

Minutes of the Vermilion City Council Meeting

Monday, February 24, 2020

Videos and minutes of council meetings are available to the public to view online at www.cityofvermilion.com under 'meetings' tab (City Meeting Minutes or Videos).

Vermilion City Council: Steve Herron, Council President; Monica Stark, Council at Large; Emily Skahen, Ward One; Frank Loucka, Ward Two; Steve Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five; G. Fisher, Certified Municipal Clerk.

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

CALL TO ORDER:

Steve Herron, President of Council called the Monday, February 24, 2020 Vermilion City Council Meeting to order.

PLEDGE OF ALLEGIANCE:

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

APPROVAL OF MINUTES:

S. Holovacs MOVED; F. Loucka seconded to approve the minutes of the February 3, 2020 meeting. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

CORRESPONDENCE:

G. Fisher reported that she received a liquor permit request on February 19, 2020 from the Ohio Division Liquor Control to DANOP LTD, DBA Vermilion Mickey Mart 51, 4690 Liberty Avenue from Mickey Mart Inc., DBA Vermilion Mickey Mart 51.

PRESIDENT OF COUNCIL'S REPORT: No report.

COMMITTEE REPORTS:

Legislative Committee:

M. Stark reported the next meeting has been scheduled for March 9, 2020 at 7:00 pm.

Vermilion Community Services Board:

M. Stark reported the next meeting will be held in April at the Ritter Library Endowment Room.

Utilities Committee:

F. Loucka reported the next meeting has been scheduled for March 9, 2020 at 7:00 pm.

Port Authority:

F. Loucka reported the next meeting has been scheduled for March 12, 2020 at 6:30 pm. G. Fisher announced that a Special Port Authority meeting has been scheduled for Wednesday, February 26, 2020 at 7:45 am in her office located at 5335 Devon Drive, Vermilion, Ohio.

Finance Committee:

B. Brady reported the next meeting has been scheduled for March 9, 2020 at 7:00 pm.

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Planning Commission:

B. Brady reported the next meeting has been scheduled for March 4, 2020 at 7:00 pm. *Clerk's Note: The meeting for March 4, 2020 has been cancelled.*

Parks & Recreation:

B. Holmes reported the next meeting has been scheduled for March 17, 2020 at 7:00 pm.

Health & Safety Committee:

B. Holmes reported the next meeting has been scheduled for March 9, 2020 at 7:00 pm.

Stormwater Advisory Meeting:

S. Herron reported the next meeting is yet to be determined.

Historic Design & Review Board:

E. Skahen reported the next meeting has been scheduled for March 4, 2020 at 6:00 pm.

Tree Commission:

E. Skahen reported on the meeting held January 8, 2020. The next meeting has been scheduled for March 11, 2020 at 9:30 am at the Ritter Public Library.

Streets, Buildings and Grounds Committee:

S. Holovacs reported the next meeting has been scheduled for March 9, 2020 at 7:00 pm.

Contractors Registration Board of Examiners:

S. Holovacs reported the next meeting has been scheduled for February 25, 2020 at 6:00 pm.

Board of Zoning Appeals:

S. Holovacs reported the next meeting has been scheduled for February 25, 2020 at 6:00 pm.

S. Herron reminded the public that details of all minutes are posted on the city website at: www.cityofvermilion.com under the meeting minutes tab.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer provided his submitted report as read into the record:

Safety Director Report

Residents asked what was going on at the old land bank building and future site of George's Roofing on Liberty over the weekend. The Vermilion Fire Department was conducting training exercises with the permission of Kevin Boggs who purchased the property. Mr. Boggs offered the site to VFD for training before he demolishes the eyesore which, Chief Stempowski said shows signs of falling on its own. Chief Stempowski will report training details at the Safety Committee meeting next week.

Mayor's Report

Water Department

Water Department personnel are taking advantage of the snowless weather to do routine maintenance and check meters. These personnel may be in your yards looking into the meter pits. They will not ask to enter your home without an appointment through the water department.

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Higher Water

Army Corps of Engineer forecasts water levels this summer to be higher than last year. February levels are approximately 5.5 inches above last year's level. All communities up and down the lake shore is feeling the effects. We are all in contact with different government bureaus.

Future Ice

Also, in discussion with Army Corps of Engineers and the U.S. Geological Survey regarding passive ice breaking in the Vermilion River. Despite this mild winter we will have ice again. One of the unique factors that Vermilion needs to negotiate when considering passive ice breaking devices is the high volume of summer boat traffic.

