extensions that could take the agreement through 2025. He noted the RFQ was advertised in the Daily Court Reporter as well as the City of Vandalia website. Mr. Clark advised Council two firms submitted formal proposals prior to the December 17, 2021, deadline with a third company missing the submittal deadline. The qualifying proposals include Pyrotecnico Fireworks, Inc. of New Castle, PA and Rozzi's Famous Fireworks of Loveland, OH. American Fireworks of Hudson, OH did not meet submittal deadline. Mr. Clark advised based on a review by the Parks & Recreation Department and the Division of Fire, I am recommending the City enter into a two-year Professional Services Agreement with the potential for two, one-year terms that could take the agreement through 2025 with Rozzi's Famous Fireworks for the Annual Star Spangled Celebration Fireworks Display at an amount of \$28,000 for 2022 and \$29,000 for 2023. The amount for the option years of 2024 and 2025 will be determined if the City chooses the option to extend the agreement. In addition, staff is in the process of lining up the regular sponsors of this event. The City's net cost for the Celebration in 2018 was \$12,703.

B. Resolution: Establish Job Creation and Revitalization Fund

C. Resolution: Establish Job Creation and Revitalization Program

Mr. Wendt explained the Vision Vandalia Comprehensive Plan calls for the development of a discernable downtown area for residents to gather, dine, shop, and enjoy life in Vandalia. As a team, we have discussed several objectives in the pursuit of driving development that will improve quality of life in Vandalia. He proposed Council designate a Job Creation and Revitalization Fund for the purpose of reinvesting back into the City through property acquisition, abatement of blight, improvements to utilities and the right of way, direct investment, and grants to foment desirable projects that have not heretofore occurred through the free hand of the market. He said accomplishing this will require two resolutions. The first establishes a new fund of which revenues from building permit fees, and other development fees, within the municipal corporate limits be allocated to this fund; next, Mr. Wendt shared a map of the proposed Job Creation and Revitalization Area. As a team, we have discussed appropriating seed money and unanticipated revenues to this fund. He noted he plans to bring this to Council for deliberation after the 2021 books are fully closed and the fund is created. Mr. Wendt explained the second resolution noting that

it establishes the Job Creation and Revitalization Program. The program is similar to the program in Huber Heights and would formally authorize the City Manager to negotiate and to expedite other select economic development tasks on behalf of the City. He concluded by noting the resolution serves as a guide for determining his role and the actions, and appropriate limitations, that he can take to accomplish strategic development in the outlined area.

D. Resolution: Purchase Building Department Software/Municipality

Mr. Cron explained the Development and Engineering Services Division is seeking an upgrade to its current building and tracking software. The current software was adopted in 2013 and is no longer supported. He said the new software, Municipality / Laserfiche, will improve efficiency, customer service to residents and businesses, and integrate with our ESRI GIS Software to improve record management. Mr. Cron advised the upgrade fits squarely within the Sharpen the Saw 2022 policy goal as the new software will allow staff to work directly in the field from a variety of electronic devices when conducting inspections and writing reports in the field. The system will eventually enable the City to receive digital submissions and to conduct electronic plan reviews, which will reduce turnaround times. Mr. Cron concluded by noting the 2022 capital budget included \$64,000 for the initial purchase of the software with the balance of \$34,255 budgeted in the operating budget for licensing, setup, support, and training.

E. Ordinance: Codified Update - Buildings and Fire

Mr. Cron and Chief Follick shared that staff recently reviewed the City of Vandalia Codified Ordinances and determined several sections that require amendments to reference the current Building & Fire Codes that have been adopted by the state. The Fire Code revisions are necessary due to increasing economic development, calls related to public health, and general staffing. It was noted, within the proposed amendment, that Chief Follick proposes the Fire Division permit third party fire inspections with the stipulation that reports be made available to the City's Fire Code Official (Fire Chief) – as is permitted by the Ohio Fire Code. Therefore, Chief Follick is requesting an amendment, in accordance with the Ohio Fire Code, and requests that City Council authorize the proposed amendment to Vandalia Codified Ordinance 1610. The Building Code amendments primarily relate to our codified references to the Ohio Building Code.

F. Conditional Use: 55 Elva Court - Medical/Dental Office

Mr. Karto advised the Applicant, Ruben Begino, DDS, has submitted an application requesting a conditional use permit to allow the "Medical/Dental Clinics Use" on the property located at 55 Elva Ct in the Neighborhood Business (NB) Zoning District. He noted the purpose of the request for a conditional use permit is to allow the Applicant to open a dental office at 55 Elva Ct, which was previously a medical facility without dentistry. The Applicant is seeking to occupy half of the building with his dentistry practice and rent the remaining space as medical offices. The Planning Commission voted 4-0 to recommend approval of the requested conditional use permit allowing the "Medical/Dental Clinics" use within the Neighborhood Business (NB) Zoning District.

G. Variance: Outdoor Storage - Stop Eight Road

Mr. Karto advised the Applicant, Megan Stepansky, on behalf of White Cap, leasee of the building, has requested a variance to allow the outdoor storage area to occupy an area larger than 25 percent of the principal building's footprint. The proposal is to construct a screened outdoor storage area utilizing the outdoor area to the west and north of the approximate 45,880 sf building. He noted the outdoor storage would utilize an area greater than 100% of the building footprint. The proposed area is approximately 51,000 sf. The Board of Zoning Appeals voted 4-0 to recommend approval of the variance to allow the outdoor storage area to occupy an area larger than 25 percent of the principal building's footprint.

3. Discussion

A. Vandalia Butler Chamber of Commerce 2022 Membership Level

Mr. Wendt inquired with Council their desire to be a Chamber of Commerce member in 2022 and what Chamber of Commerce Membership Level is preferred. He advised previously Council has preferred the Platinum Level sponsorship and provided additional support during the Taste at the Crossroads Chamber event. Council indicated a preference to move forward in 2022 as a Platinum Level sponsor.

B. Recognition of Elected Official Public Record Designee

Mr. Wendt explained the State of Ohio requires elected officials to attend one accredited Public Records Training per term; or, in the alternative, select an appropriate designee to attend on their behalf. Newly elected councilmembers Vice Mayor Lewis, Councilman Blakesly, and Councilwoman Farst have indicated a preference to designate Deputy Clerk of Council Melissa Pruszynski to attend the Public Records Training on their behalf.

C. 60 Day Calendar

Vice Mayor Lewis solicited comments or questions on the 60-Day Calendar. There were none.

4. Executive Session

No Executive Session was held.

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