

THE BLUE LETTER

OFFICE OF THE CITY MANAGER



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March 12, 2021

Honorable Mayor & Esteemed City Councilmembers:

The highlight of the week was the Annual Meeting of the Vandalia Butler Chamber of Commerce. Although we met virtually, I could feel *THE HYPE* in listening to our business leaders discuss our way out of this pandemic and our future economic progress. In his presentation, Superintendent O'Leary shared the Vandalia Butler School District mantra for the year, which includes being "safe, logical, consistent, and normal." I am reflecting on these guiding words as we work together to serve the interests of our community. Communications Manager Hopkins did a great job producing the State of the City video, which can be viewed [HERE \(LINK\)](#).

In addition, I attended roundtable discussions with Senator Antani, Kent Scarrett of the Ohio Municipal League, and several leaders in the region. I will be meeting with State Representative Plummer in early April and I am working with Senator Antani to arrange for him to attend a Council Study Session after our retreat in Spring or early Summer.

I also had the pleasure of attending meetings of both the Board of Zoning Appeals and the Vandalia Development Corporation. Operationally, Human Resources Manager Dewberry and I met with our health insurance brokers and third-party administrator to discuss the performance and design of our self-insured health and dental benefits plan. We also explored an online platform for streamlining our employee performance evaluation process.

Please consider reviewing the updates below:

1. **VRC T-Shirts and Jeans:** In April, we are celebrating 20 years since the opening of our beautiful Vandalia Recreation Center. **All non-uniform personnel who purchase a 20th Anniversary shirt may wear jeans and their VRC t-shirt to work on April 9, 16, 23, and 30.** A portion of each shirt will be dedicated towards the Youth Recreation Scholarship Fund to assist qualifying Vandalia-Butler City School students with participation fees in select programs. T-shirts can be purchased at the VRC desk or online via [Web Trac \(LINK\)](#). Alternatively, non-uniform personnel may visit the Utility Billing donate \$20 to the Vandalia Food Pantry and wear jeans on the same days.
2. **Financial Report:** Finance Director Leiter will provide a monthly financial report on Monday. The City is on-target with regard to anticipated revenues year-to-date.
3. **Ohio House Bill 157:** Last year, House Bill 197 protected municipalities by instructing them to continue withholding municipal income tax at a taxpayer's place of work, even if the taxpayer was currently working from home in a different local jurisdiction due to the COVID-19 pandemic. This

week, the House Ways and Means Committee heard testimony regarding the bill, which would repeal Section 29 of HB 197. If this bill were to become law, both municipalities and businesses would immediately experience substantial impacts. For many municipalities, the substantial revenue cuts would destabilize the budgets of the state's largest economic centers. Businesses would suffer the added administrative burden of tracking, reporting and remitting municipal income tax based on employees' work-from-home locations, increasing the cost of doing business in Ohio municipalities. As a professional public manager, I believe it is necessary and in the City's interest to urge the legislature to give both businesses and municipalities adequate time to prepare for these substantial impacts.

4. **Commercial Truck Traffic:** Chief Althouse and I met to discuss commercial vehicle traffic enforcement regarding a possible surge in traffic as the I-70 eastbound to I-75 northbound ramp will be closed for two months beginning on March 15, 2021. Chief Althouse is planning to double our targeted commercial vehicle enforcement to 16 hours per week for the first two weeks of the closure. We will adjust the assignments given the impact. Also, Public Service Director Cron will have a contractor on standby should we need to adjust traffic signals due to congestion from the closure. Finally, this week, I called Mr. Randy Chevalley, Deputy Director of Ohio Department of Transportation (ODOT) District 7, to express support for and to thank ODOT for issuing a well-thought-out official detour via State Route 235 instead of through Vandalia. Mr. Chevalley stopped in to see me today and we met for half an hour. In the near future, staff and I will meet face-to-face with Mr. Chevalley and Mr. Steve Stanely of the Montgomery County Transportation Improvement District to discuss ongoing traffic and transportation issues in the community.
5. **Northwoods Blvd. & Falls Creek Dr. Signals:** Mr. Cron received notice today that the estimated delivery window for the poles and mast arms for the signal at Northwoods Boulevard and Falls Creek Drive is June 25 - July 9. The installation will take about two weeks.
6. **American Rescue Plan – H.R. 1315:** This week, Congress passed and President Biden signed into law H.R. 1315, the \$1.9 trillion American Rescue Plan allocating COVID-19 pandemic relief. The final package allocates \$5.4 billion to Ohio municipalities while the State will receive \$5.7 billion. The bill also contains economic impact payments of up to \$1,400 per person and a Child Tax Credit of up to \$3,000 per child from ages 6 to 17 and \$3,600 per child under the age of 6 for the families earning up to \$75,000 each year or couples earning \$150,000 each year. Additionally, Ohio K-12 schools will receive \$4.5 billion in relief assistance. Finance Director Leiter is working with the Government Fiscal Officer's Association to determine the amount the City will be eligible to receive and use restrictions.
7. **Sunshine Law Certified Training:** The State of Ohio requires newly elected officials to attend one accredited Public Records Training per term or appoint an appropriate designee. As Council's designee, Deputy Council Clerk Pruszynski attended the February 24, 2021 training on behalf of Mayor Herbst and City Council.

