

RECORD OF PROCEEDINGS

Minutes of the Vermilion City Council Meeting

Minutes of _____

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, April 19, 2021

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 Hologacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five.

Administrative Staff: Jim Forthofer, Mayor; Tony Valerius, Service Director; Attorney Ben Chojnacki; C. Howard, City Engineer; Amy Hendricks, Finance Director

CALL TO ORDER:

Steve Herron, President of Council called the Monday, April 19, 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. Hologacs MOVED. F. Loucka seconded to approve the meeting minutes of April 5 & April 12, 2021. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

CORRESPONDENCE:

S. Herron read a letter dated April 16, 2021 from Bill McCourt, which is attached hereto and incorporated herein as the official record of proceedings.

PRESIDENT OF COUNCIL'S REPORT:

S. Herron reported that Franklin County has gone back to the purple level as terms of positive tests, so he will continue to monitor the levels in Erie and Lorain counties. He hopes they remain meeting in person, but sometimes things change. Secondly, he reported that April is Child Abuse Prevention Month and if anyone knows of a child that is being abused in any way, please call the local Children's Services Board of the county you live in or call local law enforcement.

COMMITTEE REPORTS:

Legislative:

M. Stark reported on the meeting held April 12. The next meeting is scheduled for May 10, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Utilities:

F. Loucka reported the next meeting is scheduled for May 10, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Port Authority:

F. Loucka reported the board met on April 15 and the minutes are in process. The next meeting is scheduled for May 13, 2021 at 6:30 p.m. at the Vermilion Municipal Complex.

Finance:

B. Brady reported on the meeting held April 12. The next meeting is scheduled for May 10, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Planning Commission:

B. Brady reported on the meeting held April 7. The next meeting has been scheduled for May 5, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

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Health & Safety:

B. Holmes reported on the meeting held April 12. The next meeting is scheduled for May 10, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Parks & Recreation:

B. Holmes reported the next meeting is scheduled for April 20, 2021 at 6:00 p.m. at the Vermilion Municipal Complex.

Stormwater Advisory Committee:

S. Herron reported the next meeting is scheduled for May 3, 2021 at 6:00 p.m. at the Vermilion Municipal Complex.

Historic Design & Review:

E. Skahen reported on the meeting held April 7. The next meeting is scheduled for May 5, 2021 at 6:00 p.m. at the Vermilion Municipal Complex.

Vermilion Tree Commission:

E. Skahen reported the next meeting is scheduled for May 12, 2021 at 9:30 a.m.

Streets, Buildings & Grounds:

S. Holovacs reported on the meeting held April 12. The next meeting is scheduled for May 10, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Zoning Board of Appeals:

S. Holovacs reported the next meeting is scheduled for April 27, 2021 at 7:00 p.m. at the Vermilion Municipal Complex.

Contractor Registration:

S. Holovacs reported the next meeting is scheduled for April 27, 2021 at 6:00 p.m. at the Vermilion Municipal Complex.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer provided his written report to the clerk as read into the record as follows:

Brown's Lake Road Cemetery

I have worked with the Brownhelm Historical Association on their plan to rescue headstones at Brown's Lake Road Cemetery. I am satisfied that all known living family members of those buried in the cemetery have been contacted. Most have given permission for the project. One descendant does not agree, and that family's headstone will be left undisturbed. I have also conferred with the Law Director and a local cemetery director. I think the plan to gather the scattered head stones and treat them with dignity is a worthwhile project. I am grateful to the Brownhelm Historical Association for their hard work.

Open City Hall May 3

City Hall employees who deal with the public and want a COVID vaccine have gotten them or are in process. I feel it is safe enough to reopen City Hall to the public beginning Monday May 3. COVID protocols will still be observed. If the health conditions in the community change, we may have to re-assess our situation.

Memorial Day

The Memorial Day Parade and Observation are under review by the local Veteran's Council. As last year, the average age of our veterans is being given special consideration. I will be meeting with the Veterans this Saturday. I support whatever decision they make.

