

333 James E. Bohanan Drive • Vandalia, OH 45377 • (937) 898-5891

February 12, 2021

Honorable Mayor & City Councilmembers:

This week, I continued to familiarize myself with the beautiful town of Vandalia and explored our internal operations with department leaders. It was a great week. On Friday night, I saw much of the area and asked nonstop questions as I rode along with Police Officer Kayleigh Marshall and Sergeant Doug Nagel of the Vandalia Police Division. I really appreciated their patience with my inquiries, thoughtful responses, and great attitudes. On Tuesday, Mr. Will Roberts welcomed me to my first Vandalia-Butler Chamber Board Meeting. Superintendent O'Leary graciously led me through all of the Vandalia-Butler Schools and allowed me to meet some great educators, staff, and students along the way. I accompanied Mrs. Julie Trick to the Optimists Club meeting where I was their guest speaker, and Chief Althouse and I attended the Tri Cities North Regional Wastewater Authority with our neighbors in Huber Heights and Tipp City. In addition, Judge Heck and Clerk of Courts Goffena carved out time so that we could get to know each other. The best thing that I learned this week is that there is a planetarium in Smith Middle School!

There are many great happenings at the City and I look forward to our meeting on Monday. Please consider reviewing updates below and enclosed attachments. Please contact me directly with comments and questions.

- 1. Commercial Truck Traffic: The City has received a letter from Mr. Steven Stanley, Executive Director of the Montgomery County Transportation Improvement District (MCTID), regarding the first phase of construction on the US-40 Improvements Project. Mr. Stanley has indicated for safety of the construction crews and to speed up the project, it will be necessary to close the two ramps to the Dayton International Airport / Terminal Road on the north side of National Road only. The two ramps on the south side of National Road will remain open throughout the project. The detour will include directing traffic from National Road to Concorde Drive and eventually to Terminal Drive. Mr. Stanley's letter is enclosed. I have directed Public Service Director Cron to ascertain the duration of the closure. Mr. Cron will provide updates from MCTID regarding the project on Monday.
- 2. 2020 Financial Update: On Monday, Finance Director Leiter will provide a year-end update. As of December 31, 2020, income tax collection was down 3.69% (\$635,062) from 2019. The City collected \$16,594,510 in income tax during 2020. This figure is \$149,490 (0.9%) lower than anticipated revenue. The Miami Valley Communications Council issued an income tax summary

for 24 cities. The report indicates an average decline of 1.96% among peers. I have attached this report for your review.

- 3. Legal Fees: Mrs. Pruszynski has surveyed area jurisdictions and has compiled a table relating to the fees that are paid by peer governments for legal direction and attorney fees specifically associated with labor relations. Pickrel, Schaeffer & Ebeling currently charges \$155 / hr. Mr. McDonald has requested to increase the rate to \$170 / hr. over the next two years. The summary regarding rates and the amounts paid to Jackson Lewis for labor relations is enclosed for Council's consideration.
- 4. BusinessFirst! Retention and Expansion Program: Vandalia has participated in the retention and expansion program since 2002. The purpose of the program is to strengthen the economic performance of the region by identifying evolving business needs and connecting them with potential resolutions. This program is advantageous for the City because it promotes communication and cooperation between economic development entities. Specifically, it requires members to inform each other when they are contacted by a business in another member's jurisdiction about relocation or expansion. This protocol allows the City to attempt to retain the business before any final decisions are made. The County is requesting approval of a five-year renewal agreement through December 31, 2025. The annual cost to participate in the program is \$1,500.
- 5. Retirement at Tri Cities: Mr. Dave Heckler, General Manager of the Tri Cities North Regional Wastewater Authority, has announced his retirement in May 2021. The General Manager is responsible for efficient and effective contract negotiation and administration, environmental compliance, financial planning and budgeting, project management, and property management with regard to the City's wastewater treatment obligations. I am working with the city managers of Huber Heights and Tipp City to evaluate options for recruiting Mr. Heckler's successor.
- 6. Gabriel Street Full-Depth Reconstruction: Public Service Director Cron has reported that the full-depth reconstruction project on Gabriel Street was not among the projects that were forwarded by the district to the state for further Ohio Public Works Commission (OPWC) grant funding. The \$781,666 project includes replacement of utilities (e.g., mains, laterals, catch basins) from Elva Ct. to Vista Ave. In addition, the project includes replacement of utilities and full-depth reconstruction of the street from Vista Ave. to the cul-de-sac. Full-depth reconstruction is necessary because of repeated watermain breaks and sanitary issues on Gabriel Street. Monies for the entire project were included in the 2021 budget. If the City elects to move forward with the project, it will be necessary to transfer already appropriated funds totaling approximately 25% of the project from the OPWC Fund (340) to the Storm Fund (242) and Capital Fund (332).

