

RECORD OF PROCEEDINGS

Minutes of the Vermilion City Council Meeting

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, December 7, 2020

Held

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

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

Administrative Staff: Jim Forthofer, Mayor; Tony Valerius, Service Director; Ken Stumphauzer, Law Director; Chris Howard, City Engineer

CALL TO ORDER:

Steve Herron, President of Council called the Monday, December 7, 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 in honor of Pearl Harbor Day.

APPROVAL OF MINUTES:

S. Holovacs MOVED, M. Stark seconded to approve the City Council minutes of November 16, 2020. Roll Call Vote 5 YEAS (delayed arrival due to technical difficulties - Loucka). **MOTION CARRIED.**

CORRESPONDENCE: None.

PRESIDENT OF COUNCIL'S REPORT:

S. Herron wished Councilwoman Barb Brady a Happy Birthday.

COMMITTEE REPORTS:

Zoning Board of Appeals:

S. Holovacs reported on the meeting held December 1. The next meeting is scheduled for January 26, 2021 at 7 p.m. via Zoom.

Historic Design & Review:

S. Herron reported on the meeting held December 2. The next meeting is scheduled for January 6, 2020 at 6 p.m. via Zoom.

Tree Commission:

S. Herron reported the Tree Commission provided correspondence in relation to trees they felt were dangerous and need removed. He noted the estimated cost is \$191,000, but the Tree Commission is not requesting this amount of money for their budget, but simply providing this information regarding the evaluation of the trees.

Planning Commission:

B. Brady reported on the meeting held December 2 and noted the Tradesman Park Project was discussed at length, so she urged Council to read the minutes once they are available. She noted the Sommer Rezoning proposal will also be coming back to Council for approval. The next meeting is scheduled for January 6, 2020 at 7 p.m. via Zoom.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer reported on the following:

RECORD OF PROCEEDINGS

Minutes of the Vermilion City Council Meeting

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, December 7, 2020

Held

COVID Update

Information for the City of Vermilion provided by the Erie County Health Department.

- Total Cumulative Cases – 228
- New Cases since November 30, 2020 - 17
- Total Hospitalizations – 12
- Total Deaths – 5 (all in long-term care facilities)

Joint Healthcare Committee

Joint Healthcare Committee meeting December 4th. The Committee consists of the City's labor representatives, the Mayor, and other Administrative representatives. These meetings will be held quarterly.

Snow Removal

The Services Director will address details in his report, but I want to recognize the good work by members of the Service Department and contractors. A foot of heavy wet snow hit our region November 30 – December 1. The plow Vermilion's streets were clear and dry within 24 hours. Survived our first heavy snow fall. Congratulations to the crews that worked over 24 hours to remove a foot of heavy wet stuff.

Pearl Harbor Observation

Today is the anniversary of Pearl Harbor. Members of Vermilion's Veteran's Council held a ceremony at noon at the South Shore Launch where a wreath was tossed into the water and taps was played. Like Veterans Day, the Vermilion Veteran's Council did not announce the event in advance as many of the veterans are in a COVID 19 vulnerable group. However, they continue to keep remembrance of this special day in our history.

Junk Yard Ordinance

I have submitted to Council, a proposed ordinance to make junk yards a prohibited use in Vermilion's all of Vermilion's coded districts. I will be on the Legislative Agenda December 14th from what I understand. We do not want a repeat of the junk yard at the eastern entrance to Vermilion that is an ugly welcome to visitors entering our town. I Council to give this proposed ordinance favorable consideration.

City Insurance Provider Analysis

The Finance Director and I have submitted to Council a report that reviews insurance companies qualified to serve the City of Vermilion. I want to be clear that Insurance Partners has served the City well for the past five years.

However, in an effort to be good custodians of the tax payer's money, we felt it was just good practice to do a periodic review of all qualified insurance brokers to see who can continue to protect the City the most cost efficiently. By my best estimate, it has been five years since the last formal review was conducted.

Vermilion is a small community. Most of us have personal relationship with people in all types of businesses including the insurance industry. To remove any perception of personal favoritism we enlisted the services of NFP, a third-party services analyst. NFP is highly qualified to make recommendation in this area. You may recall that we enlisted NFP to make a recommendation regarding the City's health care provider two years ago. We followed NFP's recommendation and it has resulted in substantial savings to the City.

Mr. John Dillon, Managing Partner of NFP has been invited to help explain the assessment they performed at the Administration's request.

