

RECORD OF PROCEEDINGS

Minutes of

Minutes of the Vermilion City Council Meeting

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

Monday, October 1, 2018

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 Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five; G. Fisher, Certified Municipal Clerk

**Administrative Staff:** Jim Forthofer, Mayor; Amy Hendricks, Finance Director; Tony Valerius, Service Director; Kenneth Stumphauzer, Law Director

**CALL TO ORDER:**

Steve Herron, President of Council called the Monday, October 1, 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:**

**S. Holovacs MOVED;** F. Loucka seconded to approve the minutes of the September 10, 2018 meeting. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

**CORRESPONDENCE:**

G. Fisher reported she received a letter dated September 7, 2018 from Neal A. Norris of 4154 Firestone Lane which is attached hereto and incorporated herein as part of the official record of proceedings.

**PRESIDENT OF COUNCIL'S REPORT:**

Phil Pempin, Superintendent of Vermilion Local Schools was present to speak on behalf of the Vermilion Local School Levy that is on the ballot on November 6. He explained this is a safety levy and it will cost the average homeowner of a \$100,000 evaluation approximately \$2.00 per month, which is \$24 per year. The money going towards this levy is for safety only; no other purpose. It cannot be used for operating money or any other purpose for the school district. He said Vermilion was instrumental in getting this language on the ballot. There are not many school districts that have attempted to do this, so they are one of the few. They had a safety forum that was put on by the school district in March and they asked the community what they thought were the top priorities and whether they believed they should go out for this levy. It was a well-attended meeting and it was unanimous that they should put this levy on the ballot and they should make sure they are looking for three basic things to dedicate the money towards with number one being an additional SRO Officer. They currently have a SRO officer (Brian Beckwith), so this would be an additional officer to develop relationships with the kids and the community which would be an enhancement and deterrent. The second thing they would look for is a mental health therapist which would be a preventative type measure. They have a high number of counselors throughout the school district; one at the elementary school, two at the middle school, and three at the high school. The counselors are involved daily with the school district and what is on the minds of kids, but a mental health therapist could go a little bit deeper and they could make sure they are being preventive, and any real behavioral issues would be addressed by the therapist. The final safety measure would be to obtain extra security cameras and alarms on doors; a raptor system that checks people that are coming in if you're an offender or sexual predator. It would stop them right at the door and nobody would be able to proceed further on an instance check.

B. Brady asked if the SRO Officer is always at the high school or is he split among the other schools. P. Pempin said they split his time; part of his duties is to do a patrol of all the buildings. He also is outside for traffic in the morning, so having another officer on-hand will be helpful. B. Brady asked if having the schools in proximity of each other is a pro and P. Pempin said it's a plus of having all the schools

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on one campus and it allows them to be able to control things easier.

M. Stark said there were over 100 people who attended the meeting in March and they broke them into different groups to work together to come up with common goals of how they could make the schools safer. When they joined together at the end of the meeting this is exactly what every group came up with. She applauded the administration for putting this levy together. P. Pempin said the meeting was at a high anxiety time and noted that schools have changed because of all the incidents you hear about. When talking with kids, parents, and staff members he has noticed a level of anxiety that has never been there before, and with every incident that occurs it just gets ramped up even more. He thinks they can never be overprepared and if the levy doesn't pass they will still have a lot of things in place that he thinks other school districts don't have, but this is what the community asked for at the forum.

S. Herron said every single penny that is earmarked goes to school safety only which is very important. P. Pempin thanked S. Herron for his help on the committee that was held outside of the school district and independent of the school district. He said S. Herron has been instrumental in helping them run this campaign.

J. Gabriel said he was appreciative of the fact that mental health is the second step in this campaign because there is a history of people who are troubled and anything they can do to catch problematic children ahead of time is a good thing. P. Pempin said they have focused this year on their professional development on social and emotional learning. They realized the kids are coming to them with a lot more needs than what they have had in the past. This is his eleventh year in the district and he has seen things get progressively worse and extra counselors and a SRO Officer to develop relationships with kids is fantastic. He said this is not a lot of money in the scheme of things; \$2.00 a month is very reasonable and hopefully the community will see that too.

S. Herron said if anyone is opposed to this issue on the agenda they can notify the council clerk or come to a council meeting to express their viewpoint.

COMMITTEE REPORTS:

Historic Design & Review Board:

J. Gabriel reported the next meeting has been scheduled for October 3, 2018 at 6:00 pm.

Planning Commission:

J. Gabriel reported the next meeting has been scheduled for October 3, 2018 at 7:00 pm.

Streets, Buildings and Grounds Committee:

F. Loucka reported on the meeting held September 24. The next meeting has been scheduled for October 15, 2018 at 7:00 pm.