- 7. Body Worn Cameras: The Division of Police budgeted for body camera replacements in 2021. The IT Department worked with Panasonic to put together quotes for 28 body cameras, spare batteries, chargers, and equipment. During the process, several licensing issues were discovered as well as some software updates that would improve video redaction and distribution. As a result, the IT Department submitted two proposals. The first proposal is for the body camera upgrade only, while the second proposal encompasses the body cameras, new software, and resolves the device licensing issues. While \$50,000 was budgeted for the project, the IT Department is recommending approval of the second proposal for a cost of \$60,025.30. As part of the 2021 budget, the Division of Police budgeted \$19,500 for new dash cameras. The IT Department currently has spare dash cameras in inventory. The IT Department is recommending deferring purchases of new dash cameras and instead directing \$10,025.30 to cover necessary software and license upgrades. The equipment would be purchased through Arc Acquisitions.
- 8. Action Item Boards and Commissions: Council's Study Session Packet included an application from Mr. Matthew Bauer. He is asking Council to consider his appointment to the Community Reinvestment Area Housing Council and to the Housing Code Board of Appeals. Mr. McDonald indicates there are no conflicts with Mr. Bauer serving on both committees. Mr. Bauer will attend via Zoom on Monday evening.
- 9. Resolution on Miami Valley Regional Crime Lab Services Agreement: The Vandalia Police Department has utilized the services of the Miami Valley Regional Crime Laboratory for more than 40 years. Services include laboratory analysis in all scientific sections, supplies for the department's evidence technicians and attendance by three officers at the MVRCL evidence technician course. The proposed annual fee for 2021 is \$25,351, an 8.5% decrease from the 2020 rate. This agreement was included in the 2021 budget.
- 10. Ordinance 21-03 on Rezoning "RTF" & "RFF" to "RSF-3" 675 Waldsmith Way: The purpose of this rezoning request is to allow the construction of one single family home. The property in question meets all applicable standards of the RSF-3 Zoning District. The Planning Commission reviewed this request at its January 12, 2021 meeting and voted 5-0 to recommend approval.
- 11. Ordinance 21-04 on Amending to Vandalia Codified Section 678.09: This ordinance cleans up the language in Section 678.09 and adds additional discharge language that was inadvertently left out when this ordinance was amended in 2019.

The February 15 Study Session and 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, following current department of health social distancing guidelines due to the number of COVID-19 cases

locally and statewide. All other staff and the public will be invited to attend the Study Session and Council meeting remotely via Zoom meeting. The study session will begin at 6:00 pm followed by the Council meeting at 7:00 pm.

Very Respectfully,

City Manager

Attachments:

- 1. Letter from MCTID February 8, 2021;
- 2. MVCC Income Tax Summary 2020 v. 2019 February 11, 2021;
- 3. Legal Fee Comparison Summary February 11, 2021;
- 4. Payments to Jackson & Lewis February 11, 2021; and
- 5. BusinessFirst! Renewal Memorandum, ACM Holloway February 11, 2021.