At our **Study Session**, I plan to discuss the following:

1. **Resolution 21-R-15 Police Motorola Service Agreement:** In 2015 as part of the Multi-Agency Radio Communications System (MARCS) the Division of Police purchased three radios and five

consolettes from Motorola Solutions. Since then, the City has continued to enter into a yearly agreement with Motorola Solutions for the servicing of the hardware and software upgrades. Staff is requesting waive competitive bidding requirements due to the proprietary nature of Motorola hardware and software and authorize the payment of \$27,945 for the service dates of February 1, 2021, through January 31, 2022 based on the public safety need to maintain its uninterrupted connection with its personnel and other users on the radio system.

2. **Emergency Ordinance 21-02: Assessments** – This emergency ordinance assesses properties for delinquent accounts related to storm water fees, trash collection, & sewer and water.
3. **Parks & Recreation Fuel Tank Replacement Project:** The two fuel tanks at the Facilities Maintenance Garage must be replaced. The tanks are original to the construction of the Sports Complex and Facility Maintenance Garage and are over 30 years old. The expected life for the design of the current tanks when stored outdoors is 15 - 20 years. The outer steel layer has ruptured in several places on the tanks and has deteriorated over time. Staff has sealed the ruptured areas with fiberglass material over the years as well as painted the tanks several times as was a permissible and acceptable form of normal maintenance. While the maintenance extended the useful life of the tanks, the outer shell has continued to deteriorate and could be a safety concern for the public. The new replacement tanks are a double wall steel design and has a 30 year limited warranty. Bids were advertised back on February 12, 2021 and February 19, 2021 and two proposals were received. The lowest and best bid was from Reliable Construction Services in the amount of \$33,492.73. The proposed cost is \$8,492.72 above the budgeted amount. To meet safety requirements and to offset the unanticipated overage, Parks & Recreation Director Clark has directed our maintenance staff to install the required bollards in-house. This will result in a cost savings of \$4,193.75. To offset the remaining overrun of \$4,298.97, the Public Works Department has agreed to complete a portion of the paving maintenance work at the Sports Complex, which will be paid out of the same capital line item. The final project cost will be \$29,298.97. This strategy requires no additional appropriations and will allow the Parks and Recreation Department to complete all necessary work on the asphalt maintenance plan for 2021.
4. **Spring Surplus** - Department Directors have compiled a list of items that staff would like Council to declare as surplus and grant authorization to dispose of those items. The surplus items would be placed on GovDeals or otherwise disposed of by the City Manager as provided by law.
5. **Montgomery County Special Projects Grant:** Assistant City Manager Holloway submitted an "Intent to Apply" with Montgomery County Culture Works for a special project grant to partially fund a public mural. This grant is available to various arts, cultural, or nonprofit agencies, including government agencies, within Montgomery County. Our "Intent to Apply" is currently under review. The grant is offered to local government organizations with a 50% match of funds. We intend to request \$5,000 from Montgomery County Arts & Cultural District (MCACD) for a \$10,000 mural project. With Council's support, the \$5,000 match could be allocated from the Cultural Arts fund in the 2021 Budget. The plan for the mural project is to organize the painting of a mural in or near the center of the City. The exact location of the mural is yet to be determined, but location will be selected to have maximum visual impact from both pedestrians and those driving by. The City plans to engage a local artist to design and paint this mural. It is my hope to engage the community in this process by having a community paint day. This

community day will allow members of the Vandalia community to join in the painting of the mural, which we feel will inspire community pride in the project. The deadline to apply for this grant is April 23, 2021. Should the City elect to apply for this funding and if selected, I anticipate this project would take place between July and October of this year.

