

**LEGISLATIVE COMMITTEE MINUTES OF SEPTEMBER 18, 2017**

Municipal Council of the City of Vermilion  
Municipal Complex, 685 Decatur Street, Vermilion, Ohio 44089

**In Attendance:** S. Herron, M. Stark, F. Ostrander, F. Loucka, J. Forthofer, B. Holmes, B. Brady, B. Keller, Mayor Bulan, G. Fisher, L. Miggins, T. Valerius, C. Hartung.

**Call to Order:** F. Loucka, Chairman, RESOLVED THAT this Legislative Committee comprised of the committee of the whole does come to order.

---

**TOPIC ONE: Review of Chapter 860 (Peddlers, Canvassers and Solicitors)**

F. Ostrander said he had people in his neighborhood who were canvassing and the question came up on what the process is for door to door soliciting. He pulled the ordinance from 1962 addressing this, but Chapter 860.03 states that an application for a license may be made to the Mayor, who, upon being furnished with sufficient proof that the applicant is of good moral character, shall, after a waiting period of two weeks from the date of the application for the license, issue a license to the applicant upon receipt of the following fees. He thought they should be more specific in the code rather than saying of good moral character. Mayor Bulan explained that the police department runs a background check on anybody requesting a solicitor's permit. Sometimes it takes a week before they even issue the permit. M. Stark said she has had people come to her door only carrying a state permit. Mayor Bulan said they have to show a permit from the city.

B. Brady felt if they make changes to this code they need to remove Chapter 860.01 (c) (4) Insurance salesmen.

Mayor Bulan suggested removing the 'good moral character' clause and suggested replacing it with 'subject to a background check'.

F. Loucka discussed changing the license fee as it was established in 1962 for \$10.00. He asked the clerk to research other communities to see what they charge.

**F. Loucka MOVED;** M. Stark seconded to have legislation prepared to remove Chapter 860.01 (c) (4) and to remove 'good moral character' and replace it with 'subject to a background check'. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

**TOPIC TWO: RS Special Residence District 1270.09(e) (2) (C)**

L. Miggins addressed this section of the RS Special Residence District as the first part of the statement is very clear in that it says: The sum of the side yards for a single-family dwelling or other building shall be not less than sixteen feet and neither side yard shall be less than seven feet. However, the next part states: The sum of the side yards may be reduced to twelve feet where there is an attached garage. Therefore, it doesn't give you a minimum, so she would like council to select some number of feet as a minimum. The administration is suggesting six feet to clarify this section.

**J. Forthofer MOVED;** F. Ostrander seconded to have legislation prepared to revise the RS Special Residence District 1270.09(e) (2) (C) based upon the engineer's recommendation. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

**TOPIC THREE: Chapter 1460 Flood Damage Reduction, 1460.14 Application Required**

L. Miggins said for a lot of years this really didn't matter because there weren't a lot of Flood Hazard Area Development Permits, but now there are a ton of them. Last year alone they had two people build brand new homes in the Special Flood Hazard Area. The review fees ran into the thousands because folks don't understand the process. She tries to meet with them at the beginning of the process and go over what they are going to need, but they have to hire several different consultants as they need architects, engineers, and a hydraulic engineer. They are usually working with a least three design professionals and all these folks don't always coordinate everything perfectly, nor are they always the most competent in the area of flood area hazard permits, so they end up reviewing things over and over. She said it's nothing to spend 20 hours reviewing a project for a new home. She said \$500 is okay if you're doing simple repairs on the house (new siding/windows, or break wall), but some of these projects are way more complicated. Another example would be the Vermilion Yacht Club on the river and they are breaking it in pieces to keep it compliant with the ordinance. She feels these folks should be paying the real cost of their permit reviews, because otherwise it's coming out of the general fund which means the rest of the city is paying for it.

**S. Herron MOVED**; M. Stark seconded to have legislation prepared to revise Chapter 1460.14 (Application Required) per the recommendation of the city engineer. Roll Call Vote 7 YEAS. **MOTION CARRIED**.

**TOPIC FOUR: Chapter 1262.07(b) (2) Review and Approval of Plans**

L. Miggins said the issue with this ordinance is if any commercial development has as an addition that the city gets to issue a zoning certificate which gives the ability to review their site plans and surveys. This stems way back in the day where folks would go to a state certified building inspector to get their plans approved and then start building, and then the city wouldn't know anything about it because there wasn't a way to review the site work. She said what the code is missing is that there is commercial developments within residential districts and those are usually schools and churches. Both put on additions and do improvements to their sites that need to have the oversight of the city. The change she recommends clarifies and the way they are actually administering the ordinance. They are making people go to Planning Commission and apply for a zoning certificate, even if they're in a residential district. Therefore, her recommended change is to add "or any commercial or industrial development within a Residential District".

**S. Herron MOVED**; B. Brady seconded to have legislation prepared to amend Chapter 1262.07(b) (2) per the recommendation of the city engineer. Roll Call Vote 7 YEAS. **MOTION CARRIED**.

F. Loucka adjourned the meeting after no further discussion came before the committee.

Next meeting:

October 16, 2017 @ 7 p.m. – Vermilion Municipal Complex, 687 Decatur Street, Vermilion, OH

Gwen Fisher, Certified Municipal Clerk (CMC)