Port Authority:

F. Loucka reported on the meeting held September 13. The next meeting has been scheduled for October 11, 2018 at 6:30 pm at the South Street Ramp.

Utilities Committee:

S. Holovacs reported on the meeting held September 24. The next meeting has been scheduled for October 15, 2018 at 7:00 pm.

Contractors Registration Board of Examiners:

S. Holovacs reported on the meeting held September 25. The next meeting has been scheduled for October 23, 2018 at 6:00 pm.

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## Finance Committee:

B. Holmes reported on the meeting held September 24. The next meeting has been scheduled for October 15, 2018 at 7:00 pm.

## Parks & Recreation:

B. Holmes reported on the meeting held September 18. The next meeting has been scheduled for October 16, 2018 at 7:00 pm.

## Tree Commission:

S. Herron reported the next meeting has been scheduled for October 10, 2018 at 7:00 pm at Ritter Public Library.

## Legislative Committee:

M. Stark reported on the meeting scheduled September 24. The next meeting has been scheduled for October 15, 2018 at 7:00 pm.

## Vermilion Community Services Board:

M. Stark reported the next meeting has been scheduled for October 17, 2018 at 6:30 pm at Ritter Library.

## Health & Safety Committee:

B. Brady reported on the meeting held September 24. The next meeting has been scheduled for October 15, 2018 at 7:00 pm.

## Board of Zoning Appeals:

B. Brady reported on the meeting held September 24. The next meeting has been scheduled for October 23, 2018 at 7:00 pm.

## MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer commended Gene Baker and the Water Treatment Plant crew, Charlie Grisel and the Water Distribution crew, as well as Service Director Tony Valerius regarding the inconvenience of the recent low water pressure as they weren't aware of the tedious and delicate manners it took to relaunch the water plant through the distribution center to the distribution line without breaking any of the city's aging pipes.

He said previously Chief Hartung mentioned his acceptance into the Certified Law Enforcement Executive Program, but what he did not mention was the stringent election process and that he was chosen from quite a few other candidates. He also didn't mention the significant time away from his family that will occur over this 14-month program, which is paid for by a grant through the state. When this program is completed both the Police Department and the City will be better off from him going through this program. He said he deserves a pat on the back for going through this program for the City.

He mentioned that he spoke at the Mapleview Ditch Lorain County Commissioners hearing on September 29 on behalf of the Vermilion residents that are affected by the ditch excavation. He had asked the commissioners and the Lorain County Engineer to provide a lessened alternative to the ditch excavation to preserve some of the resident's properties along the south side of Rolling Meadows. Their yards will be significantly impacted by this and they will be asked to pay for the improvement. Since those residents will be charged for that excavation, he had asked the engineer to provide alternatives that may cost less; even if the residents might be asked to pay more, but it would preserve more of their property. The commissioners will hold another hearing on November 20 with possible engineering alternatives.

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He addressed the CHIP (Community Housing Impact Preservation) program as they are looking for new applicants in Vermilion. This program can really help some people in need who want to improve their property. The program is administered by the Erie County MPO, but it's open to all residents, including those in Lorain County. The program has benefitted a dozen Vermilion homeowners who have needed help with home repairs, and although there is an income restriction it's liberal. The Erie County Chip Group would like to make themselves available to answer any questions and he recommended the VOL Clubhouse being a possible site for residents to inquire of the Erie County people on whether they qualify or not. He will put a notice on the website and in the utility bills pertaining to the availability of the CHIP program.

He reported that Defense Soap has bank approval and title transfer and will be going for final approval before the Planning Commission on October 3, and they hope to begin building in November on Liberty Avenue near German's Villa.

Lastly, he mentioned the Fire House Committee met on September 19 with the new criteria architect, Mark Wagner of Poulos & Schmid Design Group. Mr. Wagner submitted an initial plan for a new fire house as a starting point. Before the November meeting, the committee will be asked to review the initial plan for its ability to accommodate Chief Stempowski's requirements and the opportunity to expand or reduce a plan as necessary. Also, they asked the committee members to prepare site suggestions and he gave one suggestion to consider that would be appropriate for Vermilion with a full-time Vermilion Fire Department with one station 40 years from now. This is in consideration of all the commercial and residential growth that is likely to happen in Ward Five between now and 40 years from now.

He asked Council for an executive session at the end of regular business to discuss a contract issue.

