

STREETS, BUILDINGS & GROUNDS MEETING MINUTES

December 14, 2020

via Zoom

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

Administration: *Jim Forthofer, Mayor; Tony Valerius, Service Director; Chris Howard, City Engineer; Amy Hendricks, Finance Director; Ken Stumphauzer, Law Director; Chris Hartung, Police Chief; Chris Stempowski, Fire Chief*

Call to Order: Steve Holovacs, Chairman, RESOLVED THAT this Streets, Buildings, & Grounds Committee comprised of the committee of the whole does now come to order.

TOPIC ONE: **Vermilion Lakefront Erosion Special Improvement District**

Attorney Amanda Gordon explained they are looking at utilizing a relatively new section of the Ohio Revised Code that extends the ability to establish a Special Improvement District to address shoreline erosion issues along Lake Erie. The unique aspects are that it allows them to pursue erosion control projects. They become designated public improvements and they can utilize special assessments on individual properties to pay and finance the improvements over a period of years. The other aspect of this district is they can coordinate among neighboring communities. If the communities are contiguous, they can join as one Special Improvement District if each municipality has one project in its jurisdiction that can be designated for an improvement project. Those individual projects do not have to be contiguous, which is a difference from what you would see in special assessment type projects. They are doing this currently in Lake County which brings together 14 communities. In having discussions with Lorain County communities, they may have four or five, so the coordination effort could be much easier in this area. It also does not have to be in one county recognizing fully that Vermilion expands two counties, which is not an issue. This is a non-profit corporation that is established. There is representation on the governing board with representatives from each of the forming communities, whether it is the mayor of another designate from Council. The communities that form the SID still have the input with respect to the SID. Another aspect because they are public improvements, is they will be able to offer tax exempt financing for the projects that usually garners lower interest rates, then if a property owner tried to get their own private loan. They have

had discussions with representatives from Vermilion, but she was asked to talk to Council to see what questions they have.

Mayor Forthofer said Lorain Commissioner Lundy said he was going to offer \$5,000 to the SID projects for each of the four contiguous properties in Lorain County that would be participating. He asked how the \$5,000 might be used in this project. A. Gordon said in terms of cost for the legal fees for them to set things up along with additional administrative costs, this could be used for the filing of the SID and preliminary engineering work which is dedicated to the projects. Each individual community have participated with a portion of the cost for setting it up. Perhaps with the county they are willing to front some of the money. Whether it is advanced through the city or county, they would roll these costs into the cost of the improvement and ultimately those monies could be refunded to the advancing party because it is an assessable cost.

B. Brady asked the finance director how they will integrate assessment on public versus private. A. Gordon said any shoreline improvements upon those properties are designated specifically in the statute as public improvements, so they can delineate this. They would only need to watch extension of the erosion, such as a dock or walkway, and they would need to be careful so it does not render more of a private type use, but the erosion control would be permitted through ODNR which is declared to be a public improvement for the purpose. B. Brady asked about lakefront that is already improved and paid for. A. Gordon said unless they had additional improvements to be financed, they would not be a part of this process. B. Brady asked if it also gives public access to private property. A. Gordon said only for the limited purpose of instructing the improvements to the extent that the public entities are constructing the improvements. However, as far as the access to the lake or other things like walkways, then no it would not impose that kind of burden on a property.

Amy Hendricks said if the city chooses to proceed, then how would they go about this, and what would the city's role be once the district was established and people would come forward needing or wanting to do projects. A. Gordon explained they would need to receive petitions from interested property owners to the city. They have all the documentation and forms necessary. City Council has up to 60 days to review the petitions and act on whether they want to form a SID or not. In the Lake County situation nobody has taken advantage of the 60 days because everybody is eager to get this thing moving. Therefore, the petition is filed, and City Council will pass legislation accepting the petition to form the SID, which they also provide to the City. The SID is formed through the filing of Articles of Incorporation. There is representation from each community on the SID board so they will have periodic meetings to provide for whatever they need in terms of

approving the various projects. When projects are ready to go, then permitting happens and costs are determined. They will then go through a special assessment procedure through Council, and they would provide these proceedings to council to declare the Resolution of Necessity to determine to proceed and will determine the assessment for collection. As far as financing, they are looking to finance through notes or bonds on a tax-exempt basis and they are strictly special revenue bonds strictly secured by the payment of special assessments. In the Lake County case they have some bed tax money that has been allocated through the county specifically for shoreline erosion, so they have money that will be utilized as a reserve fund. When it comes time to negotiate the terms of the financing there are other ways to work with banks to come up with suitable terms that make it work for the communities. These can be issued at the county level or a Port Authority. However, they will not impact the general debt limitations – it would be the special assessment revenue the purchasers would look at regarding to repayment.

