

RECORD OF PROCEEDINGS

Minutes of the Vermilion City Council Meeting

Minutes of _____

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, January 25, 2021

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; Emily Skahen, Ward One; Frank Loucka, Ward Two; Steve Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five.

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

CALL TO ORDER:

Steve Herron, President of Council called the Monday, January 25, 2021 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 City Council minutes of January 4, 2021. Roll Call Vote 7 YEAS. MOTION CARRIED.

CORRESPONDENCE:

G. Fisher announced that she received a transfer liquor permit from the Ohio Division of Liquor Control to VFM Acquisition Inc – DBA Vermilion Farm Market & Carryout, 2901 Liberty Avenue, Vermilion, Ohio from Vermilion Farm Market Inc – DBA Vermilion Farm Market & Carryout, 2901 Liberty Avenue, Vermilion, Ohio.

S. Herron read four letters into the record which are attached hereto and incorporated herein as the official record of proceedings.

PRESIDENT OF COUNCIL'S REPORT: No report.

COMMITTEE REPORTS:

Legislative:

M. Stark reported on the meeting held January 11. The next meeting is scheduled for February 8, 2021 at 6:00 p.m. via ZOOM.

Vermilion Community Services:

M. Stark reported there has been no meetings scheduled due to COVID. She mentioned that Debbie Zanglin will be getting together with Mayor Forthofer regarding the \$10,000 donation to keep the wheels rolling on the bus.

Utilities:

F. Loucka reported the next meeting is scheduled for February 8, 2021 at 6:00 p.m. via ZOOM.

Port Authority:

F. Loucka reported there is no meeting scheduled in February.

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Finance:

B. Brady reported on the meeting held January 11. The next meeting is scheduled for February 8, 2021 at 6:00 p.m. via ZOOM.

She also reported she received a phone call from Ben Criss who dropped off letters to City Hall today for City Council, which did not meet the Friday deadline to be read into the record.

Planning Commission:

B. Brady reported the next meeting has been scheduled for February 3, 2021 at 7:00 p.m. via ZOOM.

Health & Safety:

B. Holmes reported on the meeting held January 11. The next meeting is scheduled for February 8, 2021 at 6:00 p.m. via ZOOM.

Parks & Recreation:

B. Holmes reported on the meeting held January 19. The next meeting is scheduled for February 16, 2021 at 6:00 p.m. via ZOOM.

Stormwater Advisory Committee:

S. Herron asked the clerk to schedule a Stormwater meeting in March.

Historic Design & Review:

E. Skahen reported the next meeting scheduled for February 3 has been cancelled due to no applications. The next meeting is scheduled for March 3, 2021 at 6:00 p.m.

Vermilion Tree Commission:

E. Skahen reported the next meeting is scheduled for February 10, 2021 at 9:30 a.m. via ZOOM.

Streets, Buildings & Grounds:

S. Herron reported on the meeting held January 11. The next meeting is scheduled for February 8, 2021 at 6:00 p.m. via Zoom.

Zoning Board of Appeals:

S. Holovacs reported the next meeting is scheduled for January 26, 2021 at 7:00 p.m. via Zoom.

Contractor Registration:

S. Holovacs reported the meeting is scheduled for February 23, 2021 at 6:00 p.m. via ZOOM.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer reported on the following:

Public Access

On January 6 I surveyed a group of 11 Lorain County City Mayors and Managers regarding whether their City Halls are open to the public. All but three intend to remain closed to the public through January or February. Vermilion City Hall will also remain closed to the public and we will review conditions in February.

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ECHD re vaccination locations.

I think vaccination is well covered in the media. I urge every eligible person in Vermillion to register for COVID-19 vaccination. The only way we in Vermillion are going to break this pandemic is if enough people get vaccinated against the virus. Every Health Commissioner and physician I speak with says the vaccine is safe. It is all synthetic. I know quite a few health care workers and first responders who got it and show no significant side effects. Residents in either Lorain or Erie Counties can get the vaccine by contacting the Erie County Health Department but there are several other pharmacies providing vaccination. It does not matter where...just get it please.

