

RECORD OF PROCEEDINGS

Minutes of

Minutes of the Vermilion City Council Meeting

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Monday, May 21, 2018

Held

Videos and minutes of council meetings are available to the public to view online at 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 Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five; G. Fisher, Certified Municipal Clerk

Administrative Staff: Jim Forthofer, Mayor; Ken Stumphauzer, Law Director; Tony Valerius, Service Director

CALL TO ORDER:

Steve Herron, President of Council called the Monday, May 21, 2018, 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:

M. Stark MOVED; F. Loucka seconded to approve the minutes of the May 7, 2018 meeting. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

CORRESPONDENCE: None.

PRESIDENT OF COUNCIL'S REPORT: No report.

COMMITTEE REPORTS:

Historic Design & Review Board:

The next meeting has been scheduled for June 6, 2018 at 6:00 pm.

Planning Commission:

The next meeting has been scheduled for June 6, 2018 at 7:00 pm.

Streets, Buildings and Grounds Committee:

F. Loucka reported the next meeting has been scheduled for June 26, 2018 at 6:30 p.m. at the Service Center on Devon Drive.

Port Authority:

F. Loucka reported the next meeting has been scheduled for June 14, 2018 at 6:30 pm.

Utilities Committee:

S. Holovacs reported on the meeting held May 14. The next meeting has been scheduled for June 11, 2018 at 7:00 pm.

Contractors Registration Board of Examiners:

S. Holovacs reported the meet for May 22 has been cancelled.

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Finance Committee:

B. Holmes reported on the meeting held May 14. The next meeting has been scheduled for June 11, 2018 at 7:00 pm.

Parks & Recreation:

B. Holmes reported the next meeting has been scheduled for June 19, 2018 at 7:00 pm.

Stormwater Advisory Committee:

S. Herron reported the next meeting has been scheduled for June 11, 2018 at 6:00 pm.

Tree Commission:

S. Herron reported the next meeting has been scheduled for June 13, 2018 at 7:00 pm at Ritter Public Library.

Legislative Committee:

M. Stark reported on the meeting held May 14. The next meeting has been scheduled for June 11, 2018 at 7:00 pm.

Vermilion Community Services Board:

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

Health & Safety Committee:

B. Brady reported on the meeting held May 14. The next meeting has been scheduled for June 11, 2018 at 7:00 pm.

Board of Zoning Appeals:

B. Brady reported the next meeting has been scheduled for May 22, 2018 at 7:00 pm.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer reported on the increase in vehicle entry thefts and advised council that Chief Hartung has initiated efforts by the VPD to deal with this problem. He warned residents to not confront individuals in the act of committing these crimes. He has heard a lot of talk about setting traps and about using firearms, but aggressive confrontation could put the residents in more legal trouble than the thieves themselves. He told the residents to be good observers and to take notes, and to call the VPD and let the people they pay taxes to, do what their supposed to do. Most of all, this problem wouldn't exist if people didn't leave their cars unlocked. There have been very few vehicle break in's in the city, but there have been a lot of crimes of opportunity where they just walk into cars that have been left open. As of this morning, there have been three handguns that have been taken from cars, so these people are becoming well-armed.

He reported that residential building permits are actively down a little bit from last year. Last year there were 74 and this year so far it is only 68. The commercial building permits through March are actually up from 7 to 16. Part of the reason why commercial building permits may be up is because of the merchants utilizing the Downtown Revitalization Grant.

He reported that the Joint Health Care Committee made up from three representatives from the unions and three from the city and council met on May 9 at City Hall. A representative from the city's health care management group addressed the benefits program. The next meeting is scheduled for June 13.

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As far as economic development, he stated that he works with the Lorain County Economic Development Partners and at his request several weeks ago, Jerry Good, the Lorain County Community Development and the Economic Coordinator, along with his team toured potential development zones in Vermillion with representatives of City Hall. He asked to have the Lorain County Economic Development Partners to assess Vermillion's opportunities in the Lorain County portion of town to work with the city to develop a plan for responsible growth. This tour was the first step and Mr. Good and his department are preparing next step proposals, so there will be more to come on this subject.

After the discussions at the May 10 committee meeting with regards to cemeteries, he wanted to make it clear that there is land available for providing more cemetery space. This is an option they all may want to discuss at a later time when more money is available and the prospect of when the cemetery is sold out becomes a reality.

Also, he reported that Vermillion's Pride Day was held on May 19 and it was really something to see. The volunteers once again stepped up for Vermillion and over 200 volunteers did some serious spring cleanup in Vermillion's public areas which was coordinated by Anne Maiden who managed the fund which was granted by the Lorain County Solid Waste Treatment group. He thanked all the volunteers who helped make Vermillion beautiful.

