

RECORD OF PROCEEDINGS

Minutes of _____

Minutes of the Vermilion City Council Meeting

Meeting

GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

Held _____

Monday, August 1, 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; Bill Brown, Fire Chief; Susan Anderson, Law Director

CALL TO ORDER:

Monica Stark, President of Council called the Monday, August 1, 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; T. Mayle seconded to approve the July 18, 2022, City Council minutes. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

CORRESPONDENCE:

G. Fisher reported she received several emails, which are attached hereto as part of the official record of proceedings.

PRESIDENT OF COUNCIL'S REPORT: No report.

COMMITTEE REPORTS:

Historic Design & Review:

P. Stein reported on the meeting held July 13. The next meeting has been scheduled for August 3, 2022, at 6:00 p.m.

Finance:

B. Holmes reported on the meeting held July 18. The next meeting is scheduled for August 8, 2022, at 7:00 p.m.

Planning Commission:

B. Holmes reported the next meeting is scheduled for August 3, 2022, at 7:00 p.m.

Health & Safety:

B. Brady reported on the meeting held July 18. The next meeting is scheduled for August 8, 2022, at 7:00 p.m.

Streets, Buildings & Grounds:

S. Herron reported the next meeting is scheduled for August 8, 2022, at 7:00 p.m.

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Port Authority:

S. Herron reported the next meeting is scheduled for August 11, 2022, at 6:30 p.m.

Utilities:

M. Stark reported the next meeting is scheduled for August 8, 2022, at 7:00 p.m.

Parks & Recreation:

T. Mayle reported on the meeting held July 19. The next meeting is scheduled for August 16, 2022, at 6:00 p.m.

Zoning Board of Appeals:

G. Drew reported on the meeting held July 26. The next meeting is scheduled for August 23, 2022, at 7:00 p.m.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer presented his report to Council as follows:

Safety Director Report

Political rally downtown yesterday.

A political rally was held yesterday downtown at Liberty and Main. Signs were displayed. Speeches were made. Some provocatively. The event squarely came under the category of free speech which is available to everyone whether you agree with the message or not. No laws were broken. No charges filed. The police were present and maintained order. The group moved on. Chief Hartung will give a full report in the August 8 Health & Safety Committee report but reports that I received from the public is that VPD officers behaved professionally in the face of provocation.

Sweepstakes Café Legislation.

A sweepstakes café was raided last Monday by VPD and State agencies. I ask that Council give favorable consideration to the ordinance submitted this evening. Chief Hartung and I would like to add this to the Legislative agenda for the 8th.

Mayor's Report

City Pool

The Putt-Putt Fundraiser yesterday at Romps was organized by Rotary and it was a big success by all accounts. They are still counting the money, but it all goes to Valleyview Pool. Thanks Rotary and everyone.

Pool Lifeguard recognition night was last night at Valleyview Pool. Some of the guards are getting ready to return to college. Pool Manager Jean Habermehl handed out recognitions to the lifeguards, dinner was served, and games were played. Vermilion has bucked the lifeguard shortage that has plagued so many pools thanks to Parks Board Pool Committee Chair Dennis Brudney, Parks Supervisor Marc Wiesenberger, and Pool Manager Habermehl. Vermilion has recruited and certified 16 lifeguards. Plenty to keep the pool visitors safe while other communities are abbreviating hours due to lifeguard shortages. Thanks to everyone involved for helping Valleyview Pool have another successful year.

Police HQ Building Committee

A team of specialists is being assembled to oversee the construction of the Vermilion Police Station. A similar committee was effective in helping build the Vermilion Fire Department Station 1. Here are the team members so far.

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- Jim Forthofer, Mayor
- Amy Hendricks, Finance Director
- Tony Valerius, Service Director
- Chris Howard, City Engineer
- Greg Drew, Ward 2 Councilman
- Chris Hartung, Chief VPD
- Architect TBD
- VPD staff #1
- VPD staff #2 (optional)

This building will be in service for 20 – 30 years. It is important that the team, especially VPD members, look to likely future needs of the police serving the City of Vermilion in the future.

