

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_

Minutes of the Vermilion City Council Meeting

Meeting \_\_\_\_\_

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held \_\_\_\_\_

Monday, January 28, 2019

*Videos and minutes of council meetings are available to the public to view online at [www.vermilion.net](http://www.vermilion.net) under meeting videos/minutes.*

**Vermilion City Council:** Steve Herron, Council President; Monica Stark, Council at Large; John Gabriel, Ward One; Frank Loucka, Ward Two; Steve Hlovacs, Ward Three; Brian Holmes, Ward Five; G. Fisher, Certified Municipal Clerk. Excused: B. Brady, Ward Four

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

### CALL TO ORDER:

Steve Herron, President of Council called the Monday, January 28, 2019 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. Hlovacs MOVED;** M. Stark seconded to approve the minutes of the January 14, 2019 meeting. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

### CORRESPONDENCE:

G. Fisher read the following email into the record (actual email copied/pasted below) she received from Thomas Chufar on January 25, 2019 at 11:57am.

Council,

The attached two photos are of items that are directly under the stewardship/accountability of the City of Vermilion.

The signage at Showse Park states that the Erosion Project and Beach Access was funded directly with Park Levy (tax dollars). If the intended outcome of this "project" is/was to prevent or mitigate erosion, as it was previous, it clearly did not meet this outcome as the shoreline is becoming severely compromised.

So, a couple of questions on this project are:

1. "Who was the Engineering Company that was employed, and the cost associated to their work?"
2. "Who was the contractor on the project and the cost associated to their work?"

The intersection of Lansing and Edgewater, the next photo, displays an active SSO (Sanitary Sewer Overflow) which is flowing out of the Sanitary Sewer Manhole and into the Storm Water catch basin. As you may be aware, that storm sewer line flows out into Lake Erie, it affects the general health and well-being of Lake Erie and specifically the area directly nearby its outfall. That area would be Showse Park Beach and nearby properties.

It is my understanding that this area has been a haven for SSO activity for years. If that is so then questions I have for the City of Vermilion is:

1. "Why has this SSO activity been allowed to happen for so long?"
2. "Specifically, when is the City of Vermilion going to get this corrected?"
3. "What is the plan that will be implemented and what has been done so far."
4. "What analytic proof do you have to support these if any improvements have been made?"

Sincerely,  
Thomas P. Chufar

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G. Fisher read the following letters submitted by Mayor Forthofer on January 24, 2019 as follows:

- Appointment of Mr. Norman Hendrickson to the Civil Service Commission for a new term.
- Appointment of Ms. Judy Williams to the Historic Design & Review Board to fill the unexpired term of Erika Cann.
- Appointment of Ms. Erika Cann to the Parks & Recreation Board to fill the unexpired term of Jim Schoene.
- Appointment of Mr. David Chruski to the Board of Zoning Appeals for a new term.

The complete letters are on file in the clerk's office for review upon request.

## PRESIDENT OF COUNCIL'S REPORT:

S. Herron introduced Melissa Feliciano, Coordinator of Erie Conservation District.

Melissa Feliciano explained she oversees the Stormwater Permit through the Ohio Environmental Agency (EPA), which is also referred to as the Small MS4 (Municipal Separate Storm Sewer System) Permit. She noted that Vermilion along with five other communities in Erie County are regulated under Ohio EPA, so they are all co-permittees on one permit.

She updated Council on the Service Center site by stating they have done tons of improvements over the last year. She thanked City Council for allowing funds to be spent to make these improvements as she feels much better that she is doing her job correctly. She explained the Service Center site is regulated under measure 6 of their permit. The EPA regulates the Good Housekeeping and Pollution Prevention of the municipal facilities. She stated she has been in her position for about five (5) years and comes out often to perform quarterly inspections or assists the city performing quarterly inspections that are required, as well as annual inspections that are required. She said the Service Center site was previously a muddy mess from the edges of the building back (Salt Storage Shed and back). A lot of things take place at the Service Center as they do in a lot of communities, but the EPA wants to see nice organization and she didn't feel like Vermilion had that happening. There were no true drive paths back in that area, so trucks would load and unload and if it was wet weather there was mud everywhere which tends to be a problem. She couldn't see well-defined stock piles, but now she can happily report all the good things that happened. There is now a drive path on the back of the site and they moved stocked piles that were there before, and they are now more organized. They have defined staked areas of where they store certain materials. The drive path is now made of stone (#1 and #2) which has done a wonderful job in knocking the mud off the tires, which EPA's loves to see. They moved the clean hard-fill stock pile and the area where a lot of dewatering happens; again, both are at the back of the property. Around the back of the property they also installed what EPA refers to as a Best Management Practice (BMP's). The city put in a vegetated berm around the back side to prevent any pollutants leaving the property and that's what the EPA likes to see; that they're putting in measures that's keeping stuff contained right on the site. The city regraded and seeded the site as there wasn't much grassy area – grass does a lot to filter out pollutants and out of storm water and promotes infiltration. They took advantage of reorganizing this site. They now have lots of vegetation growing. The site also had a drainage swale before which was behind the salt barn and along the edge of the stored materials. It wasn't exactly the greatest location because when you have a water course you want to get your materials stored away from that. They couldn't get all the materials away from it, so they decided to move the swale as there was enough area. The swale was moved so now water must go through the grassy area and then get into the swale. Not only did they just move the swale, but they added more BMP's and ditch checks (fancy term for rocks every so many feet) so it slows down the water and helps trap pollutants like sediment in the water.

