

**LEGISLATIVE COMMITTEE MINUTES**  
**OF FEBRUARY 8, 2021 @ 6PM**

Municipal Council of the City of Vermilion  
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; Chris Howard, City Engineer; Amy Hendricks, Finance Director; Tony Valerius, Service Director*

**Call to Order:**      Monica Stark, Chairwoman, RESOLVED THAT this Legislative Committee comprised of the committee of the whole does now come to order.

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**TOPIC ONE:**      **Review of Ordinance 2021-6 (Flood Damage Reduction)**

C. Howard said he provided council with a copy of recommended changes from FEMA and ODNR regarding the city's flood damage reduction – Chapter 1460. They are requiring that this chapter be updated as the current ordinance is from 2008 and they have changed numerous items in the ordinance, and they want the city to amend it. He is waiting on ODNR to approve these revisions.

B. Brady said she did not have a clue on what most of this meant, so she asked for a synopsis on how these changes will impact the city or residents. C. Howard said with the new maps that are coming out in March, FEMA has added a coastal erosion zone that is part of the requirement and this verbiage has been added. He said the city ordinance is outdated and there were other sections that were changed. The city did not ask for any above and beyond restrictions to be placed on the residents. There are optional items that FEMA and ODNR like to push but they did not change anything that would make it more restrictive. B. Brady asked what the coastal erosion zone means and what it will do to the owners along the lakefront. C. Howard said FEMA is creating a zone V which has to do with the 100-year flood plain regarding wave action for properties along Lake Erie. This is just a new definition that is showing on their updated maps, and there are special requirements for a development within a zone V, which is the coastal erosion area.

H. Taft of 3972 Edgewater said on the coastal erosion zone generally it is different than the coastal erosion determinations of ODNR. It is a FEMA determination that is based on their assumption of the highest possible way in a 100-year period. It is

many feet of where the lake is. His concern relates to giving the city, building department, and city engineer a substantial job in approving, inspecting, and controlling what erosion control structures or structures along the lake are. They are already heavily regulated and permitted with engineers by the ODNR for any stabilization. He asked council to take a second look at this.

B. Brady asked the city engineer if the city has options on how they word this legislation. C. Howard said these are the minimum standards that FEMA and ODNR are requiring. He submitted this for their review, but they have not come back with any comments. He noted this is required with the new implementation of the flood insurance rate maps.

F. Loucka said it appears they do not have an option and if they choose to ignore it, then they could be in litigation with some federal and state agencies. C. Howard said if there are differences, then the city would have to get their approval and they could risk the city's flood insurance. He said if ODNR and FEMA has comments and questions, he will bring them before City Council.

M. Stark adjourned the meeting upon no further discussion.

Next meeting: March 8, 2021 at 7:00 p.m. via ZOOM.

Transcribed by:  
Gwen Fisher, Certified Municipal Clerk (CMC)