John Dillon of NFP provided council with an insight of his background by stating he was born and bred in the insurance industry and is a lifelong Indianapolis native. He has been a Commissioner of Insurance for the State of Indiana and was the Chairman of the Indianapolis Bond Bank that helps put all financing and insurance decisions together. Finally, he was the Chief Deputy Mayor for the City of Indianapolis, so he is comfortable in the areas of regulation of agents and understanding municipalities. He indicated that NFP was contacted by Finance Director Amy Hendricks who asked them to put together a RFP, which was sent to six firms in the city and only two firms replied. They received an RFP from Insurance Partners and the other from Fitzgibbons Arnold. He said both were excellent, and both hit the qualification areas they were looking at, including financial security of agency, available carriers to be able to provide coverage,

RECORD OF PROCEEDINGS

Minutes of the Vermilion City Council Meeting

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, December 7, 2020

Held

and expertise in the industry. He said they did not receive any negative vibes or comments on either firm. When it came down to the end of the final scoring – Fitzgibbons scored 92 and Insurance Partners scored 89. He said the Fitzgibbons group agreed to a fee base and although Insurance Partners said they would talk about a fee base, Fitzgibbons said they would absolutely go with a fee base. This is important, as accounts of this type have moved from agents receiving commission to being able to go out and bid without commission and then disclosing what their fee base is to the city. It helps on a budget item and it helps reduce costs. They found that Matt Arnold gives his heart and soul to his clients. (Inaudible).

Mayor Forthofer said based on the NFP analysis, the administration chose Fitzgibbons, Arnold and Company as the new provider of insurance services for the City of Vermilion. A proposed ordinance supporting this new provider has been submitted to Council.

G. Fisher asked if Council wanted Ordinance 2020-58 referred to committee next week for additional discussion on the insurance contract. S. Herron asked that it be referred to Legislative. He asked if there was any time limitation on the present carrier. G. Fisher said the present contract expires December 31, 2020. John Dillion said both agencies represent the present carrier, and it is their interpretation that the present carrier has no issues dealing with either one and they are prepared to move forward on this renewal.

S. Herron noted that J. Dillion referenced some advantages regarding Fitzgibbons Arnold as it helps with budget items. He asked if it is easier when they have this type of arrangement to put in the budget, so the numbers do not go up and down. J. Dillion said this was correct and he would imagine they will see a fee agreement between Fitzgibbons and the city in the area of 10 percent, which will probably save the city five or six percent on their costs. He said these are estimates, but he feels they are close. S. Herron said he would like to discuss this matter in committee next week as it is an important matter. He asked Council for additional questions. B. Holmes said he is very familiar with Fitzgibbons Arnold as they were the carriers for the Metro Parks when he worked there, and they did an excellent job. He agrees that Mr. Arnold goes above and beyond as they did a wonderful job for the Metro Parks. G. Fisher clarified that the contract term was January 1, 2021 through December 31, 2021. J. Dillion said this was his understanding.

SERVICE DIRECTOR'S REPORT:

Service Director T. Valerius informed Vermilion residents that bulk pickup is on Wednesday, December 9, and the last day for yard waste pickup for the year, as it will resume in the spring. He thanked the street department employees for their response to the snowstorm last week. Several of the employees worked 16-hour shifts to keep up with the steady snowfall, which due to the winds often drifted across the roadways. The street department had five trucks on the streets with one going down to maintenance issues, but they were able to get the vast majority of the roads cleared in 24 hours.

He reported the revetment project at Showse Park will be finished his week. The project consisted of regrading the steep slope on the west side of the park and adding additional armor stone to the bank from the western property line to approximately 40 feet east to the pier. The pier was also expanded further inland by adding two courses of blocks set below grade and pouring an 8" concrete cap on top of the blocks to create a new sidewalk out to the pier. This project was approved by the Ohio Department of Natural Resources and a permit was issued on September 10, 2020.

Lastly, he updated Council on the meter replacement project as they are down to approximately 200 inside meters that have yet been scheduled for replacement. Because Lorain County is classified as purple in the COVID ratings, they are not mandating meter replacement at this time, but will still do so as the county ratings begin to drop. He noted the last of the collector poles were installed today and they will begin collecting and recording individual water usage for the next billing cycle.

S. Herron echoed the Service Director's comments regarding the snowstorm and extended his appreciation to the street department employees.

FINANCE DIRECTOR'S REPORT: Not present.

RECORD OF PROCEEDINGS

Minutes of the Vermilion City Council Meeting

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, December 7, 2020

Held

CITY ENGINEER'S REPORT: No report.

LAW DIRECTOR'S REPORT: No report.