Mayor Forthofer asked if they need a resolution from City Council. A. Gordon said there is a Resolution they can send to Council at the appropriate time on what they need to do to approve the petition to establish the SID.

B. Brady asked if the assessments are individual assessments on each private property. A. Gordon said yes. B. Brady asked about the relationship with ODNR. A. Gordon said they are working closely with ODNR and they are excited about this movement because they have been struggling for a long time to get things off the ground to address erosion control, so they are working on their processes now to streamline their processes as these projects come, so they are able to get through and satisfy their requirements for permits, etc. Some of these properties are in dire assistance as soon as possible, so they are working with them as well in terms of their permitting process.

F. Loucka asked if the property owner needs to get a contractor that gets approved through ODNR and then they must apply for the SID. A. Gordon said they will get the SID established first and then as projects move forward, they are hoping to get to a point that the SID will assist in providing contractors and things like that.

Homer Taft of 3972 Edgewater Drive said it has been his opinion that the SID process of 100 percent of the property owners were to petition contiguous to each other could be assessed. He said it is all the municipalities that could form a corporation together, but he is assuming that Vermilion could do this on their own across the two counties and have its own SID under the statute. However, it would not spread the council and bond costs. A. Gordon said yes, the individual communities could do this, but it is the benefit to a larger

SID and cost-spreading type issues. H. Taft said with respect to SID, is this strictly for private properties and is it all a uniformed design or does each property get to decide the design of its own shoreline improvement as far as erosion control is concerned. A. Gordon said it can be private properties and public properties including city properties, metro parks, those kinds of things, even churches can apply to be part of the SID. They just must apply separately in writing to do so. As far as the design, they have found that properties can vary with their needs, so while they strive to find as many uniformed responses as possible, especially if properties are contiguous for a particular project, then they would try to strive as much as that as they could, recognizing that this might not be the case, because what is good for one property in a particular way, may not be what another property might need. She understands the variances are not as crazy as what she has dreamed up, but as far as cost efficiencies and contracting, they would try to be as uniform that meets the needs for erosion control. H. Taft said if one property wants to design the Taj Mahal and it costs \$1,000 a running foot and another property wants to pay \$300 a running foot, do they have the individual right to do this and do they just pay that share. A. Gordon said some of this will be up to the guidelines each individual SID board establishes. If property owner A wants to build the Taj Mahal and property owner B wants to build less of a Taj Mahal, the cost of the Taj Mahal will be spread out over that property and not the neighbor's property who did it in a less elaborate fashion.

TOPIC TWO: Main Street Revitalization Project

Mayor Forthofer said representatives from the Western Land Conservancy as well as members of the Parks Board and leading community members are present to help discuss this issue. He said his focus is developing businesses on the eastern end of town, but he cannot escape the reality that Vermilion is known as a lakefront recreation town and it is known for its beautiful river and activities, and quaint historic downtown, and the beach. This has been the identity of Vermilion for over a century. When the Inlands Seas Museum and the Wakefield mansion came up for sale it was in 2014 and there was talk about private entities acquiring it and building luxury condominiums, as well as discussion on a waterfront restaurant with a shopping complex. However, his predecessor Eileen Bulan had a vision along with community leaders in looking into securing the property for not just the city, but for generations of Vermilionites and visitors to Vermilion. He said it was Eileen's belief that lakefront properties should not be for just those who can afford it, but available to everyone. He said volunteer committees were formed under the auspices of the Parks and Recreation department and they raised \$1.62 million to purchase the property and secure it for Vermilion. The committees determined what the public wanted the property to be used for and they have been looking into what uses are similar in other communities. They are now asking for Council's help in this initial project as it took awhile to find

out what they could and could not do on this acquired lakefront property. This is not a project the city can totally fund by itself and because outside funding may be coming in alignment to make this project a reality, it is time to move forward. He said they look for Council's support of the overall plan for the Main Street Revitalization Project and for help in a few infrastructure projects that will help get this project rolling.