Fish Festival June 18 - 20

I am giving the City's support to a modified version of the Fish Festival to go ahead this June 18 - 20.

I have been in ongoing discussions with Vermilion's Chamber regarding the Fish Festival. Executive Director Sandy Coe wrote an extensive plan for operation of the festival with detailed concessions to

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COVID protocol. April 15, we met with a representative of the Erie County Health Department and reviewed the plan. ECHD had comments and recommended alterations which will be incorporated.

A safe event is all in the execution. I have full faith that the Chamber can put on a well-organized safe event. Some other festivals have cancelled because they did not feel they could comply with ECHD protocol. We do because of our ability to spread out more. Cooperation of the public is a key factor.

If you don't feel you are ready to participate in this outdoor festival, that is totally understandable. Maybe next year. If you do participate, I ask you to observe the rules and help make it safe for everyone.

Third Thursday May 20

Third Thursday is a go for May 20th. Sandy Coe and Sid Jordan have again made concessions to COVID protocol by having fewer and more distanced musicians. With these safety measures I support returning to this favored outdoor venue. I personally, am very happy to see it return.

I ask Council to put off a third reading of Ordinance 2021-21. The cemetery contact discussion is ongoing, and I don't want to give Council a moving target.

SERVICE DIRECTOR'S REPORT:

T. Valerius updated Council on the museum project as the large machinery will be delivered on Tuesday and Wednesday. The demolition of the museum and the Wakefield House is scheduled for Thursday. The contractors will be removing the Pilot House from its foundation and will be setting it off to the side. At this time, they are scheduled to advertise for the sealed bid auction of the Pilot House during the first two weeks of May with the bid opening in mid-May. Lastly, he reminded the citizens to stay out of the construction site. There are cameras set up and the police will be alerted to trespassers. If anybody wants anything they can speak to the contractors.

FINANCE DIRECTOR'S REPORT:

Amy Hendricks provided her written report to the clerk as read into the record as follows:

Appropriation and Amended Certificate 2021 Updates:

The information for the third reading of the amendments to the 2021 Appropriations, Certificate of Estimated Resources and Transfers has been updated to include purchases and projects authorized at the April 5, 2021, Regular Meeting. Three updates are in italics below for special revenue funds since the last reading are included. Highlights are as follows:

Fund 207 Fire Capital
Revenue increase \$102,000 for insurance proceeds from fire rescue vehicle.
Appropriation increases \$617,000 for purchase of replacement vehicle.

Fund 233 Recycling Grant
Revenue increase \$18,689.89 for collected 2020 allocation.

Fund 200 Appropriation increases \$18,689.89 repay 2020 Advance from General Fund

Fund 601 Street increase appropriation \$254,700 (includes equip new plow truck)

Fund 602 Water increase appropriation \$779,460

Fund 602 Wastewater increase appropriation \$16,730

Fund 604 Storm Water increase appropriation \$33,500

Fund 224 Court Computer Fund increase appropriation \$20,000

Fund 804 Contractor Deposits increase appropriation \$10,000

Fund 810 State Hwy/Law Library increase appropriation \$23,000

Fund 212 Transfer of \$7,225 General Fund to Cemetery Operating for fund prepaid services previously collected that were provided in 2020.

Updated Fund Status Update:

The first quarter of 2021 has closed March 31. No major trends are noted in revenue or expenses at this point. The movement of the RITA tax filing deadline back a month will delay measurement of the impact

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the pandemic has had on income tax collections coming into the Operating Fund as well as Fund 200 Road Levy.

Updates to the chart have been made to reflect projects that have been given the go ahead as well as the revenue replacement pending with the ARP funding.

Funds that support infrastructure projects (Roads, Water, Wastewater, and EPA) had somewhat larger carryover in from 2020 as projects that were not tied to state/federal funding restrictions or were health and safety needs were not done in 2020. The delay also added an additional year of necessary project on the to grow. As an example, the single water main project approved has drained the water fund for any large expense for 2021.