Coronavirus

At LC Mayor's and Manager's meeting, heard presentation from the State on Coronavirus threats and preparedness.

- Most government prevention is at ports of entry.
- Preparedness plans are constructed by states in coordinating with county health departments.
- Influenza is still a much greater impact on US Citizens. The current flu shot is exceptionally effective this year.
- Coronavirus has some impact on American business who have China in their supply chain.

There are no immediate actions municipalities are being asked to take other than the usual anti-flu protocols, vaccinations, hand washing, etc.

IT

Our LifeCare IT Support working in close collaboration with Verizon as Verizon makes city wide improvements to cell reception and decisions are being made to first responder communication systems.

FINANCE DIRECTOR'S REPORT:

Amy Hendricks provided City Council with the most recent revisions of the Appropriations and Certificate of Estimated Resources, which must be submitted to the County by March 15, 2020. The final reading of Ordinance 2020-5 will be on March 2, 2020. The changes include:

Appropriations Increase:

Fund 101 - \$150,000 for Grand/Liberty Parking Lot project, \$2,400 for Building Dept. certification exams/training expenses

Fund 411 - \$20,000 Contracted Services in Capital Fund

Estimated Resources Increase:

Fund 101 - \$15,000 Pool Donations from Parks for 2020 Season

Fund 101 - \$13,300 NOPEC Energized Community Grant for parking lot lighting

Fund 201 - Additional \$65,000 for Fuel Tax revenue based on actual Jan/Feb receipts over \$50,000 per month

S. Herron asked what the administration's position was on the pool at this time – does this administration believe the City should be paying for the services of the pool. Mayor Forthofer said the pool subcommittee has said they would like to operate minimally this year. They will be able to use the same pool heater as last year. Additionally, the cost of operation will be split between the General Fund and the Parks Operating Levy. He set a goal for this time next year for the Pool Subcommittee to have a recommendation of what the future of the pool will be.

CITY ENGINEER'S REPORT:

C. Howard reported he provided City Council with a copy of their bid recommendation for the Vermilion Road Phase II Project. The city received four bids and the low bidder was Precision Paving, Inc. of Milan, Ohio in the amount of \$917,013,86. They recommend only awarding the base bid. This project is MPO funded with the state providing \$611,904.00. He asked Council to consider suspending the rules on Ordinance 2020-9 and adopting it by emergency since ODOT is waiting for the city to approve the contract before they can award their contract officially.

Additionally, on February 25 there is a pre-construction meeting for the Haber Road Bridge Replacement Project with the Erie County Engineer's Office.

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B. Holmes asked if the city will maintain the grindings from the Vermilion Road project. C. Howard said according to contract the city agreed to take a certain percentage of the grindings and take it over to the Service Center.

B. Brady said the alternate bid had guardrails included and asked if this was not important to the project. C. Howard said this was for additional guardrail where there is no guardrail currently. If the city wants to award this then it is 100% local funds, so therefore he didn't recommend it. B. Brady said the city could do this anytime. C. Howard said they are looking at possible additional safety grant money to see if this would apply because this stretches further south on Vermilion Road where there are other areas that are dangerous.

OPEN TO THE AUDIENCE:

Homer Taft of 3972 Edgewater said a comment had previously been made that the city couldn't do a gravel parking lot at the Fulper Lot, which might be more temporary because of city code. He did make inquiry on this subject and told City Council they could change the city code. He recommended that City Council considered changing the city code for things that are used in the summertime and as temporary lots. In many circumstances, he didn't think there was much harm in gravel lots. Where there is more of a problem is when it snows, and you try to plow them. Prohibiting gravel lots or gravel driveways in every circumstance is a little extreme. He hopes Council would consider for specialized circumstances such as seasonal only and temporary parking situations to allow a period of time for the year or for the period of time of use for gravel lots, and that this be applied to save a third or more of the estimated cost of the Fulper Lot, and still allow for something else to happen some day a little more easily. He said it's more stormwater friendly and green, and it probably requires a little less handling in that way.

NEW BUSINESS:

S. Herron MOVED; F. Loucka seconded to appoint Gwen Fisher, Certified Municipal Clerk as City Council's designee to attend Certified Public Records Training in accordance with O.R.C. 149.43 (E) (1), on April 7, 2020 at the Trumbull County Educational Service Center. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

S. Holovacs MOVED; F. Loucka seconded adjourn into executive session after the 'Reading of the Ordinances' to discuss personnel matters and labor negotiations. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

Reading of the Ordinances:

Third Reading – Ordinance 2020-2: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE ERIE SOIL & WATER CONSERVATION DISTRICT FOR THE ERIE COUNTY NPDES SMALL MS4 PROGRAM AND DECLARING AN EMERGENCY.

