

RECORD OF PROCEEDINGS

Minutes of

Minutes of the Special Vermilion City Council Meeting

Meeting

GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

Held

Monday, June 13, 2022

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 At Large; Pat Stein, Ward One; Greg Drew, Ward Two; Teresa Mayle, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five. Absent: Monica Stark, Council President (ill)

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

Homer Taft asked if the Public Hearing is something where the public is invited to make statements. S. Herron said it was published at 6:00 p.m. and they had two public hearings. H. Taft said two public hearings were just closed without asking for public comment. G. Fisher said they did have public comment. S. Herron said they did, and Mr. Taft was not present at 6:00 p.m. G. Fisher held up the sign in sheet where everybody came and spoke. S. Herron mentioned this is Special City Council meeting with no audience participation, so they do not have a sign-up sheet for this meeting.

CALL TO ORDER:

Steve Herron, Council At Large called the Monday, June 13, 2022, Special Vermilion City Council Meeting to order.

PLEDGE OF ALLEGIANCE:

The members of Council, administrative staff, and audience participants recited the Pledge of Allegiance and a moment of silence followed.

APPROVAL OF MINUTES:

B. Holmes MOVED; G. Drew seconded to approve the minutes of June 6, 2022. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

Reading of the Ordinances:

Tabled - Third Reading – Ordinance 2022-33: AN ORDINANCE AMENDING CHAPTER 1484 ENTITLED "RENTAL REGISTRATION" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO, AND DECLARING AN EMERGENCY. (Referred to Legislative Committee of June 27, 2022)

Third Reading – Ordinance 2022-38: AN ORDINANCE AMENDING AND REPLACING CODIFIED ORDINANCE SECTION 1044.04(C), AS AMENDED, OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, TO ESTABLISH NEW WASTEWATER (SEWER) RATES; AND DECLARING AN EMERGENCY.

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

Third Reading – Ordinance 2022-39: AN ORDINANCE AMENDING ORDINANCE 2011-4 ADOPTED MARCH 21, 2011, AND REPLACING CODIFIED ORDINANCE SECTION 1044.04(C), AS AMENDED, OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, TO ESTABLISH NEW WASTEWATER (SEWER) RATES; AND DECLARING AN EMERGENCY.

B. Holmes MOVED; P. Stein seconded to adopt this ordinance by emergency. Discussion: B. Brady clarified that the EPA fees are paid even when people stop their water when leaving for the winter. She said back in 2019, the finance director wanted to raise these rates twenty-five cents per month over the next two years and she feels bad that council did not do this then instead of a big \$5.00 per month rate increase. She thought council should keep in mind in the future a small increase yearly is easier for people to swallow versus these big increases. A. Hendricks said as a part of the ordinance, they have incorporated three years of smaller increases to keep up with inflation. B. Brady asked if the sewer contract with the county is okay. A. Hendricks said their rates are still even with the increase with over a \$1.00 more per unit than any of the rates that the city will be. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

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Third Reading – Ordinance 2022-40: AN ORDINANCE REZONING PROPERTY AT SUNNYSIDE ROAD IN VERMILION AND LORAIN COUNTY, OHIO OWNED BY CORNER LOT PROPERTIES, LLC AND COLLECTIVELY CONTAINING AN AREA OF APPROXIMATELY 120.6 ACRES FROM R-1 ESTATE RESIDENCE DISTRICT, RESPECTIVELY, TO A PLANNED UNIT DEVELOPMENT DISTRICT.

