

## Minutes of the Vermilion City Council Meeting

Monday, October 7, 2019

*Videos and minutes of council meetings are available to the public to view online at [www.cityofvermilion.com](http://www.cityofvermilion.com) 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; Kenneth Stumphauzer, Law Director; Amy Hendricks, Finance Director; Chris Howard, City Engineer; Tony Valerius, Service Director

### **CALL TO ORDER:**

Steve Herron, President of Council called the Monday, October 7, 2019 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 16 & 23, 2019 meetings. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

**CORRESPONDENCE:** None.

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

Theresa Gavarone, State Senator (2<sup>nd</sup> District) for Erie County, Ottawa County, Wood County, and a portion of Lucas and Fulton Counties said she was excited to spend time in Vermilion with Mayor Forthofer to see Vermilion's beautiful lakeshore property and enjoyed a wonderful meal. She also enjoyed the Woollybear Festival. She told council they could reach out to her at any time. She presented Mayor Forthofer with a President's Letter from the Ohio Senate for receiving the 2019 Visionary Leadership Award from ECEDC. Mayor Forthofer thanked Senator Gavarone for making her presence known in the City of Vermilion. He said it's refreshing when State Representatives come into your district asking what they can do for us. He said they are talking about state help and Senator Gavarone is all ears and willing to help, and the City is very grateful in having Senator Gavarone working for Vermilion.

### **COMMITTEE REPORTS:**

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

J. Gabriel reported on the meeting held October 2. The next meeting has been scheduled for November 6, 2019 at 6:00 pm.

#### **Planning Commission:**

J. Gabriel reported on the meeting held October 2. The next meeting has been scheduled for November 6, 2019 at 7:00 pm.

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

F. Loucka reported the next meeting has been scheduled for October 21, 2019 at 7:00 pm.

#### **Port Authority:**

F. Loucka reported the next meeting has been scheduled for November 7, 2019 at 6:30 pm at the Vermilion Municipal Complex.

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### **Utilities Committee:**

S. Holovacs reported the next meeting has been scheduled for October 21, 2019 at 7:00 pm.

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

S. Holovacs reported on the meeting held September 24. The next meeting has been scheduled for October 22, 2019 at 6:00 pm.

### **Finance Committee:**

B. Holmes reported the next meeting has been scheduled for October 21, 2019 at 7:00 pm.

### **Parks & Recreation:**

B. Holmes reported the next meeting is scheduled for October 15, 2019 at 7:00 pm.

### **Stormwater Advisory Meeting:**

S. Herron reported that the next meeting is yet to be determined.

### **Tree Commission:**

S. Herron reported the next meeting has been scheduled for October 9, 2019 at 7:00 pm at the Ritter Public Library.

### **Legislative Committee:**

M. Stark reported the next meeting has been scheduled for October 21, 2019 at 7:00 pm.

### **Vermilion Community Services Board:**

M. Stark reported the next meeting is scheduled for October 16, 2019 at 6:30 pm at Ritter Public Library.

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

B. Brady reported the next meeting has been scheduled for October 21, 2019 at 7:00 pm.

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

B. Brady reported the next meeting has been scheduled for October 22, 2019 at 7:00 pm.

### **MAYOR/SAFETY DIRECTOR'S REPORT:**

Mayor Forthofer reported on his submitted report as follows:

#### **Safety Director Report**

**The assault on Cummings Road** October 1, remains a priority for the VPD. Chief Hartung wants to emphasize that there is no increased threat to the general public suggested by this incident. Everyone should continue to use common sense security precautions. Chief Hartung will update the public as needed regarding developments in this case.

#### **Mayor's Report**

**Buyer's Fair** is closing. This business has been a fixture in Vermilion for many years and we all wish them well in retirement. There is exciting news around the corner however. New occupants are in negotiations to set up business in the former Buyer's Fair buildings and make a fresh impression on downtown Vermilion. The Administration stand ready to help in any way possible. More to come on this transition.

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**Defense Soap** has poured its floor and has all approvals for the remaining construction of the building. Occupancy is still expected to be in January.

**Vintage Lighting** is going to be expanding to the east in its current building. Vintage also is still planning a warehouse addition off the back to house its inventory for internet sales.

