

Minutes of the Vermilion City Council Meeting

Monday, October 23, 2017

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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, October 23, 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:

J. Forthofer MOVED: B. Holmes seconded to approve the meeting minutes of September 25, 2017. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

CORRESPONDENCE:

S. Herron read into the record an appreciation card from Dianne Urdzik a resident of Edison Estates who expressed her gratitude for the attention given to their streets and the resulting repairs. She applauded Councilwoman, Barb Brady, as well as Lynn Miggins and Tony Valerius for identifying the needed maintenance of their roads.

Secondly, a letter was received from Neal Norris, Trustee – Edison Estates Lot Owners Association, Inc. of 4154 Firestone Lane. On behalf of the Edison Estate Lot Owners Association Board of Trustees and all Association members they expressed shared appreciation for the street repairs that have occurred within their neighborhood. The Trustees have received positive comments from members regarding the quality of work performed. In addition to City Council and the Mayor's office, he especially thanked Barb Brady, Ward Four Council member; Tony Valerius, Director of Public Service; and Brian Keller, Director of Finance for their supportive and persistent efforts throughout this project. The employees of Herk Construction and G.D.I. also deserve thanks and appreciation for their concrete replacement and crack sealing work. The physical safety of their streets has been substantially improved, as have the many storm catchment basins that have been rebuilt to accommodate their street drainage during and after rain and snow storms.

PRESIDENT OF COUNCIL'S REPORT:

S. Herron introduced Dan Risko, Deputy Director of Public Affairs, State Treasury Department who was in attendance to give council a presentation on OhioCheckbook.com.

Dan Risko said OhioCheckbook.com is a transparency initiative that has been available for a few years. He said a couple years ago, Ohio was ranked 46th in government transparency and Treasurer Mandell asked if anyone was supposed to be looking after this and it turned out there wasn't, so they researched what the top ranked states were doing around the country. Therefore, their thought was to use technology to put out what the state was spending. So in December of 2014, they launched OhioCheckbook.com and in doing so the State of Ohio went to number one in the nation in government transparency. They have maintained this ranking ever since. They pursued local government on a no cost voluntary basis, and have worked with accounting software providers to make this very easy to do. He said the ability to navigate the website works well. The graphs are interactive and intuitive of which he demonstrated those different functions to the group. It shows all transactions, check registers, vendors,

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check dates, and what the transaction was for. He said residents can view the site and search by departments. They have more than 1,200 local government agencies that are committed. Their department has worked with Finance Director Brian Keller to get the test site ready for launch.

F. Ostrander asked if the purchase order number is included and D. Risko said no but it can be added as an option. They are looking at the check number as opposed to the purchase order number.

D. Risko said it's up to the local government to update whether it's on an annual, quarterly, or semi-annually basis. It's always the previous year and there would be no new data unless the municipality would update it. J. Forthofer asked the Finance Director what the city's intent was. B. Keller said they are starting with annually at this point.

OhioCheckbook.com allows anyone with an internet connection to do "Google-style" searches of state and local spending while displaying interactive charts and graphs in a user-friendly format. There is no cost to local governments who partner with Ohio Checkbook.com. The Ohio Treasurer's office is covering all costs for local governments to post their checkbook-level spending online. The time it takes to upload the data to OhioCheckbook.com just take minutes and only a few clicks of the mouse. Once data is submitted no checkbook will be published without local government approval.

J. Forthofer asked if there is an ability to track usage data on people who are using this function. D. Risko said the finance director as administrator of the website has access to how many searches the city's website will be getting, and he can see what people are searching for, and what area they are from. They have over 800,000 searches on the state site. Therefore, they know people are using it.

M. Stark asked when Vermilion will go live on OhioCheckbook.com. D. Risko said they are getting an updated data file this week and then they can go online whenever the city wants. They will do a press release and he would be happy to do a formal presentation with the local media. M. Stark asked how many man hours are expected to provide these updates. D. Risko said the report is built into the city's accounting system so it's a simple export of the information from the finance department.

S. Herron asked if it's standard to do annual updating and D. Risko said it's the most seen. S. Herron asked if there is any statutory requirement for updating and D. Risko said no because it's voluntary. He said the website is very positive. In fact, school districts love it because it helps pass levies because it's part of the information campaign.

B. Brady asked if there are a limited number of years that can be on the website, or do years start dropping off. D. Risko said no and going forward they will just keep adding years. The City of Vermilion is starting with year 2012.

F. Ostrander thought a quarterly update would be more realistic to make the data more meaningful to people looking stuff up. B. Keller said they can approach it however council wants because it's a simple upload of the reports.

