

RECORD OF PROCEEDINGS

Minutes of _____

Minutes of the Vermilion City Council Meeting

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

Monday, March 16, 2020

Videos and minutes of council meetings are available to the public to view online at www.cityofvermilion.com under 'meetings' tab (City Meeting Minutes or Videos).

Vermilion City Council: Steve Herron, Council President; Monica Stark, Council at Large; Emily Skahen, Ward One; Frank Loucka, Ward Two; Steve Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five; G. Fisher, Certified Municipal Clerk

Administrative Staff: Mayor Jim Forthofer; Amy Hendricks, Finance Director; Chris Howard, City Engineer

CALL TO ORDER:

Steve Herron, President of Council called the Monday, March 16, 2020 Vermilion City Council Public Hearing and Regular Meeting to order.

PLEDGE OF ALLEGIANCE:

The members of Council, administrative staff, and audience participants recited the Pledge of Allegiance; a moment of silence followed.

PUBLIC HEARING:

Application for Placement of Farmland in An Agricultural District

Owner: Ronald W. & Judith Baumann, Trustee
Location of Property: Jerusalem Road/Cooper Foster Park Road
Total Number of Acres: 51.75

Owner: Charles W. and Patricia Latto
Location of Property: Rear land, Claus Road, North Ridge Road
Total Number of Acres: 107.93

S. Herron explained the public is not permitted to attend tonight's meeting. Reasoning behind this determination is that recently the Center for Disease Control issued a very strong recommendation that no gatherings are to be held for 10 or more people. There are few more than 10 gathered, but they are all seated six feet apart. He made it clear that nobody from the public has come in or has asked to come into the meeting.

APPROVAL OF MINUTES:

S. Holovacs MOVED; F. Loucka seconded to approve the minutes of the March 2, 2020 meeting. Roll Call Vote 7 YEAS. MOTION CARRIED.

CORRESPONDENCE: None.

PRESIDENT OF COUNCIL'S REPORT:

S. Herron said there is a lot going on in city business that involves them being within a proximity of each other in accordance with mandates of them conducting meetings and doing their jobs. The mandate is under City Charter and under State Law. The Mayor sent him Attorney General Yost's statement concerning all of this and it basically says that they're in a situation where they need to have meetings. There are several things they can do to comply with mandates and recommendations of elective and appointed officials. He said there will be a different seating arrangement as they will all be positioned 6 ft. apart from each other. In the event they can have more than 10 people attending, he will direct the public to remain 6 ft. separate from each other; apart from children and a parent. In the event they can't do this, they will ask people to go to an outside area. This isn't his goal to preclude people from coming to the meetings, but they need to do their jobs and make sure they're setting a good example for the citizens. He asked everyone to monitor the Governor's press releases and the Director of Health's press releases, and the Attorney General who is monitoring these situations carefully.

He said his first and last rule is to be kind to each other as they need to be an example. The community is a nice community and they look out for each other, so he encouraged everyone to look out for their

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neighbors as our behavior affects others when we go into a situation that could be tense. He told everyone even though they may feel find they could be carrying something, so everyone's decisions and behaviors impact other people. He said this will end and it's a tough time. He said Council will reassess on April 6, but if they cannot have a meeting in this environment, then they will do it in another environment some other way with direction from the Attorney General on how to do their jobs. He asked council to not come if they were sick and if they cannot have a quorum, then they will not have a meeting.

Councilman Holmes reported the Parks & Recreation Board meeting has been cancelled for March 17, 2020.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer provided his submitted report as read into the record:

All Administration employees are committed to continuation of uninterrupted essential services to the residents and businesses of Vermilion during this pandemic. These services include police, fire, ambulance, water, waste water and clear roads.

Continued operations.

I have met with our city's plant managers and labor representation. They are all supportive of whatever is necessary to keep systems operating. We have established skeleton staffing necessary to deliver services. Our first responders have contingency plans in place for 24/7 protection of the community. We had a department heads meeting again this morning to review continued operations considering the unfolding situation. I am in regular contact with the Superintendent of Vermilion Local Schools, Erie Health Department and our County Commissioners.