She said street sweepings are now being discarded at the landfill and the plan in 2019 is to add a dewatering pad so they can temporarily store this material before taking it to the landfill. Also, another BMP they installed is with their salt barn as they didn't have a concrete pad in front of it. The EPA likes to see a concrete pad because it's a loading and unloading zone. If they have a spill then it can be easily swept up, which saves the city money because they can recover lost product. They regraded it so that the water is running back into the salt barn as opposed to catching all that salt which now is concentrated water stormwater runoff and it's running right into the swale like it use to.

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She conveyed that she hopes to host a workshop for the other communities as they are all co-permittees on one permit. She said everybody has a service center site and she would like to use the City of Vermillion as the "poster child". She they to do annual trainings for their municipal employees every year, so she would like to host the training for the other MS4 communities in Erie County, and she would like to give a tour of the Vermillion Service Center to show all the BMP's that have gone in and the ways the site has been improved, so others can follow suit. Also, they need to update their Good Housekeeping Plan to include all these improvements which is also required. The city made a ton of improvements this past year, but they don't have those improvements documented in the plan.

S. Herron asked Melissa if she has visited the Vermillion site and Melissa said many times. S. Herron asked if she was familiar with the EPA requirements and Melissa said yes. S. Herron asked if she sees any dumping violations or anything like that; are they dumping things that shouldn't be dumped or mixing things up that are dumped on the site that are in violation of the EPA. Melissa said no. S. Herron asked if there was any truth to the notion that the City has been doing this. Melissa said she isn't out at the site every single day, but she has never seen any illegal dumping of any sort. S. Herron asked if she has viewed the piles and Melissa said yes. S. Herron asked her if she has seen anything that gave her indication that the EPA needed to be notified. Melissa said no. S. Herron asked if she is in constant contact with the EPA and Melissa said yes. S. Herron said any notion that the City of Vermillion dumps things back there, to her expertise and knowledge is complete nonsense; would you agree with that? Melissa said yes. S. Herron noted some cities got a bunch of stuff and they dumped it and they got fined big time by the EPA; it happened in Stark County about 12 years ago, so it was a big problem. He asked Melissa if she has seen that with the Service Center site in Vermillion and Melissa replied no. S. Herron asked her if she would report it to the EPA if she did see something and Melissa said she would have to at some point, but that would not be her first; her job is to help guide the city, so if she saw something that was a no then she would definitely notify the service director to make sure something got done, and if not, then yes she would need to report it to the EPA because her job would be on the line. S. Herron said she would have an obligation and the city pays her to tell them if they are screwing up and Melissa agreed.

J. Gabriel said when council took a tour of the Service Center the place was a mess; it was in rough shape, so he appreciates her being the city's auditor in this regard. He would like to see her report to council every so often, as this is something council is concerned about. They were as surprised as anyone else that was walking around with some of the things; unfortunately for the city it included old equipment and things they are responsible for directly through financing, and in tight budgets sometimes they pull money from areas where they don't think of the consequences. Therefore, he would appreciate frequent returns to council and if ever Melissa feels the city has drifted off that path again, then definitely would encourage her to come before council to let them know to get it straightened out. Melissa Feliciano thanked council for allowing the money to be spent as she knows budgets are tight. The improvements that were made at the Service Center made her do a happy dance and T. Valerius made those improvements happen. She noted that Vermillion's site is not alone; all the Service Centers need improved, so she loves that Council was out there and now they are the poster child for other communities.

F. Loucka asked how many communities she maintains responsibility for. Melissa said Erie County Commissioners are the permit holder, so she works with the County Engineer's office because they are regulated to some degree, but her responsibility is the City of Vermillion, the City of Sandusky, Perkins Township, Margaretta Township, and the Village of Bayview.

S. Herron asked Melissa to report back to council every six months and Melissa said she would love to.

S. Herron said this information will constitute a response to the audience with respect to the allegations that there has been illegal dumping. He said they will not go into this matter anymore as it has been dealt with.

