

## Minutes of the Vermilion City Council Meeting

Monday, September 25, 2017

*Videos of council meetings are available to the public to view online at [www.vermilion.net](http://www.vermilion.net) under meeting videos.*

**Vermilion City Council:** Steve Herron, Council President; Monica Stark, Council at Large; Fred Ostrander, Ward One; Frank Loucka, Ward Two; Jim Forthofer, Ward Three; Brian Holmes, Ward Five; G. Fisher, Certified Municipal Clerk. Absent: Barb Brady, Ward Four.

**Administrative Staff:** Mayor Eileen Bulan; Brian Keller, Finance Director; Tony Valerius, Service Director; Margaret O'Bryon, Prosecutor; Lynn Miggins, City Engineer.

### **CALL TO ORDER:**

Steve Herron, Council President called the Monday, September 25, 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:** F. Loucka seconded to approve the meeting minutes of September 11, 2017. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

### **COMMITTEE REPORTS:**

#### **Streets, Buildings and Grounds Committee:**

J. Forthofer reported on the meeting held September 18. He asked council to turn their three streets selection into the clerk by October 11, so she can compile all the data and forward it to the city engineer for her review prior to the October 16 meeting. The next meeting has been scheduled for October 16, 2017 at 7:00 p.m.

#### **Historic Design & Review Board:**

J. Forthofer reported the next meeting has been scheduled for October 4, 2017 at 6:30 p.m.

#### **Planning Commission:**

J. Forthofer reported the next meeting has been scheduled for October 4, 2017 at 7:00 p.m.

#### **Board of Zoning Appeals:**

The next meeting is scheduled for September 26, 2017 at 7:00 p.m.

#### **Legislative Committee:**

F. Loucka reported on the meeting held September 18. The next meeting is scheduled for October 16, 2017 at 7:00 p.m.

#### **Port Authority:**

F. Loucka reported on the meeting held September 14. The next meeting is scheduled for October 12, 2017 at 7:00 p.m.

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### **Utilities Committee:**

S. Herron reported on the meeting held September 18. The next meeting is scheduled for October 16, 2017 at 7:00 p.m.

### **Contractors Registration Board of Examiners:**

F. Ostrander reported the next meeting is scheduled for September 26, 2017 at 6:00 p.m.

### **Health & Safety Committee:**

B. Holmes reported on the meeting held September 18. The next meeting is scheduled for October 16, 2017 at 7:00 p.m.

### **Parks & Recreation:**

B. Holmes reported on the meeting held September 19. The next meeting is scheduled for October 17, 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 September 18. The next meeting is scheduled for October 16, 2017 at 7:00 p.m.

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

Mayor Bulan reminded everyone that the last public meeting for the Lorain County Lakefront Connectivity Plan will be held at the building at Lakeview Park on Thursday, October 5 at 6:00 p.m. It's important that everyone attends as they will be ranking all the projects and they will be picking one project for each community, and everyone can vote on it.

She announced that city offices will be closed on Monday, October 9, in observance of Columbus Day.

She reported that flu shots are available at the Erie County Outreach Clinic at the Vermilion YMCA on Friday, October 5 and Friday, October 20, from 9:00 a.m. until noon. There will be a charge.

She thanked everyone involved, including the Vermilion Chamber of Commerce for a very successful Whollybear Festival.

She congratulated the Firelands Symphony Orchestra for hosting a wonderful concert on Sunday, September 17 at Paper Moon Winery.

She offered condolences to the John Vargo family on the recent passing of John. John was President of the Vermilion Veterans Council for many years and he always lowered the flag and arranged all the activities on Veterans Day, Memorial Day, Labor Day, Pearl Harbor Day, and he also attended every Eagle Scout Ceremony. He will be truly missed.

Lastly, she requested an executive session to discuss property acquisition.

F. Ostrander said he talked with a gentleman that is handicap who used to fish at the Water Works property, but with all the work being done, he wondered if there was a place somewhere else in town he could fish. Mayor Bulan said he can fish down at the boat ramp. F. Ostrander said he would have to travel across the dirt in his wheelchair which could be a problem. Mayor Bulan thought this could be brought up with the Port Authority.

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F. Ostrander asked what happens once a property goes into the land bank; how does it come out. Mayor Bulan explained the Fulper property was in foreclosure and it went up for Sheriff's sale twice and nobody bid on it. Then it went to the Erie County Land Bank and she attended those meetings, and eventually they donated it to the City of Vermilion. F. Ostrander asked if there were other properties in Vermilion that are in the Land Bank. Mayor Bulan said there are properties that are in the Lorain County Land Bank. She said the counties own the properties unless they turn them over to the municipality or sell them.

F. Ostrander asked when the Highbridge Road Bridge project was expected to be completed. L. Miggins believed the completion date was at the end of September 2018. She noted there are two endangered species that are potentially at this location, so really no clearing can begin until late October to govern the periods the species migrate.

B. Keller said the Port Authority got a new kayak launch platform and thought it had wheelchair accessibility for the gentleman who was looking for a place to fish. G. Fisher believed it was just for the kayak/canoes and it's still in the planning stages.