D. Risko said they have 30% of the state committed online. F. Ostrander asked if there is any one software setup that is more easy to use that could become a state standard. D. Risko said he can't speak to this, but they have worked with dozen of software providers to build a report internally in the system, so the city doesn't have to go to one specific software.

COMMITTEE REPORTS:

Streets, Buildings and Grounds Committee:

J. Forthofer reported on the meeting held October 16. The next meeting has been scheduled for November 13, 2017 at 7:00 p.m.

Historic Design & Review Board:

J. Forthofer reported the next meeting has been scheduled for November 1, 2017 at 6:30 p.m.

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Planning Commission:

J. Forthofer reported the next meeting has been scheduled for November 1, 2017 at 7:00 p.m.

Legislative Committee:

F. Loucka reported on the meeting held October 16. The next meeting is scheduled for November 13, 2017 at 7:00 p.m.

Port Authority:

F. Loucka reported the next meeting is scheduled for November 9, 2017 at 7:00 p.m.

Board of Zoning Appeals:

B. Brady reported the next meeting is scheduled for October 24, 2017 at 7:00 p.m.

Utilities Committee:

B. Brady reported on the meeting held October 16. The next meeting is scheduled for November 13, 2017 at 7:00 p.m.

Contractors Registration Board of Examiners:

F. Ostrander reported the next meeting is scheduled for October 24, 2017 at 6:00 p.m.

Health & Safety Committee:

B. Holmes reported on the meeting held October 16. The next meeting is scheduled for November 13, 2017 at 7:00 p.m.

Parks & Recreation:

B. Holmes reported on the meeting held October 17. The next meeting is scheduled for November 21, 2017 at 7:00 p.m.

Stormwater Advisory Committee:

S. Herron reported the next meeting is scheduled November 20, 2017 at 6:00 p.m.

Finance Committee:

M. Stark reported on the meeting held October 16. The next meeting is scheduled for November 13, 2017 at 7:00 p.m.

MAYOR'S REPORT:

Mayor Bulan announced this week is Business Appreciation Week in Erie County which is sponsored by the Erie County Economic Development Group. Representatives from the Chamber of Commerce, Main Street Vermilion, Erie County Economic Group, and herself will be visiting local businesses in Vermilion on Thursday, October 26.

Secondly, she updated council on the Fulper property as the Tier One Investigation Report requirements have been completed. They need to excavate out the impacted soil in two areas and collect confirmation samples from the site of excavation to demonstrate they have removed all the impacted soil, and then backfill the areas with clean fill. Once this is done, they will need to submit an interim response action completion report to the EPA and then the work will be completed. All this work is being coordinated by Mannik Smith Group which is the engineering firm the city hired through the \$100,000 fully funded grant from the EPA. The Mannik Smith Group is seeking quotes to get this new work performed.

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She asked Council to add Resolution 2017R-14 to the agenda for a first reading as it allows the city to apply for a Clean Ohio grant for the Vermilion Beach Extension project located at 477 Main Street. The city applied last winter for this grant and did not receive funding. Since then, they received donations for the property and a grant from the Land and Water Conservation fund for \$162,000, and they applied for a Natureworks grant which they haven't heard back on. They feel the city has a better chance going back because now they will be asking for a partial amount. This resolution needs emergency passage because the grant application is due October 27.

She requested an executive session to discuss property acquisition and imminent litigation.

Lastly, she reminded the public that Trick or Treat will be held on October 31 from 6:00 – 7:30 pm. Residents wishing to participate were reminded to turn on their porch light.

SERVICE DIRECTOR'S REPORT:

T. Valerius reported the Utilities department has started flushing hydrants west of the river. During this process, homeowner's may experience periods of low water pressure or a slight discoloration in the water. If this happens, he advised them to run the water until it clears.

He noted the final two taps into the new water main on Main Street were successfully completed today. Short of capping the abandoned mine in a couple spots, the main replacement work is done.

B. Brady asked for the status on the permeable pavement. T. Valerius said they are supposed to start laying pavers by the end of this week depending on the weather. He would expect another three weeks until the project is complete.

B. Brady commented that Precision Paving does the best job which really makes a difference.

F. Ostrander said there are a lot of catch basins on Woodside that are next to driveways that have a big hump. T. Valerius said this is currently being addressed.

FINANCE DIRECTOR'S REPORT:

B. Keller reported the department will be having their first onsite visit from Lennon and Company on November 2, to help them with their cash reconciliation. The goal is to have a more efficient reconciliation.