COVID-19 itself has not yet hit our city operations. However, we are impacted by the same disruptions as the general public. The most impactful challenge to City operations is the closing of our local schools. City employees with school age children are in a bind. Staff reductions will likely be necessary as the City complies with the Federal Families First Act working its way to the President. This act will likely provide up to 80 days leave for eligible employees who have school age children or sick relatives.

Administrative actions taken.

- Water shut offs for continued nonpayment are suspended for this month. We will waive late fees and penalties for March.
- Lorain, Huron and other Ohio Cities have closed their City Halls to the public. We are going to be closing the windows at the Building and Utilities departments. Few utility bills are paid in person. Building permits can now be applied for online. Walk ups to the Mayor's office window may also be closed. I return all my phone calls the same day.
- Boards and commissions will need to deal with a rise in building permits, requests for variances, review of building plans and preparation of ports activities and parks. We don't want the plans for growth in Vermilion to stop. We will review the need for boards and commission meeting one at time. Tomorrow's Parks Board meeting is cancelled.

Erie County Health Department

I attended a meeting with the Erie County Health Department today. Director Peter Schade emphasized to county leaders the protection of first responders first so that they may remain healthy enough to assist others. He also said that cases of COVID-19 will peak in April and May. Health resources are being built up in anticipation. Mental health will be an ongoing concern as the pandemic proceeds. They advised that people focus on doing normal things as much as possible.

Seniors

We will post contacts for services available to our City's seniors on our website. It is important that we take care of each other during this crisis. Please check on a senior, someone disabled or anyone vulnerable.

A community like Vermilion has proven that it helps its own. I encourage everyone to watch out for each other and take that one extra step to offer help to your neighbors.

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Share a Ride

Nicole DeFrietas, Transit Administrator of Sandusky said there will be no fare for the next three weeks on Share A Ride to help families in need to access food distribution sites. Their phone will also be posted online.

We'll move past this.

The Administration will do what's necessary to get through this pandemic. But the City has roads to replace, water lines to replace, sidewalks to install and a fire station to build. As I said, building permits are way up. We will not lose sight of the future of Vermilion.

An interesting side note for everyone.

The City's newest corporate neighbor, Defense Soap should receive its Certificate of Occupancy to move in this week. However, Owner Guy Sako told me the EPA has recommended their tablets as effective in killing the coronavirus. I have seen the EPA certification. Mr. Sako said their orders are up 8,000%. He is prioritizing fulfillment of these orders as a humanitarian obligation and their move in may have to be postponed until next week.

Nice to hear a local business can contribute to the fight against this virus.

FINANCE DIRECTOR'S REPORT:

Amy Hendricks provided her submitted report as read into the record:

Tax Time - Reminder

The Regional Income Tax Authority (RITA) is no longer providing paper forms to member municipalities. To file, residents may:

1. File electronically at www.ritaohio.com
2. Download and print forms from www.ritaohio.com
3. For assistance, call the automated line at 1-800-860-7482

RITA is now using a new processing that matches up W-2s that employers file with the IRS to addresses within RITA service areas. In recent years, they have discovered an increasing number of people who are not paying local income taxes. We have been providing the information below to people signing up or making changes to utility accounts as well as applying for building permits.

All residents of the City of Vermilion are required to pay local income tax of 1.5% on earned income. This tax is administered by the Regional Income Tax Agency (RITA).

Frequently Asked Questions:

1. *I work in another community that withholds income tax from my paycheck. Do I still pay City of Vermilion taxes?* YES! Please contact RITA to determine the amount you will owe based on the tax paid where you work. They will instruct you on how to make quarterly estimated payments. Some employers will withhold the additional amount for Vermilion and file it with RITA so check with your payroll office.
2. *Do township residents pay City of Vermilion income taxes?* MAYBE! Please confirm the specifics for your address:
 - a. Do you receive a billing for services from the city for any utility services, such as garbage? If so, you are subject to Vermilion income tax.
 - b. Do you live in a township, but within the City of Vermilion corporation limits? If yes, you are subject to Vermilion income tax.
 - c. If unsure, verify your tax district by contacting RITA as other agencies are not as familiar with the various boundaries. Your neighbor may not be right.

