

RECORD OF PROCEEDINGS

Minutes of

Minutes of the Vermilion City Council Meeting

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, March 5, 2018

Held

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; Barb Brady, Ward Four; Brian Holmes, Ward Five; G. Fisher, Certified Municipal Clerk. Absent: Frank Loucka, Ward Two; Steve Holovacs, Ward Three.

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

**CALL TO ORDER:**

Steve Herron, Council President called the Monday, March 5, 2018, Vermilion City Council Meeting to order.

**PLEDGE OF ALLEGIANCE:**

The members of Council, administrative staff, and audience participants recited the Pledge of Allegiance as led by Terrance and Oliver of Troop 447; a moment of silence followed.

**APPROVAL OF MINUTES:**

**B. Brady MOVED:** B. Holmes seconded to approve the meeting minutes of February 12 & 26, 2018. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

**CORRESPONDENCE:** None.

**PRESIDENT OF COUNCIL'S REPORT:**

Marilou Suszko, Executive Director of Main Street Vermilion presented the 2017 Annual Report for Main Street Vermilion. She reported last year Main Street approved a marketing budget for 2018 of \$13,000, which raises the bar for the organization and creates a member benefit to all small businesses in town that rely on tourism to thrive as it also benefits the City of Vermilion. This year they plan to promote Vermilion heavily throughout the state and they are being featured in the Ohio Travel Guide, the Visit Lorain County Guide, Erie Shores and Islands, Lake Erie Living Publications, and a few other venues. They purchased radio time last year and will do the same in 2018. They have a local campaign called 'Tourists in Your Own Town' that everyone may have seen in the Vermilion Photojournal. It encourages people who reside in Vermilion to support local small businesses by shopping locally. They will also have printed tourism pieces that will circulate through different visitor bureaus, as well as the Ohio Turnpike. This past year they worked hard to brand name Main Street Vermilion as a visitor resource through their new website and increase social media presence. Since the time the site launched in June, they had 18,000 page views in order to get more information about Vermilion. Promoting tourism is a big part of Main Street's revitalization efforts and they act as one of the unofficial visitor bureaus for the city; the Chamber being the other. Their total budget is funded by their membership; both individual as well as business members. This year they are moving forward with their 'Bridge to Bridge' initiative which works to improve the esthetics of the eastern corridor in town. They have a newly developed Economic Development Committee which will focus exclusively on historic downtown, which is the focus of the Main Street mission to begin with. They will move forward with creating a public art master plan, which is an extension of their design and beautification efforts. She thanked the city for working and collaborating with them and for all the opportunities they have to advance the community.

B. Brady remarked on the beautiful piece of literature that Main Street Vermilion provided council with.

S. Herron mentioned that Larry Dickerhoff who is mentioned as a supporter of Main Street Vermilion unfortunately passed away recently. He said Larry was very opinionated but a great guy who was very involved in the city and schools, and he will be missed.

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## COMMITTEE REPORTS:

J. Gabriel mentioned that he was unable to attend the school safety community-wide meeting due to a family matter, but he looks forward to being involved in those discussions in the future. S. Herron noted it was an excellent meeting and there will be more meetings in the future. The meeting was well attended by the community and everybody participated as it was a serious matter, but people were engaged, active, and hopeful.

### Historic Design & Review Board:

The next meeting has been scheduled for March 7, 2018 at 6:30 pm.

### Planning Commission:

The next meeting has been scheduled for March 7, 2018 at 7:00 pm.

### Streets, Buildings and Grounds Committee:

The next meeting has been scheduled for March 26, 2018 at 7:00 pm.

### Port Authority:

The next meeting has been scheduled for March 8, 2018 at 6:30 pm.

### Utilities Committee:

The next meeting is scheduled for March 26, 2018 at 7:00 pm.

### Contractors Registration Board of Examiners:

The next meeting is scheduled for March 27, 2018 at 6:00 pm.

### Finance Committee:

B. Holmes reported on the special work session held February 26. The next meeting is scheduled for March 12, 2018 at 7:00 pm.

