

**RECORD OF PROCEEDINGS**

Minutes of

Minutes of the Vermilion City Council Meeting

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, March 15, 2021

*Held*

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

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

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, March 15, 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 minutes of the Vermilion City Council meeting of March 1, 2021. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

CORRESPONDENCE: None.

**PRESIDENT OF COUNCIL'S REPORT:**

S. Herron officially announced that City Council will go back to in-person meetings starting Monday, April 5 at 7:00 p.m. They will follow the mandatory mask and social distancing guidelines. He said they are trying to see if the public can follow on you tube. G. Fisher said she will need to check with the IT Department to see if they can do this.

S. Herron asked Bill Yancar the Operations Manager of the Port Authority to explain the details of Ordinance 2021-12. Bill Yancar said the Port Authority became aware that ODNR is offering \$3 million in grants towards improving local boating access, so ODNR is setting up a reimbursement type grant and they will reimburse 75 percent for any launch type projects and 50 percent for any marina type projects. He said the Port Authority has been looking at critical projects at a 75 percent reimbursement level. Therefore, they are looking for Council's approval to access the \$25,000 of their \$32,000 reserve account, which would buy them \$100,000 in buying power towards any projects that fall into the category of the launch area. The Port Authority put together a group of projects that qualify, which amounts to just about \$600,000; so being able to address 15 percent would be more frugal. He said the city would be charged with supporting them for \$75,000 until the different projects are reimbursed by ODNR.

P. Corogin said this is a unique opportunity to leverage up the amount of money they have with these grants that are available. The Port Authority realizes the money has been put in reserve and A. Hendricks has done a nice job of making sure they are accounted for properly. The Port Authority wondered if it was a good time to tap into this money a little bit to capitalize on these grants knowing full well, they will quickly need to put money back into the reserve account. He thought this was an obligation they thought they should look at and B. Yancar has identified over \$500,000 in projects they need to do over some period; probably sooner than later. They felt it was important to come to Council to see if this would work.

**COMMITTEE REPORTS:**

Legislative:

The next meeting is scheduled for April 12, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

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Utilities:

F. Loucka reported on the meeting held March 8. The next meeting is scheduled for April 12, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Port Authority:

F. Loucka reported the next meeting is scheduled for March 18, 2021 at 6:30 p.m. via ZOOM.

Finance:

B. Brady reported on the meeting held March 8. The next meeting is scheduled for April 12, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Planning Commission:

B. Brady reported on the meeting held March 3. The next meeting has been scheduled for April 7, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Health & Safety:

B. Holmes reported on the meeting held March 8. The next meeting is scheduled for April 12, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Parks & Recreation:

B. Holmes reported the next meeting is scheduled for March 16, 2021 at 6:00 p.m. via ZOOM.

Stormwater Advisory Committee:

S. Herron reported on the meeting held March 8. The next meeting is scheduled for April 12, 2021 at 6:00 p.m. at the Vermilion Municipal Complex.

Historic Design & Review:

E. Skahen reported on the meeting held March 3. The next meeting is scheduled for April 7, 2021 at 6:00 p.m. at the Vermilion Municipal Complex.

Vermilion Tree Commission:

E. Skahen reported the next meeting is scheduled for April 14, 2021 at 9:30 a.m. via ZOOM.

Streets, Buildings & Grounds:

S. Holovacs reported the next meeting is scheduled for April 12, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Zoning Board of Appeals:

S. Holovacs reported the next meeting is scheduled for March 23, 2021 at 7:00 p.m. via Zoom.

Contractor Registration:

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

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer reported on the following:

**Pandemic Relief.**

Congresswoman Marcy Kaptur called me Wednesday to inform me that the good people of Vermilion will be receiving a \$2,040,000 share of the Federal Pandemic Relief package passed Tuesday night. When I asked about conditions on these funds, she explained that those conditions will be coming. The main intention is to help offset loss due to the pandemic. Finance Director Hendricks has been made some inquiries. It appears that some of the money may be used for both pandemic incurred expenses and infrastructure. She also found that this program can run over three years. Unlike the last round the Ms. Hendricks found that there will be restrictions imposed at the Federal level only. There will be no additional State restrictions.

The Finance Director and I will be sorting out the rules and regulations and putting together a plan for this money's use to the best benefit of the residents.

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**East Pier**

In another call from Rep Kaptur, she informed me that the east pier at the mouth of the Vermilion River will be repaired by the Army Corps of Engineers. \$1.8 million is the Federally funded price tag. The City Engineer, Service Director and I will be in touch with the USACOE regarding the details. This all is in addition to the Federally funded dredging of the Vermilion River this summer. Representative Kaptur was on the Great Lakes Restoration committee and has not forgotten Vermilion.