S. Herron echoed satisfaction with respect to what had happened with the water and complimented T. Valerius on his communication before the situation occurred as he gave council a full explanation of what was going to be happening before being asked by the community.

**SERVICE DIRECTOR'S REPORT:**

T. Valerius thanked the water plant and distribution employees, and the water plant superintendent for their performance during the improvements at the Water Plant. Not only did they successfully clean and sanitize all three clear wells but were able to get the plant back online after a 11-day shutdown without any major issues. All repairs on the clear wells were made by an outside contractor in compliance with EPA mandates.

He reported that hydrant flushing will begin in the city on the west side of the river and citizens may experience periods of low water pressure or a slight discoloration to their water. If this happens, he informed them to run their water until it clears prior to drinking or washing their clothes.

He reported he spoke with the Brownhelm Township Clerk today regarding the Jerusalem Road repaving and she stated the contractor would be out later this week or earlier next week to begin working on the project.

Lastly, he asked Council to approval a motion to authorize the administration to go out to bid for ice breaking and chemical contracts.

**FINANCE DIRECTOR'S REPORT:**

Amy Hendricks said immediately following the September 10 meeting, the finance and utility department staff went to software training for the VIP software at Kalahari in Sandusky, Ohio. She said it was great to see everybody come back with new ideas and things to try, and she is looking forward to seeing them come to fruition. She said they will be meeting tomorrow with vendors to utilize the features that already exist within the software to remotely deposit checks for utility payments and into the finance department. She said this will help lower their bank fees and save time as well.

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She reported she will be attending the Annual Association of Public Treasurers APT Conference in Cleveland later this week (Wednesday – Friday) as this will be an opportunity to network and collect ideas.

She addressed two ordinances relating to the city's debt refinancing that need to be added to the agenda for first readings. S. Herron noted council will proceed to make motions to add Ordinances 2018-65 and 2018-66 to the agenda tonight.

CITY ENGINEER'S REPORT: Not present.

LAW DIRECTOR'S REPORT: No report.

OPEN TO THE AUDIENCE:

Brian Crandall of 657 Main Street (The Silly Goose) said he attended the September Parks Board meeting and wanted to give council an update on some communication that has occurred with all parties. He said the merchants are willing to work out an equitable solution to all parties involved, but he believes there is a communication that sometimes when you say something some people have doubt. He addressed a Facebook message that was sent to his wife Jill that read: Good Morning Jill, can you make some time for Fred and I next week; just the three of us to sit down, clear the air and start off on a better path in working together. We were hoping Tuesday outside of Woodstock for coffee – 9:30am so we will be done by 10 when Silly Goose opens. Let me know. - M. Lou. He said his wife Jill's response was: I will not meet with Fred who was nasty to me at our last meeting; two against one hardly seems fair. Secretary from Main Street wrote: It's not two against one and I would like for you to give him a chance to offer an apology. You and I can still meet, yes? Jill's response: He has had a year to apologize. I've never been so upset after a meeting. That man has never stepped foot in my shop. I have talked to you with Tiffany (Tiffany's Flowers) and Michelle (Simple Pleasures) and with your board. I'm willing to talk to you and other merchants and a Parks Committee member, and one member of council. The next response was: Okay. B. Crandall said he spoke with Councilman Gabriel prior to tonight's meeting who informed him there is a meeting in the works and after reading this and passing this information on, they are willing to meet, but he insists and hopes there will be a Parks Board member present, and if the Chamber of Commerce would like to be involved they would welcome them too because there are issues, and since then other merchants have reached out.

David Terken of 1042 State Street said he was reading the most recent Vermilion Photojournal and saw the article about building permits which is a wonderful thing about having a clause stating that the applicant must know where their own property is, but he thinks that when somebody gets a building permit to change structures on their property or change anything that could affect the adjoining properties – when they apply for a permit there should be a copy of the deed and a drawing on the property showing the existing and what they are going to change. In this day and age of copies and going from the computer, they can get their drawing right off the county website and they can include on it what they're going to change, and submit it to the building department, and the permits can be checked after construction is done to make sure they build on their own property, so the city doesn't have to deal with ridiculous problems later on. Drawings are easy to do now and they're easy to come by. When you buy property, you do a title search and you get a deed, and if you don't read it – your problem.