6. **Supplemental Appropriations:** Finance is requesting the approval of the following supplemental appropriation Ordinance for a net overall increase in the General Fund in the amount of \$48,100, and an increase in the Crisis Intervention Training Fund in the amount of \$90,000. This supplemental is for the following reasons:
 - a. **General Fund:**
 - i. \$30,000: Increase of 2021 budget appropriations to account for rental storage expenses for the Fire Division. The City entered into a lease agreement for space to store various property and equipment. The lease includes a term of 24 months and commenced January 1, 2021 at a rate of \$2,300/month. The rental amount was not included in the 2021 budget and therefore an increase in appropriations to account for the lease payments is necessary.
 - ii. \$18,100: Increase of 2021 budget appropriations to account for an unexpected expense regarding an invoice dated April 20, 2019 received by the Police Division from a vendor in late December 2020.
 - b. **Crisis Intervention Training Fund:** \$90,000 - Increase of 2021 budget appropriations to account for expenses related to the agreement with the County for assistance with cases involving addiction, mental health, etc. The City previously entered into a memorandum of understanding with the Montgomery County Alcohol, Drug Addiction and Mental Health Services Board for a period of 12 months in 2020, and again in 2021. The agreement provides for assistance to the City's Police Officers related to police calls involving mental health situations. The City invoices and receives funds from the County, and subsequently reimburses Sinclair Community College for the same amount. Due to COVID-19, timing of the receipts of the invoices, and funds received from the County to reimburse Sinclair, the appropriations must be increased for years 2020 (\$45,000) and 2021(\$45,000).
7. **Variance for Landscaping at 6425 Miller Lane:** The purpose of this variance request is to allow for a 10-foot wide screening between Culver's and New Life Worship Center, where a 30-foot wide screening is required. If a fence or mound was proposed between the two properties then only a 15-foot wide screening would be required. Culver's has provided a landscape plan that, in their opinion, would enhance the existing landscaping and screening between the two properties. Also, Culver's has suggested their landscaping plan would be more visually appealing than a fence. The Board of Zoning Appeals reviewed this request at its March 10, 2021 meeting and voted 5-0 to recommend approval with two conditions.
8. **Variance for Drive-Through at 6425 Miller Lane:** The purpose of this variance request is to allow for a drive-through facility to be located in the front yard, where drive-through facilities are only permitted in the side or rear yard. This request is part of a proposal to demolish the existing building that formerly occupied Ruby Tuesday and construct a new Culver's restaurant with a drive-through facility. Culver's has provided a landscape plan that, in their opinion, would minimize the visibility of the drive-through facility from the public rights-of-way. The Board of

Zoning Appeals reviewed this request at its March 10, 2021 meeting and voted 5-0 to recommend approval with a condition.

9. **Variance for Detached Garage at 4511 Poplar Creek Road:** The purpose of this variance request is to allow for a 480 (16' x 30') square foot addition to an existing detached garage in the front yard, where detached garages must be located in the side or rear yard. The existing detached garage is 1200 (40' x 30') square feet and was approved of a variance in 2006. The detached garage is located approximately 10-feet from the front property line adjacent to S Brown School Road and the requested addition would reduce the setback to approximately 4-feet. The property has several topography challenges which limits the location an accessory structure could be constructed. The Board of Zoning Appeals reviewed this request at its March 10, 2021 meeting and voted 4-0 to recommend approval.
10. **Executive Session:** The purpose is to discuss negotiations with the Ohio Patrolmen's Benevolent Association (OPBA) Vandalia Police Sergeant Bargaining Unit.

At our **Council Meeting**, the following will be on the agenda pending your acceptance:

1. **Resolution 21-R-13 Annual Asphalt Purchase:** Bids were opened for the purchase of asphalt to be used by our crews for patching, paving at the Vandalia Art Park, completion of the Cassel Hills Golf Course cart path, and other small paving projects. Barrett Paving was the low bidder at \$68/ton for Type 1 surface asphalt and \$67/ton Type 2 base asphalt. Valley Asphalt submitted a similar bid at \$71/ton for Type 1 and \$69/ton for Type 2. As has been the practice in years past, I respectfully request that Council authorize the City to purchase asphalt from both companies. If granted, this would allow the City to advance the progress of projects on days when Barrett Paving is unable to deliver asphalt to the City because of scheduling conflicts.
2. **Resolution 21-R-14 Police Uniforms:** In March 2019, the Division of Police utilized a bidding process to select a vendor for Police Officer uniforms, footwear, work gear, bullet-resistant vests, and duty equipment. Phoenix Safety Outfitters ("Phoenix") submitted the lowest and best bid. On April 15, 2019, City Council passed Resolution 19-R-26, awarding the bid to Phoenix for two years with an option for a two-year extension. Phoenix provided the City with updated pricing that is acceptable to the Chief and will allow adequate purchases to be made for Police Division personnel. The 2021 budget includes \$23,500 for Police Officer uniforms, footwear, work gear, bullet-resistant vests, and duty equipment. As is permitted in our current contract and in accordance with normal purchasing practices, I respectfully request that City Council waive the competitive bidding process and extend the contract with Phoenix Safety Outfitters through April 15, 2023, not to exceed a two-year budgeted amount of \$48,500.
3. **Resolution 21-R-15 Police Motorola Service Agreement:** In 2015 as part of the Multi-Agency Radio Communications System (MARCS) the Division of Police purchased three radios and five consolettes from Motorola Solutions. Since then, we have continued to enter into a yearly agreement with Motorola Solutions for the servicing of the hardware and software upgrades. Staff is requesting waive competitive bidding requirements due to the proprietary nature of Motorola hardware and software and authorize the payment of \$27,945 for the service dates of

February 1, 2021, through January 31, 2022 based on the public safety need to maintain its uninterrupted connection with its personnel and other users on the radio system.

4. **Resolution 21-R-16 OPBA Sergeant Bargaining Unit Successor Collective Bargaining Agreement:** Legislation ratifying an agreement with the Ohio Patrolmen's Benevolent Association

The March 15 Study Session and City Council Meeting will be a hybrid (in-person & remote) meeting in Council Chambers. Council and limited staff will attend the meeting in-person, in Council Chambers, in accordance with department of health directives relating to COVID-19. All other staff and the public will be invited to attend the Study Session and City Council Meeting remotely via Zoom. 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