Stella Dilik, Chief Development Officer for the Western Reserve Land Conservancy explained their presentation summarizes the full scope of the project and they are asking Council to endorse three things. She addressed a power point presentation showing Council the vision of the lakefront. There is very little Lake Erie access that is available to the public, in fact there is only 17% - most is private ownership and not accessible by the general public. In Vermilion it is critical to have as much lakefront access as possible. She said they are a conservation and restoration organization, and they have specialized in land and water conservation projects for public and private and use for about 30 years. Her colleague Andy McDowell is the Vice President of Western Field Operations that specializes in the acquisition and restoration of property in the western region of their organization. They span about 20 counties and they have a history of working with the City of Vermilion.

Andy McDowell provided a summary of the historical perspective. He showed Council a visual of the project (the visual is available on www.cityofvermilion.com under videos – live streamed). He explained there has been a long history between the conservancy and the city going from the Wakefield Metro Park and acquiring pieces for beach access, as well as the museum property, and the acquisition of the house that was demolished. Their goal is to acquire the lakefront property to compliment what is existing on the beach site and to increase the size of the beach and improve public access for now and future generations. They are requesting Council to support the full scope of the Main Street Revitalization project and to provide funding necessary for the upgrading of the sanitary infrastructure and funding to complete the roadway from Main Street down from Huron Street to the Main Street beach area. The budget is around \$2.5 million. They proceeded with the acquisition of the Stuchal home and its demolition to increase the beach area to provide additional parking. The next phase is the demolition of the Island Seas Museum and land preparation of the site along with shoreline revetment and park improvements, construction of the Comfort Station and the walkway, the parking lot, the park plan development, the roadwork, and the sanitary upgrade. What Council would be asking of the city is far less than a quarter of the entire overall project scope.

He said they provide a lot of the fundraising that is needed for these projects. A lot of the funding is through public and private funding sources to make these projects happen. To date they have almost \$250,000 pledged in private dollars and outstanding public grant requests totaling just over \$704,000, with a couple more opportunities coming up in late spring and winter. He said City Council and the city's budget would involve the widening of Main Street from Huron Street down to the beach and the installation of the turnaround at the end, upgrading the sanitary sewer to put in the Comfort and Restroom Station, the additional parking, which will be a huge increase in ADA and handicap accessibility, and improving public access to the lakefront. The timeline is to secure the funding for the Stuchal acquisition, which they are planning to wrap up before the first quarter of the calendar year in 2021 and closing on it and demolishing the home in mid-spring of 2021. The next phase would be to step into the museum demolition and have it raised before the spring season of the beach comes along. He said when they get into the fall of 2021 they will begin the sanitary upgrades and the construction of the Comfort Station. They are looking at the road construction in the early spring and summer of 2022. In May of 2021 - 2022 they will work on the shoreline revetment and additional park infrastructure, and in the mid to late part of 2022 there will be more shoreline revetment and park infrastructure implementation.

He said when they were acquiring the Wakefield mansion property several years ago, obviously there was a thought that the mansion would be utilized in some way, shape, or form. The Parks Board spent a considerable amount of money to have professional engineers and others look at the museum to determine what it would cost to restore this building for public accessibility and use for the future. This study determined it would cost anywhere between \$3.1 to \$4.3 million to restore the mansion and the modern addition that was added onto the museum, and an annual maintenance cost would be \$50,000 each year to maintain it. Many felt this was heartbreaking to hear these numbers, and it was quickly realized that it would be cost prohibitive. They have been unsuccessful in their track record to secure money for historic restoration monies and certainly nothing to this scale of dollars. If they were able to pull this off there are numerous grant restrictions that came with the acquisition of these properties. The museum property has those restrictions.