Meeting with USACOE 7/27/22

- The USACOE met with contractors considering submitting bids to reconstruct the West Pier at the mouth of the Vermilion River July 27th at the Vermilion Yacht Club and Main Street Beach. The city was represented by Service Director Tony Valerius, Jonathan Hauck, and me.
- The deck at the end of Main Street needs to be removed in May 2023.
- Construction, under the direction of the USACOE, will begin June and conclude in November.
- Equipment will travel up and down Main Street, across the beach to the West Pier.
- I've asked that they snow-fence off the travel area which will make approx. half to two-thirds of the sandy beach inaccessible.
- Tony Valerius will video record the condition of Main Street and the beach prior to the beginning of work.
- A barge will also position itself in the Vermilion River next to the pier in a manner that will not obstruct river traffic. Appropriate safety lighting will be approved by the USCG.
- A temporary navigational light will be placed on the pier to avoid the issue we had with the east pier.
- Work will be suspended during Fish Festival to accommodate fireworks and additional boat traffic.
- I have applied for a recreational use easement for the West Pier. Our Law Director is reviewing our liability.
- Surface of the pier should be more walkable for fishing after completion.
- I am coordinating with the Erie County Metroparks to negotiate a damage/use fee from the USACOE.

Also, Parks Closing Times.

Legislation from the Park & Recreation board is in front of council for consideration. Some of these closing dates were set in the 1970s. Especially with the restricting of the Main Street Beach & Park the board has made some recommendations worth your review.

SERVICE DIRECTOR'S REPORT:

Tony Valerius reported he received good news from Brownhelm Township as they have received funding through the Ohio Public Works Commission for the Brownhelm Station Road reconstruction project that they applied for last year. This project will consist of a full-depth road reconstruction with the use of pavement recycling before topping it with asphalt surface course. The project will begin at the intersection of Claus Road and will continue west on Brownhelm Station Road for 1,525 feet. The total cost of the project is estimated to be \$156,171.50, which the city will be responsible for approximately \$37,350. The township will try to get this project out for bid as soon as possible for a fall construction.

He mentioned that Rob Yost the city's Wastewater Treatment Plant Superintendent has resigned from his position to pursue another job opportunity. He thanked Rob for his time in Vermilion and for his positive attitude he brought to the job each day. The administration is actively seeking a replacement and until then, they have a Class 3 Operator at the plant who will assume the necessary duties to remain EPA compliant.

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B. Holmes thanked him for the good news and confirmed that the Brownhelm Station Road project will go from Claus west to pretty much Sunnyside Road. T. Valerius said it will be about half, but it is a start. B. Holmes thanked the township.

FINANCE DIRECTOR'S REPORT:

Any Hendricks provided explanation relative to Ordinance 2022-58, which is an amendment to the appropriations and certificate of estimated resources. The funds impacted are Fund 238 (AARP) and they will increase the appropriation by \$200,000 to repay Fund 101 for the advance at the end of 2021 now that the grant funding has been received. Also, Fund 820 will be to increase revenue and expense by \$250,000 to reflect recent activity by the VPD. She said Fund 250 is a new fund to account for the OneOhio distributions that are coming through from the state as part of the Opioid settlement. The city's annual installment this year is \$3,735.23 and the way the legislation is written the city should receive a similar amount annually for 18 years, and this needs to be spent on research based and clinically types of treatments or expenses for programming. These are yet to be determined on how the city will do this.

Also, she updated council on IT services as for the past three years the city has engaged in receiving IT support services from LifeCare, which has gone very well. They helped the city stabilize the system and make the necessary upgrades and began to standardize the city's operations. The city has been thankful for the work that Richard, Jeff, and Jordan have done. However, there have been changes in the resources that are available at LifeCare and they are not able to continue to provide staffing for the city. The agreement was set to expire on October 1, 2022, and the city has decided through a mutual agreement to terminate the contract on August 8, 2022. Additionally, the city has made arrangements with another IT firm on a month-to-month basis to provide services while the city is able to complete the RFP process to evaluate the city's options and to make sure they are doing their due diligence. She said the firm started today because they wanted overlap for a few days with the LifeCare staff to make sure the transition is smooth. They are in the process of starting an RFP for Cyber Security Services to address ongoing security measures due to the everchanging threat climate in the world. They want to ensure to provide a level of protection that meets the standards for the city.

