

THE BLUE LETTER



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

December 31, 2021

Honorable Mayor Herbst & Esteemed City Councilmembers:

Happy New Years! I hope that you have a safe and happy new year celebration.

This has been a course-setting year for the City of Vandalia. I want to thank Chief Althouse, Assistant City Manager Holloway, Executive Assistant Pruszynski, and our department leaders for helping me to *hit the ground running* this year.

Please know that the Wendts are all-in. I look forward to living here in Vandalia and to serving this beautiful community for many, many years to come. I am thankful for this opportunity, and I look forward to driving results through our team of public servants.

The purpose of a City of Vandalia employee is to build on our tradition of being a top-tier suburb through top-tier services by improving quality-of-life in town.

In 2022 – we are going to set the groundwork for accelerating our pursuit of escalating quality-of-life and sense of place. Here are some highlights of what we are going to accomplish:

1. Set the **groundwork for building downtown** as called for in the Vision Vandalia Comprehensive Plan through the activation of the Downtown Blue-Ribbon Committee of stakeholders, establishment of the Job Creation and Revitalization Fund, creation of a downtown overlay zoning district, implementation of strategic economic development incentives to catalyze development, execution of a downtown corridor market study, consideration of acquiring strategic properties, and development of a Downtown Master Plan;
2. \$1 million + in **asphalt overlay** and \$300,000 in **sidewalks / curbs / gutters / ADA ramp concrete work** to keep Vandalia's right-of-way beautiful and functional;
3. Creation of a comprehensive **Capital Improvement Plan** to improve our budgeting process and to align with the City's strategic goals;
4. Continue to **combat commercial truck traffic** through physical improvements to roadways, the pursuit of a through-truck prohibition, coalition building, and enforcement;

5. Conduct a comprehensive **Parks & Recreation Master Plan** to guide our pursuit of improving health and wellness, equity, and conservation in our pursuit of the CAPRA accreditation;
6. Placement of the Vandalia Arts Council's first **mural** through a CultureWorks grant;
7. Leverage American Rescue Plan, corporate sponsors, peer government collaborations, and grant monies to **replace playgrounds**;
8. **Recruit, Hire, and Onboard** the new Human Resources Manager, Public Works Superintendent, and Chief Building Official; and
9. Deliberately **improve processes** to produce better internal and external customer service.

We have many things to accomplish on Monday. We will **begin at 5 pm** with an Executive Session to consider the employment and compensation of a public employee. In addition, if time allows and it is the desire of Council, I will request that we meet in Executive Session to briefly discuss the discipline of a public employee, to consider the purchase of property, and to review the City's collective bargaining strategy.

The Organizational Meeting will begin at 6:00 pm, the Study Session will follow at 6:15 pm, and the regular City Council Meeting will follow at 7:00 pm.

Chief Althouse and the Division of Police will have their new vehicles on display prior to the Council Meetings outside of the Municipal Building.

Study Session

Monday, January 3, 2022 Items

1. **Verify items on agenda.**

Tuesday, January 18, 2022 Items

1. **Resolution: Firefighter Protective Gear** - 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 and a Vandalia company, as a sole source provider, at a total cost of \$33,774.00.
2. **Resolution: Police Cruiser Bids** - 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 Recorder and bid packets were delivered to a variety of dealerships. The City also posted the bid specifications on the city website. One bid packet was received and opened on December 16. Beau Townsend Ford offers the 2022 Ford Police Interceptor Utility AWD patrol vehicle at a unit price of \$43,450.00 and a total purchase price of \$130,350.00. City Council budgeted \$139,500.00 for this 2022 capital

purchase. The gross purchase price of \$130,350.00 for three new patrol vehicles from Beau Townsend Force is \$9,150.00 under budget. I recommend awarding the bid for three new patrol vehicles to Beau Townsend Ford and purchase patrol vehicle at the bid price offered.