**COMMITTEE REPORTS:**

**Historic Design & Review Board:**

The next meeting has been scheduled for February 6, 2019 at 6:00 pm.

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**Planning Commission:**

The next meeting has been scheduled for February 6, 2019 at 7:00 pm.

**Streets, Buildings and Grounds Committee:**

F. Loucka reported on the meeting held January 14. The next meeting has been scheduled for February 11, 2019 at 7:00 pm.

**Port Authority:**

F. Loucka reported the next meeting has been scheduled for February 4, 2019 at 7:00 pm.

**Utilities Committee:**

S. Holovacs reported on the meeting held January 14. The next meeting has been scheduled for February 11, 2019 at 7:00 pm.

**Contractors Registration Board of Examiners:**

S. Holovacs reported on the meeting held January 22. The next meeting has been scheduled for February 26, 2019 at 6:00 pm.

**Finance Committee:**

B. Holmes reported on the meeting held January 14. The next meeting has been scheduled for February 11, 2019 at 7:00 pm.

**Parks & Recreation:**

B. Holmes reported on the next meeting held January 15. The next meeting has been scheduled for February 19, 2019 at 7:00 pm.

**Tree Commission:**

S. Herron reported the next meeting has been scheduled for February 13, 2019 at 9:30 am at Ritter Public Library.

**Legislative Committee:**

M. Stark reported on the meeting held January 14. The next meeting has been scheduled for February 11, 2019 at 7:00 pm.

**Vermillion Community Services Board:**

M. Stark reported on the meeting held January 6. The next meeting has been scheduled for April 17, 2019 at 6:30 pm at the Ritter Public Library.

**Health & Safety Committee:**

The next meeting has been scheduled for February 11, 2019 at 7:00 pm.

**Board of Zoning Appeals:**

The next meeting has been scheduled for January 29, 2019 at 7:00 pm.

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MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer conveyed that Chief Hartung had asked him to pass along his appreciation to the citizens who respected the emergency warnings during the snowstorm the weekend of January 19 and 20. He said community cooperation makes the situation manageable. The VPD kept everyone safe and calm during one of the worst snowstorms the city has had in years. Personally, he mentioned they are grateful that no one was seriously injured in the flooding on Riverside Drive on January 23. He couldn't say enough about the Vermilion Fire Department's response to the Riverside Drive evacuation. These volunteers ensured the safety of Vermilion residents during an unexpectedly sudden and possibly life-threatening situation. He personally observed the firefighters working all night trying to rescue people, so they owe these volunteers a great deal of appreciation for the work they do in a dedicated manner. He said several independent contractors came to the aid of Riverside Drive residents and offered assistance in clearing ice at little or no cost to the residents, and some contractors offered equipment to the city to help with the removal of ice.

He wished all residents could witness the round the clock efforts of the Service Director and Service Departments during the Level 3 snowstorm. Drivers from both the distribution and streets departments worked through the blizzard to keep the main streets passable for emergency vehicles. Some of the crews were pulled away for water main breaks or sewer blockages but continued going back to plowing the city's 86 miles of streets. It's a critical job, seldom done to everyone's satisfaction, but they're lucky again to have these people on their payroll.

He reported there will be no water shutoff in January. Normally when someone reaches a certain level of non-payment, the crews are sent out to turn the water off until the situation is resolved. At the suggestion of the Service Director, they will not conduct these water shutoffs in January. The reason is with the severe weather and the availability of crews, and with the hardship it would be on some of the more vulnerable residents. He said shutoffs will resume in February.

As far as economic development, Mayor Forthofer mentioned that Ed's Equipment, Defense Soap, and Vintage Crossings are on schedule for spring construction or renovation. He referred these businesses to the Northeast Ohio Public Energy Council Property Assessed Clean Energy Financing Program. This makes low money loans available to these new building projects if they adhere to certain economic conservation build-ins to their new properties.

He reported the Lorain County Community Development Department continues to work on the corridor plan for the east end of Vermilion. Different options have been proposed and at such a time he thinks there is something worth discussing, he certainly would bring it before council.

He said the city is not immune to the ravages of the climate as both City Hall and the Court House experienced failures during the past severe weather. The roof at City Hall is leaking badly and has damaged some records. It has been a long-time patch and buckets program due to the lack of funds. The Court House furnace has failed, and they are looking into funds for repairs that are possible from certain government agencies. They will look at these funds first before they ask to spend money out of the city's pockets. He said the city puts themselves last sometimes, but it's time they address a couple of these issues.

He reported that the administration is planning a mini-corridor strategy to help cleanup specific areas of Route 6 (Liberty Avenue) east of the Norfolk Southern overpass to the city line. Though he doesn't believe this requires action by city council, he would like to make them aware in case there are suggestions that might be made pertaining to this project, and he would request that it be put on the committee agenda for February 11.

