

RECORD OF PROCEEDINGS

Minutes of the Vermilion City Council Meeting

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, October 5, 2020

Held

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; B. Holmes, Ward Five. Absent: Barb Brady, Ward Four.

Administrative Staff: Tony Valerius, Service Director, Attorney Susan Anderson

CALL TO ORDER:

Steve Herron, President of Council called the Monday, October 5, 2020 Vermilion City Council 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.

APPROVAL OF MINUTES:

S. Holovacs MOVED; F. Loucka seconded to approve the minutes of the September 28, 2020 meeting. Roll Call Vote 6 YEAS. MOTION CARRIED.

PRESIDENT OF COUNCIL'S REPORT:

S. Herron reported that both Lorain and Erie counties remain at orange level and he asked everyone to continue wearing masks and practice safe distancing.

New Business:

S. Herron MOVED, S. Holovacs seconded to table the third reading of Ordinance 2020-35. Roll Call Vote 6 YEAS. MOTION CARRIED.

S. Holovacs MOVED, B. Holmes seconded to add Resolutions 2020R-14 and 15 to the agenda for a first reading. Roll Call Vote 6 YES. MOTION CARRIED.

Reading of the Ordinances:

Tabled - Third Reading – Ordinance 2020-30: AN ORDINANCE TO AMEND SECTION 618.01 ENTITLED "DOGS AND OTHER ANIMALS RUNNING AT LARGE, DANGEROUS AND VICIOUS DOGS" OF CHAPTER 618 ENTITLED "ANIMALS" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO AND DECLARING AN EMERGENCY.

Third Reading – Ordinance 2020-34: AN ORDINANCE ESTABLISHING FUND 234 "DOG PARK" AND DECLARING AN EMERGENCY.

M. Stark MOVED; S. Herron seconded to adopt this ordinance by emergency. Discussion: S. Herron said he has read a lot of input from the community and explained this ordinance establishes a fund, but not an exact park or location. This fund is not to spend any money at this point. B. Holmes said he has heard both sides (good and bad) about this issue and asked what would happen to this fund if the dog park does not go through. G. Fisher said Council could rescind the ordinance if needed. B. Holmes said concerns he has received pertains to the overall maintenance of the dog park. Once the fund is created and donations are met and they run out of donations, then there is concern about maintenance. He said the Parks and Recreation funds are getting better, but there are still concerns on location/maintenance. He understands the ordinance is to just create a fund and not the park. G. Fisher said the dog park will be discussed at the Parks Board meeting on October 20 and she believes they will have more answers at that time. F. Loucka said personally he does not think any actual city funds should be used for this dog park. He understands it is a line item in the budget, but it should only be volunteer donations. He said there are many other crying needs in this city involving humans, streets, and infrastructure that money should go towards. G. Fisher said this fund is just for the donations. E. Skahen asked why the ordinance was being declared an emergency. S. Herron said this is to avoid waiting another 30 days after the ordinance is adopted, so they can

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~~to~~ immediately institute an enactment, but it is certainly up for discussion. S. Holovacs said he usually gets more information and with this ordinance they are just looking for money and he is uncomfortable for voting to just finding money and then later on find out what they are doing with this, so he will probably vote no on this. B. Holmes asked if this is created will it eventually end up in the Parks and Recreation Board fund. G. Fisher suggested to Council to table this ordinance if they were uncomfortable voting for it until the Parks Board meets on October 20. She said instead of voting it down because of the uncertainty, they should just hold off on the vote. B. Holmes said several parks have been discussed, but questions have arose pertaining to how a park will fit into Sherod park if they have a master plan. M. Stark said she works at a fiscal office for her day job, so her guess is the administration is asking for this because donations have already been given, and they want to simply keep the correct line item and keep track of it instead of throwing it into a miscellaneous fund. She said generally in government when a donation is made it goes to a different fund. E. Skahen said they don't know yet if there has been money donated. B. Holmes thought Dick Goddard's family wants to donate. G. Fisher said if they table the ordinance, they can put the third reading back on the agenda for October 26 and by then they should have more answers. F. Loucka said the money could go into a Main Street fund or Chamber of Commerce fund in lieu of having it come to the city. He said this a great luxury and they might want to do a study and look at other communities on what they have done and what the long-term costs will be. S. Holovacs agreed there might be more information that comes out of the meeting on October 20 of the Parks & Recreation Board that will change his mind, but at this point he would not vote for it. S. Herron said they need to know how this park will be funded permanently. G. Fisher said B. Holmes is the council representative for the Parks Board and he can bring these questions to the board. M. Stark said if they vote on the ordinance tonight and it does not pass, then they can put it back on the agenda later as long as they renumber the fund. S. Holovacs said if somebody votes for it then they cannot be the council person to bring it back. M. Stark said the administration can bring it back as a different number.