3. **Resolution: Police Unmarked Car Purchase** - 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 Recorder and bid packets were delivered to a variety of dealerships. The City also posted bid specifications on the city website. One bid packet was received and opened on December 16. Beau Townsend Ford offers a 2022 Ford Interceptor Utility AWD vehicle at a unit price of \$46,440.00. City Council budgeted \$46,500.00 for this 2022 capital purchase. The gross purchase price of \$46,440.00 for a new unmarked sport utility vehicle is \$60.00 under budget. I recommend awarding the bid for one new unmarked sport utility vehicle to Beau Townsend Ford and purchase the vehicle at the bid price offered.
4. **Resolution: FLOCK** - 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 fee. Flock Safety is the sole-source provider of such safety system. Therefore, I request that City Council waive competitive bidding and authorize me to enter into a contractual agreement with Flock Safety for the installation and utilization of the safety equipment and software.
5. **Variance: Fuel Pump to Residential Line – 22 Ranchview Drive**
6. **Variance: Maximum Front Setback in DB zoning District – 22 Ranchview Drive**
7. **Variance: Minimum Setback for Fuel Stations – 22 Ranchview Drive**
8. **Conditional Use– 22 Ranchview Drive**

Discussion

1. **ADA Ramps** – After all projects were accounted for in 2021, the City encumbered unspent funds to update and add some additional ADA Compliant Handicap Ramps. Coate Construction, the contractor who performed our concrete repair project last year, has indicated that they are willing to perform the work and the same unit costs as we used in their 2021 contract. The amount of work will not exceed \$25,000. They will perform the work as weather permits over the winter and early spring. One area we will target is the Copperfield subdivision. The City has received complaints about some of the ramps that were installed by the developer back in the early 2000's. At that time the truncated bricks

were permitted in the ramps and many of these have failed and caused trip hazards. We will also be installing two ramps on Alkaline Springs at the Vandalia Art Park. The remainder of the money will be used to get a head start on next year's concrete repair program.

2. **60-Day Calendar** - The calendar is included in your packets for your review

Council Meeting

Action Items

1. **Action Item: 2022 Council Appointments to Boards/Commissions** – Council will consider annual appointments for the following organizations:
 - 2022 MVRPC & TC Representatives: Annually a representative and alternate are appointed to the MVRPC. Currently Mayor Herbst is the representative and Amber Holloway is the alternate. Annually a representative is appointed to the Technical Committee. Rob Cron is the current Technical Committee representative.
 - 2022 First Suburbs Consortium of Dayton: Annually Council appoints two representatives and an alternate to this consortium. The current representatives are Mayor Herbst and Vice Mayor Ahlers. Councilman Lewis is the alternate.
 - 2022 Montgomery County Community Improvement Corporation: This committee requires the annual appointment of the Mayor.

Resolutions

1. **Resolution 21-R-77 Re-Plat of Cassel Hills Section 4**– The Applicant, Stoneridge Condo Association, has submitted an application requesting approval of a re-plat of 1.130 acres of lot 28, specifically Phase 3 of the Stoneridge Condominium Plat which contains a 4-unit condo building. The condo association is seeking to sell an unused portion of lot 28 of Cassel Hills Section 4 totaling 0.2529 acres in three separate pieces to 3 single-family residences, being lots 10, 11, and 12 of Cassel Hills Section 3 on Mystic Lane which directly border Lot 28. The Planning Commission voted 4-0 to recommend approval of the request to re-plat.
2. **Resolution 21-R-78 Cassel Hills Extension Plat** – The Applicant, Stoneridge Condo Association, has submitted an application requesting approval of a re-plat of lots 10, 11, and 12 of Cassel Hills Section 3. The re-plat is being requested for the addition of .1116 acres to lot 12, .1144 acres to lot 11, and .0269 acres to lot 10 for a total of .2529 acres being added to Cassel Hills Section 3 from Cassel Hills Section 4. The Planning Commission voted 4-0 to recommend approval of the request to re-plat.