OPEN TO THE AUDIENCE:

Homer Taft of 3972 Edgewater Drive wished Councilwoman Brady a Happy Birthday. He addressed two zoning matters and the first is what he would hope that Council would consider legislation on next week unless the Mayor's junk yard ordinance already covers it. It would be legislation that would have prohibited use of storage units in business zoning. As it has been reported, the Planning Commission decided to send this rezoning back to City Council with very little change from the prior plan, other than eliminating storage containers that Council rejected unanimously. He said it seemed like Planning already had their minds made up by comments that were made in the beginning of the meeting before they heard from anybody, and they had not considered any of the correspondence or testimony that was given by dozens of people before Council. He thinks it was an unfortunate decision, but the only way that the Council's will and the people's will is going to be heard, is if they move this...I don't even think it is a legitimate conditional use under City ordinances. Nevertheless, he thinks the only way City Council can control this is to simply pass an ordinance that says that storage units are not appropriate in a B-1, B-2, B-3, or B-4 zoning district. Clearly, they are already allowed in industrial zones and specifically in the city ordinances. In 10 or 20 years if the city wants to know what storage containers are going to look at, then they should go look at the storage facility on Route 60 that has been abandoned. This is the direction they are going, and this isn't what they want on their front yard.

He said the other zoning matter deals with home occupation and he said he spoke briefly about this before and he doesn't think the city should be making people spend \$80 to go to the BZA to ask "Mother May I". He said they are making (inaudible) the majority of the citizens that have been forced to work time from time at home. If you look at city ordinances, there is a definition under home occupation and a minor home occupation. That is the form of occupation that virtually every city is a permitted use without any permission, but not here because you never said so in your ordinances. You define it and that is the last time it appears. He would hope the city would consider legislation on this subject.

He said he hasn't heard anything lately on the VOL laterals and is hoping that at a committee meeting soon they will hear solutions to the problems with storm water protrusion in their sanitary system. He would not like to go through another year like this.

S. Herron clarified if H. Taft was talking about the storage units coming into Vermilion Township on the east side. H. Taft confirmed it was north of Dunkin Donuts on the east side. M. Stark said the storage facility on Route 60 is in the township and she was using the facility when it went out of business. She said they didn't go out of business because they didn't have business, but because the land it sat on was not owned by the person who ran the storage units. They leased the land from the landowner and apparently the landowner has some ideas for the future of this land. She is hoping those plans will be in the near future, so these units don't sit there too long. She said it wasn't because the storage facility wasn't doing good business because they were full. However, they were forced out by the landowner who has plans for this property.

Mayor Forthofer said in response to Mr. Taft, he has asked the law director to prepare legislation prohibiting modular storage containers in the same proposal that will be discussed with regards to junk yards. He believed Councilman Holmes was interested in legislation as such. He said it's not the same style storage units Mr. Sommer is talking about, but it could potentially be related to the discussion on the project on Liberty Avenue.

Reading of the Ordinances:

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

Tabled - Third Reading - Ordinance 2020-44: AN ORDINANCE TO AMEND ORDINANCE 2019-5 ADOPTED FEBRUARY 25, 2019 PURSUANT TO CHAPTER 873 ENTITLED "TRANSIENT ACCOMMODATION, ROOMING OR BOARDING HOUSES" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION AND DECLARING AN EMERGENCY. (Will be referred to an upcoming Work Session - date undetermined)

RECORD OF PROCEEDINGS

Minutes of the Vermilion City Council Meeting

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, December 7, 2020

Held

Third Reading – Ordinance 2020-48: AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR AND THE VERMILION PARKS AND RECREATION BOARD OF CHAD KUHNS AS RECREATION DIRECTOR TO THE CITY OF VERMILION FOR THE 2021 RECREATIONAL PROGRAMS; ESTABLISHING A SALARY FOR SUCH APPOINTEE; ESTABLISHING COMPENSATION OF CERTAIN AUTHORIZED POSITIONS WITHIN THE VERMILION DEPARTMENT OF PARKS AND RECREATION AS HAVE BEEN FAVORABLY RECOMMENDED BY THE CITY'S PARKS AND RECREATION BOARD AND DECLARING AN EMERGENCY.

S. Holovacs MOVED, B. Holmes seconded to adopt this ordinance by emergency. Discussion: S. Herron felt this was appropriate for emergency passage as C. Kuhns is responsible for the City Recreation Department and is doing a good job. It is his understanding that if this ordinance isn't passed by emergency, then there would be a break in salary, so he feels it is appropriate for emergency passage. Roll Call Vote 6 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2020-49: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO RECEIVE A SUBSIDY FROM BROWNEHELM TOWNSHIP, LORAIN COUNTY, OHIO FOR EMERGENCY MEDICAL SERVICES THROUGH THE CITY OF VERMILION'S CONTRACT WITH LIFECARE AMBULANCE, INC. OF ELYRIA, OHIO FOR THE PERIOD OF JANUARY 1, 2021 THROUGH DECEMBER 31, 2021 AND DECLARING AN EMERGENCY.