B. Holmes MOVED; G. Drew seconded to adopt this ordinance. Discussion: B. Brady asked if council would prefer additional time before voting on this ordinance. G. Fisher cautioned that a motion was already on the floor for adoption and if council chooses to table, the entertainers of the motion would need to withdraw their motion to do so. G. Drew asked if she had real concerns or was, she asking to sleep on this. B. Brady said they took in much information tonight, so she just wanted to know how council felt about this. She asked the engineer to walk council members through the PUD process. C. Howard explained if property is rezoned as a PUD, then the next step is to go back before the Planning Commission for each phase of the development and they still need to come back before Council because they will be dedicating the streets and utilities, so they will need acceptance for the plats before they can sell any units. This is just the first step and then they will need to do a traffic impact study. They do not want to invest in all these items and dollars until they get the rezoning. They will have to provide HOA documents for review by the Law Director, so there are checks and balances along the way. T. Mayle said many of the concerns brought forth tonight such as the sewers and the traffic are things that will be part of the phases that they go through, so they must produce a plan to make sure everything is running smoothly. It is not like they are going to drop this development there and then overwhelm the streets. C. Howard said the traffic impact study will look at all the routes and whether they will need to put up a light eventually at this intersection. The traffic engineer will forecast 20 years out and will assess the number of vehicles on the roads and which intersections could be problems. T. Mayle said with adding sewers this should help with drainage that the residents were complaining about. C. Howard said if they will have to provide their own stormwater management and there are ditches (Brownhelm Creek to the east) that will drain into that. They must meet numerous requirements the city already has in place. B. Brady said it would be interesting if everybody read the PUD plan because five percent must be parks, or they must provide money to the city. She said once a PUD is established it is not flexible, so once Planning passes some of these things the developer cannot decide to amend the size of the homes or the footprint. She explained a PUD is planned a head of time and the city went through this with Vermilion Shores and it is a big deal. C. Howard said if they make any revisions based on what is approved, then they must resubmit to council before making changes. P. Stein asked if they are asking to rezone residential. B. Holmes confirmed. T. Mayle thought it sounded lovely. G. Drew said Ryan Homes has been around and if you drive through Lorain behind Kohls, you know what you are getting, and if you go to North Ridgeville, 10 years ago they developed Meadow Lakes, so you know what you are getting. He said it may not be right for everybody, but there are many people that like this style of community with the houses right on top of each other and the sidewalks, and the neighbors. There was nothing he saw today that was very surprising or shocking by any means. S. Herron asked if all sidewalks and curbs must be ADA approved for new building. The administration nodded their heads yes in the affirmative. Mayor Forthofer said in anticipation of this, he drove around last week to the Ryan Homes development in Amherst and found lot sizes like the ones being proposed, and he spoke with people who expressed they liked the closeness. He said this development would not be for him, but it certainly does seem to satisfy people that are happily living there. It is not a slum area and it had nice vehicles parked there. B. Holmes said he is familiar with Ryan Homes and the development in farmland out in Columbia Station and it is exactly what the developer is requesting in Vermilion. There are children and families, park areas, house to green space ratio, and from a law enforcement standpoint, the only time they were called out there was because of the construction because they do it in phases, and folks were concerned about the trucks coming up and down. He said this is a large development off Snell Road in Columbia Station. G. Drew said the developments bring in working families and many first responders move into Ryan Homes, and it is great for the community. T. Mayle referred to the resident who spoke on the homes being rented out, but having a rental home personally, she doesn't think she would ever spend almost \$300,000 on a home to rent out, so she feels these homes will be occupied by people who are going to live there, so she didn't see a point in delaying the vote. Roll Call Vote 6 YEAS. MOTION CARRIED.

Third Reading – Ordinance 2022-41: AN ORDINANCE PURSUANT TO SECTION 1240.02 OF THE CODIFIED ORDINANCES OF VERMILION GRANTING A LAND USE (ZONING) VARIANCE TO RUSSELL MAURER IN ORDER TO ADD A RANCH HOME IN THE I-1 LIGHT INDUSTRIAL DISTRICT, LOCATED AT 5890 HABER ROAD, VERMILION, OHIO

G. Drew MOVED; P. Stein seconded to adopt this ordinance. Roll Call Vote 6 YEAS. MOTION CARRIED.

Second Reading – Ordinance 2022-43: AN ORDINANCE REPEALING SECTION 882.07 OF CHAPTER 882 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION AND DECLARING AN EMERGENCY.

Second Reading – Ordinance 2022-44: AN ORDINANCE AMENDING ORDINANCE 2022-12 ADOPTED MARCH 7, 2022, TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.

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P. Stein **MOVED**; T. Mayle seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

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

Second Reading – Ordinance 2022-45: AN ORDINANCE AMENDING SECTION 672.10 OF CHAPTER 672 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION TO PROHIBIT THE DISCHARGE, IGNITION, OR EXPLOSION OF FIREWORKS AND DECLARING AN EMERGENCY.

P. Stein **MOVED**; G. Drew seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

T. Mayle **MOVED**; G. Drew seconded to adopt this ordinance by emergency. Discussion: S. Herron asked if this was mirroring the state statute. Mayor Forthofer said no this is more restrictive, and the city prohibits fireworks. G. Drew said because the state passed theirs, the city must revisit theirs. Roll Call Vote 5 YEAS, 1 NAY (Herron). **MOTION CARRIED.**

Second Reading – Ordinance 2022-47: AN ORDINANCE GRANTING AN ENCROACHMENT EASEMENT OF THE STRUCTURE AT 699 LIBERTY ON THE TOLEDO STREET RIGHT-OF-WAY AND DECLARING AN EMERGENCY. (Referred to Legislative Committee of June 27, 2022)

Third Reading – Resolution 2022R-7: A RESOLUTION AUTHORIZING THE CITY OF VERMILION TO EXECUTE AND FILE AN APPLICATION WITH THE STATE OF OHIO FOR FINANCIAL AID ASSISTANCE UNDER THE NATUREWORKS GRANT PROGRAM.

B. Brady **MOVED**; P. Stein seconded to adopt this resolution by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

Second Reading – Resolution 2022R-8: A RESOLUTION TO APPROVE THE 2023 TAX BUDGET AND DECLARING AN EMERGENCY.

B. Brady **MOVED**; T. Mayle seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

B. Brady **MOVED**; P. Stein seconded to adopt this resolution by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

Announcement of Meeting Dates:

- All meetings will be held at the Vermilion Municipal Complex, 687 Decatur Street, Vermilion, OH
- June 20, 2022 – Juneteenth (observed) – City Offices Closed
- June 27, 2022 – Vermilion City Council Committee Meetings – 7:00 p.m.
- July 4, 2022 – Independence Day – City Offices Closed
- July 11, 2022 – Vermilion City Council Meeting – 7:00 p.m.
- July 18, 2022 – Vermilion City Council Committee Meetings – 7:00 p.m.

Adjournment:

S. Herron adjourned the Special Vermilion City Council meeting upon no further discussion.

Transcribed by: Gwen Fisher, Certified Municipal Clerk