**Mapleview Ditch**

Last week Council asked the Administration to make a recommendation as to where Vermilion's portion of the Mapleview Ditch funding should come from. We have requested the details of the assessment from the Lorain County Stormwater Management District. The assessments have and will continue to be passed on to property owners. The annual maintenance fee will average \$2.50 per property owner. The one-time construction assessment will average \$250 per property owner. The largest property owner is Cassell Realty which will owe approximately \$25.20 in annual maintenance and \$2,500 in one time construction assessment. The City of Vermilion is the second largest property owner. What we must determine is what is the source of our funding of our share will be approximately \$17 in annual maintenance and \$1,700 in one time construction for two parcels the City owns. I would suggest the Stormwater Fund because it is well funded, but if Council disagrees and feels should be taken from the General Fund then the General Fund budget will need to be enlarged by that amount as it is currently in deficit.

**Main Street Beach Neighbors**

I have an e-newsletter to Main Street Beach neighbors. It will keep them informed of dates and progress of the demolition work and it is a channel for questions they may have.

S. Herron asked the Mayor if he had any comments with regards to Ordinance 2021-12. Mayor Forthofer said he is learning this as they go along, so he had not commented.

**SERVICE DIRECTOR'S REPORT:**

T. Valerius said last Wednesday he along with the city engineer and the building inspector had a pre-demolition meeting with the contractor for the Wakefield House and Museum. The proposed schedule for demolition is as follows: April 1 – April 23 will be the asbestos abatement; April 26 – May 21 will be the actual demolition process, and on May 22 – May 28 they will haul in topsoil and will be seeding and strawing the site. The city has removed and inventoried a few items from the Museum to be auctioned off, including two lead pocket doors, the glass and porcelain doorknobs and locks, and a couple folding tables and chairs. They also removed a few items for the city's use including an air compressor, electric motor, table, and office chair. They are also in the process of removing the power source from the lighthouse, which is currently getting its power from the museum. A new electric line has been run from the pump house at the beach and will provide permanent power to the lighthouse. This project should be completed tomorrow at which time the keys to the museum will be turned over to the contractor.

**FINANCE DIRECTOR'S REPORT:**

Any Hendricks addressed the 2021 Permanent Appropriations and Certificate of Estimated Resources that are up for a 3<sup>rd</sup> reading. Budget line items have been adjusted to reflect additional equipment purchases for Parks Operating Fund 218 of \$40,000; additional new fire hydrants for Water Fund 601 of \$10,000; additional fees for EPA Fund 605 of \$10,000. Also, revenue has been added to Fund 504 to correspond with 2021 debt payments, and revenue and expenses of an estimated \$30,000 have been added for Fund 216 Pool Donations. She indicated the line noted 'Other' is reserving the funds for this purpose based on total transfers and advances historically, and I will update this listing to include that itemized information as needed. She said if the number of transfers that are needed are less than the amount allocated, those funds will remain in the General Fund.

**CITY ENGINEER'S REPORT:**

C. Howard reported on March 4 the city had the bid opening for the Sunnyside Road Resurfacing Project and the city received three bids. The low bidder is Precision Paving, Inc. of Milan, Ohio for \$691,322.25. The engineer's estimate for the project was \$847,230.00. This project is ODOT funded through the Erie

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County MPO with an 80/20 split. He asked Council to award the project this evening with Precision Paving by emergency by passing Ordinance 2021-11.

LAW DIRECTOR'S REPORT: No report.

OPEN TO THE AUDIENCE: No public participation.

NEW BUSINESS:

S. Herron MOVED, S. Holovacs seconded to permanently remove Ordinance 2020-44 from the agenda as it will be replaced in future with a new draft and Ordinance number. Roll Call Vote 6 YEAS. MOTION CARRIED.

S. Herron MOVED, F. Loucka seconded to permanently remove Ordinance 2020-34 from the agenda. Roll Call Vote 6 YEAS. MOTION CARRIED.

S. Herron MOVED, F. Loucka seconded to add Ordinance 2021-12 to the agenda for a first reading as shown on the revised agenda. Roll Call Vote 6 YEAS. MOTION CARRIED.

Reading of the Ordinances:

First 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 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. Clerk's Note: This ordinance should have been a third reading as it was tabled for months and the Legislative Committee made a motion to untable the third reading. Therefore, in communication with the law department it will go back on the April 5 agenda as a third reading, as it was the clerk's error.