Fire Station 1

The Service Director and I presented the Certificate of Occupancy for Fire Station 1 on January 15th. I don't know if everyone can appreciate the amount of time that Chief Stempowski and the staff have put into watching every detail of this construction project as it moved along. Every outlet and doorway. The department took it upon themselves to handle securing some furniture and fixtures in the interest of keeping this project on budget. For some it was a third job after daytime work and City firefighting. A building dedication and public tour is in our future. Right now, my primary concern is how to have this public gathering without violating the COVID protocols that I encourage residents to follow. I will keep you posted as the months proceed.

Outdoor Events 2021.

I have had conversations with the Health Commissioners and medical professionals regarding the resumption of outdoor festivals and activities. Opinions are mixed. I am also in conversation with the Chamber and Main Street. We all badly want to see Vermillion return to our traditions. We may be looking at modified events that satisfy the Health Department and allow me as Mayor to issue a permit. As residents, it is up to us to make summer events possible by helping turn the corner on this pandemic.

Board and Commission Appointments

I have submitted to Council, my appointments for vacancies on the Port Authority and the Tree Commission as well as appointment of the five members to make up the Charter Review Committee. I appreciate Council's consideration of these resident volunteers who are willing to give of their time for the community.

I request an Executive Session pertaining to...personnel.

SERVICE DIRECTOR'S REPORT:

Service Director T. Valerius reported on the following:

Tonight, I want to report on the 2020 year-end totals regarding Building Permits and property maintenance and building inspections performed by the Building Department.

Property Maintenance Violations	486
Garbage/Debris Violations	215
Exterior Structure Maintenance Violations	49
Trailer/Recreational Vehicle/Yard Parking Violations	256
High Grass Violations	796
Non-Compliant Vehicle Violations	71
No Permit/Registration Violations	131
Sidewalk Violations	132
Miscellaneous Property Maintenance Violations	83
Total Property Maintenance Inspections	2219

Building Permits/Inspections

There were 529 Residential Building Permits and 53 Commercial Building Permits issued last year which resulted in 1181 Building Inspections performed.

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We had 20 New Single-Family Homes built in our City along with six new Duplexes and three new Commercial buildings.

B. Brady asked how many of the violations were resolved. T. Valerius said most of the violations were addressed. There were 39 properties that were sent to the prosecutor in 2020. S. Herron said it seems that most of these violations are resolved by compliance.

FINANCE DIRECTOR'S REPORT:

Amy Hendricks reported on Ordinance 2021-5 that is on the agenda for a first reading for the Parks Board bond issuance. She said the board opted to pursue up to \$705,000 and to put it towards the park capital improvements that have been listed on the legislation. She said the reason for the change in the numbers is because of the negotiated nature of the sale of the bonds and they want to be able to get close to what the debt service of \$47,500 that will be retiring. Based on the interest rates that are negotiated on this specific day it causes a range in what kind of money that will be available. Also, given the timing of moving forward with projects this season, she asked Council to consider waiving the rules and passing the legislation this evening.

Secondly, she was asked to participate in a committee by the Erie County Auditor's Office and the Lake Erie Shores and Islands Travel Bureau. They have invited finance officers and city managers from both Erie and Ottawa counties to talk about how the city manages the short-term rental collections, registrations, and the collection of taxes. They will work on ways they can coordinate this together to make it easier for everyone. She will report back to council on this.

CITY ENGINEER'S REPORT:

C. Howard reported he will have revisions of Chapter 1460 "Flood Damage Reduction" presented at the next council meeting. He said that ODNR & FEMA are requiring the city's ordinance from 2007 be updated due to new flood insurance rate maps that will be effective in March.

B. Brady said she heard on the news that the state was cutting back and pushing back some projects, so she asked if there would be delay in city projects due to funding. C. Howard said he has not heard anything.

LAW DIRECTOR'S REPORT: No report.

