



# Council Action

***In an effort to increase awareness and understanding, this publication was created to detail and explain the actions of the Vandalia City Council. We hope this promotes a better understanding of the role Council plays in keeping Vandalia a great place to live, work and play.***

***Council took the following actions at the Special Council Meeting held Monday, December 2, 2019:***

- ✓ Appointed Mr. Frank Keish to the Local Board of Tax Review
- ✓ Appointed Ms. Kristin Cox to the Planning Commission
- ✓ Adopted Resolution 19-R-58, approving the creation of the Intervention Training Fund. The City of Vandalia's Police Department has entered into an agreement with the Montgomery County Alcohol, Drug Addiction and Mental Health Services Board. The agreement allows the Vandalia Police Department to subcontract for a Mobile Crisis Worker (minimum .75 FTE) from a Community Behavioral Health provider of their choice to assist police officers with mental health clients on the scene for the purpose of improving outcomes, such as a reduction in the number of repeat calls, community linkage and a reduction in jail admissions for people experiencing a mental health crisis. Montgomery County will reimburse Vandalia up to \$33,750 for the mobile crisis worker and associated equipment, uniforms, training, and other necessary items. It is necessary to establish the "Crisis Intervention Training Fund" to account for the receipt and dispersal of these monies.
- ✓ Gave first reading to Ordinance 19-31, rezoning 7.73 acres of land located at 3350 Benchwood Road from Residential Single -Family 1 to Gateway Business. The subject property is part of a replat that has been submitted that would attach the 7.73-acre parcel to the existing New Life Worship Center lot. This rezoning would place all of the New Life Worship Center's property under the same zoning classification.
- ✓ Adopted Ordinance 19-27, a property maintenance nuisance ordinance. The "Property Maintenance Nuisance" ordinance is somewhat of a supplement to our existing property maintenance code and not a replacement. While it can be used for most property maintenance situations, it is primarily designed for severe violations where the property owner is unknown or gone and/or unresponsive. It allows for a quicker process for abating the nuisance than under our property maintenance code and will allow the City to abate severe nuisances (tear down houses) without court intervention. Under the law, destruction of property without court involvement is done at the risk of the City, and as such we would use this process very sparingly.
- ✓ Adopted Ordinance 19-28, a criminal nuisance ordinance. The "Criminal Nuisance" ordinance allows the City to declare property a nuisance based on criminal activity occurring at a given location over time. Closing a business or forcing a building to be vacated due to a criminal nuisance should always go through the court. What this ordinance does is two things. First, it provides a thorough process to declare property a public nuisance so once we go to court (if needed) we can make a strong showing of the nuisance and that we took into account constitutional safe guards. It has been drafted to cover many of the concerns and issues with these types of ordinances which includes using actual convictions or pleas rather than just calls for service, and not having a "penalty" for domestic violence situations (which tend to punish the victim living in the premises). Secondly, even if the City does not take the owner to court to close the nuisance operation, if a property is declared a chronic nuisance under this ordinance (due to too many criminal activities occurring within stated time frames) any subsequent calls can result in the cost of addressing the nuisance being charged to the owner along with civil fines; all being assessable against the property.
- ✓ Adopted, as an emergency, Ordinance 19-24, authorizing appropriations for Fiscal Year 2020. Council conducted budget review workshops on November 9th and 11th.
- ✓ Adopted, as an emergency, Ordinance 19-26, approving up to a 2% cost-of-living increase, effective the first pay period of 2020, for all non-union, full-time and permanent part-time employees, within their respective pay ranges. This ordinance also increased the top pay rate for all non-union, full-time and permanent part time pay classifications.

Additionally, merit increases for 2020 will be based on the following scale:

Merit = 2.5%

- Significantly Fails to Meet Expectations (0%)
- Fails to Meet Expectations (0%)
- Meets Expectations – (100%) – 2.5% merit increase
- Exceeds Expectations (125%) – 3.125% merit increase
- Significantly Exceeds Expectations (150%) – 3.75% merit increase

- ✓ Adopted, as an emergency, Ordinance 19-29, amending the City's code to comply with the Ohio Revised Code Firearms amendments. On December 28, 2019 changes to Ohio Revised Code section 9.68 will take place. These changes provide among other things, that any local laws regarding discharging weapons in the City must provide an exception for "self-defense" and for "defense of others". Further a local law cannot interfere with certain state and federal gun rights. The law director has reviewed the City's code and has recommended two changes to the codified ordinance. One is to add the phrase "defense of others" in section 678.09 dealing with discharging weapons in the City. The other is to remove the phrase "Except as expressly permitted by State law, no person in a park shall carry on his or her person firearms of any description" from section 1062.01(v)(1) dealing with Parks Rules. Under the new law, if the City has a law that may conflict with the State law, the City can be subject to damages even if the law is not enforced.
- ✓ Adopted, as an emergency, amendments to the City's tax code due to the recent passage of House Bill 166. The changes primarily include changes to specific definitions for "pension" and "retirement benefit plan".
- ✓ Approved a variance to allow a 1,200 square foot pole barn at 3510 Stonequarry Road with the condition that the pole barn be setback at least 35-feet from the east property line.

**The next regularly scheduled Vandalia City Council meeting will be held in the Vandalia City Council Chambers, 333 J.E. Bohanan Drive, on Monday, January 6 at 7pm.**