Storm Water Debt Issue

Legislation is on the agenda for this evening to address the third reading regarding a new debt issuance for Storm Water related projects that are funded through monthly fees. If approved to move forward, the issue will be sold and sent to potential bidders tomorrow and funds should be available by June 1. Debt service payments are limited by the provisions of the Storm Water fund as a percentage of the prior year's revenue. There was an existing debt that was paid off in December 2020, that has made room for new borrowing to tackle new projects across the city. The example presented illustrated \$1.2 million at an estimated interest cost. The legislation is written not to exceed borrowing of \$1.35 million allowing as much money to be generated as possible for projects while keeping the annual payments within the allowable range (less than \$83,000 per year). Interest rates had ticked up recently, but in my latest updates from Sudsina last week, they are coming back down again.

B. Brady asked if the Rescue Fund money will require Council's approval on all projects. A. Hendricks said yes as the money will need to be appropriated and budgeted for any of the projects that require bidding, etc. The administration is working together to get a menu of projects that might qualify for the funding.

CITY ENGINEER'S REPORT:

C. Howard reported that last week they had the preconstruction meeting for the Liberty Avenue Water Main Replacement Project. The contractor (Speer Brothers) is in the process of ordering material for the project and has tentatively set the start date for early May. They are proposing to start near South Shore Court and work west towards Vermilion Road. Secondly, he asked for Council's consideration in adopting Resolution 2021R-8 by emergency as this resolution authorizes the city to make application to Erie County Metropolitan Planning Organization towards the Transportation Alternative Program for funding in fiscal year 2025. They are recommending the city apply for funding for Safe Routes to School Phase 2. As Council is aware, Phase 1 is only for Sanford Street. With this application, they would propose installing sidewalks on Pineview Drive, Larchmont, Langfitt, the west side of West River Road, and a small portion of Sweetbriar Drive (just west of Sanford Street). This application is due April 30 and there is only \$320,000 available in the application through Erie County.

LAW DIRECTOR'S REPORT:

Attorney Chojnacki said on behalf of Law Director Ken Stumphauzer the law department was asked to look at the penalty provision in Ordinance 2021-28, which is the transient rental property regulations. Currently, this legislation is drafted with a civil penalty and a criminal penalty, and they were asked to advise Council as to whether it was necessary to have full provisions or if this was a mechanism whereby one or more would be selected. Upon review, it is their interpretation and position that the civil penalty provision has some weaknesses as drafted as it does not account for the due process concerns of an individual who is cited civilly. In essence, the current provision provides that the building department can issue a citation for a property owner, but the property owner does not have a method by which it can appeal to the decision of the building department. If Council desires to continue with a civil penalty, then it would be necessary to incorporate a due process provision, whereby, the appeal can be pursued to the Zoning Board of Appeals. He said they can provide council with draft language that can be incorporated into the civil penalty if Council so inclines to keep this language within. Separately, there is a criminal penalty that exists. There are some enforcement problems that could arise if you have both a civil and a

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criminal penalty at the same time. It can be confusing when a property owner receives a citation and there may be some double-jeopardy concerns if a subsequent criminal action is brought against a property owner who has been previously fined for the same non-compliance. The law department is open to discussing these issues with Council at the appropriate time as needed. They also have several other comments with respect to the draft of which he will forego for the sake of the audience.

F. Loucka questioned if they should stick with the criminal penalty and delete the civil penalty altogether. Attorney Chojnacki thought they should avoid the civil penalty because if Council creates a civil enforcement mechanism and someone disagrees with the building department's determination, the Board of Zoning Appeals would have to hear a considerable number of appeals. The administrative oversight associated with this could become problematic. Having a criminal penalty and an enforcement process through the courts takes this burden off the city and puts it under the Court system in the whole and it also affords for a leaner adjudication through the courts.

