

## Minutes of the Vermilion City Council Meeting

Monday, November 6, 2017

*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; Fred Ostrander, Ward One; Frank Loucka, Ward Two; Jim Forthofer, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five; G. Fisher, Certified Municipal Clerk.

**Administrative Staff:** Mayor Eileen Bulan; Brian Keller, Finance Director; Tony Valerius, Service Director; Kenneth Stumphauzer, Law Director. *Absent: Lynn Miggins, City Engineer.*

### **CALL TO ORDER:**

Steve Herron, Council President called the Monday, November 6, 2017, Vermilion City Council Meeting to order.

### **PLEDGE OF ALLEGIANCE:**

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

### **APPROVAL OF MINUTES:**

**F. Ostrander MOVED:** B. Brady seconded to approve the meeting minutes of October 23, 2017. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

### **PRESIDENT OF COUNCIL'S REPORT:**

John Hill of the Tree Commission provided council with a report that is attached hereto and incorporated herein as part of the official proceedings. He emphasized that it has been a great year for the Tree Commission with the support of City Council and the community. Aside from all the trees planted, they were able to reduce the trees that are at risk. There were 130 trees that needed to be removed and they are almost there. They have received generous donations from the city, grants, and private donors. He complimented Service Director Tony Valerius and Charlie Grisel for their interest in improving what their commission does even better. They will submit their application for Tree Commission USA again this year as this will be their 6<sup>th</sup> year.

S. Herron mentioned the Tree Commission does a great job putting on a program for Arbor Day at the schools. J. Hill stated the Tree Commission welcomes any opportunity to educate and support people in their tree plantings or removals.

S. Herron reported the Stormwater meeting is scheduled for November 20, 2017 at 6:00 p.m. in the Municipal Complex, 687 Decatur Street.

### **MAYOR'S REPORT:**

Mayor Bulan reported the Federal Emergency Management Agency (FEMA) will be holding a public meeting on November 28<sup>th</sup> from 2-4pm at the Sunset Terrace at Lakeview Park. They are hosting a flood map information open house for anyone that lives along the Lake Erie shoreline.

Secondly, Veterans Day is Saturday, November 11, and there will be a program at Exchange Park. Also, city offices will be closed on November 10 in observance of this holiday.

She asked council to consider emergency passage of Ordinance 2017-56 so the city can move forward with the transfer of the Grand Division Parking Lot.

She reported the city received a Natureworks grant for the house at 477 Main Street in the amount of \$34,512. This is the second grant the city received for this property and they are also applying for Clean Ohio funding.

## Minutes of the Vermilion City Council Meeting

Monday, November 6, 2017

She reported that if somebody doesn't have a cell phone they can contact Lorain County Emergency Management to sign up for emergencies on their landline. Tom Kelley can be contacted at 440-329-5117, and he will walk anybody through the process

Lastly, she reminded the community to remember to vote on November 7. She wished both mayoral candidates good luck. She also asked the community to remember to vote for the Park Levy.

### SERVICE DIRECTOR'S REPORT:

T. Valerius reported the paver installation on Main Street should be completed next week, which means the asphalt should be laid. Due to the mild weather, the durapatcher has been able to be on the streets longer but it should be finishing up this week, as well as hydrant flushing.

He thanked the service crews for assisting during the recent rain event by maintaining lift stations and ditches to maintain any flooding that could have occurred.

B. Brady said there were horrible overflows in V.O.L. during the rain event and there was sanitary in homes, so this is serious and as a city they need to address this. She will be asking for an executive session to discuss pending litigation.

### FINANCE DIRECTOR'S REPORT:

B. Keller reported on November 2, the finance department had a meeting scheduled with Lennon and Company to help assist the finance department with their cash reconciliation. However, Lennon had to reschedule this meeting to the end of November.

He reported the OhioCheckbook.com website is up and running, and is available to the community. They have already received two phone calls about questions regarding information on the website. They have also have been conducting an internal audit to make sure they are in compliance with the rules and regulations regarding who they should be offering health insurance to. They feel positive they are on the right track.