### **SERVICE DIRECTOR'S REPORT:**

T. Valerius reported that short of some durapatching the Edison Estates project is completely done. It was crack sealed this past week. The work on several catch basins and concrete street repairs finished up today in front of Dairy Dock. An outfall on W. River Road had to be completely replaced due to the fact that it was rotted out and eroding the cliff side. Additionally, catch basins were installed in the same location to eliminate a smaller outfall there. Within the next couple of weeks, an asphalt contractor will be going around patching the streets where there have been main breaks.

He asked council to entertain a motion to authorize the administration to go out to bid for icebreaking and chemical contracts.

M. Stark addressed the signage at the east end of town that acknowledged all the different clubs that was hit by a vehicle months ago. She asked the administration if they heard back from the insurance company and if they were planning on replacing the sign for these groups that do so much for the community. T. Valerius said he and the mayor discussed the idea of who would pay for it and they haven't come to a conclusion of what they want to do, so there is no definite plan at this time. Margaret O'Bryon asked if there was a criminal case against the drunk driver who hit this sign and the Mayor wasn't aware. She said they received insurance money that paid for the first sign. She said they like the entrance sign into Huron and they received prices which were high. She said the administration will keep looking into this. M. Stark asked the administration if they approached any of the groups to see if they would like to help finance a new sign. Mayor Bulan believed the Lions and Rotary Clubs were talking about it.

### **FINANCE DIRECTOR'S REPORT:**

B. Keller reported that Ordinance 2017-38 is the third appropriation amendment of the year and he asked council to suspend the rules and pass it by emergency.

He said pursuant to ohiocheckbook.com he had a representative meet with him from the Ohio Treasury Department and they reviewed the website. He noted all the files were uploaded and it's pretty much ready to go. The representative offered to come before council with a short presentation on the functionality and capabilities. He can arrange this presentation if council is interested. S. Herron asked if they could shoot for scheduling it for October 23. He said if October 16 works better than this would be fine too.

### **CITY ENGINEER'S REPORT:**

L. Miggins reported that it appears that pavement may be complete on Birchview by the end of the week due to good weather. They are also working to finish the Woodside project. She said there is an ordinance on the agenda to approve change order #1 for the drainage improvements on this project. She

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recommended that council suspend the rules and pass this ordinance by emergency so they can keep this project on schedule.

**LAW DIRECTOR'S REPORT:** No report.

**OPEN TO THE AUDIENCE:** No participation.

### **NEW BUSINESS:**

**S. Herron MOVED;** J. Forthofer seconded to recess into executive session to discuss property acquisition. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**S. Herron MOVED;** F. Loucka seconded to authorize the administration to go out to bid for icebreaking and chemical contracts. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**F. Ostrander MOVED;** S. Herron seconded to recess into executive session to discuss property acquisition which is separate from the mayor's request. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

### **READING OF ORDINANCES:**

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

**First Reading – Ordinance 2017-38:** 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.

**F. Loucka MOVED;** F. Ostrander seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**F. Ostrander MOVED;** B. Holmes seconded to adopt this ordinance by emergency. Discussion: M. Stark asked the finance director to explain an amendment of \$40,000 for the capital court building fund. B. Keller said they are replacing the roof due to many leaks and repairs. M. Stark asked what the \$80,000 was for in the water fund and B. Keller stated it's for the Mapleview Ditch project as they had to lower the water main, and for Change Order #1 for the water main extension at Main Street. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**First 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.

**First Reading – Ordinance 2017-40:** AN ORDINANCE AMENDING ORDINANCE NO. 2017-26 ADOPTED JUNE 19, 2017, BY ADOPTING CHANGE ORDER NUMBER ONE WHICH IS AMENDATORY TO THE ORIGINAL CONTRACT WITH PRECISION PAVING, INC. OF MILAN, OHIO, FOR THE 2017 ROAD PROGRAM, AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO SAID AWARDEE IN THE ADDITIONAL AMOUNT NOT TO EXCEED TWELVE THOUSAND SIX HUNDRED NINETEEN DOLLARS AND FIFTY CENTS (\$12,619.50); AND DECLARING AN EMERGENCY.

**M. Stark MOVED;** F. Ostrander seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**B. Holmes MOVED;** F. Ostrander seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**First 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 October 16<sup>th</sup> Streets Committee)

**First 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.

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**First 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 October 16<sup>th</sup> Finance Committee)

**First 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 2017-45:** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF THE VERMILION WATER MAIN REPLACEMENT PROJECT PHASE 1 BETWEEN THE CITY OF VERMILION AND THE OHIO WATER DEVELOPMENT AUTHORITY, AND DECLARING AN EMERGENCY.

**S. Herron MOVED:** J. Forthofer seconded to suspend the rules. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

**F. Loucka MOVED:** F. Ostrander seconded to adopt this ordinance by emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

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

*October 16, 2017 – Vermilion City Council Committee Meetings (All) – 7pm*  
*October 23, 2017 – Vermilion City Council Meeting – 7pm*

### **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