B. Brady said when they define what a rental property is, they are allowing this in all districts, but in the business district they do not allow residential except as approved through the Zoning Board of Appeals. Does this mean people can use property that is normally not a residential property for a transient rental? Attorney Chojnacki said he has not looked at this specific issue, but the definitions they have contemplates the definition of a dwelling -- which is typically for residential use and not a commercial use, so this is something that can be flushed out through additional revisions to the agreement. He is inclined to say that this will not likely apply to this commercial section. He would probably refer to the general provisions of the zoning code and the definition of dwelling within typically is defined as something that is a single or double family house, multi-family unit. He would assume they would be okay, but the city might be subject to a challenge, but it is always good to clarify this.

S. Herron said if Council wants to delete the civil penalty would they need to make a motion now. G. Fisher said they can delete this now or they can discuss it at committee on May 10, since there will only be a second reading of the ordinance at that point. S. Herron referred this ordinance to the May 10 Legislative meeting for further review.

OPEN TO THE AUDIENCE:

Jane Shedron of 4776 Hollyview Drive provided council with her statement of what she was going to talk about that was signed by 20 residents on her street. This letter is attached hereto and incorporated herein as part of the official record of proceedings. She also provided Council with numerous pictures of the road conditions on Hollyview Drive. The subject matter is the replacement of Hollyview Drive from Forestview to Mapleview Drive. She said the signatures are from tax paying citizens who reside on this section of Hollyview. She read her statement into the record as such and noted the project was started in the city but never completed. They want Hollyview completed and then the following year she would like the city to do Timberview, so three streets will be done in two years. She said the replacement is necessary because it is a mess. She said the project on Sanford is disgraceful because they left numerous people with driveways incomplete. The city dug up the sidewalk and the driveway and it has brought down the property value. Therefore, the citizens on Hollyview Drive agree and demand their street to be completed. The citizens want this project to be a priority before any new projects are undertaken. The citizens are tired of the property values declining because of the ever-ongoing disrepair condition of their street. She said she would like a response from somebody. S. Herron said they usually respond to the citizens at the next council meeting under their Charter.

C. Howard said he was prepared to respond as with Mapleview the city applied for OPWC funding two years ago and received it. Last year, the city applied for Hollyview Phase 2, which is this section of road in question. However, the city did not get funding from OPWC. They have been trying to get funding for this portion of the road so the phase is complete, and they will try again this year if Council approves to submit application for OPWC funding this September. J. Shedron asked if funding is restricted to the street they name. C. Howard said this is correct because when you apply for OPWC you have to give them the project the city wants funded, but they didn't score high enough last year to receive funding. He said Mapleview scored lower two years ago because their pavement condition rating is lower. He said with regards to Sanford Street and the reason why the driveways were not fixed is because they have Safe Routes to School coming. When the water line was replaced, it did not make sense to replace that section of driveway because Safe Routes to School was forthcoming this year. All these driveways will

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be repaired with this project when the sidewalk goes in. S. Herron asked if this was a good answer for her or does she prefer a more formal answer. Jane Shedron said she wants a more formal answer. S. Herron said the administration will be required to provide a formal answer to her at the May 3 Council meeting. J. Shedron asked for reassurance from Council that they will get the street done next year. S. Herron said he understands but he cannot give her assurance on what the Ohio Public Works Commission is going to do. However, he will certainly be willing to promote the grant application for Hollyview again, but he cannot control what the OPWC does. He agrees the flooding is unbelievable as well. S. Holovacs asked C. Howard to provide the evaluation of the streets when he provides his response and how the engineering department did some studies based on looking for federal/state money. J. Shedron said she heard there were extra funds appropriated for streets, roads, and sewers this year. S. Herron said stormwater funds are one thing, but there has not been anything from the state. A. Hendricks explained this may be in relation to the fuel tax. When the state put the additional cents per gallon tax in this was to start bringing in some additional monies to all municipalities based on the number of automobiles that are registered in the community. They had estimates from the state and they could have gotten about \$270,000 additional last year, but because of the pandemic and people working from home and not traveling, there was not as much gas purchased, so those tax receipts ended up being half of what the state had estimated last year that Vermilion received, so they are hoping there will be more activity this year that will allow additional revenue, but it's hard to measure what that will be and when that will come. J. Shedron said she would appreciate if everyone on Council reads her statement and looks at the signatures and takes them seriously because they want this done.