Lastly, he addressed Ordinance 2017-55 which is another appropriations amendment of which he asked council to consider emergency passage.

J. Forthofer asked if there would be any ongoing awareness to get OhioCheckbook out to the community. Mayor Bulan said they can put it on the website.

F. Ostrander questioned what the appropriations amendments were for and B. Keller explained he adjusted transfers for a new truck they got for the cemetery, a watercraft transfer, and increase in the tree commission fund, and various notes in the water fund. B. Brady said she was not prepared to pass this ordinance as she just received it and wasn't aware the finance director wanted to pass it by emergency.

LAW DIRECTOR'S REPORT: No report.

OPEN TO THE AUDIENCE: No participation.

### NEW BUSINESS:

B. Brady MOVED: F. Loucka seconded to recess into executive session after the 'Reading of the Ordinances' to discuss pending litigation. Roll Call Vote 7 YEAS. MOTION CARRIED.

### READING OF ORDINANCES:

Third Reading – Ordinance 2017-39: AN ORDINANCE AMENDING ORDINANCE NO. 2017-34 ADOPTED JULY 17, 2017, BY ADOPTING CHANGE ORDER NUMBER TWO WHICH IS AMENDATORY TO THE ORIGINAL CONTRACT WITH ABRAHAM/MILLER EXCAVATING, LLC OF VERMILION, OHIO, FOR THE MAIN STREET GREEN INFRASTRUCTURE ENHANCEMENTS AND WATER MAIN IMPROVEMENTS, BY EXTENDING THE CONTRACTUAL COMPLETION DATE TO DECEMBER 31, 2017; AND DECLARING AN EMERGENCY.

## Minutes of the Vermilion City Council Meeting

Monday, November 6, 2017

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

**Third Reading – Ordinance 2017-41**: AN ORDINANCE AMENDING CHAPTER 860 ENTITLED “PEDDLERS, CANVASSERS AND SOLICITORS” OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO, AND DECLARING AN EMERGENCY. (Referred to November 13<sup>th</sup> Legislative meeting)

**S. Herron MOVED**; M. Stark seconded to table the third reading of Ordinance 2017-41 and refer it to the November 13, Legislative meeting. Roll Call Vote 7 YEAS. **MOTION CARRIED**.

**Third Reading – Ordinance 2017-42**: AN ORDINANCE AMENDING CHAPTER 1270 ENTITLED “DISTRICT REGULATIONS” AND SECTION 1270.09(e) (2) (C) ENTITLED “RS SPECIAL RESIDENCE DISTRICT” OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO.

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

**Third Reading – Ordinance 2017-43**: AN ORDINANCE AMENDING CHAPTER 1460 ENTITLED “FLOOD DAMAGE REDUCTION” AND SECTION 1460.14(f) ENTITLED “APPLICATION REQUIRED” OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO. (Referred to November 13<sup>th</sup> Legislative Committee)

**F. Loucka MOVED**; F. Ostrander seconded to table the third reading of Ordinance 2017-43 and refer it to the November 13, Legislative Committee. Roll Call Vote 7 YEAS. **MOTION CARRIED**.

**Third Reading – Ordinance 2017-44**: AN ORDINANCE AMENDING SECTION 1262.07(b) (2) (A) ENTITLED “ZONING CERTIFICATES AND SITE PLAN REQUIRED FOR INDUSTRIAL AND COMMERCIAL DEVELOPMENTS” OF CHAPTER 1262 ENTITLED “ADMINISTRATION, ENFORCEMENT AND PENALTY” OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO.