Julie Horn of 5910 Fisher Street spoke on the age restriction of golf carts. She absolutely agrees there needs to be a seat belt law; everyone should have a seat belt on regardless of age. She said the story Councilman Gabriel said about the family on the hood of a car is a very shocking story, but she also thought it was an isolated incident. You don't usually see things that dramatic, but she doesn't think they should form laws around preventing things like that from happening. Are they going to say that kids can't ride in cars now because their parents might stick them on the hood of the car? She has been to the beach when she has witnessed probably three times that there was an adult up on the beach while their child/toddler of diaper age was sitting on the edge of the water or in the water, and the adult was on their phone, reading, or taking a nap. That child is at risk of falling into the water, so should they make a law that children under a certain age should not be permitted on the beach because they need to protect those children too. She doesn't think they can make an ordinance to protect every man, woman and child in Vermilion under every circumstance as it's just not possible to do that. There are a lot of good parents and most of the people she has met that drive golf carts are parents like her. She feels that most people

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that drive golf carts are parents that protect their kids. She typically doesn't let her daughter ride on the back of the golf cart unless she, her husband, or her parents are sitting with her. She doesn't let her ride in the back with other kids, so there are ways of keeping kids safe on the golf cart. She feels the biggest defense to protect their children from being hurt on golf carts is not to keep them off the golf carts...just like you wouldn't keep another child off a bike, beach, or sidewalk. She asked how many accidents they have had since they had the golf cart laws; as far as she knows there have been none. She said Rudy and Sarah have driven their girls around on the golf cart and they weren't 8 years old, but this law has never been enforced until just now. She has driven her daughter for at least two years and has never had any issues, or have they come close to her getting hurt.

In conclusion she said, "You don't cut down an entire orchard because of a few bad apples. These bad apples may not even own golf carts. As we as a caring community can keep an eye out for these "bad apples" in the orchard and help report them, please don't punish my child or my family and other families because of the few neglectful bad apples. That's not fair to all the good parents who do protect their children and who would never allow their child to do something like riding on a hood of a car or riding on a golf cart without a seat belt. Our beautiful town has so much to offer and by creating laws that stop good parents from enjoying everything here because of a few bad apples just isn't fair. No matter what we do, where we go, or how many laws we create, there's always going to be at least one neglectful parent who doesn't use common sense, but we will never be able to fix that that no matter how many laws we create. And we can't punish good parents who want to enjoy all the things Vermilion has to offer because of the possibility of a few bad apples.

J. Gabriel said as a point of order so there is no confusion, Council is not adding seat belts or anything like that to the law – that was already in the law. They have not altered the law whatsoever as far as the safety equipment goes. They would have had to amend the legislation to remove all those safety features. They are discussing adding side by side vehicles to the golf cart ordinance. B. Holmes confirmed the age restriction has always been part of the ordinance.

Homer Taft of 3972 Edgewater Drive addressed sewers as he hasn't heard anything for quite a while since they videoed Harcourt and they started several months ago an enforcement program to detach storm sewers from the sanitary system. He said they have a significant problem in Vermilion on the Lake, as he is sure there are others. He is hoping to see some updates as it would be nice to see what the results of the enforcement are, how many sewers have been found to be detached, and what they're finding from the videos as far as laterals and so forth. Additionally, on the matter of food trucks, he is fully supportive of the idea of restricting food trucks to when there is simply not enough service for large festivals and that are not impacting private businesses that pay taxes in the city. On the other hand, he saw the report of the ordinance being drafted which prohibits private owners and commercial business or property owners from having food trucks on their own property. If that's in the ordinance, then he thinks this is inappropriate. If private businesses want to supplement their food service in some way, then he isn't sure this should be prohibitive. On the subject of golf carts, he briefly noted that he understands if they don't want small children on a golf cart, but age restrictions strike him a little over the top. He has seen babies and carts behind bikes on public streets. You talk about somebody getting hit and hurt; that's a lot worse than anybody in a golf cart, and yet that's legal. He said kids on motorcycles are legal and he thinks council needs to consider that older children (10 or 12 years old) could safely be on a golf carts in a restricted area. Finally, he would appreciate an explanation of where things are in the Parks. He has noted that there is concern about a lot of businesses about some of the things that go on in the parks. He knows there was some conversation about whether money might be taken away from the parks because of the financial situation. He said as one voter who discussed it with the campaign committee and members of council, he understood that some of the money currently there could be taken away after the levy because this city is in terrible shape financially. Personally, they will probably not find a Libertarian very often talk about a tax increase, but personally he thinks the city should be considering a levy for the streets because it's a mess and you don't have enough money, but he thinks there needs to be an explanation...I really doesn't understand – the Parks Boards seems to be almost an entity to itself; he doesn't find this in the Charter, but they make a lot of decisions under spending, park usage – without any regulations from Council. He doesn't understand this completely. He wishes they could get an explanation of this.