Ordinance – First Reading

1. **Ordinance 21-39 to Vacate Top Notch Court Right of Way:** 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.

Ordinance – Second Reading

1. **Ordinance 21-37 PUD Amendment- Cassel Hills -668 Cassel Hills Ct** - The Applicant, Stoneridge Condo Association, has submitted an application requesting approval of a PUD Major Amendment to the Cassel Hills Planned Unit Development. The Condo Association is seeking to sell an unused portion of Lot 28 (Cassel Hills Section 4) to 3 single-family residences (lots 10, 11, and 12 of Cassel Hills Section 3) on Mystic Lane which directly border lot 28. In their letter of justification, Stoneridge Condominiums addresses the desire to alter the 50' setback and indicated that they would like to extinguish the entire 50' setback. The plat map submitted as part of the application shows that the walking easement is also be extinguished. The application also includes letters from each of the 3 property owners in favor of the PUD Major Amendment and expresses their desire to purchase the property. The Planning Commission voted 4-0 to recommend approval of the requested PUD Major Amendment with one condition, that a 45' setback is applied instead of the full extinguishment of the setback requirement.
2. **Ordinance 21-38 An Ordinance Amending Vandalia Code Section 452.03(a)(14) Dealing With Parking** - The Vandalia Division of Police in conjunction with City of Vandalia Prosecutor David Caldwell are recommending a City Code Amendment to 452.03(a)(14) to increase driver safety related to the enforcement of commercial vehicle traffic and parking violations along interstate ramps. The code currently reads, "No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this title, or while obeying the directions of a police officer or a traffic-control device, in any of the following places: at any place where signs prohibit stopping." The Prosecutor is recommending the code be amended as such, "...any place where signs prohibit stopping and/or parking."

Reports from Boards and Commissions

1. **Conditional Use: 9105 Peters Pike** - The Applicant, Taft Stettinius & Hollister LLP, has submitted an application requesting a conditional use permit to allow the use of warehouse on the property located at 9105 Peters Pike in the Office/Industrial Park (O/IP) Zoning District. The proposal is to construct a 728,000 SF warehouse facility with ancillary offices on a 56.4044-acre site with 162 loading docks, 199 trailer spaces, and 594 parking spaces. At its meeting on November 23, 2021, the Planning

Commission voted 3-0 with one abstaining to recommend approval of the requested conditional use permit allowing a “warehouse” use within the Office/Industrial Park zoning district.

2. **Variance: Perimeter Landscaping – 9105 Peters Pike** - The Applicant, Taft Stettinius & Hollister LLP, on behalf of Pinchal & Company, LLC, potential purchaser, has requested a variance for “substantial compliance over a three-year period, beginning on the date the facility is operational”. The Applicant, in their letter of justification, is proposing that “in order to increase the economic feasibility of this project an allowance of three years be made over which time Pinchal will use reasonable efforts to comply with the screening requirements outlined in the subject code sections”. This variance is running concurrently with BZA21-14, BZA21-18, and PC21-21. At its meeting on December 1, 2021, the Board of Zoning Appeals voted 4-0 to recommend denial of the requested variance to delay full compliance with City Code Section 1232.05(c) “Perimeter Landscaping of Vehicular Use Areas” for 3 years. **I strongly recommend that this variance be denied.**
3. **Variance: Screening – 9105 Peters Pike** - The Applicant, Taft Stettinius & Hollister LLP, on behalf of Pinchal & Company, LLC, potential purchaser, has requested a variance for “substantial compliance over a three-year period, beginning on the date the facility is operational”. The Applicant, in their letter of justification, is proposing that “in order to increase the economic feasibility of this project, an allowance of three years be made, over which time Pinchal will use reasonable efforts to comply with the screening requirements outlined in the subject code sections”. The Applicant also states, “Due to ongoing supply chain issues and labor shortages, the costs associated with immediate compliance with these provisions is estimated at \$500,000.00 and would require the sourcing and planting of approximately 950 trees and shrubs”. This variance is running concurrently with BZA21-13, BZA21-18, and PC21-21. At its meeting on December 1, 2021, the Board of Zoning Appeals voted 4-0 to recommend denial of the requested variance to delay full compliance with City Code Section 1232.06(b) “Screening of Vehicular Use Areas from Rights-of-Way” for 3 years. **I strongly recommend that this variance be denied.**
4. **Variance: Loading Docks in Front Yard – 9105 Peters Pike** - The Applicant, Taft Stettinius & Hollister LLP, on behalf of Pinchal & Company, LLC, potential purchaser, has requested a variance to allow for loading docks within the front yard. Per City Code, Off-street loading spaces may occupy any part of a required rear or side yard but shall not project into any front yard. This variance is running concurrently with BZA21-13 and BZA21-14. At its meeting on December 1, 2021, the Board of Zoning Appeals voted 4-0 to recommend approval of the requested variance to City Code Section 1234.05(c)(2) “Location” to allow for loading docks within the front yard.
5. **Variance: Increased Maximum Impervious Area – 1140 W National** - The Applicant, Park-N-Go Inc., has requested a variance to allow for an increase in the maximum allowable impervious area beyond 80%. Per City Code Section 1226.05(a) Table 1226-3 “Other Site Development Requirements for