Lastly, with the passage of Ordinances 2018-85 and 86, they will be able to complete the switch from North Central EMS to Lifecare Ambulance, Inc. The inspection of the ambulance garage and the Phase 1 Environmental Study is done. The VPD and VFD are in close contact with both providers to coordinate radios and tomorrow morning there will be a meeting with all departments at City Hall to nail down the timeline of this transition, which will be on February 1, 2019.

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M. Stark asked if the NOPEC grant is for new build or remodeled structures. Mayor Forthofer said it's mostly for new builds. There are other programs available for rehabs and renovations. He takes business prospects to Lorain City Hall and they sit down with the development people to see what might help them out. He thinks the more funds they might be able to save through the construction of the buildings with applying through these grants, might be used for parking lots and sidewalks.

F. Loucka said he had planned to put the mini-corridor topic on the February 11 Streets, Buildings and Grounds Committee.

### SERVICE DIRECTOR'S REPORT:

T. Valerius reported on the 2018 year-end totals regarding Property Maintenance and Building Inspections performed by the Building Department. The 2,200 property maintenance inspections are as follows:

297 – Property Maintenance Violations	236 – Garbage and Debris Violations
176 – Exterior Structure Violations	267 – Trailer/Recreation Vehicles in Yard Parking Viol.
650 – High Grass Violations	196 – Non-compliant Vehicle Violations
8 – Swimming Pool Violations	15 – Home Occupation with No Water Service Viol.
66 – Sidewalk Violations	150 – Other Miscellaneous Property/Maint. Violations
139 – Contractor working w/o Permit or Registration Violations	

He reported there were 442 residential building permits and 78 commercial building permits issued last year, which resulted in 860 building inspections performed. There were 10 new homes built in the city and one new duplex.

He thanked the crews for a job well done on the cleanup after the snowstorm a week ago and for the quick cleanup of Riverside Drive. All departments made themselves available to get things back to normal for the citizens.

S. Herron thanked the crews for a fantastic job in getting the streets open for emergency personnel and for addressing the Riverside Drive flooding.

### FINANCE DIRECTOR'S REPORT:

Amy Hendricks reported as follows:

#### Community Updates

1. Property owners will notice an increase in their property tax amount due to the city on their recent invoice. This is the Parks Operating Levy that was approved by voters in November 2017, being collected for the first time.
2. People may notice an increase in usage on the most recent water bills. Meters are read on the first Monday of each month. The way the calendar fell in January, that adds a full week of usage to the billings.
3. We have replaced our credit card processing machine in the utilities department. The old one was over 20 years old, no longer met security guidelines, and was very slow. Our new scanner utilizes chip technology and appears to be working much faster. We can now accept payments from customers at the window using Apple and Google Pay apps. Receipt options that customers can select are print, text, email or no receipt. The web-based functionality also allows for more useful reporting such as sorting payments between departments for easier tracking.

#### Credit Card Policy

The initial reading of the City's new Credit Card Policy was done on January 14. To comply with new state requirements, the policy must be approved by February 2, 2019. I would like to request that Council suspend the rules and act of the Policy this evening effective immediately.

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## Patrol Car Financing

I obtained quotes from three banks as well as the vendor for the leasing of the 6 new patrol cars being purchased. The interest rates ranged from 3.4% to 4.25%. I am recommending a three-year lease with US Bank at 3.4%, which will represent an annual savings from the original vendor quote of \$2,500. To lock in the 2018 pricing, the council approved a letter of intent previously. Now that the financing is in place, to finalize the purchase, I am requesting that Council suspend the rules to authorize the purchase and financing as presented this evening.

## 2018 Financial Closing

I am pleased to announce that we were able to close the 2018-year last week. We are all very excited in the Finance Department as that is the earliest completion date in recent memory. Kudos to Teresa Mosley and Beth Williamson for all their efforts in getting this completed along with getting out W-2s as well as implementing the new insurance plan and wage updates for 2019. Stepping up the closing schedule allows us to have an accurate picture of our finances much earlier to allow us to plan more effectively for the coming year. In the coming weeks, I will prepare some additional analytics of this data for presentation.

I had communicated to our auditors that we would have our work available earlier. This gave us the ability to get them on site this week to begin the review and preparation of our annual financial statements.