Amendment to Appropriations and Certificate of Estimated Resources

Maintaining the City's budget and revenue estimates is an everchanging process if we are going to keep our eye on the future:

1. Adding revenue and expenses for the \$2.2 million-meter project recently approved.
2. Adding to our revenue and expenses for the Fire Station Project due to an additional \$8,896.02 in investment income to be earned in the fund. (BTW – nearly \$55,000 in additional funds have been made available for new station from actively investing the bond

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funds. That was enough to pay for an upgrade from an asphalt to a metal roof for the building saving long term maintenance costs).

Transfers and Advances from the General Fund have been updated to reflect the most recent allocation to the Tree Commission Fund:

Transfer From:	
General Fund	\$406,500
Transfer To:	
Recreation Fund	\$5,000
Watercraft Safety	\$11,500
Police Pension	\$190,000
Retirement Liability	\$180,000
Tree Commission	\$5,000
Other Funds	\$15,000

Meter Project Update

The update of the Official Statement by the Finance Department began when the initial debt ordinance was approved by Council in December. This allowed us to be ready to go quickly last week with the new drop in interest rates by the Federal Reserve. The great news is that we are now estimating rates of less than 1.5% for the new issue which is allowing us to do the borrowing for a 10-year term in comparison to the 20-year term originally projected.

The ratings review call with Moody's Rating Agency was held on Thursday with a report expected next week. The timing of the actual sale will be determined with guidance from our financial advisors based on market events soon.

In order to provide appropriate tracking for revenue and expenditures for the meter project, authorization is requested to establish Fund 509 Meter Replacement Project with revenue and appropriations equaling \$2,200,000 for Fiscal Year 2020.

CITY ENGINEER'S REPORT:

C. Howard reported that last Thursday they held a bid opening for the Sanford Street Water Main Replacement Project and the City received four bids. The low bidder was Underground Utilities of Monroeville, Ohio for \$465,408.25. He recommended approval to City Council as they need to have this project completed before the Safe Routes to School Project can begin.

NEW BUSINESS:

F. Loucka MOVED; B. Holmes seconded to approve the Applications for Farmland in an Agricultural District. Roll Call Vote 7 YEAS. MOTION CARRIED.

Reading of the Ordinances:

Third Reading – Ordinance 2020-7: AN ORDINANCE TRANSFERRING FUNDS FROM ONE APPROPRIATION TO ANOTHER AND/OR APPROPRIATING FUNDS NOT HERETOFORE APPROPRIATED.

S. Holovacs MOVED; B. Brady seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2020-8: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO AN AGREEMENT TO ASSUME THE LIABILITY OF THE GRAND DIVISION PARKING LOT FROM NORFOLK SOUTHERN RAILWAY AND DECLARING AN EMERGENCY.

F. Loucka MOVED; B. Brady seconded to adopt this ordinance by emergency. Discussion: B. Brady asked the Mayor to explain this agreement. Mayor Forthofer said when the Grand Division Parking Lot was acquired from the

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Dickerhoff family, the Dickerhoff family had an agreement with Norfolk Southern in that the drains under the parking lot would tie into the Norfolk Southern main storm drain. In exchange for this, they paid so much per year. When the City acquired the parking lot, they acquired the same agreement. B. Brady asked how much the City pays to them. G. Fisher said it is \$1,000. Roll Call Vote 7 YEAS. MOTION CARRIED.