OPEN TO THE AUDIENCE:

Homer Taft of 3972 Edgewater Drive reported that a committee of five citizens that include: Betsy Wakefield, Bill McCourt, Elaine Carlin, Vito Cammarata, and Homer Taft submitted today a certified ordinance to the Finance Director that they proposed to initiate by initiative petition and have a vote on it in November to prohibit storage unit facilities in residential and business zones. It is not only the five of them, but literally dozens of people that are concerned about this. They feel the Planning Commission has not recognized that storage units are an appropriate conditional use in business zones, and they are concerned that the administration and council has not come forward with anything to make this clear and they believe most of the citizens will agree with this point of view in the feedback they have had, and they have the right to do so. He would hope that council and the administration would at least consider putting a moratorium on any storage unit facilities until such time as the people have a say in the matter.

He said there are two ordinances up for readings tonight that relate to junk yards and mobile storage containers and he understands there will be a committee meeting and public hearing in the future, but he thinks the city needs to look at the drafting of these ordinances, as it appears the city is amending a portion of certain sections of the planning code and then are repealing in the next sentence the entire thing, so he believes the city needs to look at this. As to junk yards, he thinks when they talk about junk inside buildings, including anything that is used or resold, then the city is starting to prohibit things like Goodwill stores and other sorts of things. He did not think the sweep of these ordinances are well thought out. The same problem relates to movable containers. Is the city going to prohibit every recycle thing that is on private property – are they going to prohibit every clothes donation bin on private property – are they

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going to prohibit the storage of house trailers, work trailers, semis without trucks on them. He said there is a great deal of concern with what is in the ordinance.

He said since Council is putting the bonding authority on the agenda for possible passage, then he would like to mention a minor disagreement. He said he has a lot of regard for the Parks Board, but at the same token when they say the \$320,000 for the Main Street Beach project would be spent on walking trails – this is what the survey said that the folks wanted the most – he looked at the survey and he doesn't think this is what is says. It was just not walking trails, but lakefront access. As to the ordinance, he didn't know if the city wanted to necessarily have the same debt service from 20 years ago at the Sailorway Complex of \$47,500, but he would suggest at the very least that council consider depending on the projects that come a long – a bonding authority of at least up to a million dollars and then make their decisions.

He mentioned that he supports the idea of doing a lot of streets, water, and sanitary sewer work, but for many months he has not heard any engineering or plans to do anything with respect to the problem with the VOL sanitary sewers and he thinks it is time to address this. They know what the problem is, so it is a matter of an engineering solution. He could even make some suggestions as the city needs to address this now.

NEW BUSINESS:

S. Herron MOVED, F. Loucka seconded to adjourn into Executive Session at the conclusion of this meeting to discuss personnel matters (discipline of public employee). Roll Call Vote 7 YEAS. **MOTION CARRIED.**

S. Holovacs MOVED, B. Holmes seconded to approve the mayor's appointment of Gary Friedt to the Tree Commission to serve a three-year term. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

F. Loucka MOVED, E. Skahen seconded to approve the mayor's appointment of Jonathan Hauck to the Vermilion Port Authority to serve a five-year term. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

S. Holovacs MOVED, M. Stark seconded to approve the mayor's appointments of Dr. Ihor Suszko, Tami Horton, Read Wakefield, Eileen Bulan, and Lee Howley to the Charter Review Commission. Discussion: B. Brady asked the mayor if he had other people that volunteered for this board since they only do it every few years and it is important. She wondered if Council should have received some other choices – were there other people who volunteered to be on this committee. Mayor Forthofer said there was no one who volunteered, and he had to approach everyone based on who he thought would do a good job on this committee. B. Brady said she did not have a problem with the people. Mayor Forthofer said no one was eliminated if that is what she is talking about. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

S. Herron thanked all the volunteers who were appointed tonight for coming forward in serving the city.

Reading of the Ordinances:

K. Stumphauzer said based on Homer Taft's comments, he will revisit Ordinance 2021-1 and 2021-4 to look at the issues raised. He will make certain they are putting something before Council that addresses all the concerns.