He said they are proposing an alternative amenity that is very cost effective to construct and operate, and very importantly to maintain. He said the Clean Ohio Conservation fund was partially used for the acquisition of the Wakefield mansion property and one of the components is that any existing or future improvements on the property must be consistent with passive park use. It cannot be used for residential or commercial purposes or government offices. Any revenue or fees derived from a property retained

with Clean Ohio funds must go back into the management of that specific property. Any of the plans for upgrades and improvements would need to be submitted to them as the holder of those restrictions for their review and approval.

He said the request to Council is to support the scope of the Main Street Revitalization Project and the funding for the upgraded sanitary infrastructure for the proposed Comfort Station, and for the complete roadway paving project on Main Street. The benefits are definitely with restrooms and parking. They are also looking to a grant in the spring that will help with handicap accessibility to the area. It will help with increased visitation to Vermilion and an increased economic benefit. Overall, it will improve the quality of life in terms of what this area will become in the next two or three years.

Betsy Wakefield of 5626 Huron Street explained the museum was built by her husband's grandfather and it was his primary residence throughout his life before it became a museum. She and her husband live next door to the property and for the past 43 years this building has always been the first thing she sees in the morning and the last thing she sees at night. The building has always been special to her because of the family history and knowing it may be scheduled for demolition is difficult and emotional at times, but they need to know the building has been closed for over six years and its condition continues to deteriorate rapidly and there is water damage throughout the building and there is mold everywhere. The last time she was in it was about three years ago and it was a suffocating feeling because of the heavy atmosphere with the mold. She noted the building has been subject to vandalism and there has been drug activity. The Vermilion Police patrol constantly which is a great deal, but no matter what steps are taken the building is still going downhill quickly. The issue of course is the cost of renovation and the sustainability down the road. She did not believe there was any other choice but to go ahead with the renovation and remove the building and turn the focus on the property for development of public use, which would serve the whole community better.

Peter Corogin of 5366 Portage Drive thanked the Western Reserve Land Conservancy for their leadership role in this project. They have been involved since the beginning and they have allowed them to obtain these grants, as well as providing much needed guidance and experience. They have allowed the volunteers the opportunity to rally around the cause and he thinks the big turning stone is when they finally acquired the museum. They had a great amount of people from the community who raised the money from small donors to large donors. It was across the scope of the community. When the money and grants came through, they realized they could get this project done and they can finally see the end of the historic plan that was

proposed many years ago on how they could define the community with the waterfront and the riverfront. They have the Erie Metro Park on the river and the break wall, and now they can have the shoreline and have a first-class restroom, which is the number one thing the community wanted to see, which was also designed by a very good local architect. This restroom will serve the community all year long and they will have a pavilion that will serve guests in the community that come to the beach and want to enjoy an afternoon on the water. He said there is very little shoreline that is left for the public and often the residents in town have a hard time finding a place to go with their families. He thinks the time has come for this project to proceed and there is no reason why they cannot make it happen. They have raised the money from the community and there is more to be raised, and there are more people willing to step up to help with this project. They need the support from City Council, and they need the sanitary sewer and the road. If they can get this support, then this project is a go, and he feels they will be cutting a ribbon in a few years and everyone in the community will be proud. They will be a first-class town on the shores of Lake Erie.

Brad Scholtz of 5459 Park Drive, Vice Chairman of the Parks & Recreation Board said that he and Terry Parker have been working with the Parks Board for well over 10 years on this project and they are very passionate and excited about this project because the pieces are really coming together. They have used several public surveys to guide them in getting public access, parking, and a restroom.

Tom Bodde, Architect said he joined the committee approximately two years ago to lend his experience, knowledge, and talent to this important project for the City of Vermilion. As a member of the committee, they reviewed the existing property as well as options and ideas. They took the public survey results when implementing the design, which was the restroom, increased parking, and public accessibility to the beach areas. He believes they developed a conceptual plan that met the requirements and the restrictions that were put on the property regarding lot coverage. He believes with this design they will provide many excellent areas for the public to enjoy through the beach level viewing deck, the hillside amphitheater idea, or the upper-level viewing plaza. Overall, he thinks this will be a great asset to Vermilion.