M. Stark and S. Herron withdrew their motion to adopt this ordinance.

B. Holmes MOVED, S. Holovacs seconded to table the third reading on Ordinance 2020-34. Roll Call Vote 4 YEAS (Holovacs, Loucka, Skahen, Holmes); 2 NAYS (Herron, Stark). **MOTION CARRIED.**

TABLED - Third Reading – Ordinance 2020-35: AN ORDINANCE AMENDING SECTIONS 1270.01 THROUGH 1270.06, 1270.09 AND 1270.10 OF CHAPTER 1270 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO ENTITLED "DISTRICT REGULATIONS". (Referred to Planning Commission meeting of October 7, 2020)

Third Reading – Ordinance 2020-36: AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE VERMILION CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

S. Holovacs MOVED, B. Holmes seconded to adopt this ordinance. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

Second Reading – Ordinance 2020-37: AN ORDINANCE ENACTED PURSUANT TO CHAPTER 1266 OF THE CODIFIED ORDINANCES OF VERMILION, REZONING LAND IN VERMILION, OHIO, AND CONTAINING AN AREA OF APPROXIMATELY 8.837 ACRES FROM R-3 "SUBURBAN RESIDENCE DISTRICT" TO B-3 "HIGHWAY COMMERCIAL DISTRICT" LAND USE CLASSIFICATION AS FAVORABLY RECOMMENDED BY THE VERMILION MUNICIPAL PLANNING COMMISSION; AUTHORIZING THE CITY ENGINEER TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF VERMILION TO CONFORM HERewith AS SAID MAP HAS BEEN ESTABLISHED BY SECTION 1268.02 CODIFIED ORDINANCES OF VERMILION UPON THE EFFECTIVE DATE HEREOF. (Public Hearing – Rezoning – October 26, 2020 @ 6pm)

First Reading – Ordinance 2020-38: AN ORDINANCE GRANTING AN ENCROACHMENT EASEMENT INTO OLD LAKE ROAD AND DECLARING AN EMERGENCY.

F. Loucka MOVED, B. Holmes seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

S. Holovacs MOVED, F. Loucka seconded to adopt this ordinance by emergency. Discussion: T. Valerius explained that Jon Clark provided a boundary survey and legal description to the city which was reviewed and approved by the city engineer. This entails an encroachment easement for encroachments that are already on city property, which include a parking area and a portion of a deck/porch that has been there for years. For Mr. Clark to sell his home this is a legal issue that needs to be addressed and approved by City Council. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

First Reading – Resolution 2020R-14: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO FILE AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR PUBLIC RECREATION PURPOSES THROUGH THE FEDERAL LAND AND WATER CONSERVATION FUND PROGRAM AND DECLARING AN EMERGENCY.

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First Reading – Resolution 2020R-15: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF VERMILLION, OHIO TO FILE AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT, FOR COASTAL MANAGEMENT PURPOSES, THROUGH THE OHIO COASTAL MANAGEMENT PROGRAM'S COASTAL MANAGEMENT ASSISTANCE GRANTS PROGRAM.

Announcement of Meeting Dates:

October 12, 2020 – Columbus Day – City Offices Closed (No Meeting)

October 19, 2020 - Vermillion City Council Committee Meetings – 7:00 p.m.

October 26, 2020 – Public Hearing (Rezoning) – 6:00 p.m. followed immediately by Vermillion City Council Meeting

Adjournment:

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

Transcribed by Gwen Fisher, Certified Municipal Clerk