W. S. S. S. S. S.

MAIL

FEB 1 0 2021

CITY OF VANDALIA

February 8, 2021

City of Vandalia ATTN: City Manager 333 James E. Bohanan Memorial Drive Vandalia, OH 45377

Re: I-70/75 Airport Logistics Access Project

MOT-40-13.33, PID 98794

Dear Sir or Madam:

The first phase of construction work on the US-40 Improvements Project is underway. In our prior communications regarding this project, we had indicated that the ramps to the Dayton International Airport/Terminal Road would be kept open throughout construction. As design has progressed, it has been determined that the ramps will need to be temporarily closed to protect workers and the public and to minimize the construction timeframe. As an interested party, we welcome any questions or concerns regarding this necessary change to the proposed maintenance of traffic.

Additional information regarding the project status is provided on the enclosed press release.

Contacts: Montgomery County Transportation Improvement District (MCTID)

Phone: 937-225-5003

Address: 451 W. Third St., 10th Floor, Dayton, Ohio 45422

Email: 7075info@mctid.org

Sincerely,

Steven Stanley, Executive Director

Montgomery County Transportation Improvement District

cc: Tricia Bishop, Ohio Department of Transportation District 7

enclosure: Press Release [Feb. 8, 2021]

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FOR IMMEIDATE RELEASE

Media Contacts:

Steve Stanley, Executive Director MCTID 937-673-3852 or sstanley@mctid.org

Betty Hull, Public Relations Consultant Rasor 513-325-3921 or betty@gorasor.com

First Phase of Improvement Work on US 40 Begins

New project will improve safety, reduce traffic congestion, and support job creation near Dayton International Airport

DAYTON (Feb. 8, 2021) — The first phase of construction work on the US 40 Improvements Project is underway. The project will widen a portion of US 40 (National Rd.) from just west of Union Airpark Blvd. to Airport Access Rd., as well as improve the interchange at US 40 and Airport Access Rd.

The project is being managed by the Montgomery County Transportation Improvement District (MCTID), which works across geographic and political lines to improve safety, increase mobility and build connectivity in local communities, while stimulating economic development and enhancing the quality of life throughout the region.

Vanessa Glotfelter, director of engineering for MCTID, said the first phase of work has begun though significant construction will not take place until spring. "Our work crews are on site and preliminary work will take place throughout the winter, as weather allows," she said. Glotfelter added that all lanes of travel remain open on US 40 between Dog Leg Rd. and Peters Pk. while crews begin work outside the existing roadway.

Looking ahead, springtime work will include the installation of temporary pavement on the south side of US 40 between Dog Leg Rd. and Peters Pk. This will allow for roadway widening, pavement reconstruction, and water line and storm sewer improvements on the north side of US 40 within the project area.

In addition, Glotfelter anticipates that several ramp closures may be put into place as the project progresses. "In an effort to reduce the cost of the project while minimizing the impact to the public, we are considering a temporary closure of several ramps within the project area," said Glotfelter. The ramp from southbound Terminal Rd. to US 40 and the ramp from US 40 to northbound Terminal Rd. are expected to be closed for approximately two months during the summer. A detour will be put into place and marked with signage. "Our analysis shows that this short detour would cost drivers approximately one additional minute in travel time, but the temporary ramp closures will allow us to complete the project in a shortened time frame."

Infrastructure improvements provide regional economic benefits

The US 40 improvements proactively address anticipated growth over the next several decades to ensure efficient traffic flow for all who travel through this area. At the same time, they provide economic benefits by making development more attractive and competitive in the area, which supports job creation and the local economy.

When completed, the improvements on US 40 will address roadway design issues while adding capacity. They include:

- Constructing a new, continuous five-lane section of US 40 from just west of Union Airpark Blvd. to Airport Access Rd., with two through lanes in each direction and a center left turn lane.
- Tapering the roadway from Union Airpark Blvd. back to two lanes to the west.
- Reconstructing the ramps to Airport Access Rd. to meet modern design standards and improve the interchange's safety.
- Upgrading traffic signals at the interchange of US 40 and Airport Access Rd.