She reminded everyone that the Invoice Cloud Sweepstakes is an incentive that has no expense to the city. It has been going since July 1 and will continue through August 31. If residents are making payments online or are registered to pay online for their utilities bills or are subscribed to paperless billing, they will get entries into their drawing and could win one of 90 prizes, which include five \$4,000 travel vouchers, five Apple watches, and 80 Amazon gift cards, which is companywide.

B. Brady asked where the city found LORCO for temporary IT services and does anyone have experience with them. A. Hendricks said they are a new firm and Richard Pozywak who was a former LifeCare staff is employed with them, so he has familiarity with the city's services. B. Brady asked what the costs would be in the interim. A. Hendricks said the costs will go away after the first week of August with LifeCare and LORCO will continue the agreement on the temporary basis at the same monthly cost the city was paying to LifeCare.

CITY ENGINEER'S REPORT: Not present.

LAW DIRECTOR'S REPORT:

S. Anderson said in respect to the sweepstakes legislation, it is written as an emergency as the current moratorium expires September 7, so council has time to refer this legislation to committee and have three readings. She recommended that council adopt this legislation as an emergency or approve a short extension to the current moratorium.

RESPONSE TO THE AUDIENCE:

T. Valerius said one response was regarding the mounds on Cooper Foster Park Road and the city engineer is looking into this and is checking elevations, but he was unable to attend the meeting, so he will have those responses for the next council meeting. M. Stark said they are having a special council meeting next week, so he can answer then.

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T. Valerius said the other response was regarding the sanitary backup on Portland and what the administration would be doing about this. He noted he instructed the distribution department to check on this manhole weekly to make sure there is not a buildup.

OPEN TO THE AUDIENCE: No participation

OLD BUSINESS:

NEW BUSINESS:

Ordinance 2022-55 – G. Fisher noted the Parks Board would like council to consider passing this legislation by emergency to get the park hours changed. Mayor Forthofer said this was instigated by the fact that Main Street Beach & Park has a new configuration, and it has created some issues. Among them is activity after dark in certain areas of the park, which has a lot of neighbors around. The parks board recommended that the hours be changed to dusk, which is one hour after sunset. He said the police chief and neighbors are on board with this. G. Fisher pointed out in section 268.02 they amended it to reestablish the hours. In addition, it says the Parks Operation Supervisor shall have the authority to extend such closing time in the case of a baseball/softball game, so they changed that to an event in progress at such parks. B. Brady asked if Exchange and East Exchange are not included in the dusk and will be open to 11 p.m. G. Fisher said the park hours are from 7:00 a.m. to 11:00 p.m.; with the exception of Nakomis Beach Park, West Breeze Park, Hanover Square Park, Showse Park, Sherod Park, and Main Street Beach & Park which will close at dusk. M. Stark asked if the hours will be posted in each park. Mayor Forthofer said the service director will look at all the signs to make sure the new times are posted. He mentioned there are other regulations pertaining to alcohol and motorized vehicles on grass. They don't want a forest of signs, so they are trying to do one or two comprehensive signs.

Ordinance 2022-56 – Fire Chief Brown explained they received three radio bids and all three bids have their merits. They received bids from the Motorola Corporation for a little over a million dollars, but the grant is only for \$602,000, so it was out of the ballpark. He noted that Cleveland Communications out of Cleveland bid \$602,000 for the project, which takes care of portable radios and radios that go into the trucks for the VFD and LifeCare Ambulance as they piggybacked with the city on this grant. The third bid was VASU Communications of Avon, Ohio that came in at \$507,000. The committee met last week to officially review all three bids and decided upon Cleveland Communications as being best suited for the VFD and LifeCare. They felt the product was superior and it will allow them to talk with all their mutual aid partners. The majority of Lorain County will probably be on this exact radio system by the end of the year. B. Brady asked if LifeCare was sharing the city's portion. Chief Brown said it is 10 percent of the grant, so LifeCare will share in that cost. He asked council for favorable emergency adoption because they need to have the funding spent by next year. G. Fisher said the reasons for emergency are written into the emergency clause of the legislation.

M. Stark MOVED; B. Brady seconded to add Ordinance 2022-59 to the agenda for a first reading. 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 August 8, 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.