He said they have received 11 public record requests year to date which have all been addressed. They talked about creating a log of information for the 2013 Road Levy so they can have a historical list of what has been done. Therefore, they have started this process to help them over time. His department also has been compiling information for Flood Plain Management as requested by council.

He asked council if they were interested in moving forward with the go live site in relation to OhioCheckbook.com, because they could probably get it done this week. Council members expressed they were good with this. They talked about starting annually with the updates with possibly going quarterly down the road. B. Keller recommended starting with annual updates and if they end up getting a lot of requests, queries and searches, then they can move forward with monthly or quarterly. He reminded council this does not exclude public record requests moving forward. S. Herron felt this was ultimately up to the discretion of the administration. F. Loucka asked if this process causes a lot more work to be done in the finance department. B. Keller said it will not be a lot more, but just something else to do. The information loaded to start with will be from 2012 through 2016, and next year they can update 2017. M. Stark asked if the data will be fiscal year ending June 30, 2017, when they go live. B. Keller said if they go live this week the information will be through December 31, 2016. Mayor Bulan said they can always go quarterly or semi-annually, but let them get it online and see how it goes to start. B. Brady asked when the information for 2017 will be put on the website and B. Keller said at the beginning of 2018.

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LAW DIRECTOR'S REPORT:

K. Stumphauzer noted the executive session involves Highbridge Road Bridge issues which doesn't involve any need for legislation action to follow. In fact, both issues relate to property acquisition.

He reported the appeal time for Captain Reinheimer has passed and no appeal was filed.

OPEN TO THE AUDIENCE: No participation.

NEW BUSINESS:

S. Herron MOVED; B. Brady seconded to recess into executive session to discuss property acquisition. Roll Call Vote 7 YEAS. MOTION CARRIED.

S. Herron MOVED; F. Loucka seconded to add Resolution 2017R-14 to the agenda for a first reading. Roll Call Vote 7 YEAS. MOTION CARRIED.

READING OF ORDINANCES:

Third Reading – Ordinance 2017-37: AN ORDINANCE ACCEPTING AND APPROVING THE PLAT OF BACON ALLOTMENT RE-SUBDIVISION #1 FOR RECORDING PURPOSES AND DECLARING AN EMERGENCY.

F. Ostrander MOVED; M. Stark seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS; 1 NAY (Brady). MOTION CARRIED.

Second 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.

Second 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 13th Legislative meeting)

Second 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.

Second 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 13th Legislative Committee)

Second 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.

First 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 13th Finance Committee)

First 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 BROWHELM 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.

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First 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.

First 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.

First 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)

First 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.

First Reading – Resolution 2017R-14: A RESOLUTION AUTHORIZING THE CITY OF VERMILION TO EXECUTE AND FILE AN APPLICATION WITH THE OHIO PUBLIC WORKS COMMISSION FOR FINANCIAL ASSISTANCE UNDER THE CLEAN OHIO GREEN SPACE CONSERVATION PROGRAM.

J. Forthofer MOVED; B. Holmes seconded to suspend the rules. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

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

S. Herron recessed into Executive Session to discuss property acquisitions. S. Herron reconvened the meeting.

S. Herron MOVED; F. Loucka seconded to add Ordinance 2017-52 to the agenda for a first reading. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

First Reading – Ordinance 2017-52: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO, TO ENTER INTO AN AGREEMENT WITH GRAND DIVISION, INC., FOR THE PURCHASE OF THE GRAND DIVISION PARKING LOT LOCATED BETWEEN MAIN AND GRAND STREETS; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT IN THE AMOUNT OF NINETY NINE THOUSAND DOLLARS (\$99,000), PLUS CLOSING EXPENSES, AND DECLARING AN EMERGENCY.

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

F. Ostrander MOVED; M. Stark seconded to adopt this ordinance by emergency. Discussion: Mayor Bulan announced they are purchasing the Grand Division parking lot at the appraised price and thanked the Dickerhoff family for working with the city on this purchase. S. Herron echoed her same sentiments. M. Stark said she is really excited about this as they hear from people that they can't find parking in Vermilion, so now they can offer free parking for everybody that comes to visit. She feels this will be a good thing for the city. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

ANNOUNCEMENT OF MEETING DATES:

October 30, 2017 – No meeting

November 6, 2017 – Vermilion City Council Meeting – 7:00 p.m.

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

ADJOURNMENT:

Upon no further business, Council President, Steve Herron adjourned the Vermilion City Council meeting.

Gwen Fisher
Certified Municipal Clerk