Drew Werley of 5016 Timberview Drive said he was glad that Attorney Chojnacki mentioned the due process issues in the transient rental legislation because it was apparent to him. He thought Council should table the ordinance since the law department had other issues they wanted to bring up. He thought the legislation gave the building inspector far too much power and there is a lot of stuff that is vague. He thought council was creating a solution to a problem that does not exist. Additionally, he said he felt for Jane on Hollyview as he personally avoids Hollyview. He was sure the Council President did not drive down Mapleview; probably Timberview. S. Herron said he does drive down Mapleview sometimes depending on the vehicle he is in because if you are in a car that has an axle problem, you will spend money if you live on that street. It is one of the many extremely unhealthy situations they have going on. D. Werley said he was glad to hear they are possibly going to get rid of the civil penalties in the transient legislation because it is crazy. This is the highest fine structure of any ordinance in the books for the whole city. He was glad that Councilwoman Skahen had brought up last month that she felt the fines were too high, so he appreciated her thoughts.

NEW BUSINESS:

S. Holovacs MOVED, F. Loucka seconded to table the third reading of Ordinance 2021-21 regarding the cemetery contract. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

B. Brady MOVED, E. Skahen seconded to put the suggested resolution as submitted by Bill McCourt on the May 10 Legislative committee. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

Reading of the Ordinances:

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

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Third Reading – Ordinance 2021-14: 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 PROFESSIONAL ENGINEERING AND SURVEYING SERVICES RELATED TO THE LIBERTY AVENUE WATER MAIN REPLACEMENT (ADAMS STREET TO DECATUR STREET); PRESCRIBING THAT THE FIRM SHALL BE PAID FOR ADDITIONAL SERVICES IN ACCORDANCE WITH THE RATE SCHEDULE SET FORTH IN THE PROPOSAL DATED JANUARY 3, 2018, IN A TOTAL AMOUNT NOT TO EXCEED SIXTY-ONE THOUSAND FIVE HUNDRED DOLLARS (\$61,500.00) AND DECLARING AN EMERGENCY.

F. Loucka MOVED, S. Holovacs seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2021-18: AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH FUND 238 "AMERICAN RESCUE PLAN ACT" AND DECLARING AN EMERGENCY.

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

Third Reading – Ordinance 2021-19: AN ORDINANCE AMENDING ORDINANCE 2021-8 ADOPTED MARCH 15, 2021 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.

M. Stark MOVED, B. Holmes seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

Tabled - Third Reading – Ordinance 2021-21: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT FOR MANAGEMENT SERVICES FOR THE OPERATION AND MAINTENANCE OF THE CITY'S CEMETERIES.

Third Reading – Ordinance 2021-22: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT ON BEHALF OF SAID CITY WITH THE TOWNSHIP OF BROWNHELM, LORAIN COUNTY, OHIO TO PROVIDE FIRE PROTECTION FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2022.

S. Holovacs MOVED, B. Holmes seconded to adopt this ordinance as amended to reflect a new lower amount of \$11,445.58. A. Hendricks explained this is based on a percentage of the operating expenses for the Fire Operating Fund from the prior year. She said there were fewer calls during 2020, so payroll was significantly lower for the department and they were not sending people out for training and things like that because of the pandemic. She said there were only eight calls in Brownhelm Township. G. Fisher explained in 2020 the number was \$24,996.35. Roll Call Vote 7 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2021-23: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,350,000 FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY'S STORM WATER MANAGEMENT SYSTEM BY CONSTRUCTING AND IMPROVING STORM WATER DRAINAGE FACILITIES INCLUDING BUT NOT LIMITED TO STORM SEWERS, DITCHES, CATCH BASINS AND FACILITIES FOR THE RETENTION AND CONTROL OF WATERS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO AND ACQUIRING ANY REAL ESTATE OR INTERESTS. IN REAL ESTATE NECESSARY THEREFOR, AND DECLARING AN EMERGENCY.