He noted that as Councilman Loucka mentioned, there will be an ADA Kayak Launch Dedication Ceremony on June 3 at 2:00 p.m. at the South Street Boat Ramp. This is really a feather in the cap for Vermillion since it's such a popular activity these days. This makes it more available to Vermillionites and to people from other communities. He mentioned that this ramp was donated. S. Herron complemented the donor of the kayak dock and the administration in working together to get this accomplished. Mayor Forthofer said this was through the efforts of the Port Authority. He said it was another excellent job in getting people invested in the city.

S. Herron asked with respect to Ordinance 2018-37 entitled "cemeteries" if the administration wanted the ordinance adopted. Mayor Forthofer said yes and G. Fisher said she spoke with Mark Riddle as this ordinance amends the current cemetery prices which go into effect June 1.

F. Loucka complemented the administration for cleaning up the entrance to the public parking lot adjacent to the tracks as it looks a lot cleaner. Also, he noted that if a resident wants to contact the administration to make them aware of a particular pothole they should contact Anne Maiden in the mayor's office at 440-204-2402.

SERVICE DIRECTOR'S REPORT:

T. Valerius reported that crack sealing in the town has started and reminded the public to slow down and use caution as they approach these work areas. Also, he mentioned that the distribution department used the camera to inspect the sanitary main on Edgewater from Rowland to Fairfax and found it to be completely free flowing with no visible pipe defects.

He reported the building department will be sending letters this week to the Vermillion on the Lake area to request a downspout inspection to any home which downspout drainage cannot be verified.

Finally, he advised council that the traffic signal project is winding down. There are few areas where asphalt needs to be addressed and it should be done either late this week or next week, and when this is done the street marking crew who has been on standby will address this portion of the project fairly quickly. There are a few punch list items that will be addressed as well. Regarding the timing of the lights, he and the inspection engineer went to each traffic light and found that the timing is in compliance with the engineering drawings. They will also go out and time the lights after Memorial Day which is the busy season to see if there are any issues due to the increased traffic in town.

S. Holovacs said when you get to a traffic light from a side street it seems like you're sitting there for a long time, so he suggested that the residents put a clock to it because a minute and a half seems like a long time when you're in a hurry, so it could feel like five minutes.

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B. Holmes said the green rusted light pole in front of East Exchange Park stands out because they have all these nice poles. Therefore, he asked the administration if they can they look at possibly painting it black to match the rest of the lights.

M. Stark said she has been asked by at least three citizens on why the streets signs on the poles don't include avenue, street, or road after the road sign. She said in other communities they all include street, avenue, and boulevard. She understands it's too late but wanted to note that it was brought to her attention. T. Valerius thought it was how it was originally drawn up in the plans and approved by the former city engineer. It could have just been an oversight.

B. Brady asked what is happening with the mowing because there have been places that haven't been touched yet, such as Berkeley. T. Valerius said the hydraulics in the big blue mower has been messed up and they started mowing today with the Parks mower. B. Brady asked what the city mows and what does the people hired for mowing do. T. Valerius said Yard Coach does the mowing of the parks and around the Wastewater Treatment Plant, Water Plant, and lift stations, but the city mows mostly the roadside ditches.

M. Stark said last year on Southview Drive they did a sample pavement process to see how it would hold up and wondered if the service director looked at it to see how it weathered the winter. T. Valerius said he was just there the other day and thought it was great. It totally improved the drivability of the road. M. Stark asked if this process is only used on cement streets and T. Valerius said it can be used on asphalt or cement. S. Holovacs asked if they just grinded the top and put a sealer on it and T. Valerius said yes. S. Holovacs said there is no drainage under it, so it will continue to warp because their main problem in Valleyview is drainage. F. Loucka said all the cracks are wide open on that street and the former city engineer had said at the time that they wouldn't do anything else to the street, so they could check it out for a season to see if it would hold up. He said it would need to be crack sealed.

FINANCE DIRECTOR'S REPORT: Not present.

CITY ENGINEER'S REPORT: Not present.

LAW DIRECTOR'S REPORT: No report.

OPEN TO THE AUDIENCE: No participants.

OLD BUSINESS:

M. Stark said she would like to make a motion to table the third reading of Ordinance 2018-29 and refer it to the June 11th Legislative Committee meeting for additional review.

