

RECORD OF PROCEEDINGS

Held _____ Monday, July 11, 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: Monica Stark, Council President; 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

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

CALL TO ORDER:

Monica Stark, President of Council called the Monday, July 11, 2022, 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:

M. Stark MOVED; P. Stein seconded to approve the June 27, 2022, City Council minutes. Roll Call Vote 7 YEAS. MOTION CARRIED.

CORRESPONDENCE:

G. Fisher reported she received a liquor transfer permit from the Ohio Division of Liquor Control from Blind Perch LLC to LOS CUCOS LTD dba Te Kila, 3700 Liberty Avenue.

PRESIDENT OF COUNCIL'S REPORT: No report.

COMMITTEE REPORTS:

Historic Design & Review:

P. Stein reported the next meeting has been scheduled for July 13, 2022, at 6:00 p.m.

Vermilion Tree Commission:

P. Stein reported the Tree Commission is watering regularly.

Finance:

B. Holmes reported the next meeting is scheduled for July 18, 2022, at 7:00 p.m.

Planning Commission:

B. Holmes reported the next meeting is scheduled for July 13, 2022, at 7:00 p.m.

Health & Safety:

B. Brady reported on the meeting held June 27. The next meeting is scheduled for July 18, 2022, at 7:00 p.m.

Streets, Buildings & Grounds:

S. Herron reported on the meeting held June 27. The next meeting is scheduled for July 18, 2022, at 7:00 p.m.

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Port Authority:

S. Herron reported the next meeting is scheduled for July 14, 2022, at 6:30 p.m.

Utilities:

M. Stark reported the next meeting is scheduled for July 18, 2022, at 7:00 p.m.

Parks & Recreation:

T. Mayle reported on the meeting held June 21. The next meeting is scheduled for July 19, 2022, at 6:00 p.m.

Vermilion Community Services:

T. Mayle reported the next meeting is yet to be determined.

Contractor Registration:

The next meeting is scheduled for July 26, 2022, at 6:00 p.m.

Zoning Board of Appeals:

G. Drew reported on the meeting held June 28. The next meeting is scheduled for July 26, 2022, at 7:00 p.m.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer said the city is setting a record for downtown visitors this summer. They are talking with the police department and service department on how to keep up with the soon to be record attendees downtown. The Festival of the Fish went off without a hitch and Third Thursdays are growing in attendance, and last Sunday night they had the first ever concert 'Live at the Lighthouse', which used to be at Victory Park. They estimated 150 concert attendees on the hill at Main Street Beach & Park by the Lighthouse and it was a fantastic evening. All three events were hosted by the Vermilion Chamber of Commerce, and they are not experiencing a shortage of attendees. He reported summer activities continue this weekend with the Lake Shore Corvette Club sponsoring the Vermilion Corvette Show on Saturday, July 15 on Main Street, which will benefit the Second Harvest Food Bank. Additionally, the Rotary will host a pancake breakfast at the old Fire Station on Ohio Street on Saturday, July 15 from 9 – 11 a.m., which benefits the Vermilion Community Pool. Also, Main Street Vermilion will be holding its 'Market in the Park' on Saturday at Victory Park.

He noted that Main Street Beach & Park is the first summer the community can enjoy this united park all the way from where the museum used to be to all the way over to the river. Before they begin phases one and two, they are starting to experience things they need to pay attention to. There are incidents that possibly need police attention at the west end of the park and the city has set up some cameras and additional patrols. The city realized they need to install additional signage indicating 'No Parking on the Grass'. He said these are small growing pains they are learning as they develop as a park. He asked everyone, including the neighbors to have patience as they will be addressing these issues. He said it is a beautiful property that is for the city to enjoy and it is attracting more people to downtown.

He said on Liberty Avenue, Auto Zone is planning a September opening. This business replaces the old unoccupied McDonalds and Day Care Center. There have been some concerns expressed on the proximity of this business next to another auto parts store (Advance Auto) and he explained both businesses are national chains, and they are established in near proximity in other communities. They are national chains that do their research and they do not go where they do not think they are able to exist, so this was well thought out. He attended the Planning Commission meeting when Auto Zone brought their plans forward and it was never expressed as a concern by the community or by the Planning Commission, so they expect them to exist in a successful co-partnering.

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GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

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He reported that Peter Schade, Erie County Health Commissioner called him to advise him that Dick Bulan resigned from the Erie County Health Division Board after 20 years of consistent service. Peter told him that Dick attended meetings during COVID and during some health issues of his own. He seldom missed meetings and Peter mentioned he was a solid source of guidance for the board and he expressed his gratitude and said Vermilion should be proud of Dick Bulan for his service to the county and the community.

He asked council to adjourn into executive session to discuss personnel matters (hiring, firing, and compensation). M. Stark said they would have the executive session after the 'Reading of the Ordinances'.