First Reading - Ordinance 2020-10: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO MAKE AND ENTER INTO A CONTRACT WITH SERGEANT SCOTT HOLMES OF THE VERMILION POLICE DEPARTMENT, WHEREBY THE OWNERSHIP OF THE POLICE DOG "MIRO" WILL BE TRANSFERRED TO HIM AND DECLARING AN EMERGENCY.

B. Holmes MOVED; B. Brady seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

M. Stark MOVED; F. Loucka seconded to adopt this ordinance. Discussion: B. Brady asked if the City was getting a new K9 and Mayor Forthofer said yes and his name will be Falon and Officer Chandler will be his handler. Roll Call Vote 7 YEAS. MOTION CARRIED. (This ordinance will go into effect April 16, 2020)

First Reading - Ordinance 2020-11: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH UNDERGROUND UTILITIES, INC. OF MONROEVILLE, OHIO FOR THE SANFORD STREET WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO SAID AWARDEE IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED SIXTY-FIVE THOUSAND FOUR HUNDRED EIGHT DOLLARS AND TWENTY-FIVE CENTS (\$465,408.25) AND DECLARING AN EMERGENCY.

S. Holovacs MOVED; F. Loucka seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

B. Holmes MOVED; M. Stark seconded to adopt this ordinance by emergency. Discussion: B. Brady asked if they were adopting all the ordinances because they won't be meeting for a couple weeks. S. Herron said he is asking Council to do this, but he doesn't want anybody to feel they have to do it. His position is to do just what they can, so it can be up for discussion. F. Loucka said there is a sense of urgency on this project as it needs to be completed before the Safe Routes to School Project can begin. Roll Call Vote 7 YEAS. MOTION CARRIED.

First Reading - Ordinance 2020-12: AN ORDINANCE TO OFFICIALLY SUPPLEMENT THE MINIMUM CONTRACTUAL SERVICES TO BE PERFORMED BY BRAMHALL ENGINEERING & SURVEYING COMPANY BY VIRTUE OF ORDINANCE 2018-5 ADOPTED JANUARY 2, 2018, BY AUTHORIZING CONSTRUCTION AND OBSERVATION AND CONTRACT ADMINISTRATION SERVICES RELATED TO THE SANFORD STREET WATER MAIN REPLACEMENT PROJECT IN AN AMOUNT NOT TO EXCEED THIRTY SIX THOUSAND ONE HUNDRED TWENTY DOLLARS (\$36,120.00) AND DECLARING AN EMERGENCY.

S. Herron MOVED; S. Holovacs seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

F. Loucka MOVED; B. Brady seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

First Reading - Ordinance 2020-13: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH K.E. MCCARTNEY & ASSOCIATES, INC. OF MANSFIELD, OHIO TO PROVIDE CONSTRUCTION CONTRACT ADMINISTRATION AND INSPECTION SERVICES FOR THE VERMILION ROAD PHASE II (PID NO. 100432) PROJECT IN AN AMOUNT NOT TO EXCEED SEVENTY-SIX THOUSAND FOUR HUNDRED EIGHTY-EIGHT DOLLARS (\$76,488.00) AND DECLARING AN EMERGENCY.

S. Holovacs MOVED; F. Loucka seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

M. Stark MOVED; F. Loucka seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

First Reading - Ordinance 2020-14: AN ORDINANCE AMENDING ORDINANCE 2020-5 ADOPTED MARCH 2, 2020 TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020 AND DECLARING AN EMERGENCY.

F. Loucka MOVED; B. Brady seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

S. Holovacs MOVED; B. Holmes seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

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Announcement of Meeting Dates:

March 23, 2020 – No Meeting
March 30, 2020 – No Meeting
April 6, 2020 – Vermilion City Council Meeting – 7pm
April 13, 2020 – Vermilion City Council Committee Meetings – 7pm
April 20, 2020 – Vermilion City Council Meeting – 7pm

Adjournment:

Upon no further business coming before the body, Steve Herron, President of Council adjourned the Vermilion City Council meeting.

Transcribed by: Gwen Fisher, Certified Municipal Clerk