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 – February 22)

Second Reading – Ordinance 2021-1: AN ORDINANCE AMENDING SECTION 1270.01 "A-1 AGRICULTURAL DISTRICT," SECTION 1270.02 "R-1 ESTATE RESIDENCE DISTRICT," SECTION 1270.03 "R-2 RURAL RESIDENCE DISTRICT," SECTION 1270.04 "R-3 SUBURBAN RESIDENCE DISTRICT," SECTION 1270.05 "R-4 URBAN RESIDENCE DISTRICT," SECTION 1270.06 "R-4A TWO-FAMILY URBAN RESIDENCE DISTRICT," SECTION 1270.07 "R-5 APARTMENT RESIDENCE DISTRICT," SECTION 1270.08 "R-6 SPECIAL FAMILY

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RESIDENCE DISTRICT," SECTION 1270.09 "RS SPECIAL RESIDENCE DISTRICT," SECTION 1270.10 "RL-1 EXISTING LAGOON DISTRICT," SECTION 1270.11 "B-1 NEIGHBORHOOD BUSINESS DISTRICT," SECTION 1270.12 "B-2 CENTRAL BUSINESS DISTRICT," SECTION 1270.13 "B-3 HIGHWAY COMMERCIAL DISTRICT," SECTION 1270.14 "B-4 MOTORIST SERVICE DISTRICT," SECTION 1270.15 "I-1 LIGHT INDUSTRIAL DISTRICT," SECTION 1270.16 "I-2 HEAVY INDUSTRIAL DISTRICT," SECTION 1270.17 "I-3 INDUSTRIAL PARK DISTRICT," SECTION 1270.18 "I-U UTILITY DISTRICT," AND SECTION 1270.19 "FP FLOOD PLAIN DISTRICT" OF THE PLANNING AND ZONING CODE OF THE CITY OF VERMILION TO PROHIBIT JUNK BUILDINGS, SHOPS, AND YARDS. (PUBLIC HEARING - FEBRUARY 8, 2021 @ 6PM VIA ZOOM)

Second Reading - Ordinance 2021-3: AN ORDINANCE ENACTED PURSUANT TO CHAPTER 1266 OF THE CODIFIED ORDINANCES OF VERMILION, REZONING LAND IN VERMILION, OHIO, AND CONTAINING AN AREA OF APPROXIMATELY 6.323 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 - February 1, 2021 @ 6pm via ZOOM)

First Reading - Ordinance 2021-4: AN ORDINANCE AMENDING SECTION 1260.06 "DEFINITIONS;" 1270.01 "A-1 AGRICULTURAL DISTRICT," SECTION 1270.02 "R-1 ESTATE RESIDENCE DISTRICT," SECTION 1270.03 "R-2 RURAL RESIDENCE DISTRICT," SECTION 1270.04 "R-3 SUBURBAN RESIDENCE DISTRICT," SECTION 1270.05 "R-4 URBAN RESIDENCE DISTRICT," SECTION 1270.06 "R-4A TWO-FAMILY URBAN RESIDENCE DISTRICT," SECTION 1270.07 "R-5 APARTMENT RESIDENCE DISTRICT," SECTION 1270.08 "R-6 SPECIAL FAMILY RESIDENCE DISTRICT," SECTION 1270.09 "RS SPECIAL RESIDENCE DISTRICT," SECTION 1270.10 "RL-1 EXISTING LAGOON DISTRICT," SECTION 1270.11 "B-1 NEIGHBORHOOD BUSINESS DISTRICT," SECTION 1270.12 "B-2 CENTRAL BUSINESS DISTRICT," SECTION 1270.13 B-3 HIGHWAY COMMERCIAL DISTRICT," SECTION 1270.14 "B-4 MOTORIST SERVICE DISTRICT," SECTION 1270.15 "I-1 LIGHT INDUSTRIAL DISTRICT," SECTION 1270.16 "I-2 HEAVY INDUSTRIAL DISTRICT," SECTION 1270.17 "I-3 INDUSTRIAL PARK DISTRICT," SECTION 1270.18 "I-U UTILITY DISTRICT," SECTION 1270.19 "FP FLOOD PLAIN DISTRICT" AND SECTION 1272.17 "TEMPORARY STORAGE CONTAINERS," OF THE PLANNING AND ZONING CODE OF THE CITY OF VERMILION TO DEFINE AND PROHIBIT MODULAR STORAGE UNITS.(PUBLIC HEARING - FEBRUARY 8, 2021 @ 6PM VIA ZOOM)