Second Reading – Ordinance 2022-51: AN ORDINANCE TO ESTABLISH THE POSITION OF DEPUTY CHIEF IN THE VERMILION FIRE DEPARTMENT AND TO ESTABLISH A PAY SCHEDULE EFFECTIVE AUGUST 15, 2022.

First Reading – Ordinance 2022-55: AN ORDINANCE AMENDING SECTION 268.01 (b)(8) & (10) ENTITLED "RULES AND REGULATIONS" AND SECTION 268.02 ENTITLED "BEACH AND PARK CLOSING TIMES" OF CHAPTER 268 ENTITLED "PARKS AND RECREATION BOARD OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO AND DECLARING AN EMERGENCY.

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B. Holmes MOVED; T. Mayle seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

B. Holmes MOVED; P. Stein seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

First Reading – Ordinance 2022-56: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH CLEVELAND COMMUNICATIONS INCORPORATED OF PARMA, OHIO FOR THE PURCHASE OF 39 MULTIBAND MOBILE RADIOS AND 92 PORTABLE RADIOS, INCLUDING INSTALLATION FOR THE VERMILION FIRE DEPARTMENT AND LIFECARE AMBULANCE INC.; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO SAID AWARDEE IN AN AMOUNT NOT TO EXCEED SIX HUNDRED TWO THOUSAND ELEVEN DOLLARS AND FIVE CENTS (\$602,011.05) AND DECLARING AN EMERGENCY.

P. Stein MOVED; G. Drew seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

B. Holmes MOVED; P. Stein seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

First Reading – Ordinance 2022-57: AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH FUND 250 "ONEOHIO" AND DECLARING AN EMERGENCY.

First Reading – Ordinance 2022-58: 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.

First Reading – Ordinance 2022-59: AN ORDINANCE REPEALING AND REPLACING, IN ITS ENTIRETY, CHAPTER 878, SWEEPSTAKES TERMINAL DEVICES AND SWEEPSTAKES TERMINAL DEVICE FACILITIES AND DECLARING AN EMERGENCY. (Referred to August 8, 2022, Legislative Committee Agenda)

First Reading – Resolution 2022R-10: AN AGREEMENT BETWEEN THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND THE CITY OF VERMILION, OHIO FOR THE REMOVAL AND CONTROL OF SNOW AND ICE.

M. Stark MOVED; S. Herron seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

B. Brady MOVED; P. Stein seconded to adopt this ordinance by emergency. Discussion: B. Brady asked if this resolution is something the city does every year. T. Valerius said this is the agreement the city has with ODOT for them removing snow and ice from State Rte. 2 in the city's jurisdiction. B. Brady asked how much this costs the city. She said the other resolution is for maintenance so is the city responsible for filling potholes. T. Valerius said ODOT is responsible, but they bill the city for certain items. S. Anderson said according to the agreement, the city reimburses ODOT for the actual removal of snow and ice. A. Hendricks said in the last couple of years the city has had to transfer money into the fund to cover a deficit at the end of the year, and at this point in the year it looks like it will be \$22,000 to \$25,000. P. Stein asked if this means every time they plow or is this a contract. A. Hendricks said she did not know the specifics of the agreement. T. Valerius said the prices vary and it is for snow and ice removal and for specific maintenance they perform throughout the year. S. Anderson said the agreement states that ODOT shall invoice the CITY for reimbursement of cost incurred using the number of lane miles shown on the approved inventory at the beginning of each billing period. Reimbursement shall be made within thirty (30) days of receipt of invoice. Roll Call Vote 7 YEAS. MOTION CARRIED.

First Reading – Resolution 2022R-11: A RESOLUTION GIVING CONSENT OF THE CITY FOR THE OHIO DEPARTMENT OF TRANSPORTATION TO REMOVE SNOW AND ICE AND USE SNOW AND ICE CONTROL MATERIAL ON STATE HIGHWAYS INSIDE THE CITY CORPORATE LIMITS AND AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR SNOW AND ICE REMOVAL; AND GIVING CONSENT OF THE CITY FOR THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM CERTAIN MAINTENANCE AND/OR REPAIR ON STATE HIGHWAYS INSIDE THE CITY CORPORATION AND AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR CERTAIN MAINTENANCE AND/OR REPAIR.