Tabled - Third Reading - Ordinance 2021-4: AN ORDINANCE AMENDING SECTION 1260.06 "DEFINITONS," 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.

Third Reading - Ordinance 2021-8: AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.

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

First Reading - Ordinance 2021-11: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH PRECISION PAVING OF MILAN, OHIO FOR THE SUNNYSIDE ROAD RESURFACING PHASE 1 PROJECT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO SAID AWARDEE IN AN AMOUNT NOT TO EXCEED SIX HUNDRED NINETY-ONE

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THOUSAND THREE HUNDRED TWENTY-TWO DOLLARS AND TWENTY-FIVE CENTS (\$691,322.25) AND DECLARING AN EMERGENCY.

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

B. Holmes MOVED, E. Skahen seconded to adopt this ordinance by emergency. Discussion: S. Holovacs congratulated Chris Howard and the administration because based on the engineer's estimate the city is getting this project done for \$150,000 less. F. Loucka noted that Precision Paving did a great job on Vermilion Road, so he was glad they won the bid. B. Holmes said he is looking forward to the smooth ride down Sunnyside Road. S. Herron echoed everyone's comments and noted he is very happy with this bid. Roll Call Vote 6 YEAS. MOTION CARRIED.

First Reading – Ordinance 2021-12: AN ORDINANCE AUTHORIZING THE PORT OPERATIONS MANAGER OF THE VERMILION PORT AUTHORITY OF THE CITY OF VERMILION, OHIO TO FILE AN APPLICATION FOR COOPERATIVE BOATING FACILITY GRANT FINANCIAL ASSISTANCE AND DECLARING AN EMERGENCY.

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

F. Loucka MOVED, S. Holovacs seconded to adopt this ordinance by emergency. Discussion: B. Brady asked the finance director if the city was comfortable with this. A. Hendricks said she just learned about the grant this morning, so she did not have a chance to investigate it. B. Brady said they will be tying up the city's money for some time, so she asked the finance director if she was comfortable with the idea of doing this. A. Hendricks said she really does not know anything about this, and the projects have not been laid out, so it is hard to know. B. Holmes said with his dealings with projects through the Metro Parks and ODNR, you do front the money, but you also get the money back and ODNR is good about reimbursing the money as soon as they can. He said this is a great opportunity for the city to update their marina or launches because this is what Vermilion is known for – it is a great place to launch your boat and enjoy the lake. If they have a great opportunity to do this and the finance director says we can, then the city should move forward with ONDR. B. Brady said if they decide to do a project and it is not approved, what do they do with the funding. Will they get preapproval on the projects they choose, so they do not risk receiving reimbursement? B. Yancar said the Port Authority must first select the projects and then submit them to ODNR who will approve them prior to anything being done, so there is nothing they will not select that will not be preapproved. He said the South Street Ramp does not have drinkable water, so one of the projects they may propose is to run a new water line to the Port Authority, so they have this resource. They jointly use the driveway entrance between the Treatment Plant and the Port Authority and because they get so many heavy equipment trucks the front entrance is well granulated and deteriorated so they would like to resurface this portion. Also, in front of the launch docks they have pretty much used the city to patch a great deal of potholes, but it is getting granular, so it is not as safe for the customers who may be handicap and who are using wheelchairs and canes, so they would like to resurface a section. They do not have the money to do the entire parking lot because that cost would be near \$350,000 or higher. Since he has been there, they have lost six feet of bank and it is the only area in Vermilion where they can have bank fisherman, so they would like to possibly reinforce the bank, so they do not lose it. Some areas are only six feet away from the parking lot, so it is a precarious situation. F. Loucka thought this was a great opportunity to leverage port funds. He thanked Bill Yancar and the members of the Port Authority for bringing this grant potential to Council's attention. S. Herron thought there were enough mechanisms in place that there will not be a loss of money in working with the professionalism of ODNR and the Port Authority. He appreciated their willingness in answering questions in detail. Roll Call Vote 6 YEAS. MOTION CARRIED.

#### Announcement of Meeting Dates:

April 5, 2021 – Vermilion City Council Meeting – 7:00 p.m.  
April 12, 2021 – Stormwater Advisory Committee Meeting – 6:00 p.m.  
April 12, 2021 – Vermilion City Council Committee Meetings – 7:00 p.m.  
April 19, 2021 – Vermilion City Council Meeting – 7:00 p.m.

*(All meetings will be held at the Vermilion Municipal Complex, 687 Decatur Street, Vermilion, OH)*

#### Adjournment:

S. Herron adjourned the meeting upon no further discussion.

*Transcribed by Gwen Fisher, Certified Municipal Clerk*