SERVICE DIRECTOR'S REPORT:

Tony Valerius reported the mini excavator which was ordered over a year ago was delivered last Thursday. The employees from the Street and Distribution departments were on hand for a brief tutorial on operating this before an in-depth discussion on maintaining this machine. He expects to see the mini excavator cleaning ditches soon in various neighborhoods.

He reported that Vermilion Road between North Ridge and Middle Ridge will be closed for 90 days. The Lorain County Engineers are installing a new storm sewer system in the township with approximately a quarter mile being constructed within the city limits.

FINANCE DIRECTOR'S REPORT:

Amy Hendricks provided and addressed her financial report, which is attached and incorporated herein as part of the official minutes.

B. Brady asked what the Utility Rules and Regulations is used for. A. Hendricks said it is an administrative guideline.

M. Stark confirmed the sweepstakes was no cost to the city. A. Hendricks confirmed it is from Invoice Cloud.

CITY ENGINEER'S REPORT:

Chris Howard updated council on the Brownhelm Station Road Culvert Rehabilitation project that has been completed. The contractor N & N Construction did a great job. He said regarding the Liberty Avenue Waterline Replacement Phase 2 project the contractor has informed the city they are still trying to secure material for the project. As of right now, it could be the end of August before they start.

He reported this Wednesday is the pre-construction meeting for the Lorain County portion of the ODOT Urban Paving Project on Liberty Avenue. The contractor is tentatively scheduled to start construction on July 25. The outside lanes in both directions of Liberty Avenue will be closed from July 25 until approximately September 5.

LAW DIRECTOR'S REPORT: Not present.

OPEN TO THE AUDIENCE:

Chris Lehky of 321 Portland Drive addressed concerns in his neighborhood that he recently moved into on Portland Drive (Crystal Shores). He explained on Friday, July 1, 2022, they had sewage backup in his newly remodeled basement that did a lot of damage. He said to be clear his comments were not a slash to anyone in the city. Everyone he has talked to in the city has been extremely respectful, helpful, and understanding. He said it ended up being a clog near the Salem Drive lift station and his concern is that this has happened three times in this house's history that he knows of with the last being in the late 90s, so it has been a while. Obviously, it is something that reoccurs, so he hopes something can be done about this. He doesn't expect any reworking of the sewers or any major changes, but he thinks what it would take is a more regular inspection. They have been told two different things and one is that the lift station is checked twice a day. He did not know what this check involves and did not know if it happens

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twice a day. Another is that the sewer lines are inspected once a week. He doesn't sit and watch this station, so he couldn't say for 24 hours he has seen it, but he has never seen a city vehicle there and a lot of his neighbors have said the same thing. Had this been checked once a week, he does not think this would have happened. He did not think a clog like this would build in seven days or less. He feels it took a lot longer, so moving forward he is going to put a backflow valve in his front yard and sewer line that hopefully stops this from ever happening again in his house since his house is the lowest on the street. There were three other homes affected, but not nearly to the extent his was. He said with this valve his house will be safe, but then it moves on to the next lowest house, so this isn't a problem that will be completely eradicated by him putting a backflow valve in. He thought regular checks and maintenance could stop it. He is hoping there is an easy solution to this by putting their eyes on it once a week to make sure it is flowing freely. He said they had just refinished the basement, so this was a bummer, and now it is torn back up, so it has not been a great experience. Secondly, there is a creek in their back yards that his neighbor Tom will speak about. He said from what he knows, Giant Eagle, Martino's, Advance Auto, the new auto parts store, and all the new shopping centers drain into this creek, which was originally built just for their neighborhood. It gets very high when it rains hard, so he would like this investigated because there are a lot of houses that had severe flooding, and the more structures and parking lots that empty into it, the greater the problem becomes. He thought this may be a good use for the fancy new excavator the city just got.

Marilyn Brill of 1745 Cooper Foster Park Road said on June 6 she spoke to council about asking for gravel for the Brownhelm Cemetery and did not know if anyone ever looked into this. T. Valerius said they will get there when the guys have a chance. M. Brill said she also mentioned the old guard rail with wire mesh that is outdated. T. Valerius said they are looking into this as well. M. Brill said she has another concern with a neighbor down the street that has a mound in his front yard and asked the city if they have seen what he has done. C. Howard said they are aware of this. M. Brill said if they have a heavy rainfall the water is going to come down their yard and go that way west down along the road. Mayor Forthofer said the administration has until next month to respond to this concern. M. Brill said her other questions were on June 6, so she is back a month later.