First Reading - Ordinance 2021-5: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$705,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY'S PARK AND RECREATIONAL FACILITIES BY DEMOLISHING THE INLAND SEAS MARITIME MUSEUM BUILDING, PERFORMING SITE CLEARANCE, IMPROVEMENT AND PREPARATION AND PLACING THE SITE IN A CONDITION FOR USE FOR PARK AND RECREATIONAL PURPOSES, CONSTRUCTING RECREATIONAL WALKING TRAILS AND CONSTRUCTING AND INSTALLING IMPROVEMENTS AT CITY PARKS, TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

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

S. Holovacs MOVED, B. Holmes seconded to adopt this ordinance by emergency. Discussion: S. Herron felt this ordinance was appropriate for emergency declaration given the representations made by the Finance Director concerning the health of the community on several issues of the Maritime building, and to the health and welfare of the citizens. B. Brady asked the finance director if there was any credence to what Homer Taft said about increasing the amount. A. Hendricks said this is a number the Parks Board is comfortable with as becoming a long-term committed portion of their debt service each year. They have revenues from their operating and capital levies that they have chosen to be available for them as other projects may evolve. When they borrow money, one of the limitations would be that 85% of this money would have to be spent within three years, so they really need to be borrowing for projects that are planned and that can be completed in that timeframe - where some of the other projects like shoreline are too far out to issue the debt at this time. She deferred to the judgment of the Parks Board who are diligent in their duties. She said this is what they were comfortable with in committing to annual debt service, but they are dedicated to several long-term projects in the community. B. Brady said when you read the ordinance it heavily leans towards the Maritime Museum property. At the finance meeting, they said the majority would be spent there, but thought other parks such as Showse would see some of this money. She had hesitation that they low key the rest of the city as far as the \$705,000. She would like to make sure they address other parks in the city by spreading this money out. Parks Chairman Terry Parker explained that when they finalized this proposal - \$320,000 of whatever they can borrow is committed to the Main Street Beach Revitalization Project and the remainder will be divided between Showse Park and Sherrod Park. They have concepts drawings that are ready to come in and they will commit those funds to developing walking trails in these two parks because this is one of the communities' highest desires, and these are the two parks along with Main Street Beach that get used the most, so this is where those dollars will go. Parks Vice Chairman Brad Scholtz

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confirmed the boards intent by using the money at Showse, Sherrod and Main Street Beach. He said in the survey walking trails were a priority and it was something they felt they could get done within the three-year timeframe, so they do feel they are spreading the money in the central part of town, east and west. B. Brady said she appreciates this but she was just concerned with the way the ordinance was written. G. Fisher added the Parks Board made a favorable recommendation on this ordinance to City Council their meeting of January 19. F. Loucka thought the implementation of this ordinance would be a great future benefit to the city's recreational parks and facilities, so he would enthusiastically support it. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

First Reading – Resolution 2021R-2: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ACCEPT THE TERMS AND CONDITIONS OF A CERTAIN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE ALLOCATION OF FUNDS FOR THE MAINTENANCE OF A MARINE PATROL AND DECLARING AN EMERGENCY.

Announcement of Meeting Dates:

- February 1, 2021 – Public Hearing (Sommers Rezoning) – 6:00 p.m. via ZOOM, followed by Vermilion City Council Meeting.
- February 8, 2021 – Public Hearing (Ordinances 2021-1 & 2021-4) – 6:00 p.m. via ZOOM, followed with the Vermilion City Council Committee Meetings
- February 22, 2021 – Vermilion City Council Meeting – 6:00 p.m. via ZOOM – followed by work session (Transient Rentals)

Executive Session/Adjournment:

S. Herron mentioned that a resident advised him that there is communication from the Attorney General's office concerning open meetings in that executive sessions must be done within the actual open meeting. He said to him this isn't a part of ORC Section 121.22, so he doesn't see where there is a punishment or an issue, or consequence of doing this unless there is an official decision made after the executive session. However, in reading the Attorney General's information and with doing meetings on Zoom, they will go into Executive Session and will come back into City Council to adjourn.