Public information is a critical component of project work

The US 40 Improvements Project is supported by multiple regional partners, including the City of Vandalia, Ohio Public Works, JobsOhio, the Dayton Development Coalition, the City of Union, the Dayton Area Chamber of Commerce, the City of Dayton, Montgomery County, and the Ohio Department of Transportation.

To ensure residents and surrounding businesses stay up to date on traffic impacts and project status, the MCTID has updated its digital presence to include project information and additional resources at MCTID.org.

"We want the public to be informed about any work that may impact their drive through our project area," said Steve Stanley, executive director of the MCTID. "We recognize that addressing critical roadway and infrastructure needs to make travel safer and smoother for the county's residents and visitors requires collaboration. We appreciate the support of our partners and look forward to delivering this project to the public in 2021."

Stanley added that public feedback specific to the potential ramp closures near the Dayton International Airport should be submitted by March 15, 2021, via the feedback form on MCTID.org, in order to be considered during project development.

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ABOUT THE MONTGOMERY COUNTY TRANSPORTATION IMPROVEMENT DISTRICT

The Montgomery County Transportation Improvement District is a strategic and trusted partner facilitating regional partnerships to improve public roadways and support job creation. The TID is engaged with projects at the request of other Montgomery County governments to improve safety, increase mobility and build connectivity in local communities, while stimulating economic development and enhancing the quality of life throughout the region.

Municipal Income Tax Collections 2020 vs 2019

City

Brookville	(7.11%)
Carlisle	Unchanged
Centerville	1.45%
Clayton	(8.30%)
Dayton	0.10%
Fairborn	3.00%
Franklin	(1.59%)
Germantown	(5.60%)
Huber Heights	1.40%
Kettering	0.60%
Miamisburg	2.89%
Moraine	(9.00%)
New Lebanon	2.60%
Oakwood	4.68%

2.03%
2

Riverside (8.00%)

Sidney (10.80%)

Springboro 1.10%

Springfield (1.29%)

Tipp City 2.43%

Troy (3.31%)

Union 25.00%*

Vandalia (3.69%)

West Carrolton (6.60%)

Responses - 24

Mean - (1.87%)

Note: Union was not included in the calculation of the mean. See footnote below.

^{*}Footnote: Effective January 1, 2020, the income tax rate for the City of Union increased from 1.0% to 1.5%.

2021 Law Director/Labor Attorney Rate Survey

Labor Attorney

Municipality Law Director

Vandalia	Firm: Pickrel Schaeffer & Ebling	Firm: Jackson Lewis		
	Rate: \$155/hour	Rate: \$312/hour		
Englewood	Firm: McNamee	Firm: Bricker & Eckler		
	Rate: \$100/hour	Rate: \$275/hour		
Sidney	Firm: Salaried/Appointed as Law Director	Firm: Jackson/Lewis		
	Salary: \$139,093 + 1% ICMA Contribution	Rate: \$312/hour		
Huber Heights	Firm: Pickrel, Schaeffer & Ebling	Firm: Pickrel, Schaeffer & Ebling		
	Rate: \$165/hour	Rate: \$165/hour		
Tipp City	Firm: John Freeman	Firm: Clemans, Nelson & Assoc.		
	Rate: \$172/hour up to 256 hours annually. \$100/hour in excess of 256 hours. \$125/hour for litigation. Plus miscellaneous benefits including health insurance.	Rate: \$175/month retainer plus \$165/hour		
Oakwood	Firm: Full-Time Law Director	Firm: Taft Stettinius & Hollister Rate: \$185/hour		
Centerville	Firm: Altick & Corwin Rate: \$165/hour	Firm: Frost Brown Todd Rate: \$205/hour Elizabeth Reburn Rate: \$355/hour Joe Scholler		
Kettering	Firm: Full-Time Law Director	No reply received		
Тгоу	Firm: Grant D. Kerber/elected position	Firm: Jackson Lewis Rate: Union Negotiations - \$275/hour		
Sprinboro	Firm: Pickrel, Schaeffer, & Ebling Rate: \$175/hour	Firm: Ben Albrecht/Fishel Downey Rate: \$195/hour		
Broadview Heights	Firm: Unknown	Firm: Stefanik, Iosue & Assoc.		
	Rate: \$70,911 plus \$118/hour	Rate: \$175/hour		
New Albany	Firm: Mitch, Banchefsky Rate: \$386/hour	Firm: Clemans Nelson Rate: HR Matters - \$175/month retainer		
		Firm: Ben Albrecht/Fishel Downey Rate: Union Matters - \$250/month retainer		
		Firm: Ice Miller Rate: Varies - Special Projects		
		Firm: Frost Brown Todd Rate: Varies - Special Projects		
Wyoming	Firm: Unknown	Firm: Unknown		
	Rate: \$185/hour	Rate: \$225/hour		
Blue Ash	Firm: Unknown Rate: \$250/hour	Firm: Dinsmore & Shohl Rate: \$190/hour		