Ken Baughman of 3728 Liberty Avenue showed city council a one-dollar bill and said its legal tender. On the dollar bill it says, "This note is legal tender for all debt; public and private". He said he went to pay his

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water bill today and couldn't pay in cash. He referred to Section 31 U.S.C. 5103, entitled "Legal tender," states: "United States coins and currency (including Federal reserve notes and circulating notes of Federal reserve banks and national banks) are legal tender for all debts, public charges, taxes, and dues." He referred to New York case law versus the Transient Authority that says you must take cash; where and when is up to you. He thinks it's wrong the City of Vermilion is not accepting legal tender at the utilities department to pay their water bills. It's their legal tender – it is the form of money. He strongly urged City Council to urge the powers of whoever made this interesting decision to change their mind and to change it back to the right way of doing things. He said he would appreciate an answer to his question on whether they can fix this. S. Herron asked the administration to address this question at the October 22 meeting under 'Response to the Audience'.

Tom Chufar of 4373 Edgewater Drive said D. Terken was spot on about the permits; very important. It's not just a piece of paper; it's a process and it needs to be absolutely figured out for present, past and future permits. He said the language is important so the person getting the permit knows as well as the City knows what is done as what was stated.

Furthermore, he told Frank Loucka he oversees the Streets, Buildings, and Grounds committee and addressed a past letter he sent to the city relative to the open house that was held at the Service Center. However, he never heard another word back about it, but wondered if any of those points were looked at or considered, or what was followed up on. He said the city has illegal dumping there; huge issue! City of Vermilion is in a bad way by doing something illegal. You do not dump sanitary sewer waste in a field that is not approved. It must be an approved site. Street sweepings – same thing; must be at an approved site. They just can't put their feet back or their head in the dirt and say they know nothing about it. He said most of city council and the administration was at the meeting at the service center.

He asked what the condition was of the pool as far as the finding on it; where's it at with the city. It will be important to find this out because people put money towards it, but what's the year-end; what's the financial aspect and what will it look like for next year. If they put it in a trust, then who is going to run the trust. It still belongs to the municipality, so they need to know what is going on with it.

He thought the Mapleview Ditch was scrapped by the county engineer a couple months ago. S. Herron said the project was stopped but now it has started again, but's it at the control of the county. T. Chufar said with the ditch they forget maintenance; maintenance is huge no matter what it is – you must provide the correct maintenance and make a maintenance schedule; just like buildings; it's important. You need schedules that are working to get things done. There are operational manuals out there that show you how to do them; it's not that hard but do it! He told the city not to put their heads in the dirt and to not put their feet up.

He said they are talking about money, money, money for the safety of the schools. It's a huge issue, but to him it starts at the house. It's a lot of home issues and if you have a gun and you have a kid in your house then you should have these things locked up and you should know where everyone is. He has issues with people trying to do bad things with their rights because it's not only about hunting; it's about government. He said he has an interesting story – a gentleman came from the old homeland Russia. He was present when the commander came into town – I want the guns here tomorrow at noon and everybody said okay (this is a true story because he heard it from the man's lips – he's 96 years old); the next day this guy comes back in with his troops; there is a pile of guns there and he said, are the guns here and the people said, "Yes, Yes"! He went up to the first house pulls the family out and bam, bam, bam – killed them! S. Herron stopped T. Chufar at this point due to the five-minute time limit.

S. Herron said for clarity the Mapleview Ditch Project is not a City of Vermilion project and they cannot control the maintenance of the ditch. This is a county project and the City doesn't have control over the maintenance. He said Vermilion citizens had structures on their property that are from a long time ago and they did submit permits that were probably not done correctly, and they are in an unfortunate situation and they want to prevent that moving forward.

**NEW BUSINESS:**

**S. Herron MOVED;** F. Loucka seconded to add Ordinances 2018-65 and 2018-66 to the agenda for a first reading. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

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F. Loucka **MOVED**; B. Holmes seconded to authorize the administration to go out to bid for icebreaking. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

J. Gabriel **MOVED**; M. Stark seconded to authorize the administration to go out to bid for chemicals. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

S. Herron **MOVED**; S. Holovacs seconded to adjourn into Executive Session to discuss contracts after the 'Reading of the Ordinances'. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

**Reading of the Ordinances:**

**Third Reading – Ordinance 2018-48:** AN ORDINANCE AMENDING CHAPTER 475 ENTITLED "GOLF CARTS" AND DECLARING AN EMERGENCY.