## 2019 Budget

Council has been provided a draft of the 2019 budget for all funds. Tremendous progress has been made in the last 12 months to reduce deficit spending. Our estimated unencumbered 2018 General Fund balance is \$603,005 compared to \$227,942 for 2017. (up over \$375,000) Revenue increased in areas such as investment interest as well as income tax growth. Expenses were limited with a focus on the core city services. The increase in unencumbered General Fund cash should increase our 2017 Critical Financial Health Indicator (FHI) to the Caution status. To meet the best practice benchmark of two (2) months available cash would require a balance of \$1,012,000 (17% of 2018 General Fund revenue). In development of a final 2019 budget, it is important to keep in mind the Critical FHI for Cash Reserves as well as the City's debt obligations in proportion to our available resources, continuing to monitor spending closely along with finding ways to maintain or increase revenue is essential for regaining long term financial health. This will be a challenge that must be well-planned due to the considerable amount of infrastructure as well as equipment owned by the City that needs to be repaired and/or replaced. As Finance Director, I am recommending that Council consider establishment of two important policies. One policy would establish a target cash reserve to be maintained so that there is an ability to manage unexpected expenses or revenue drops. The second policy would be to set a debt limitation that would prevent such a high percentage of our resources to go toward repayment of debt. This would work together with the cash reserve policy to begin to slowly free up resources for additional current needs.

I have met in recent weeks with supervisors and administrators in the various departments for input on changes from the 2018 budget and to discuss needs they see on the horizon. I have then compiled and discussed this information with the Mayor and Service Director. I have also met and communicated with members of the Parks Board as their new levy begins collection to develop a realistic projection of expenses for the year. The 2019 Budget highlights include a General Fund total of \$5.6 million when compared with over \$5.8 million in 2018. In total for all funds, the 2019 Budget is \$19.4 million compared to over \$27 million in 2018. At least half of the different from the prior year is transactions related to refinancing debt, which will not take place in 2019.

S. Herron said the 2019 Budget will be discussed at the February 11 Finance meeting. He asked council to present any questions they have to the finance director, so she has a chance to prepare the answers before this meeting.

J. Gabriel said he received calls from residents regarding their water bill usage fluctuations and wondered if they could come up with a new policy when somebody's usage is out of the normal cycle. He suggested the city could possibly send out a crew to check on the situation. A. Hendricks suggested that

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the residents contact the utilities department because on a regular basis they do send crews out. The office staff does try to be proactive if they see something that looks odd when they are going through the billing, but obviously they don't hit all bills.

**CITY ENGINEER'S REPORT:**

C. Howard reported the Adams Street Water Main Replacement Project is currently out to bid. Last week they staked the water main locations on the east side of the road. He reported the Request for Qualifications (RFQs) for the proposed Fire Station is currently being advertised and the submitted deadline is February 8. Currently, there is a good mix of contractors and designers showing interest. As requested, the city received copies of proposals for the Harcourt Sanitary Sewer Lateral repairs within the right of way and the private property. This matter will be referred to the February 11 Utilities agenda.

He asked Council to consider passing Ordinance 2019-9 (Construction Observation & Contract Administration Services) for the Vermillion Road Phase I Project which is currently out to bid. Additionally, Ordinance 2019-10 (Construction Observation & Contract Administration Services) for the Adams Street Water Main Replacement Project which is currently out to bid, and Ordinance 2019-11 (Professional Engineering and Surveying Services) for the Hollyview Drive Reconstruction Phase 1 Project. S. Herron asked if all three projects are out to bid. C. Howard replied all but the Hollyview project as it's an OPWC project.

**LAW DIRECTOR'S REPORT:**

K. Stumphauzer reserved his report to follow 'Open to the Audience' comments.

**RESPONSE TO THE AUDIENCE:**

Mayor Forthofer said in response to questions posed at the January 7, 2019 Council meeting, he noted that his obligation as mayor is to administer and enforce the laws of the city equitably. However, the city administration involving the Finance Department, Building Department, and Police Department are not available to be used as instruments of bludgeon neighborhood disputes or in personal vendettas. To be sure that the administration acts strictly in accordance with law and in the best interest of all residents of the city, he had asked the Law Director, Ken Stumphauzer to provide a legal opinion of the administration's responsibilities in the matter of the Elberta Beach deck and disputes raised by a concerned citizen.

K. Stumphauzer said as members of this Council and Administration are keenly aware, they are all public servants as well as public officials. Their primary responsibility is to provide services to all members of the community and to prioritize their coverage in this process. By way of example, he is meaning that Council and this Administration have and will continue to work diligently to ensure that the people of this city continue to have adequate ambulance services. They have a real estate transaction to close by February 1 and an ambulance service agreement that Council will be hopefully adopting tonight that has to be implemented very shortly. These are real priorities and matters of general public concern. At least on his priority list, he is to respond or react to some vague inference of any act or omission of malfeasance or misfeasance by any public official regarding a private property matter. Suffice it to say, he has had numerous conversations with various council members, the mayor and the building inspector regarding this private property matter. His general conclusion to date, is that the city has no obligation, nor does it have any duty to remove any encroachments on private property. In fact, it would be illegal to do so. He will continue to keep council and the mayor updated subject to other priorities in his office. Lastly, as the city's law director, they have chosen him to represent the city, city council, and the administration. In no event, will he issue a legal opinion or take any legal action as law director to meet the private agenda of one or a few citizens whose motives may be dubious at best.