Nonresidential Districts”, properties within the Highway Business (HB) zoning district may have a maximum impervious surface coverage of 80%. The Applicant has requested to pave an area of land on the eastern portion of their property which is currently a stormwater detention pond, and this would increase the impervious area above 80%. The Applicant also has indicated in their application that they would like to convert their detention pond to an underground water retention facility and City Staff suggested the Applicant wait until after the variance process was complete to seeking engineering designs to avoid potentially unnecessary costs. At its meeting on December 8, 2021, the Board of Zoning Appeals voted 5-0 to recommend approval of the requested variance to City Code Section 1226.05(a) Table 1226-3 “Other Site Development Requirements for Nonresidential Districts”, to allow for an increase in the maximum allowable impervious area beyond 80%.

6. **Variance: Roof Top Sign – 318 E. National Road** – The Applicant, Signarama, on behalf of the Subway Franchisee has requested a variance to allow for a roof top sign replacement. Per City Code Section, roof top signs are listed as prohibited within the City. The current “Subway” roof top sign is a legal non-conforming sign, so reconstruction would require either compliance with the Code or a variance. At its meeting on December 8, 2021, the Board of Zoning Appeals voted 5-0 to recommend approval of the requested variance to City Code Section 1236.06(a)(16) “Prohibited Signs” to allow for a roof top sign replacement.

7. **Conditional Use – 6520 Poe Ave** - The Applicant, Hondros College of Nursing, has applied requesting a conditional use permit to allow the use of Educational Institution (Higher Education) on the property located at 6520 Poe Ave in the Office/ Industrial Park (O/IP) Zoning District. The Educational Institutions (Higher Education) use is a Conditionally Permitted Use in the O/IP Zoning District pursuant to Table 1218-1: Principally Permitted Uses in Base Zoning Districts. Planning Commission voted to recommend the conditional use permit 4-0.

Once again, on January 3, Council will hold an Executive Session at 5 pm followed by an Organizational Meeting at 6:00 pm, Study Session at 6:15 pm, and City Council Meeting at 7:00 pm. The meetings will be a hybrid (in-person & remote) meeting in Council Chambers. The meeting is open to Council, staff, and the public to attend in-person; however, no comments, electronic or oral, will be allowed by people that are participating electronically through Zoom. Anyone wishing to be heard on a topic will need to appear personally at the meeting.

Please contact me directly with comments and questions.

Very Respectfully,

Dan Wendt
City Manager

CC:

Board and Commission Members
All City Employees