S. Herron MOVED; T. Mayle seconded to suspend the rules. Roll Call Vote 7 YEAS. MOTION CARRIED.

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

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First Reading – Resolution 2022R-12: AN AGREEMENT BETWEEN THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND THE CITY OF VERMILION, OHIO FOR CERTAIN ROADWAY MAINTENANCE AND/OR REPAIR.

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

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

Announcement of Meeting Dates:

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

- August 8, 2022 – Vermilion City Council Committee Meetings & Special Council Meeting – 7:00 p.m.
- August 15, 2022 – Vermilion City Council Meeting – 7:00 p.m.
- August 22, 2022 – Special 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

Gwen Fisher

From: Jeffrey M. Zabor <president@linwoodparkcompany.com>
Sent: Thursday, July 28, 2022 7:48 PM
To: Jim Forthofer; Monica Stark; Pat Stein; Greg Drew; Teresa Mayle; Barb Brady; Brian Holmes; Gwen Fisher
Cc: board; Corrie M; Richard Dreyer; Debra Turner
Subject: Vermilion Transient Rental Legislation proposal

Caution: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments

Dear Mayor Forthofer, Council President Stark, and Vermilion City Council Members,

At its meeting this evening, The Linwood Park Company Board of Directors discussed in detail ways in which the Linwood Park Company could help both the Linwood Park community and the City of Vermilion to achieve the objectives of the proposed Transient Rental Registration legislation. We explored options for conducting safety inspections of cottages to be rented on a short term basis, as well as options to assist cottage owners with the registration process. The focus was on finding solutions to both the administrative and financial burdens the legislation will add to those in Linwood Park who rent their cottages occasionally during summer vacation months. We hoped to find a way to mitigate what we believe will be the inevitable result of the legislation, which is that fewer cottages will be made available for summer rental.

The Linwood Park Board was unable to reach an appropriate and acceptable solution, and therefore will not be submitting a proposal for the involvement of The Linwood Park Company in the execution of the proposed legislation.

Thank you sincerely for your courtesy in listening to our perspectives. We continue to believe that the harm this legislation causes will far outweigh any benefits achieved, especially in Linwood Park.

Sincerely yours,

Jeffrey Zabor

Jeffrey M. Zabor, President
The Linwood Park Company
Established 1883
4920 Liberty Avenue
Vermilion, Ohio 44089

president@linwoodparkcompany.com
www.linwoodparkcompany.com

Gwen Fisher

From: Drue A. Hoffman <DAHoffman@sseg-law.com>
Sent: Monday, August 1, 2022 1:38 PM
To: Gwen Fisher
Cc: Greg Seeley
Subject: Short Term Rentals

Caution: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Gwen,

I spoke to Susan Anderson who suggested that I communicate with the council through you.

A client of mine are owners of a home in Linwood Park. His wife is a Canadian citizen with a home in Canada at which they reside during the summer. October through May, they live at Linwood. So, they rent their Linwood home during the summer season. As a result, they already have an authorized representative while in Canada.

Linwood is rather unique in that renters are very short term – one to a few weeks. Before each new renter the home is cleaned and inspected. So, the \$400 fee is not necessary for a transient rental property, as long term rental.

The other consideration being proposed is exempting the limited license/certifications for transient, short term rentals that are the trademark of Linwood, where a significant number of dwellings are rented out by the week.

Hope this assists the processing of establishing a fair approach to the welfare and safety goal of the community.

Greg Seeley

Seeley, Savidge, Ebert & Gourash Co., LPA

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Gwen Fisher

From: Elizabeth Barker <barkerlakes@me.com>
Sent: Monday, July 25, 2022 9:36 AM
To: Gwen Fisher
Subject: Follow Up Transient Rentals

Dear Gwen, Could you please see that the Council gets this email and 3/9 email (below) to the next transient rental work session?

Thank you!
Liz Barker

Dear Council and Mayor Forthofer,

While I still believe strongly that transient legislation is a non issue, I urge you to consider a few points and reread my previous email below (sent 3/9/22) before passing any new ordinance .

-I urge you NOT to make inspections too costly. A reminder that a registered AirBnB/VRBO host already pay state sales tax and Short Term Rental tax to the County and city of Vermilion. Why do you need software to track only 60 rental units? It is all listed through the County where we pay taxes. Do long term rentals fall under these same inspections?