### Parks & Recreation:

B. Holmes said the next meeting is scheduled for March 20, 2018 at 7:00 pm.

### Stormwater Advisory Committee:

S. Herron reported the next meeting is scheduled for May 14, 2018 at 6:00 pm.

### Tree Commission:

S. Herron reported the next meeting is scheduled for March 14, 2018 at 9:30 am at Ritter Public Library.

### Legislative Committee:

M. Stark the next meeting is scheduled for March 12, 2018 at 7:00 pm.

### Vermillion Community Services Board:

M. Stark reported the next meeting is scheduled for April 18, 2018 at 6:30 pm at Ritter Public Library.

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**Health & Safety Committee:**

B. Brady reported the next meeting is scheduled for March 12, 2018 at 7:00 pm.

**Board of Zoning Appeals:**

B. Brady reported on the meeting held February 27. The next meeting is scheduled for March 27, 2018 at 7:00 pm.

**MAYOR/SAFETY DIRECTOR'S REPORT:**

Mayor Forthofer underscored the passing of Larry Dickerhoff who was a legendary influence on the community big and small. He mentioned that Larry plowed his elderly mother in law's driveway and refused to take money as it was something he did out of the goodness of his heart. He was a multi-faceted man and the community will miss him.

He noted as Safety Director, recognition is deserved for the Vermillion Schools and Police Department. They kept the school population safe and calm in the aftermath of the Parkland, Florida tragedy. Recently, students actually said something when they saw something and School Resource Officer Beckwith and Chief Hartung responded to those notices promptly and decisively, which he believed help keep a lid on everything. A community discussion was held at the high school which was well attended and he thinks Vermillion has demonstrated very clearly that it's very concerned about its children.

He reported he was notified today by the National Council for Home Safety and Security and Vermillion has been recognized as one of the safest cities in Ohio as Vermillion ranked 23 out of 166. He congratulated Chief Hartung and the entire Vermillion Police Department for their work to protect Vermillion and its residents.

He addressed the water bills and explained the software provider responsible for the erroneous overdue notices that went out the past two months sent a technical representative to the utilities department to assist in the March billing. He along with the Service Director and Utilities Clerk worked with them to triple check the process and his water bill was correct, and he didn't hear of any other problems from residents. The reps will be back in April to establish a review of a random 30 bill gallery that he and the service director will continue to review from here on out.

He said he has been invited to join the Lorain County Economic Development Partnership overseen by the Lorain County Commissioners. It appears to be a very good source of qualified help in getting Lorain County business areas prepared for entry into the statewide system for enterprises looking to relocate businesses to Vermillion. He had a meeting last Wednesday with State Representative Arndt in Columbus who gave him interesting directions on how to pursue and get Vermillion on the radar for economic development. His mission is to invite the Economic Development partners from Lorain to Vermillion to meet with the businesses and property owners to form a task force to push this economic development process forward. The more levels of government the city can access, the better the city will be able to deliver. This process is slow as there are many elements of assistance; particularly because Vermillion is a two-county entity, and they have to line up the economic development on both sides of the county, as well as state representatives. He believes the effort will be worth it and will pay off.

With regards to vital statistics, he thinks they all agree that it's impossible to effectively manage any business or municipal organization without good vital statistics. The measurement reports that were discussed in the February 10, 2018, Goal Setting session are under development by the administration. He also added a few reports of his own that he thinks are necessary for economic development measurement. The Service Director reports should begin within the next two weeks and the new financial reporting will begin after the budget is put to bed.

Lastly, he addressed IT support as they have done a first step inventory of city computers and servers. He is currently speaking with department heads regarding strategic plans and equipment needs regarding IT. He has also done a survey of Lorain County Mayor's and City Managers regarding the type of IT support each of those municipalities have and the annual budgets they spend on service. The city has critically important departments that are dependent upon reliable internet technology that serve the

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residents. It's his intention to run an ad soliciting qualifications for an IT partner, including a 24/7 help desk in developing a long term IT strategy. This ad will not be placed until council approves his submitted budget for 2018/2019 IT service. If approved, he will proceed with the ad and seek IT support.

M. Stark asked if a plan is in place with the upkeep of equipment inventory and Mayor Forthofer said yes which includes updated locations and tracking of connections.

**SERVICE DIRECTOR'S REPORT:**

T. Valerius thanked the wastewater, distribution and streets crews for their work during the rain, wind, and snow storm they had last Thursday. Many of them were out through the night maintaining lift stations, cleaning ditches and catch basins, removing down trees and limbs, and plowing snow.

Secondly, he let the citizens know the street department has been filling potholes whenever the weather permits. The winter has done a lot of damage to the city streets this year, so he is having them run two crews to fill potholes to keep up with all the damage.

Recently, he was introduced to an alternative product to use in place of cold patch to fill potholes; it's called Aqua Patch which is environmentally safe and it's activated by the water. You dump the product in the pothole, add water, and tamp it in place. The City of Lorain has purchased 10 pallets of it this season and they have been using it since December and they find it's much more durable than cold patch. Using cold patch, they fill the same hole two or three times throughout the winter because it keeps popping back out. With this product, it's a more permanent patch and it's guaranteed up to three years. He plans to purchase a pallet of it and will choose a street to do a trial run to see how it holds up the rest of the winter and through the summer. The cost is about ten times more a ton than cold patch. However, you would be saving labor costs because you wouldn't have to be going back continually filling the pothole and durapatching it.