Discussion: B. Brady had mixed feelings about this ordinance because it's a lot more dangerous to pull a child behind a bicycle than it would to have them in a golf cart. To change the law to put a child at risk even a little bit; there must be some motivating factors to do that. G. Fisher clarified the amendment tonight is not pertaining to the age restrictions, but to include the side by side utility vehicles. B. Brady said they could make an amendment on that portion tonight though. J. Gabriel said the actual reason amending this ordinance is to include utility vehicles. He thinks for businesses and individuals there is a benefit to adding these vehicles to the golf cart ordinance because they are faster, and they will not clog streets, and they are heavier duty than golf carts and more applicable, so he is happy to support this amendment at this point and if it becomes a nuisance they can always take them back off. He said he was very apprehensive about the golf cart ordinance when they first did it because they have two major state routes and the trucks are quite frequent. He wasn't interested repealing a portion of the ordinance and then having somebody get hurt. He said if this is the case then they should take air bags and seat belts out of cars. He said if they are going 'Wild, Wild, West' then let's just do it. He would feel terrible and he thinks they need to have some type of laws for the parents that aren't like J. Horn; who are irresponsible. He said he would not support any change in this law at this point. S. Herron said he has appreciated that concerned citizens have come before council to address this issue and this is what they want in the community. He noted he has law enforcement in his family and every day he works with law enforcement in his professional career, and every one of them has told him that the worst part of their job is an auto accident involving a child and officers must knock on doors when there is a death. He referred to Chief Hartung's recent comments at the last committee meeting when he said if somebody on a golf cart gets hit they die and he doesn't think he was being overly dramatic – he has been in law enforcement for a long time. With all respect, he can't support amending this law, but with the portion on the utility vehicles the State of Ohio allows golf carts and side by sides, so that means the state legislature has spoken, so he doesn't have a problem adding this to the legislation.

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

**Second Reading – Ordinance 2018-55:** AN ORDINANCE TO AMEND ORDINANCE 2011-58 ADOPTED AUGUST 15, 2011, BY AUTHORIZING THE FINANCE DIRECTOR TO REESTABLISH THE CLASSIFICATION OF FUND 405 ENTITLED "MUSEUM PROPERTY ACQUISITION" TO "HARBOR VIEW PROJECT" AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2018-56:** AN ORDINANCE AMENDING CHAPTER 1440.02 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO ENTITLED "RESIDENTIAL BUILDING PERMIT FEES & ZONING PERMIT FEES" AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2018-57:** AN ORDINANCE AMENDING CHAPTER 1282.05 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO ENTITLED "PERMIT APPLICATIONS" AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2018-58:** AN ORDINANCE AMENDING CHAPTER 1274.17 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO ENTITLED "PERMIT FEES" AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2018-59:** AN ORDINANCE AMENDING CHAPTER 1030.05 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO ENTITLED "RETAINING WALLS" AND DECLARING AN EMERGENCY.

**Second Reading – Ordinance 2018-60:** AN ORDINANCE AMENDING CHAPTER 1272 OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO ENTITLED "SUPPLEMENTAL USE, HEIGHT, AREA AND YARD REQUIREMENTS", AND AMENDING SECTION 1272.12 ENTITLED "UTILITY BUILDINGS" AND



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Monday, October 1, 2018

ENACTING SECTION 1272.17 ENTITLED "TEMPORARY STORAGE CONTAINERS" AND DECLARING AN EMERGENCY.

First Reading - Ordinance 2018-63: AN ORDINANCE ENACTING NEW CHAPTER 872 ENTITLED "MOBILE FOOD SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION AND DECLARING AN EMERGENCY.

First Reading - Ordinance 2018-64: AN ORDINANCE AMENDING CHAPTER 1262 ENTITLED "ADMINISTRATION, ENFORCEMENT AND PENALTY, AND SECTION 1262.04 ENTITLED "BUILDING PERMITS; CERTIFICATES OF OCCUPANCY" AND DECLARING AN EMERGENCY.

First Reading - Ordinance 2018-65: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,410,000 FOR THE PURPOSE OF REFUNDING CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, SERIES 2004 DATED AS OF AUGUST 15, 2004, AND DECLARING AN EMERGENCY.