-While some of you say we are running businesses out of our homes, please remember that many people are running businesses out of their homes these days and many do not pay taxes to the City of Vermilion as I do. I am providing a service to the city for vacationers to spend money in our city. Please don't make it more difficult for families to visit our town and spend money and visit safely.

-By over regulating these imaginary issues, you could encourage people not to register and just rent by owner or under the table. Then it is a lose/lose for everyone.

-It is not fair to exclude Linwood Park. Many of the homes there are the oldest in the city and my street is one street over. They should follow the same rules, as they bring in a majority of the renters in our city. I should not have to pay extra in inspection fees because you exclude Linwood.

All in all, a small safety inspection every 2 years is fine, but there shouldn't be a new ordinance passed for transient rentals until they become a problem.

Please focus on bigger, more important issues in our community, like limiting the number of gambling facilities, vape shops, limiting drug activity and getting more storefronts filled.

Thank you for your consideration.
Liz Barker
460 MinnieWawa

Begin forwarded message:

From: Elizabeth Barker <barkerlakes@me.com>

Subject: Short-term rentals

Date: March 9, 2022 at 10:24:58 AM EST

To: Gwen Fisher <GwenFisher@vermillion.net>

Good Morning Gwen,

After a conversation with Councilman Holmes, he suggested I email you regarding short term/transient rentals. I was hoping you could please distribute to the Council prior to the next work session.

Thank you in advance.

Liz Barker

Hello Council and Mayor Forthofer,

My name is Liz Barker. I am a property owner in the Nokomis neighborhood, 460 MinnieWawa, which I purchased in June 2021. My property had been a short term rental property for 6 years, managed by the past local owner. Previously, I owned a house on Portage Drive in the Lagoons.

Currently, my house is listed on both the AirBNB and VRBO sites, so would like you to hear from a property owner/manager before you make any new rulings on short term/transient rentals.

A little background on me: While I do have a permanent residence in Rocky River, I consider Vermilion my home port. I have lived and worked in Vermilion every summer since I was young. My grandmother lived in Vermilion for 70 years, my mother and 4 aunts all own homes in several neighborhoods across town (Harbortown, Lagoons, Linwood and Crystal Cove). My cousin and his wife also live in town and own a small business on Douglas Street. Once my boys are done with high school in Rocky River, I too plan to move to Vermilion full time. My teenage boys also work on the Mystic Belle at Parsons Marina in the Summer.

As a single mother, I rent my cottage a time or two a month so that I can afford to re-invest in Vermilion and also use the cottage for myself. My neighbors will tell you that in the short time I have owned my property, I have made numerous improvements.

A few facts I would like you to know about my rental:

- 100% of my renters, are Families, Families visiting relatives, Retirees with ties to Vermilion, Families visiting Oberlin College or visiting Professors working at Oberlin. (most of them have dogs so they can't stay at hotels)
 - 75% of my renters are repeat renters (in fact, I have a renter coming in March to visit family who used to live on my street)
- I am registered with Erie County and pay the 7% tax monthly (4% sales and 3% short term lodging)
- My renters are carefully selected on the AirBnb/VRBO websites through their reviews. These websites are regulated and I also reach out to each potential guest to inquire about their reason for visiting Vermilion before I approve their reservation.

- (I would be more than happy to show any of you how I select and review guests on these sites through my owner login. I do not accept every inquiry I receive.)
- When I search AirBNB/VRBO there are only 52 local rentals in Vermilion, so I do not see a need to set a 'limit' on rentals at this time. A large percentage of Vermilion is owner occupied, so I don't see a large influx of rentals happening anytime soon.
- No complaints have been filed at my property. I am interested to know how many complaints have been filed regarding short term rental properties?
- My property has a Ring Security camera on the outside so I can see when guests arrive and how they are parked in my driveway. If I am not mistaken, parking has it's own ordinance, so this doesn't need to be included under a rental ordinance.
- I have to keep my cottage updated and at a high cleanliness standard or I get poor reviews by my guests, which keeps property values up.

- My cottage has a maximum occupancy of 4 people and 2 dogs. This is clearly stated in my rules online and there is a book of rules for guests to abide by at my property.