Jackson Lewis

Date	Invoice #	Matter #	Description	\$ Amount	Detail
					17.40 hours @ different rates/person Fact finding prep (emails listing open articles); location of union
12/16/2019	7455767	408985	PW Teamsters Negotiations	\$5,008.80	contracts; draft wage survey; hearing preperation; emails.
					29.20 hours @ different rates/person Prepare for fact finding, review evidence and pending proposals,
					prep fact finding, emails, telephone calls, meetings with City, prep/attend fact finding hearing; research
1/8/2020	7466633	408985	PW Teamsters Negotiations	\$8,219.20	statutes and regulations.
2/6/2020	7483290	408985	PW Teamsters Negotiations	\$2,340.00	7.5 Hours @ \$312 - Fact finding, emails, telephone calls, review report & summarize
					8.30 hours @ different rates/person Fact finding, emails, telephone calls, Meetings w/City, research
3/11/2020	7504327	408985	PW Teamsters Negotiations	\$17,028.00	statutes/regulations, review SERB case laws. Draft motion. Prep and attendance @ negotiations.
					10.20 hours @ different rates/person Telephone calls, emails, review union contract and
4/8/2020	7521132	408985	PW Teamsters Negotiations	\$2,896.00	approach, final contract prep
					6.10 hours @ \$312 Emails with CMO, fact finder payment, review contract re: layoffs, review
5/6/2020	7539727	408985	PW Teamsters Negotiations	\$1,903.20	draft agreement.
					2.9 hours @ \$312 Review contract status, review approach to union delay, emails,
6/17/2020	7566410	408985	PW Teamsters Negotiations	\$904.80	telephone calls.
7/8/2020	7578166	408985	PW Teamsters Negotiations	\$312.00	1.0 hour @ \$312 - Emails w/CMO about wage increase. Review re: signing contract.
8/14/2020	7600201	408985	PW Teamsters Negotiations	\$312.00	1.0 hour @ \$312 Emails, Review approach to Teamsters not signing.
			Union Matters Total	\$38,924.00	



To: Dan Wendt, City Manager

From: Amber Holloway, Assistant City Manager

Date: February 10, 2021

Subject: Business First! Agreement Renewal

We recently received the County's request to renew our Business First! Agreement through 12/31/2025. This is a longstanding relationship that we have had with the County since 2002. The renewal fee would be \$1,500.00 due annually on June 1st of each year. The agreement serves as the County's business retention and expansion program for which I have been the acting representative since 2018.

Participation in this program allows the City to access to a database that allows us to log business visits. We also receive additional local trainings, and the opportunity to attend bi-monthly meetings to collaborate with other Business First! members.

This agreement also requires member jurisdictions to adhere to a relocation protocol that requires the jurisdiction to notify another member jurisdiction if contacted by a business in their community interested in relocating or expanding, and whenever incentives are requested. This important protocol allows the jurisdictions an opportunity to try to retain the business before any final decisions are made.

There are many benefits to our participation in this program. It is my recommendation that we continue in the Business First! for this five-year period.