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

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

FIRST READING - Ordinance 2018-66: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,115,000 FOR THE PURPOSE OF PAYING COSTS OF (I) IMPROVING STREETS AND ROADS IN THE CITY BY RECONSTRUCTING, RESURFACING, GRADING, DRAINING, CURBING, PAVING AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, TOGETHER WITH THE NECESSARY RELATED IMPROVEMENTS AND APPURTENANCES THERETO, (II) IMPROVING STREETS AND ROADS IN THE CITY BY RESURFACING, PAVING AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, (III) CONSTRUCTING DRAINAGE FACILITIES ALONG ELBERTA ROAD, TOGETHER WITH ALL APPURTENANCES THERETO, AND (IV) ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE FOR USE AS A MUNICIPAL PARKING FACILITY, AND DECLARING AN EMERGENCY.

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

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

First Reading - Resolution 2018R-11: A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO THE ERIE REGIONAL PLANNING COMMISSION TO PARTICIPATE IN THE METROPOLITAN PLANNING ORGANIZATION (MPO) AND TO EXECUTE CONTRACTS AS REQUIRED.

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

F. Loucka MOVED; S. Holovacs seconded to adopt this resolution by emergency. Roll Call Vote 7 YEAS. MOTION CARRIED.

Announcement of Meeting Dates

Steve Herron

- October 8, 2018 - City Offices Closed - Columbus Day
October 15, 2018 - Vermilion City Council Committee Meetings (All) - 7pm
October 22, 2018 - Vermilion City Council Meeting - 7pm
October 29, 2018 - Fifth Monday - No Meeting
November 5, 2018 - Vermilion City Council Meeting - 7pm
November 12, 2018 - Veterans Day - City Offices Closed - No Meeting
November 19, 2018 - Vermilion City Council Committee Meetings (All) - 7pm
November 26, 2018 - Thanksgiving - No Meeting

Executive Session:

The body recessed into Executive Session to discuss contracts.

ADJOURNMENT:

Upon no further business coming before the body at the end of Executive Session, Steve Herron, President of Council adjourned the Vermilion City Council meeting.

Gwen Fisher, Certified Municipal Clerk

September 7, 2018

Atty. Steven Herron  
President of Council  
c/o Gwen Fisher, Certified Municipal Clerk  
5511 Liberty Avenue  
Vermilion, Ohio 44089

Dear President Herron:

Like many Vermilion residents, I was looking forward to receiving the annual back-to-school issue of the *Vermilion Photojournal* to review the school calendar and read any feature articles related to current educational practices throughout the Vermilion Schools.

I especially appreciated the opportunity to read the article summarizing measures identified at recent community meetings that could improve school safety and security following the mass shootings at the Marjorie Stoneman Douglas High School in Parkland, Florida last February. The resulting school district recommendations would cost more than \$250,000 annually and will appear on the November ballot as a 0.68 mill levy continuing for five years.

As I continued reading through the pages, I was disturbed to discover a one-quarter page ad on page 15 promoting a gun raffle sponsored by the Lorain County Coon Hunters and hosted by American Legion Post 397.

The juxtaposition of these two pieces was jarring. While on one hand, school district staff, municipal leaders, and the larger community are working together diligently and proactively to provide a safe learning environment for our children and grandchildren, gun raffles and ownership transfers are being promoted barely one mile from the school campus.

While I do not embrace killing animals for sport, I recognize that some people do enjoy hunting for whatever reason. In a country saturated with more than 300 million guns and drenched in the blood of on-going gun violence, however, the entire community must work in unison and speak with one voice on this issue.

I hope our municipal and educational leaders can recognize this concern and initiate a conversation with the folks at the American Legion regarding the appropriateness of future raffles of weapons so close to our schools. A zone free of gun sales, raffles, or transfers near our schools seems a modest proposal that most citizens would understand and could support.

Sincerely,



Neal A. Norris  
4154 Firestone Lane  
440-963-9407

c.c.: Mayor Forthofer  
Superintendent Pempin

## By BRANDPOINT

A new school year is quickly approaching there are a few things parents should tackle to get a head start on the back-to-school season. Prepare kids for the best school year yet by handling these important tasks that sometimes are overlooked during the hectic summer.

### Routines

Before the school year starts, begin building a routine so children can adjust properly. This means structuring activities so kids know what to expect, including healthy meals at the same time each day and a regular bedtime.

Getting enough sleep is critical to students' well-being and ability to learn, says Dr. Suresh Kotagal, pediatric sleep expert at Mayo Clinic Children's Center. He suggests establishing a bedtime routine before school starts to help children fall asleep and get a good night's rest. He adds that children rest better if they skip caffeine after dinner, get regular exercise, turn off electronic devices an hour before bedtime, and silence phones so text messages or alerts don't disrupt sleep.