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

**Second Reading – Ordinance 2017-46**: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO, TO ENTER INTO A RENEWAL CONTRACT WITH ALLEN-THORLEY-DELLOYD INSURANCE COMPANY OF VERMILION, OHIO, PER ORDINANCE 2014-86 FOR THE PURPOSE OF INSURANCE COVERAGE COMMENCING JANUARY 1, 2018 AND EXPIRING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY. (Referred to November 13<sup>th</sup> Finance Committee)

**Second Reading – Ordinance 2017-47**: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO APPROVE THE CONTINUATION OF THE CONTRACT PASSED ON DECEMBER 21, 1998, PURSUANT TO ORDINANCE 98-89 TO RECEIVE A SUBSIDY FROM BROWNHelm TOWNSHIP, LORAIN COUNTY, OHIO FOR SUBSCRIPTION AMBULANCE SERVICE THROUGH THE CITY OF VERMILION’S CONTRACT WITH NORTH CENTRAL EMS OF MILAN, OHIO FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2018 AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2017-48**: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO RECEIVE A SUBSIDY FROM VERMILION TOWNSHIP, ERIE COUNTY, OHIO FOR SUBSCRIPTION AMBULANCE SERVICE THROUGH THE CITY OF VERMILION’S CONTRACT WITH NORTH CENTRAL EMS OF MILAN, OHIO FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2018 AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2017-49**: AN ORDINANCE ACCEPTING AND APPROVING THE PLAT OF EDISON VILLAGE ESTATES SUBDIVISION NO. 8 FOR RECORDING PURPOSES AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2017-50**: AN ORDINANCE VACATING ALL OR PARTS OF FREDERICK AVENUE, EDWARD DRIVE, GARDINER DRIVE, GILBERT DRIVE, CHARLES DRIVE, MIDWAY DRIVE, WILLIAM DRIVE, AND EDGEWOOD DRIVE IN VERMILION RIVER PARK ALLOTMENT NOS. 1 AND 2, AS THE SAME HAS BEEN FAVORABLY RECOMMENDED BY THE VERMILION MUNICIPAL PLANNING COMMISSION. (Public Hearing – November 20, 2017 @ 7:00 pm)

**Second Reading – Ordinance 2017-51**: AN ORDINANCE AMENDING CHAPTER 440 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, ENTITLED “COMMERCIAL AND HEAVY VEHICLES” AND SECTION 440.01 (b) ENTITLED “LOAD LIMITS”, AND DECLARING AN EMERGENCY.

## Minutes of the Vermilion City Council Meeting

Monday, November 6, 2017

**First Reading – Ordinance 2017-53:** 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.

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

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

**First Reading – Ordinance 2017-54:** AN ORDINANCE ACCEPTING AND APPROVING THE PLAT OF VERMILION PARK ESTATE, LLC SUBDIVISION; A RESUBDIVISION OF VERMILION RIVER PARK ALLOTMENT NO. 1 AND NO. 2 FOR RECORDING PURPOSES, AND DECLARING AN EMERGENCY.

**First Reading – Ordinance 2017-55:** AN ORDINANCE AMENDING ORDINANCE 2017-4 ADOPTED MARCH 6, 2017 TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO AND DECLARING AN EMERGENCY.

**S. Herron MOVED;** F. Loucka seconded to suspend the rules. Roll Call Vote 6 YEAS; 1 NAY (Brady). **MOTION CARRIED.**

**F. Loucka MOVED;** B. Holmes seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS; 1 NAY (Brady). **MOTION CARRIED.**

**First Reading – Ordinance 2017-56:** AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$110,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE FOR USE AS A MUNICIPAL PARKING FACILITY, AND DECLARING AN EMERGENCY.

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

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

### **ANNOUNCEMENT OF MEETING DATES:**

*November 13, 2017 – Vermilion City Council Committee Meetings (All) – 7:00 p.m.*

*November 20, 2017 – Stormwater Committee – 6:00 p.m.*

*November 20, 2017 – Public Hearing (Street Vacation) followed by Vermilion City Council Meeting – 7:00 p.m.*

*November 27, 2017 – No meeting*

*December 4, 2017 – Vermilion City Council Meeting – 7:00 p.m.*

*December 11, 2017 - Vermilion City Council Committee Meetings (All) – 7:00 p.m.*

*December 18, 2017 – Vermilion City Council Meeting – 7:00 p.m.*

*December 25, 2017 – Christmas – City Offices Closed*

### **ADJOURNMENT:**

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

Gwen Fisher  
Certified Municipal Clerk