S. Herron adjourned into executive session in a separate zoom meeting with Vermilion City Council, Mayor Forthofer, and Ken Stumphauzer, Law Director to discuss personnel matters. At the conclusion of executive session, S. Herron resumed back into regular session in another zoom meeting and hearing no further business, he adjourned the Vermilion City Council meeting.

Transcribed by Gwen Fisher, Certified Municipal Clerk

Gwen Fisher

From: Cathryn Radeff <risaset60@aol.com>
Sent: Thursday, January 7, 2021 12:38 PM
To: Gwen Fisher
Subject: Public hearing

Hi, my name is Cathryn Radeff. My husband Daryl and I live at 566 Hazelwood Drive Vermilion, Ohio 44089. We moved to Vermilion almost 3 years ago figuring that this will be our place of retirement. We always brought our seven children here to enjoy the town when they were younger. We always loved the town. When we bought our house we loved the neighborhood and our yard it was a private yard with woods in the back. Now in our backyard we see the empty lot and the street between the few trees that are left. We strongly oppose the rezoning of the residential to commercial and also oppose the storage units on the property no matter what they look like or how they are fenced in. From our yard we would be looking at them directly and hearing people coming and going from them. We also feel that our house will depreciate with storage units being in our back yard. Like I stated we moved here for our retirement and felt safe in our neighborhood. With the two of us getting older I feel our safety will be at risk with strangers from who knows where coming in and out of our back yard. I truly hope you take our safety and consideration of all the residents who will be affected by this and reject both the rezoning and storage units.

Would you want your street to be rezoned commercial or have to look at storage units in your back yard? Would you feel safe? If you need to contact us regarding this letter we can be reached at the above address or call us at 440-785-7790.

Sincerely,
Daryl Radeff
Cathryn Radeff

Gwen Fisher

From: Coon, Meg <meg.coon@nordson.com>
Sent: Thursday, January 14, 2021 2:57 PM
To: Brian Holmes; Brian Holmes; Gwen Fisher
Cc: Jim Forthofer
Subject: Mr. Sommers-storage units project-

Dear City Council,

Please send me the zoom link to the Feb. 1 evening council meeting.

I still strongly object to the re-zoning proposal of Mr. Sommer's. My objections in previous letters (which are listed below) are still valid excluding the shipping container part.

1. Residence home value decrease (this will lessen property taxes for the city!) this hurts the city and residence personal investments
2. Serious flooding concerns-please reference past pics and videos I sent in/to date I don't believe Mr. Sommer's has done an environmental study. I hope city council and Mayor noticed all the added flooded a few weeks past. This area is wetlands/or just very serious flooding issues! Does his plan take this into concertation? As of right now it appears grating is way higher/ground level is higher than surrounding home owners properties, which means water will all flow towards our Hazelwood homes. Do you care about our personal safety and home values?
3. Storage facility will produce noise and light pollution (spot lights) to home owners
4. Storage units are crime prone, which would result in costing the city- (police salary-police calls) to protect the storage units, and protecting nearby home owners; just last week there was a guy who could now walk through the cleared wooded lot, threatened a neighbor, which still scares us today because we don't know the details but saw police were called out, at night I'm now scared to go out into my own back yard.
5. Mr. Sommer's never even got work permits for clearing his land recently and in years past, if he can't follow city rules/laws, what makes you think he will in the future? Did he ever reimburse the city when the firefighters had to put out the many sawdust fires about 10 years ago?
6. It is my understanding that the changed plan would now develop the land directly behind my house into a parking lot for the metro parks-with no buffer!

Future view:

- 1.If I continue to work from home and my company places employees at home permanently-I would pay more in income taxes to the city. I do not want to stay in a my current house or city, especially if the city will do nothing to protect (from flooding and home value) residences investments(homes).
2. Do we want our city landscape to be uninviting, crime prone, storage units which have a very low to no additional possible income to the city from employee taxes? There is not even a need for storage units within city limits. I personally don't think so!