T. Valerius stated that at the last council meeting, an audience member (Thomas Chufar) had questions pertaining to the cleanup of the city's dump site at the Service Center. He said Melissa Feliciano from Erie Soil and Water put together a power point that he printed and distributed to council. One of pages stated that they removed large stock piles. The audience member wanted to know where the stock piles were removed to. He said the piles were not removed from the site. They were moved, and the site was graded as part of an overall improvement. He also wanted to make it clear again that the city does not,



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or have they ever dumped sanitary sewer spoils at their dumpsite. Sanitary spoils are dumped at the Wastewater Treatment Plant.

S. Herron said there was another question asked by a citizen that chose not to come tonight. It was a very theatrical question involving the signature of somebody on a plan back in 2014. Mayor Forthofer said it was pertaining to a building permit for the deck in question in 2014, which was signed by former building inspector, Bob Kurtz of the City.

S. Herron said this concludes the 'Response to the Audience' and it also concludes the following subjects as they are not going to waste anymore time with notions that there is illegal dumping at the Service Center. For six months they have listened to this and it's been nonsensical. The second issue involving people that have private property next to each other; they're not going to get involved in. This has been gone over a number of times; at nauseum! They're not going to do this anymore, so they are going on the record that they have fulfilled their duty under the law and they are going to move on. He asked them to please not mistake his nice tone of voice for not being serious because they have wasted enough time with this nonsense.

**OPEN TO THE AUDIENCE:**

Thomas P. Chufar of 4373 Edgewater Drive thanked the service crews. He said, "Since I have been involved in that for many years; snowplowing, removals, working on the lift stations, fixing the leaks on water pipes and all of that; I know what it's like being out there 24 hours a day, 48 hours a day, 72 hours; keeping ongoing for a long stretch of time. It's not easy and its definitely tough work and the guys did a great job and I certainly do appreciate it.

The wonderful absolutely comprehensive report that T. Valerius gave this evening was fabulous; it was; it was stellar. That is how a report should be done. I did ask for a public records request on sanitary sewer collections and treatment reports for two years (2016 and 2017); apparently there was nothing available on treatment reports because there was no material forwarded to me. However, for the two years it shows that there were only 14 sewer backups on a full sanitary sewer collections report for two years. That's \$2.85 mil according to the online system that they have in Vermilion. I don't know if this is cost effective because frankly there's a lot more to those operations than just backup reports.

He said his coming to City Council many times on various subjects has been about the truth and honesty of things. I don't have no problem discussing truth of anything; whether it's in Stark County or elsewhere. I have lots of information on those things; tremendous amounts; lots that people aren't even aware of. The report that was given tonight was fabulous because you can see your cost objectives and find out where your money is at; you're finding out manhours, you're finding out what's going on, you can see your fund issues, you can see how much money you're bringing in for revenues. This thing on Sanitary Sewer Collections for \$2.85 mil for two years seems a little light. I don't know; perhaps I have different expectations and that's kind of the thing when they see watch professional sports. They see some things that are always successful, and they see other things that are less than mediocre to mediocre. Where do they want to be? I keep saying know your costs, know your performance. These aren't hard things to do. It's the integrity and character that counts. Just because I ask a few questions it shouldn't be an insult to anybody; it shouldn't be tough, and it shouldn't be hard. I'm asking these things in a fair, open and honest manner. I'm not being a bad guy. If you think it is, well I'm sorry. I give myself to Jesus Christ my Lord and Savior, and if you don't, that's your problem! I don't have that issue. I will be truthful; I will be honest, and I will never back down from that. John and I have had a couple discussions; I know what we remembered; we had that discussion because somebody couldn't believe what they heard. I was just hoping that they would actually say what they heard, but it didn't happen and that's okay. I have no problem with it, so at any rate when questions get answered truthfully, honestly and openly that's great, and when they don't, that's okay too - I'm fine with it. I sleep well at night; I get up the next day and I praise God I got up and I go about it. I think it's the best thing that you can ever do. I do know that the other side of that coin is not a good place to be. So, at any rate, thank you so much. I greatly appreciate your time, your candor, and once again folks, it's your city government at work. Know what it is and know what to expect.

David Terken of 1042 State Street thanked the Mayor and City Council for the work they do.