NEW BUSINESS:

F. Loucka MOVED; S. Holovacs seconded to put Ordinance 2018-16 and 2018-17 back on the agenda for the third reading. **MOTION CARRIED.**

M. Stark MOVED; S. Holovacs seconded to table the third reading of Ordinance 2018-29 and refer it to the June 11th Legislative meeting. **MOTION CARRIED.**

READING OF ORDINANCES:

Third 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.

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

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Third 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.

M. Stark MOVED: B. Brady seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

Tabled - Third Reading – Ordinance 2018-29: AN ORDINANCE AMENDING ORDINANCE 2018-4 AND ORDINANCE 2010-5 REESTABLISHING THE HOURLY RATES THAT THE LAW FIRM OF WALTER HAVERFIELD LLP OR ANY OTHER LAW FIRM MAY CHARGE FOR VARIOUS LEGAL SERVICES AND ESTABLISHING THE SALARY OF THE CITY OF VERMILION PROSECUTOR AND THE HOURLY COMPENSATION FOR THE ADMINISTRATIVE ASSISTANT/PARALEGAL TO THE PROSECUTOR, AND DECLARING AN EMERGENCY.

Second Reading – Ordinance 2018-31: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT ON BEHALF OF SAID CITY WITH THE TOWNSHIP OF BROWNHELM, LORAIN COUNTY, OHIO TO PROVIDE FIRE PROTECTION FOR THE PERIOD OF JULY 1, 2018 THROUGH JUNE 30, 2019 AND DECLARING AN EMERGENCY.

Second Reading – Ordinance 2018-32: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT FOR MANAGEMENT SERVICES FOR THE OPERATION AND MAINTENANCE OF THE CITY'S CEMETERIES.

First Reading – Ordinance 2018-33: AN ORDINANCE AMENDING ORDINANCE 2018-15 ADOPTED MARCH 19, 2018, TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO, AND DECLARING AN EMERGENCY.

First Reading – Ordinance 2018-34: AN ORDINANCE AMENDING CHAPTER 860 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION ENTITLED "PEDDLERS, CANVASSERS, AND SOLICITORS," AND DECLARING AN EMERGENCY.

First Reading – Ordinance 2018-35: AN ORDINANCE AMENDING ORDINANCE 2015-7 ADOPTED FEBRUARY 23, 2018, BY AUTHORIZING ANY AND ALL ENGINEERING FIRMS TO PERFORM ENGINEERING AND BIDDING SERVICES RELATED TO PROJECTS WITHIN THE CITY OF VERMILION, OHIO; AND TO AUTHORIZE THE ADMINISTRATION TO SEEK QUALIFICATIONS FOR CONSTRUCTION ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES FOR SUCH PROJECTS; AND DECLARING AN EMERGENCY.

First Reading – Ordinance 2018-36: AN ORDINANCE ADOPTING A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF, ZONING CERTIFICATES FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED SIX MONTHS IN ORDER TO ALLOW THE CITY TO REVIEW APPLICABLE STATE AND LOCAL LAWS, TO PLAN FOR REGULATIONS RELATING TO SUCH USES, AND DECLARING AN EMERGENCY.

S. Herron MOVED: S. Holovacs seconded to suspend the rules. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

M. Stark MOVED: B. Holmes seconded to adopt this ordinance. Discussion: S. Herron said the only reason he feels inclined to adopt this by emergency is because the six month moratorium has lapsed so they need time to let the State of Ohio get their act together. J. Gabriel asked if the sale of medical marijuana includes pharmacies as far as the people who have been prescribed this. S. Herron didn't believe it did because he didn't feel they could make a law that would stop the prescription of THC in its pill form from a physician. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

First Reading – Ordinance 2018-37: AN ORDINANCE AMENDING CHAPTER 1060 ENTITLED "CEMETERIES" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO, AND DECLARING AN EMERGENCY.

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

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

First Reading – Resolution 2018R-5: A RESOLUTION HONORING AND RECOGNIZING JOHN HILL FOR HIS SERVICE TO THE VERMILION TREE COMMISSION IN THE CITY OF VERMILION, OHIO.

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S. Herron believed John Hill would be in attendance at the June 4 council meeting.

18. Announcement of Meeting Dates

Steve Herron

-May 28, 2018 – No Meetings

-June 11, 2018 – Stormwater Advisory Committee – 6:00 p.m.; Vermilion City Council Committee Meetings (All) – 7:00 p.m.

-June 18, 2018 – Vermilion City Council Meeting – 7:00 p.m.

-June 25, 2018 – Streets, Buildings & Grounds - Tour of City Service Center – 5335 Devon Drive, Vermilion, OH – 6:30 p.m.

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