S. Holovacs MOVED; B. Brady seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

Second Reading – Ordinance 2020-3: AN ORDINANCE PURSUANT TO SECTION 1240.02 OF THE CODIFIED ORDINANCES OF VERMILION GRANTING A LAND USE (ZONING) VARIANCE TO ZACHARIA SAFOS IN ORDER TO ALLOW FOR A RESIDENTIAL USE ZONING VARIANCE IN THE I-1 LIGHT INDUSTRIAL DISTRICT, LOCATED AT 2075 LIBERTY AVENUE, VERMILION, OHIO. *(Public Hearing scheduled for March 2, 2020 @ 7pm)*

Second Reading – Ordinance 2020-4: AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2020 ENERGIZED COMMUNITY GRANT.

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

F. Loucka MOVED; M. Stark seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

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Second Reading – Ordinance 2020-5: AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

Second Reading – Ordinance 2020-6: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH NEPTUNE EQUIPMENT COMPANY OF CINCINNATI, OHIO FOR THE CITY-WIDE WATER METER REPLACEMENT PROJECT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO SAID AWARDEE IN AN AMOUNT NOT TO EXCEED TWO MILLION FORTY-ONE THOUSAND SEVEN HUNDRED SEVENTY-NINE DOLLARS AND FIFTY CENTS (\$2,041,779.50) AND DECLARING AN EMERGENCY.

First Reading – Ordinance 2020-7: AN ORDINANCE TRANSFERRING FUNDS FROM ONE APPROPRIATION TO ANOTHER AND/OR APPROPRIATING FUNDS NOT HERETOFORE APPROPRIATED.

First Reading – Ordinance 2020-8: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO AN AGREEMENT TO ASSUME THE LIABILITY OF THE GRAND DIVISION PARKING LOT FROM NORFOLK SOUTHERN RAILWAY AND DECLARING AN EMERGENCY.

First Reading – Ordinance 2020-9: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH PRECISION PAVING, INC. OF MILAN, OHIO FOR THE VERMILION ROAD, PHASE 2 PROJECT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO SAID AWARDEE IN AN AMOUNT NOT TO EXCEED NINE HUNDRED SEVENTEEN THOUSAND THIRTEEN DOLLARS AND EIGHTY-SIX CENTS (\$917,013.86) AND DECLARING AN EMERGENCY.

F. Loucka MOVED; S. Holovacs seconded to suspend the rules. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

S. Holovacs MOVED; B. Holmes seconded to adopt this ordinance by emergency. Discussion: B. Brady questioned the need to adopt this ordinance by emergency on a first reading. C. Howard said ODOT needs to award it to the contractor in a certain time frame. They want to start construction soon because the completion date is scheduled for July 31, 2020. F. Loucka said this project is long time coming and it will be a great benefit to the residents and visitors coming into the city. S. Herron agreed. S. Holovacs reminded everyone that the city is receiving \$600,000+ from MPO money, so he feels this is a great win for the city to get a section of street taken care of. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

Third Reading – Resolution 2020R-2: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ACCEPT THE TERMS AND CONDITIONS OF A CERTAIN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE ALLOCATION OF FUNDS FOR THE MAINTENANCE OF A MARINE PATROL AND DECLARING AN EMERGENCY.

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

First Reading – Resolution 2020R-3: A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO FILE AN APPLICATION FOR FINANCIAL ASSISTANCE WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR PUBLIC BOATING ACCESS AND DECLARING AN EMERGENCY.

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

S. Holovacs MOVED; F. Loucka seconded to adopt this ordinance by emergency. Discussion: G. Fisher conveyed this needs to be submitted by February 25 as it's applying for grant funds for public boating access. A. Hendricks explained this is to do with the Harbor View Project and the Western Reserve Land Conservancy is applying for this to obtain additional funding along the beach area. Mayor Forthofer believed it was for parking for the new restroom facilities. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

Announcement of Meeting Dates:

March 2, 2020 – Vermilion City Council Meeting – 7pm
March 9, 2020 – Vermilion City Council Committee Meetings – 7pm
March 16, 2020 – Vermilion City Council Meeting – 7pm
March 23, 2020 – No Meeting
March 30, 2020 – No Meeting

Adjournment:

Upon no further business coming before the body after the conclusion of executive session, Steve Herron, President of Council adjourned the Vermilion City Council meeting.

Transcribed by: Gwen Fisher, Certified Municipal Clerk