Thank you and please consider protecting your residence too,
Meg Coon
Saddened Hazelwood homeowner

From: Coon, Meg <meg.coon@nordson.com>
Sent: Friday, September 18, 2020 12:27:23 PM
To: Jim Forthofer <JimForthofer@vermillion.net>

Gwen Fisher

From: Cigboat1@roadrunner.com
Sent: Thursday, January 21, 2021 6:31 PM
To: Gwen Fisher
Subject: RE: January 25, 2021 - Vermilion City Council Agenda

From: "Gwen Fisher"
To:
Cc:
Sent: Thursday January 21 2021 1:09:55PM
Subject: January 25, 2021 - Vermilion City Council Agenda

THIS IS A LETTER TO INFORM YOU THAT I AM COMPETLEY AGAINST THE TEARING DOWN OF THE MARINE MUSEUM WITH OUT A VOTE OF THE PEOPLE IN A SPECIAL ELECTION TO BE HELD IN THE NEAR FUTURE.... THERE MANY PEOPLE THAT LIVE IN THIS CITY THAT FEEL THE SAME WAY AND COUNCIL DOES NOT SEEM TO BE LISTENING TO THE PEOPLE..PLEASE READ MY OBJECTION ALOUD AT THE VERY NEXT COUNCIL MEETING,,,,,, JIM MACHKOFF 1087 NAUTICAL DR. VERMILION OHIO 44089 967-6683

January 22, 2021

Council Members –

My name is Bill McCourt, 4135 Menlo Park Lane, Vermilion. I am against the proposed rezoning of the 6.323 acre parcel of land on East Liberty Avenue referenced in Ordinance 2021-3. I am requesting this letter be read into the record at the appropriate time given to Correspondence during the Vermilion City Council Meeting to be held Monday, January 25, 2021.

In late October 2020, Council unanimously voted "NO" to Todd Sommers' first submission to rezone a portion of his East Liberty property from R-3 suburban residential to B-3 highway commercial - see Ordinance 2020-37. The developer is returning to ask for rezoning approval with a different shade of lipstick on his self-storage project with Ordinance 2021-3. Sommers said if his plan is approved to rezone 6.323 acres to B-3 that he would donate a portion of the total 35.09 acre property parcel to Lorain County Metro Parks. The new plan would increase the setback from Hazelwood Avenue to 220 feet and eliminate shipping containers. The plan also adds an illegal mix of storage condominiums and rental self-storage units on the same property.

Project-adjacent residents on Hazelwood Avenue to the west continue to oppose the request by Sommers to rezone the property. It is also opposed by adjacent east side property owners. Although this is the second time the Planning Commission has referred the rezoning request and project to Council, it is still doubtful whether the change to B-3 allows for the conditional use of the proposed project by ordinance definition. This uncertainty is not new, but still unanswered.

Apparently after years of trying to profit from the original speculative land purchase made years ago, Sommers put the property up for auction September 19, 2019. Sommers claimed no bids were received, which was true. The Lorain County Auditor is currently assessing the total 35.09 acre R-3 property value to be \$221,070. Is it possible no bids were received at the auction because the reserve price of \$450,000 (see attachments A & B) was too high for a developer to come in and develop a residential project, as intended by the current R-3 zoning? Planning Commission members may have had sympathy for Sommers' inability to sell the property for a windfall profit when they approved the project. Your guess is as good as mine why Jim Chapple, Joe Williams, and Heidi Strickler voted to approve this revised project, opposed by many adjacent residents, while Jeff Hammerschmidt voted not to approve. Heather Shirley was absent for this vote, but voted to approve the first, failed project.

Should Sommers' inability to claim a profit on speculative land be a concern for Vermilion residents? I don't think so. I ask, what is OK about a project that brings no redeeming value to the City? Adjacent residents oppose the project. We have a zoning plan in place that should be followed. Spot rezoning would be irresponsible in this case and should be denied for a final time by Council. Be warned, if the rezoning is approved by Council, the developer is not legally obligated to build the proposed project, or any project. Sommers will have a B-3 zoned parcel to do with as he pleases. You, Council members, can do better for our community.

Respectfully Submitted,

Bill McCourt