S. Holovacs MOVED, M. Stark seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

First Reading – Ordinance 2021-27: AN ORDINANCE PURSUANT TO SECTION 1240.02 OF THE CODIFIED ORDINANCES OF VERMILION GRANTING A LAND USE (ZONING) VARIANCE TO MICHAEL GRISEZ IN ORDER TO ALLOW FOR A RESIDENTIAL USE ZONING VARIANCE IN THE B-3 HIGHWAY COMMERCIAL DISTRICT, LOCATED AT 3564 LIBERTY AVENUE, VERMILION, OHIO.

First Reading – Ordinance 2021-28: AN ORDINANCE AMENDING CHAPTER 1484 "ENTITLED "RENTAL REGISTRATION" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO.

First Reading - Ordinance 2021-29: AN ORDINANCE AMENDING "PERMITTED USES" IN 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

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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 PERMIT TRANSIENT OCCUPANCY AND TRANSIENT RENTAL.

First Reading – Ordinance 2021-30: AN ORDINANCE AMENDING CHAPTER 1260 ENTITLED "GENERAL PROVISIONS AND DEFINITIONS AND SECTION 1260.06 DEFINITIONS OF THE PLANNING AND ZONING CODE OF THE CITY OF VERMILION.

First Reading – Resolution 2021R-8: A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT THE METROPOLITAN PLANNING ORGANIZATION (MPO) TAP APPLICATION FOR THE SAFE ROUTES TO SCHOOL PHASE 2, AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY.

F. Loucka MOVED, B. Holmes seconded to suspend this resolution by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

S. Holovacs MOVED, E. Skahen seconded to adopt this resolution by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

Announcement of Meeting Dates:

- May 3, 2021 - Stormwater Advisory Committee Meeting – 6:00 p.m.
- May 3, 2021 – Public Hearing (Application for Farmland) -7:00 p.m. followed by Vermilion City Council Meeting
- May 10, 2021 - Vermilion City Council Committee Meetings – 7:00 p.m.
- May 17, 2021 - Vermilion City Council Public Hearing (COV 1240.02) following by 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

April 16, 2021

Dear Council President Herron:

My name is Bill McCourt, 4135 Menlo Park Lane, Vermilion. I am writing as a committee member of Vermilion Call to Action (VCTA). I am requesting this letter be read at the April 19, 2021 City Council meeting.

We are requesting the following proposed Resolution be placed on the Legislative Committee agenda for May 10, 2021, for consideration.

A RESOLUTION BY VERMILION CITY COUNCIL PLACING AN IMMEDIATE MORATORIUM ON ANY AND ALL NEW ZONING VARIANCES REQUESTS AND ALL NEW PERMITS RELATING TO THE PROPOSED ORDINANCE PROHIBITING STORAGE UNIT FACILITIES IN RESIDENTIAL AND BUSINESS DISTRICTS. THIS MORATORIUM SHALL REMAIN IN EFFECT UNTIL EITHER 1) COUNCIL APPROVES THE PROPOSED ORDINANCE, OR 2) A VOTE OF THE PEOPLE OF THE CITY OF VERMILION ON NOVEMBER 2, 2021.

Our group is actively involved with an initiative petition to place the proposed ordinance, which the Legislative Committee is now considering. As of now, we have a significant number of petition signers. There is no doubt VCTA will have enough certified signatures to bring this proposal to the Vermilion voters in November.

Recent actions by the Planning Commission and variance requests to the Board of Zoning Appeals has opened the door to several new related projects on Liberty Avenue. We believe a majority of our community agree that there are better uses for the Liberty Avenue corridor than more storage units. While this ordinance is being considered and acted on, we request that Council enact this temporary moratorium on storage units, as was done by Council in the past for medical cannabis enterprises, for example.