Mayor Forthofer said they are on the verge of improving the image of what has become known as historic Vermilion and its beachfront by leaps and bounds. They are asking Council to support the overall plan with a resolution and to plan in 2021 to fund the sanitary work to help get the restroom and changing room off the ground. They are looking at about \$63,000 in 2021. And, in 2022, they are asking Council to fund the road work to support this project.

S. Herron thanked everyone for their professional presentation. He asked if ADA would have access to all the areas. A. McDowell said the boardwalk will also be handicap accessible and they are approaching a grant for better beach mat equipment that goes to the waters edge. He noted the lighthouse will remain.

F. Loucka said this is a once in a lifetime opportunity to change the face of the city's beach, so he fully supports the resolution of this project. He said they need to work with the finance department to find a way to fund the road work and sanitary system.

E. Skahen asked if the funding will start right away for the sanitary work in 2021. Mayor Forthofer said he would like council's support to fund this work when it is time.

M. Stark thanked the committee for their amazing work. She said it breaks her heart to see this beautiful historic building being torn down but understands its condition and there is no choice in the matter. She thanked them for using a local architect as it is important supporting local businesses. She asked what the cost estimate is for the roadway improvements. Mayor Forthofer believed the engineer's estimate was around \$550,000. F. Loucka said \$504,000 was in the presentation.

B. Holmes thanked everyone involved. He said he is the Parks Board Council Representative and feels it is time to move forward because the building is a liability. He has been involved with projects improving lakefront property with the Metro Parks and this is something they certainly can do in the City of Vermilion, so he would support this project immensely.

Mayor Forthofer said they will bring a Resolution to Council for passage.

TOPIC THREE: Woodlands Entrance – Engineer's Estimate

C. Howard said based on the layout for the Liberty/Woodlands intersection, they prepared a preliminary cost estimate. This would be replacing the entire pavement area within those limits, without the benefit of soil borings. They are assuming there will be some subgrade repair, but their estimate is \$170,500, which includes a 20% construction contingency. He said it does not include the utility pole relocation and they are in conversation with Ohio Edison as these poles are within the right of way and they may be able to get them to pay for the relocation.

S. Holovacs asked if they based the design on the fire truck or the school bus. C. Howard said it is based on the fire truck/aerial.

M. Stark said if Ohio Edison does not take on the cost to move the utility poles, how many poles are there and what cost may the city be looking at to remove them. C. Howard said there are two poles that will need to be relocated and it depends on the services on the existing poles. The cost can vary from \$25,000 to \$100,000 depending on the services, but preliminary discussions with Ohio Edison was positive since it is in the right of way.

B. Brady asked the finance director if they have the money for these improvements and for Main Street.

S. Holovacs asked the engineer if he considers this area a safety issue. C. Howard believed it was a safety concern for the public and has been a concern for safety services getting in there. He thinks the Fire Chief and the residents in the area would appreciate these improvements. S. Holovacs thought with it being a safety issue they could finance this project. A. Hendricks said they are watching how much of the road tax money is coming in especially the state funded portion. They also have significant commitment towards the Urban Paving project that will be coming up as well, so she is not prepared to give Council an answer this evening, but they will list this in the projects when setting the priorities. Mayor Forthofer said there are several projects that need to be added to the list of options to be considered. He said it is up to Council as to what projects they want to spend the money on.

B. Brady asked A. Hendricks if she could go out two or three years in her estimates. A. Hendricks said she could do and noted she has them started, but she needs to rethink some of the revenue estimates with the year they have had. B. Brady said especially if they are adding in \$500,000 for Main Street.

S. Holovacs asked if council wanted to make a motion if this project is important to move forward. S. Herron said it is a priority, but they need to sit down and discuss the list of projects. With it being a safety concern at the recommendation of the city engineer he believes it is critical, but they need to review all the potential projects and the available funds. E. Skahen said they need to keep in mind that 2021 is just the \$63,000.

S. Holovacs said Council will wait to get the listed projects from the administration before deciding.

S. Holovacs adjourned the meeting after no further business came before the committee.

Next meeting: To be determined

Gwen Fisher, Certified Municipal Clerk