**Woollybear #47 is in the books.** A truly remarkable logistical accomplishment by Sandy Coe, Exec Dir of the Chamber of Commerce and a big team of dedicated volunteers. Thank you to Ms. Coe, the Chamber and all who annually put Vermilion in the spotlight. It never fails to amaze me that after tens of thousands of visitors filled our downtown Sunday, I come to work the next morning at 6:30am and you almost couldn't tell anything happened. Clean up is remarkable.

**Flowers come down** this week and volunteer watering crews can finally take a break. Can't thank Main Street Vermilion's Vermilion in Bloom for all their hard work providing this beautiful defining feature.

**The American Flags** that line liberty will also start coming down. Big thanks to Friends of Harbour Town, Carl Gable, Paul Habermehl, Cliff German, Dean Mayer and a team of volunteer flag tenders for raising the funds, maintaining the flags and adding this patriotic feature to our city this Summer.

The Administration mourns the **passing of Sue Roth Opperman** who served the City on the Historic Design and Review Board for many years. Sue helped me and many others learn the importance of serving Vermilion residents through dedicated work on the boards and commissions.

**The IT Coordinator** position has been offered to two of the top candidates resulting from our search. Both turned it down for other opportunities, one for significantly more money in another municipality. In the course of these interviews, an alternative solution made itself known to us. I think it is the best possible solution that I wish I had known was available when we began the search. And, for the same cost to the city. Legislation supporting this solution has been submitted to Council and I ask for its passing with a suspension of the rules. He explained the cost that was presented to Council previously for hiring a single person to be the IT Coordinator at a salary of \$65,000 plus benefits/equipment was estimated in total at probably \$100,000. For exactly this same amount, LifeCare Ambulance will turn their three person IT Department into doing three things for the city over a three-year period. One is getting on top of the city's immediate needs and identifying what equipment is needed and laying out a strategic course for the future. Over the course of these three years, LifeCare will be hiring an additional person to help carry the load servicing Vermilion's internet support. At the end of the three years, there may be an option for the City to hire this IT person from LifeCare. By that time, they will be familiar with what Vermilion's IT needs are. He said LifeCare Ambulance Service have been nothing but accommodating and are providing the highest integrity service, so he feels totally comfortable with this previously unforeseen opportunity.

B. Brady thought the city needed a day to day person – somebody on call constantly – is that this person or persons? Mayor Forthofer said the three people on LifeCare will set up a similar situation of what the city has with MCPC. There will be ticket system if there is a problem but if it's a system solution, they can also turn their attention to that. B. Brady asked if they are guaranteeing the city a response time. A. Hendricks said they have assured the city some definite facetime on a regular basis through the week, so they'll be in the city and circulating the buildings. This will make people more comfortable with the ticketing system for the Help Desk. B. Brady asked if they would help the city source new computers, etc. Mayor Forthofer said this is correct and they will take inventory of what the city has and see what works and doesn't, and what needs replaced.

M. Stark confirmed the contract is for \$100,000 per year for three years and asked what the city is paying MCPC. Mayor Forthofer said they will no longer be contracted with MCPC. M. Stark asked how much the city was paying them. A. Hendricks said MCPC was not an onsite service; it was more of a ticketing/remote/dial in service. She thought the city was paying about \$85,000 - \$90,000 for MCPC and the independent sub-contractor and the city wasn't getting what they needed.

J. Gabriel said they supplemented MCPC with Mr. Pinter and then on top of that they had Officer Reising helping, which took him away from his duties, and probably nobody has taken this job due to the money they budgeted for the position. He said financially there is good news for the city and they're at a place

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where they can afford this, and at the very minimum at the end of this contract it puts the City in a position to start fresh with better equipment. He said LifeCare has familiarity with government and the bidding process with equipment, so he's not opposed to this in anyway. He thought it was overdue and it's a place where they have had a shortcoming. A. Hendricks said there have been close calls to full meltdowns.

M. Stark asked the administration how they were feeling with confidentiality issues being they are an outside company. A. Hendricks said they have no issues at all. Mayor Forthofer said their integrity in handling the ambulance service has been outstanding.