Respectfully Submitted, -

Bill McCourt

Vermilion Call to Action Committee members: Bill McCourt, Betsy Wakefield, Elaine Carlin, Homer Taft, and Vito Cammarata

April 13, 2021

Subject:

Replacement of Hollyview Drive from Forestview to Mapleview Drive.

Signatures that follow are from tax paying citizens whom reside on this section of Hollyview. All who signed agree with the following:

Statement 1. I, Jane Shedron, have resided at 4776 Hollyview Drive since 1978. That being 43 years. I can, with all honesty, tell you that this section of Hollyview has never, I repeat, Never been replaced. Over the course of 43 years I have witnessed tons of gravel, pitch, patch, slag, etc, placed into the numerous pot holes along this street only to have this substance fall out in a few days time, washed into our waste water street drains [sewer], clogging the sewer system and causing year after year of flooded streets and flooded homes causing thousands of dollars in damage to homes and unnecessary hardships on everyone.

If more testimonies are needed, call those those listed below.

Despite the fact that Hollyview Drive is ; by far, one of the heaviest usage street in Valleyview, our one block section has been continuously ignored by city council. It is of complete understanding by all whom signed below that ours is not the only street in complete disrepair. We all recognise the need for a beautiful downtown to draw in tourists, but drive past that area into the heart of taxpaying citizens, and it is disgraceful. This has left the citizens of Vermilion feeling as if we do not count, left out, not worth the cities time or effort.

It has been an ongoing problem that we, the citizens, have seen projects left unfinished. ie: On Sanford Drive numerous driveways were torn up for new water pipes...after the street was finished...and the cement sidewalk area of each driveway was not replaced with cement, but with slag. This is a disgraceful way to treat the citizens, and will ultimately result is a drop in value of their homes. Question: whose idea was this and why was this allowed to happen?

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ie: The replacement of Hollyview Drive was started several years ago with the black topping of the section from Maplevue to Beechview Drive. Then, the section from Sanford to Maplevue was removed and a concrete roadway installed. Now we come to the problem: the one block section of concern.

Therefore, the citizens of Hollyview Drive, in agreement, demand that the Hollyview Drive project be completed in its entirety.

We, the citizens, want this project to be a priority, before any new project is undertaken.

We, the citizens, are tired of our property values declining because of the ever ongoing disrepair condition of our street.

Signed, The tax paying citizens of Vermilion, Ohio

1. Joseph Graham Jennifer Graham 4763

2. Marty + Paul Hartle 4766

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Signatures of concerned citizens

3. Shawn Justice 4692 Hollyview 440-346-3407

4. Lisa Ann 4647 Hollyview (440) 315 90

5. David J. Kolan 4650 Hollyview

6. Stacy Janik 4631 Holly

7. [Signature]

8. J J Mark 4791 Hollyview Dr.


9. Mark + Jane Shedron 4776 Hollyview Dr. 440-714-2319 967-418

10. Julie Zelenka 4798 Hollyview Dr

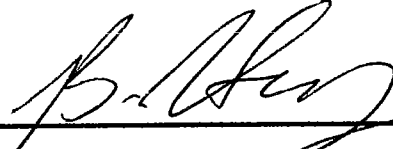
11. Matt Sharkey 4798 Hollyview Dr.


12. Thomas Carter 4777 Hollyview Dr.

13. [Signature] 4777 Hollyview Dr.

14.  4762 Hollyview Dr. 419-509-1474

15. Lesia Walker 4748 Hollyview Dr.

16.  4735 Hollyview Dr

17.  4679 Hollyview Drive

18. Daniel Ross 4693 Hollyview Dr

19. Constance Glover 4665 Hollyview Dr.

20. James Jenkins 4790 Hollyview Dr

21. _____

22. _____

23. _____

24. _____

25. _____