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**New Business:**

**S. Herron MOVED;** F. Loucka seconded to authorize the administration to go out to bid for sludge hauling. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**F. Loucka MOVED;** M. Stark seconded to appoint Erika Cann to the Parks and Recreation Board to fill the unexpired term of Jim Schoene. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**M. Stark MOVED;** F. Loucka seconded to appoint Judy Williams to the Historic Design & Review Board to fill the unexpired term of Erika Cann. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**S. Holovacs MOVED;** B. Holmes seconded to appoint Norm Hendrickson to the Civil Service Commission to serve a new term. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**M. Stark MOVED;** F. Loucka seconded to appoint David Chruski to the Board of Zoning Appeals to serve a new term. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**Reading of the Ordinances:**

**Third Reading – Ordinance 2018-75:** AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO RECEIVE A SUBSIDY FROM BROWNHelm TOWNSHIP, LORAIN COUNTY, OHIO FOR EMERGENCY MEDICAL SERVICES THROUGH THE CITY OF VERMILION'S CONTRACT WITH LIFECARE AMBULANCE, INC. OF ELYRIA, OHIO FOR THE PERIOD OF FEBRUARY 1, 2019 THROUGH DECEMBER 31, 2019 AND DECLARING AN EMERGENCY.

**S. Holovacs MOVED;** F. Loucka seconded to adopt this ordinance as amended and by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**Third Reading – Ordinance 2018-85:** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN NORWALK AREA HEALTH SERVICES, AN OHIO NOT-FOR-PROFIT CORPORATION, D/B/A NORTH CENTRAL EMS AND THE CITY OF VERMILION, OHIO IN ACCORDANCE WITH ORDINANCE 2015-34 ADOPTED JUNE 22, 2015 AND DECLARING AN EMERGENCY.

**F. Loucka MOVED;** B. Holmes seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**Third Reading – Ordinance 2018-86:** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO MAKE AND ENTER INTO AN AMBULANCE SERVICE AGREEMENT WITH LIFECARE AMBULANCE, INC. OF ELYRIA, OHIO FOR EMERGENCY MEDICAL SERVICES FOR THE BENEFIT OF THE RESIDENTS OF THE CITY AND BROWNHelm TOWNSHIP AND DECLARING AN EMERGENCY.

**S. Holovacs MOVED;** J. Gabriel seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**Third Reading – Ordinance 2019-2:** AN ORDINANCE ENACTING SECTION 268.03 ENTITLED "PARKS MAINTENANCE WORKER" OF PART TWO – ADMINISTRATION CODE OF CHAPTER 268 ENTITLED "PARKS AND RECREATION BOARD" OF THE VERMILION CODIFIED ORDINANCES AND ESTABLISHING A PAY SCHEDULE AND DECLARING AN EMERGENCY.

**F. Loucka MOVED;** B. Holmes seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**Second Reading – Ordinance 2019-3:** AN ORDINANCE ESTABLISHING FUND 510 'MASTER SIDEWALK PROGRAM FUND' AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2019-4:** AN ORDINANCE ENACTING SECTION 222.04 ENTITLED "CREDIT CARD POLICY" OF CHAPTER 222 ENTITLED "DEPARTMENT OF FINANCE" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO AND DECLARING AN EMERGENCY.

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**F. Loucka MOVED;** S. Holovacs seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**S. Holovacs MOVED;** B. Holmes seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**First Reading – Ordinance 2019-5:** AN ORDINANCE ENACTING NEW CHAPTER 873 ENTITLED "TRANSIENT ACCOMMODATION, ROOMING OR BOARDING HOUSES" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION AND DECLARING AN EMERGENCY. (Referred to Finance Committee of February 11, 2019)

**First Reading – Ordinance 2019-6:** AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019, AND DECLARING AN EMERGENCY. (Referred to Finance Committee of February 11, 2019)

**First Reading – Ordinance 2019-7:** AN ORDINANCE TO AMEND CHAPTER 886 ENTITLED "HOTEL/MOTEL LODGING EXCISE TAX" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION AND DECLARING AN EMERGENCY. (Referred to Finance Committee of February 11, 2019)

**First Reading – Ordinance 2019-8:** AN ORDINANCE TO AUTHORIZE THE FINANCE DIRECTOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A LEASE AGREEMENT WITH US BANK FOR THE PURCHASE OF SIX (6) POLICE VEHICLES FOR THE VERMILION POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FORTY-ONE THOUSAND SEVEN HUNDRED THIRTY-SIX DOLLARS AND SIXTY CENTS (\$241,736.60) AND DECLARING AN EMERGENCY.