- VRBO gives an extra \$1million liability insurance to every booking, on top of the short term rental insurance I carry on my home policy

- I am happy to abide with safety protocols and have been asking for a safety inspection since last Spring. I would hope to be grandfathered into the 'list' since this property had previously passed an inspection. While I am ok paying a fee for the inspection, I think \$500/year is on the high end. The annual renewal fee should be less for a home which has already passed an inspection.

We all know that Vermilion has a long history of being a seasonal rental town. Bottom line, there is a need for rentals in Vermilion. There simply aren't enough hotels to support this great destination town and especially give the small town experience tourists want. And why would you oppose more tourists visiting to spend more money in our town?

While I understand your concerns with visitors in our community, I do not think short term rentals are a major concern. I feel that the short term property owners who book online are the 'good one's', who actually report income, and have to keep up to the standards of guests online reviews and standards. There are plenty of rentals going on 'under the table', who don't pay taxes or have to meet safety inspections. Linwood

has been doing this for years! Yes, this is my small business, but many people run businesses out of their homes these days and aren't taxed. Wouldn't you rather see more tourists visiting town for vacations rather than to visit the Vape shop or another gambling facility? Also, some of the long term property owners have a 'set it and forget it' attitude. Could long term rentals also fall under this ordinance? Do you require long term rentals to be inspected and live within a 30 minute drive? Just a few of the many questions I have if you start over-regulating rental properties.

As I hope you can tell, I have a long-term commitment to Vermilion and feel that short term rentals are necessary for visiting families, to attract tourists and encourage small business sales. My hope is that we can move toward a 'workable' ruling on this for all parties. We all have the same concern for safety in our town, but lets not over complicate or over regulate this issue at the detriment of small businesses (mine and other).

Thank you in advance for your time and consideration.
I would be more than happy to discuss further.

Sincerely,

Liz Barker
216-408-9210
barkerlakes@me.com

Gwen Fisher

From: Derek Lundy <derek.p.lundy@gmail.com>
Sent: Monday, August 1, 2022 10:13 AM
To: Gwen Fisher
Subject: Council meeting presentation - Please forward to all council
Attachments: Vermilion BSL Proposal.mp4; BSL statement.pdf

Caution: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Gwen,

I had planned on speaking at the council meeting tonight during open to the audience, but I'm recovering from being sick and I've decided to stay home a few more days. I talked with Monica last night and she said I could make a recording of my proposal and email it and my documents over to you to forward on to the council so it can be reviewed tonight.

I've attached a video and a transcript of my statement, and a signed list of names supporting it. Please forward this to all council members to be reviewed at the meeting tonight.

Please feel free to contact me with any questions you have!

Best!
Derek Lundy

Hello Mayor, Council members, and Officials of Vermilion. Thank you for your time in hearing my statement today.

I've lived in Vermilion all of my life and recently purchased my first home here. I couldn't picture living anywhere else. I currently live alone, but I've recently had the privilege of bringing a puppy named Barton into my home, and we've been on a great adventure together. We've met many new people and fellow dog lovers on our trips in town, all of whom have loved meeting Barton and consistently compliment how friendly and well-mannered he is. I am also thrilled there are two fantastic, small-business dog and pet stores within walking distance of my house, and Barton and I have visited them during our adventures in town.

Sadly, I've learned through some of those meetings, and my own research, that Barton and I face challenges that other dogs and owners will not - Breed-Specific Language (commonly referred to as 'BSL'), that places undue restrictions and bans on him and his kind.

You see, Barton is an American Pit Bull Terrier, part of a group of breed varieties commonly called "pit bulls". A breed with a tragic history of being exploited in animal blood sports because of their physical build and inherent loyalty to please their owner - even at the cost of the dog's own lives. These activities have, thankfully, long since been made a felony in the US and illegal in much of the world, yet the stigma on these animals and resulting laws against them are still very present across much of the country. These laws range from mandatory sterilization and other restrictions, to outright bans on ownership and confiscation or destruction of the animal if discovered - oftentimes regardless of the animal's temperament, history, or training. Thankfully, Vermilion does not impose such strict measures as bans or animal destruction, but it does list the "pit bull" group (and only dogs of that group) as vicious, indeed regardless of the animal's ability to prove otherwise. This definition puts Barton and his relatives in the same legal category as a dog that in fact has a history of aggression, biting, or harm. There is a lower legal tolerance, and fewer privileges and freedoms for myself and Barton, for no greater reason than his breed.