### Vaccinations

Dr. Robert Jacobson, Mayo Clinic Children's Center pediatrician and vaccine specialist, advises parents to ensure their child has recommended vaccinations and to be aware of changes to those recommendations. He suggests parents contact their family physician or visit the Centers for Disease Control and Prevention's online registry to stay informed of the recommended school admission vaccine requirements for their child.

For example, children can now be vaccinated for human papillomavirus (HPV), at age 11, rather than having to wait until they are 16 years of age. What's more, some vaccines are now more easily administered, Jacobson says. "We've combined the measles-mumps-rubella vaccine with the chickenpox vaccine so a single dose will cover all four of those diseases."

### Medical records

If your child is starting a new school or after-school program, you may be required to supply medical records or vaccination

forms. Doctor's offices should be able to supply this to you at no charge simply by calling or stopping by and filling out a request, just make sure to allow a week or more for processing.

By reviewing this record you can also verify if your child is up-to-date on vaccinations and wellness visits. "It's very easy to fall behind and a simple phone call to your primary care practitioner will assure you that your children are up-to-date or whether you need to make an appointment," says Jacobson.

### Anxiety

Heading back to school is exciting and a little nerve-wracking. For some children, it can fuel anxiety, which parents can help get ahead of by taking proactive measures.

"Some kids are more anxious than others, and transitions like going back to school can be more difficult for them," says Dr. Stephen Whiteside, psychiatrist with the Mayo Clinic Children's Center. "Talking to them and preparing them ahead of time by doing things such as visiting the schools and meeting teachers can be beneficial."

### Bullying

One reason a child may have anxiety about heading back to school is he or she experienced bullying previously. Mayo Clinic Children's Center psychologist Dr. Bridget Biggs says bullying comes in many forms: physical, verbal, emotional, social and online. Biggs says creating a culture of respect in and out of the classroom is key to bullying prevention.

Before school starts, ask your child about their concerns. Learn about what happened and discuss how to respond if it happens again in the new school year (for example, walk away or get help from a trusted adult or peer). Build up your child's self-esteem so they have confidence to handle difficult situations. Finally, reach out to teachers to build a team mentality.

By taking a few proactive steps now, both parents and children can be well prepared for the start of a great new school year. For more tips on back-to-school and pediatric health, visit us at mayoclinic.org.



**AMERICAN  
LEGION POST 397**  
VETERANS, AUXILIARY AND SONS  
2713 ST. RT. 60, VERMILION  
440-967-2919

OPEN TO THE PUBLIC

## 15 WEAPON GUN RAFFLE

Vermilion American Legion Post 397

2713 St. Rt. 60, Vermilion, OH • September 8, 2018

One Gun Awarded Every 15 Minutes

GUNS TRANSFERRED ON SITE - ALL ATF RULES APPLY

Doors Open 1:30 p.m.

First ticket at 2:00 P.M. - Last ticket at 5:30 p.m.

Burgers and Dogs provided - Beer \$1 - CASH Bar

Tickets: \$20 or 3 for \$50 - (3/\$50 requires same name on all 3 raffle stubs)  
All attendees must have ticket to enter pavilion area - Winner need not be present  
Side Raffles (merchandise and guns) between featured drawings.

Guns Provided by: B & L Firearms Sponsored By: Lorain County Coon Hunters

TOP GUN - MARLIN 1895 Lever Action Stainless 45/70 Gov't



- |                                     |       |                              |        |
|-------------------------------------|-------|------------------------------|--------|
| 1. Ruger Charger Take-Down Pistol   | 22 LR | 9. Henry Silver Big Boy      | 44 MAG |
| 2. Ruger 10/22 Take-Down Rifle      | 22 LR | 10. Glock G43 Pistol w/Laser | 9 MM   |
| 3. Remington Mod. 870               | 12 GA | 11. Henry Golden Boy         | 17 HMR |
| 4. Smith & Wesson M&P Sport II NATO | 556   | 12. Weatherby PA-08          | 12 GA  |
| 5. Savage Axis II w/Scope           | 308   | Upland Slug Combo            | 9 MM   |
| 6. Weatherby PA-08 Typoon SG        | 12 GA | 13. Sig Sauer P365 Pistol    | 22 LR  |
| 7. Smith & Wesson Body Guard        | 380   | 14. Henry Silver Boy         | 45/70  |
| 8. Heckler and Koch AR Style 416    | 22 LR | 15. Marlin 1895 Lever Action |        |

TICKETS CAN BE PURCHASED AT THE

AMERICAN LEGION, 2713 ST. RT. 60 VERMILION OH

Hall Available for Parties ~ Catering Available!

PHONE: 440-967-2919

Vermilion Legion