F. Loucka MOVED, B. Holmes seconded to adopt this ordinance by emergency. Discussion: S. Herron said this matter is appropriate for emergency passage as it relates to the health and safety of the fellow citizens. It also ensures there is no break in the services that are provided as it clearly states that January 1, 2021 is the beginning of this contract. G. Fisher confirmed the present contract expires December 31, 2020. Roll Call Vote 6 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2020-50: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH USALCO LLC OF BALTIMORE, MARYLAND FOR THE PURCHASE OF POLYALUMINUM CHLORIDE TO BE USED IN THE VERMILION UTILITIES DEPARTMENT AND DECLARING AN EMERGENCY.

S. Holovacs MOVED, F. Loucka seconded to adopt this ordinance by emergency. Discussion: S. Herron explained this contract along with all the remaining chemical contracts are appropriate for emergency passage to meet the needs of the water department. Roll Call Vote 6 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2020-51: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH PVS TECHNOLOGIES OF DETROIT, MICHIGAN FOR THE PURCHASE OF LIQUID FERROUS CHLORIDE TO BE USED IN THE VERMILION UTILITIES DEPARTMENT AND DECLARING AN EMERGENCY.

B. Holmes MOVED; B. Brady seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2020-52: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH SNF POLYDYNE, INC. OF RICEBORO, GEORGIA FOR THE PURCHASE OF CLARIFLOC CE-1593 POLYMER TO BE USED IN THE VERMILION UTILITIES DEPARTMENT AND DECLARING AN EMERGENCY.

F. Loucka MOVED, S. Holovacs seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2020-53: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH JCI JONES CHEMICALS, INC. OF BARBERTON, OHIO FOR THE PURCHASE OF LIQUID CHLORINE TO BE USED IN THE VERMILION UTILITIES DEPARTMENT AND DECLARING AN EMERGENCY.

S. Holovacs MOVED, F. Loucka seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2020-54: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH BONDED CHEMICALS, INC. OF COLUMBUS, OHIO FOR THE PURCHASE OF HYDROFLUOSILICIC ACID, LIQUID CAUSTIC SODA, SODIUM HYPOCHLORITE, AND SODIUM BISULFITE TO BE USED IN THE VERMILION UTILITIES DEPARTMENT AND DECLARING AN EMERGENCY.

M. Stark MOVED; B. Holmes seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. MOTION CARRIED.

RECORD OF ORDINANCES

Minutes of the Vermilion City Council Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____ Monday, December 7, 2020
Passed _____

First Reading – Ordinance 2020-58: AN ORDINANCE AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO EXECUTE NECESSARY AND PROPER CONTRACT DOCUMENTS TO PROVIDE SASUALTY, LIABILITY, PROPERTY DAMAGE, MOTOR VEHICULAR, POLICE AND FIREMEN LIABILITY, ERRORS AND OMISSIONS, PUBLIC OFFICIAL LIABILITY, UMBRELLA COVERAGE AND OTHER CUSTOMARY COMPREHENSIVE INSURANCE OVRAGE'S AS SET FORTH IN BID SPECIFICATIONS PROMULGATED BY THE CITY OF VERMILION IN ORDER TO PROTECT THE CITY OF VERMILION, OHIO, ITS PROPERTY, ITS PERSONNEL AND PERSONS WITHIN THE CORPORATE LIMITS FOR A PERIOD OF TIME COMMENCING JANUARY 1, 2021 THROUGH DECEMBER 31, 2021, AND AUTHORIZING THE AWARDING OF ALL OF SUCH INSURANCE COVERAGE'S BASED UPON PUBLIC COMPETITIVE BIDS UNTO VARIOUS INSURANCE COMPANIES AS SET FORTH HEREIN THROUGH FITZGIBBONS, ARNOLD AND COMPANY WHICH THIS COUNCIL DETERMINES TO BE THE LOWEST AND THE BEST BID RECEIVED; AUTORIZING THE FINANCE DIRECTOR TO RETURN ANY AND ALL BID BONDS POSTED BY UNSUCCESSFUL BIDDERS; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT OF PREMIUMS FOR ALL SUCH COVERAGE'S AS SET FORTH HEREIN AND DECLARING AN EMERGENCY. (Referred to December 14, 2020 Legislative Committee)

B. Brady asked if a representative from Fitzgibbons Arnold could attend the Legislative meeting. Mayor Forthofer said this could be arranged for December 14.

Announcement of Meeting Dates:

December 14, 2020 – Vermilion City Council Committee Meetings – followed by Special City Council Meeting – 6:00 p.m. via ZOOM.

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