**F. Loucka MOVED;** S. Holovacs seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**S. Holovacs MOVED;** J. Gabriel seconded to adopt this ordinance by emergency. Discussion: M. Stark said every other year they were on a path of leasing three vehicles and this year they are getting six vehicles, so will this change in two years, where they will get three vehicles. A. Hendricks believed it was a three-year cycle with six vehicles. G. Fisher confirmed that in 2015 they leased six police vehicles for three years. She noted some time ago it used to be three vehicles. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**First Reading – Ordinance 2019-9:** AN ORDINANCE TO OFFICIALLY SUPPLEMENT THE MINIMUM CONTRACTUAL SERVICES TO BE PERFORMED BY BRAMHALL ENGINEERING & SURVEYING COMPANY BY VIRTUE OF ORDINANCE 2018-5 ADOPTED JANUARY 2, 2018, BY AUTHORIZING CONSTRUCTION OBSERVATION AND CONTRACT ADMINISTRATION SERVICES RELATED TO THE VERMILION ROAD PHASE 1 (PID 100430) PROJECT; PRESCRIBING THAT THE FIRM SHALL BE PAID FOR ADDITIONAL SERVICES IN ACCORDANCE WITH THE RATE SCHEDULE SET FORTH IN THE PROPOSAL DATED JANUARY 3, 2018, IN A TOTAL AMOUNT NOT TO EXCEED NINETY ONE THOUSAND SIX HUNDRED EIGHTY THREE DOLLARS (\$91,683.00), AND DECLARING AN EMERGENCY.

**S. Holovacs MOVED;** F. Loucka seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**F. Loucka MOVED;** S. Holovacs seconded to adopt this ordinance by emergency. Discussion: C. Howard clarified this project is an 80/20 split with ODOT. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**First Reading – Ordinance 2019-10:** AN ORDINANCE TO OFFICIALLY SUPPLEMENT THE MINIMUM CONTRACTUAL SERVICES TO BE PERFORMED BY BRAMHALL ENGINEERING & SURVEYING COMPANY BY VIRTUE OF ORDINANCE 2018-5 ADOPTED JANUARY 2, 2018, BY AUTHORIZING CONSTRUCTION OBSERVATION AND CONTRACT ADMINISTRATION SERVICES RELATED TO THE ADAMS STREET WATER MAIN REPLACEMENT PROJECT; PRESCRIBING THAT THE FIRM SHALL BE PAID FOR ADDITIONAL SERVICES IN ACCORDANCE WITH THE RATE SCHEDULE SET FORTH

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IN THE PROPOSAL DATED JANUARY 3, 2018, IN A TOTAL AMOUNT NOT TO EXCEED FIFTY-TWO THOUSAND FOUR HUNDRED EIGHTY DOLLARS (\$52,480.00) AND DECLARING AN EMERGENCY.

**F. Loucka MOVED;** S. Holovacs seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**B. Holmes MOVED;** F. Loucka seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**First Reading – Ordinance 2019-11:** AN ORDINANCE TO OFFICIALLY SUPPLEMENT THE MINIMUM CONTRACTUAL SERVICES TO BE PERFORMED BY BRAMHALL ENGINEERING & SURVEYING COMPANY BY VIRTUE OF ORDINANCE 2018-5 ADOPTED JANUARY 2, 2018, BY AUTHORIZING PROFESSIONAL ENGINEERING AND SURVEYING SERVICES RELATED TO THE HOLLYVIEW DRIVE RECONSTRUCTION, PHASE 1 PROJECT; PRESCRIBING THAT THE FIRM SHALL BE PAID FOR ADDITIONAL SERVICES IN ACCORDANCE WITH THE RATE SCHEDULE SET FORTH IN THE PROPOSAL DATED JANUARY 3, 2018, IN A TOTAL AMOUNT NOT TO EXCEED FIFTY EIGHT THOUSAND FOUR HUNDRED NINETY THREE DOLLARS (\$58,493.00), AND DECLARING AN EMERGENCY.

**S. Holovacs MOVED;** M. Stark seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**F. Loucka MOVED;** B. Holmes seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**Third Reading – Resolution 2019R-1:** 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 6 YEAS. **MOTION CARRIED.**

**Second Reading – Resolution 2019R-2:** A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING CONCRETE SIDEWALKS FOR THE 2019/2020 SIDEWALK PROGRAM AND DECLARING AN EMERGENCY.

**Announcement of Meeting Dates**

Steve Herron

- February 4, 2019 – Vermilion City Council Meeting – 7pm
- February 11, 2019 – Vermilion City Council Committee Meetings (All) – 7pm
- February 18, 2019 – President's Day – City Offices Closed
- February 25, 2019 – Vermilion City Council Meeting – 7pm

**Adjournment:**

Upon no further business coming before the body, Steve Herron, President of Council adjourned the Vermilion City Council meeting

~ Gwen Fisher, Certified Municipal Clerk