Tom Kourcklas of 361 Portland Drive said he was present on behalf of his neighbor and his concern with the backup they had. He said with the backup, they had a grease ball in the pipe, which he spoke to the service director about. He said if the city checks it periodically, how did they get a grease ball that large to block up the sewer as it did as it created a backup. He said after talking to T. Valerius, they thought it could be grease from the restaurants, so if they have restaurants dumping and not using their grease traps, is the city going to do anything about this and enforce it to the restaurants who dump grease down into the pipes. He thinks the city should check on these people and check to make sure they are doing what they are supposed to do and they're using their grease traps because if they're not, then this will be a continual problem. They had a significant clog, and his house has never had any water since 2015. He said he didn't have sewage but did have clear and probably a part of it was sewage or storm. The point of the matter is, if they are checking on a regular basis, then he questions this. He has been in this line of business as a general contractor, and he knows how these things work. If the city is checking with the restaurants and are making sure they are doing what they're supposed to do and if they are not, then they should be fined because they did cause some significant damage, especially to Chris Lehky's basement. He addressed the creek and was told the city was supposed to maintain it, but he doesn't know anything about who is maintaining this. He knows they have had backups and it has been getting worse since the five years he has lived there, and the last rainstorm was probably the worst he has seen. The water is coming up over and is flowing down fast. He said they have Auto Zone now, so where is this water coming from and where is it going? Is the city responsible for keeping this waterway cleaned out? Is this something that deals with ODNR? These are questions he would like answered. He said he is the first house on Portland and is in a decent position. However, water is a strong force, and it gets disruptive, and it is doing a lot of damage to the house next to him and all the way down.

M. Stark asked the administration to come back with answers to all the resident's questions next month (August 1 – Vermilion City Council Meeting)

OLD BUSINESS:

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NEW BUSINESS:

M. Stark MOVED; P. Stein seconded to adjourn into executive session after the "Reading of the Ordinances" to discuss personnel matters (hiring, firing, and compensation). Roll Call Vote 7 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 July 18, 2022, Legislative Committee meeting)

Tabled - Third 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.

First Reading – Resolution 2022R-9: A RESOLUTION OF THE COUNCIL OF THE CITY OF VERMILION, OHIO OF ERIE AND LORAIN COUNTY, OHIO TO ESTABLISH A NEW PICK-UP PLAN.

S. Herron MOVED; B. Holmes seconded to suspend the rules. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

P. Stein MOVED; T. Mayle seconded to adopt this ordinance by emergency to allow for timely submission of any June contributions. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

Executive Session:

M. Stark adjourned into executive session. At the conclusion, she called the regular meeting back to order.

Announcement of Meeting Dates:

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

- July 18, 2022 – Vermilion City Council Committee Meetings – 7:00 p.m.
- August 1, 2022 – Vermilion City Council Meeting – 7:00 p.m.
- August 8, 2022 – Vermilion City Council Committee Meetings – 7:00 p.m.
- August 15, 2022 – Vermilion City Council Meeting – 7:00 p.m.

Adjournment:

M. Stark adjourned the Vermilion City Council meeting upon no further discussion.

Transcribed by: Gwen Fisher, Certified Municipal Clerk

2022R-9 PICK-UP PLAN

We received word from the Ohio Police & Fire Pension Plan after the last June agenda was sent that they needed legislation adopted by Council to formally establish a group to include full-time fire fighters. Our only current participant is the chief currently. I am requesting that the rules be waived, and that this resolution be approved by emergency to allow for timely submission of any June contributions. The language mirrors that of the full-time police officers.

AUDIT UPDATES

A letter from the Auditor of State last week indicates they had accepted the 2021 Audit Report and Financial Statements as submitted. This confirms that the 2021 report is free of any noncompliance citations or material weaknesses.

UTILITY UPDATES

The utility invoices that are coming out in July will include usage at the newly adopted rates for water and sewer as well as the additional \$5 sewer EPA fee.

Tony and I, along with the Utility Department staff and Jody Booker have been reviewing the Utility Rules and Regulations handbook extensively since the first of the year. Updates have been made for current reporting and operational procedures. Pricing for tap fees and other services or parts have been reviewed to assure that increased cost are included. A link is also being added to the city web page.

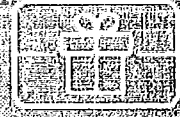
CAPITAL PLAN FINANCING

I have been working with bond counsel at Squire Patton Boggs as well as our municipal advisors at Sudsina and Associates for strategies and timing for our upcoming financing issue. An ordinance is being prepared for the July 18 Special Meeting agenda that will be requested to have rule waived and passed by emergency to keep the process moving forward. This will allow us to be nimble in the rate market as well as able to get projects underway as soon as possible.

InvoiceCLOUD Sweepstakes

Our online payment processor is holding a company wide sweepstakes with great prizes to encourage online payment and paperless billings.

Feedback and Support



Play your bill online or view
it on your mobile device. You can
also download your bill to your phone.

Apple Watch
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