He sent the durapatcher out of Leader Machine Company for a full cleaning and tune up. They will replace hoses and gages that aren't properly working so it's ready for the season.

B. Brady mentioned when they brought the original durapatcher to Vermilion to demonstrate it, they did it on a hole that was full of water and it stayed until Ohio Street was resurfaced, so there must be some type of a binder that can be used with the durapatcher that will work in water.

M. Stark asked how many crews worked during the last winter storm. T. Valerius said the entire street department consisting of five guys, two wastewater guys checked lift stations, and two guys from the distribution department were called out for a backup in the sanitary. M. Stark thanked them all for their work because it was a long crazy day and they do a great job keeping up for being such a small crew. T. Valerius said the street department worked 16 hours that day.

**FINANCE DIRECTOR'S REPORT:**

Amy Hendricks said last week the focus in the finance office was to proceed with the closing of the 2017 year and work on the transactions that were necessary to do that. Considerable time was spent reconciling pension reports that needed done with postings from March through December; those have now been caught up and all postings have been done. They are up to date with all the recommendations that Lennon and Associates had through Friday and today they generated new reports for them. Also, resources were devoted to finalizing the 1095C forms which are in compliance with the Affordable Care Act. These forms go to each one of the employees as it verifies the status on their health insurance for each month of the year. All forms were provided and were in compliance with deadlines that are in place through the federal government. The 2017 audit will start the week of April 30, and they have also began providing some information and checklist items they can do remotely before they actually come on site.

She reported they have been working on the budget detail information and analysis. She feels very close on the general fund wages and benefits. As far as the financial reporting that Mayor Forthofer mentioned that was discussed in the goal setting meeting; through doing some of the year-end closeout and the Affordable Care Act items last week, she was able to have several conversations with the folks from VIP Software and it appears the city has a module that provides analytics within the current software that will

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require some buildout, but it appears to be something that has the type of reporting in place as far as long-range forecasting that they will be able to pull directly from their software. She will also work with them on keeping the ohiocheckbook.com link up to date, since it hasn't been updated since the end of 2016. She would like to be able to link the city's software in a monthly closing basis so they can keep it updated for the residents to look at.

S. Herron said council is aware of the amount of work that she has to do and what they have asked her to do, and wanted to let her know how much they appreciate it. It's a lot of work and a tough situation. He asked her to extend this appreciation to the staff.

M. Stark asked if Charles Harris would be doing the city's audit and A. Hendricks confirmed. B. Brady asked the finance director if she was comfortable with the city's ending balances in the different funds. A. Hendricks said that until they get some final word from Lennon & Associates, she didn't want to get too involved not knowing what the fluctuations might be.

### CITY ENGINEER'S REPORT:

Chris Howard updated council on the Vermilion Signals Project as they are tentatively scheduled to be completed by early April, with a project completion by the middle of May. Within the next two weeks, the goal is to have the signals at West River and Sandusky Street done and then they will work eastward.

Secondly, he reported the city received a letter from the Erie County Engineer's office stating that the existing bridge on Haber Road has the worst rating in Erie County. The city boundary line runs down the middle of the road; the north side is the city and the south side is the township. Unfortunately, the county wants to split the repairs 50/50, and it's not dire in that it will fail, but within the next two years it does need to be replaced. The county needs direction moving forward. S. Herron asked the clerk to put this on the March 26, streets agenda. B. Brady asked if there was an estimate on the repairs. C. Howard said the county is estimating around \$300,000 for the whole project. He said he did talk with the county about some funding sources to see if there are some opportunities to help fray the costs for both entities.

B. Holmes asked if the traffic lights will be put on arms at the intersection of Main and Liberty. T. Valerius said it will remain on guide wire because they wanted to maintain the existing light poles.

M. Stark asked if the completion date on the traffic signal projects was pushed out farther from the original date. C. Howard believed the delay is on Ohio Edison's part, the weather, and the poles took longer than expected.

### LAW DIRECTOR'S REPORT:

K. Stumphauzer updated council that he's still working with the finance director on the funds available for the legal department and is trying to find out what their resources are. Because the prosecutors work under the law director and are funded in part for state cases by Erie and Lorain County, they are trying to track down the amount of money and make certain they received the amount allocated proportionate to the population.