It's my observation that these kinds of laws, although originally well-intended, were conceived out of ignorance, and are now an archaic, inadequate solution to the original problem of bloodsports that they once sought to address. With a breed so prevalent as the pit bull, these laws punish the overwhelming majority of owners and dogs alike, who have never done anything wrong.

The ASPCA's official position on BSL supports this claim, as do numerous studies conducted on the efficacy of such laws. As early as 2000, the CDC found that such laws were ineffective, and even counterproductive, and recommended against breed-specific language in laws defining dangerous dogs. The State of Ohio, at-large, has aligned with these findings, as in 2012 it removed breed specific language in its statute. Still, local municipalities have been slow to follow suit. In 2017 the Ohio 5th District Court of Appeals ruled against the breed specific language in the city ordinance of Reynoldsburg's that banned the ownership of "pit bulls", which also deemed them vicious by default.

In talking with the owners of the pet stores I've mentioned, their patrons, and fellow dog owners, a number of them share my observation on BSL and have kindly signed their name to a list supporting my proposal here today.

Therefore, I am asking that the city council of Vermilion move to amend the Vermilion Codified Ordinance, by removing section 618.01 (a) (4) A. 3. which defines a vicious dog as one that: "Belongs to a breed that is commonly known as a pit bull dog. The ownership, keeping or harboring of such a breed of dog shall be prima-facie evidence of the ownership, keeping or harboring of a vicious dog."

Removing this section will align Vermilion with the State of Ohio as a whole and the many Ohio cities that have already followed suit. This will also ensure that the well-established definitions and penalties for dangerous and vicious dogs remain intact, while removing the breed specific language, and allowing the law to be correctly focused on a dog and handler's actions.

I thank you for your kind attention, and I welcome the opportunity to answer any questions or to further this discussion.

Gwen Fisher

From: William Brown
Sent: Tuesday, July 26, 2022 8:06 AM
To: Monica Stark; Steve Herron; Pat Stein; Greg Drew; Teresa Mayle; Barb Brady; Brian Holmes; Gwen Fisher
Cc: Jim Forthofer; Tony Valerius
Subject: Transient House Inspections

Council Members:

While listening to the conversation at our last meeting regarding "Transient House Inspections", I couldn't help thinking how this a positive thing. Honestly, through the process, it will improve safety of our residents, as well as our guests to the city. No system is perfect...today's inspection may be violation free, yet two weeks from now, everything may have changed!! I want to summarize a call VFD responded to this past Saturday. At 7:34 pm, VFD was called to respond to a "deck fire" at 463 Ash Street, in Linwood Park. The 911 call came from the neighbor who initially saw the fire. Engine 94 went enroute to the fire from Station 1 at 7:38 pm and was advised shortly after, that the fire had been extinguished by the neighbor. Engine 94 arrived on-scene at 7:42 pm and began the process of ensuring the fire was definitely out and had not gotten into the structure. The fire originated on the deck, however, did extend up the structure before being extinguished. A preliminary cause and origin fire investigation was completed and after speaking with the RENTOR of the home, it was determined that he was charging lithium-ion batteries on the back deck for his kids remote-controlled cars. While our investigation is not conclusive; we can lean heavily on the fact that the fire started in the area where the batteries were being charged. It will be the responsibility of the insurance company to complete any further investigation.

The point of this correspondence isn't to pat ourselves on the back or praise the neighbor who certainly prevented a lot more damage, but here are some of the facts:

- In this two-bedroom rental...14 people were staying
- Seven of these people were under the age of 5
- There were three smoke detectors installed
- None of the smoke detectors had WORKING BATTERIES

With those facts in front of you.....let's pretend the fire was at 2:30 am. There is no neighbor watering the plants to see the fire start. I hate to think what the outcome may have been had this occurred in the middle of the night.

In closing, whether council decides to move forward with this program, I think it's imperative that ALL properties that fall into this program be included. If it's safe for one group....it's safe for every group.

Fire Chief Bill Brown, B.A., OFE
Vermilion Fire Department
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Vermilion, OH 44089

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