He introduced his law partner, Susan Anderson and explained she has been involved in many Vermilion legal matters behind the scenes. She was involved with trying the Reinheimer case with him and her closing argument was cited by the Civil Service Commission in their decision, as well as the court when it was appealed through the Court of Common Pleas. She has also been involved in Vermilion's collective bargaining matters with all three unions and is very familiar and knowledgeable on health care plans which are very sensitive in the City of Vermilion. She brings in expertise as she is a municipal and labor lawyer and virtually does all employment work with the City of Elyria. She is also the solicitor for Put in Bay.

S. Herron referred to the class action suit about the income tax collection and asked if it was being appealed. K. Stumphauzer said it will most likely be appealed as the Judge dismissed it and said the state had the authority to do what they did. He is sure it will go up to the Court of Appeals. S. Herron said he has prosecuted and defended many cases in municipals courts around the state and there always seems to be a discussion on what statutes they should prosecute under because many times if you

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prosecute under a local ordinance; the money comes to the city. He said earlier K. Stumphauzer brought up the issue of the money allocation from two counties, and believes the states pays those counties to pay for prosecution under state law. So would it be worth telling their officers to prosecute under the state code. K. Stumphauzer said they try to direct them to use the Vermilion Codified Ordinances. This is one of the issues they are looking into right now when they talk about revenue sources. The State Highway Patrol and Sheriff's Department, and the townships are always going to cite under the state statute, but any local matter should be charged under the city ordinance because the revenues come to the cities.

B. Brady asked if there was some way the city can see what the departments are generating as opposed to what they are costing the city. A. Hendricks said some departments will be easier than others.

OPEN TO THE AUDIENCE: No audience participation.

NEW BUSINESS:

S. Herron MOVED; M. Stark seconded to recess into executive session after the 'Reading of the Ordinances' regarding personnel matters (hiring, firing, compensation). Roll Call Vote 5 YEAS. MOTION CARRIED.

READING OF ORDINANCES:

Second Reading - Ordinance 2018-14 - AN ORDINANCE AMENDING CHAPTER 1080 ENTITLED "STORMWATER MANAGEMENT" AND SECTION 1080.08 (a) ENTITLED "DEPOSIT AND PROCEEDS OF COLLECTIONS" OF THE CODIFIED ORDINANCES OF VERMILION, OHIO, AND DECLARING AN EMERGENCY. (Referred to Finance meeting of March 12)

Second Reading - Ordinance 2018-15: AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY.

First Reading - Ordinance 2018-16: AN ORDINANCE REPEALING SECTION 260.02 ENTITLED "ADMINISTRATIVE CLERK OF BOARDS AND COMMISSIONS" OF CHAPTER 260 ENTITLED "BOARDS, COMMISSIONS, COMMITTEES AND AUTHORITIES GENERALLY", OF THE VERMILION CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY. (Referred to Legislative meeting of March 12)

First Reading - Ordinance 2018-17: AN ORDINANCE AMENDING SECTION 210.04 ENTITLED "CLERK OF COUNCIL" OF CHAPTER 210 ENTITLED "COUNCIL", OF THE VERMILION CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY. (Referred to Legislative meeting of March 12)

First Reading - Ordinance 2018-18: AN ORDINANCE DESIGNATING KEY BANK, FIFTH THIRD BANK, HUNTINGTON BANK, AND NORTHWEST BANK, ALL OF VERMILION, OHIO; AND MULTI BANK SECURITIES, INC., OF NEW YORK, NEW YORK, AS DEPOSITORIES OF THE INTERIM AND INACTIVE DEPOSITS OF THE CITY OF VERMILION, OHIO FROM THE PERIOD COMMENCING APRIL 1, 2018 AND CONTINUING TO AND INCLUDING APRIL 1, 2023, AND DECLARING AN EMERGENCY.

First Reading - Ordinance 2018-19: AN ORDINANCE AMENDING EXHIBIT "A" OF CHAPTER 882 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION REGARDING MUNICIPAL INCOME TAX.

First Reading - Ordinance 2018-20: AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE VERMILION CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

ANNOUNCEMENT OF MEETING DATES

Steve Herron

Monday, March 12, 2018 - Vermilion City Council Committee Meetings (Health & Safety, Legislative, & Finance) @ 7pm
Monday, March 19, 2018 - Vermilion City Council Meeting @ 7pm w/Tentative Special Finance Meeting to follow @ 7pm
Monday, March 26, 2018 - Vermilion City Council Committee Meetings (Utilities & Streets, Buildings & Grounds, and Special Finance Meeting if warranted) followed by a Special Vermilion City Council Meeting @ 7pm

ADJOURNMENT:

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

Gwen Fisher, Certified Municipal Clerk