B. Brady asked if these are employees of LifeCare and Mayor Forthofer confirmed. B. Brady asked if they could handle the hardware side and A. Hendricks said yes and noted they have already been helping the city pull fiber and other things.

B. Holmes said he is familiar with the company and the individual in the IT Department and they're running a solid business and they're familiar with IT issues.

S. Herron thanked the administration for thinking outside of the box and looking for a solution. He said one of the realities in Vermilion is that they don't have the budget to compete with other municipalities in this market because it's a much in-demand position.

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

T. Valerius conveyed to the citizens on the west side of the river that the distribution department will begin flushing hydrants this week. At times residents may experience low water pressure or slight discoloration. If so, the residents are asked to run the water until it clears before drinking or doing laundry. Hydrant flushing will continue through the rest of the month.

He reported the Pavement Marking Project will begin this week with much of the hand work being done first before the main line street markings, which will begin next week.

Work will begin soon on the bridge expansion joint which has vibrated loose again. ODOT is scheduled to replace the expansion joint on both ends of the bridge in 2021 as part of the Urban Paving Program. Until then, the City is responsible for any repairs.

Lastly, he reported the City received a \$40,000 grant from the Ohio Bureau of Worker's Compensation towards the Valve Exercising Machine, which is currently out for bid.

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

Amy Hendricks reported on her submitted report as follows:

#### **BWC Rebate**

Public entities were recently issued a rebate based on 2017 Bureau of Workers Compensation premiums paid. For the City of Vermilion, that resulted in a check for \$108,000. This amount is being prorated back to the respective funds based on the percentage of our total premium paid for 2017 including the General Fund, Streets, Utilities, Fire, Port Authority, etc.

#### **Software Training Updates**

A few initiatives have already begun since staff attended the Software Solutions Workshop in September. We have focused on several items in the Utility Department. To reduce the paper shuffle and increase internal controls, we are now using the software to process billing adjustments credit memos, etc. in a way that it is routed through an approval process online from billing to the Finance Director which fully tracks those adjustments in the customer's account. We are also scanning and uploading documents and correspondence to be retained in a customer's account to save time retrieving and filing paper.

I have been working on the set up for the Analytics module that will create efficiencies in the budgeting process as well as formulating multi-year financial forecasting. In payroll, we are better defining data fields within the employee records to assist in tracking and projecting personnel costs as well.

Additional changes and updates will be made going forward as time permits.

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### Refinancing

We are continuing to take advantage of the interest rate market as current debt becomes eligible. There is \$1.32 million in bonds outstanding originally issued for improvement of Liberty Avenue to Helen Drive in 2009 that is now callable. Quotes will be received over the next week as we are using this method to keep costs of issuance as low as possible. Savings should be approximately \$100,000, but final numbers will be reported once available.

### Insurance Benefit Renewals

Through "shopping around" for our employee's insurance benefits, the City of Vermilion experienced a savings in excess of \$450,000 in 2019 with previous rates at 3 times the national average. In order to assure that we continue to get the best value, all eligible employees are completing an online survey that combined with our claims experience will allow carriers to provide us with the best price for 2020. This is considered a best practice in the industry to control rising health care costs.

### Income Tax Communication

As RITA continues tracking taxpayers who live within the City of Vermilion who are not paying local income tax, calls continue to come in to our offices with questions. In the past, we have put notices on utility bills, social media and the newspaper. RITA does mailings, not only for noncompliance, but also annually sends a postcard to addresses as reminders to file.

We have recently added a brightly colored notice that is given to new utility customers or those changing addresses within the city. This is also given to residents who obtain building permits.

### IMPORTANT INCOME TAX INFORMATION

All residents of the City of Vermilion are required to pay local income tax of 1.5% on earned income. This tax is administered by the Regional Income Tax Agency (RITA).

Frequently Asked Questions:

1. *I work in another community that withholds income tax from my paycheck. Do I still pay City of Vermilion taxes?* YES! Please contact RITA to determine the amount you will owe based on the tax paid where you work. They will instruct you on how to make quarterly estimated payments. Some employers will withhold the additional amount for Vermilion and file it with RITA so check with your payroll office.
2. *Do township residents pay City of Vermilion income taxes?* MAYBE! Please confirm the specifics for your address:
  - a. Do you receive a billing from the city for any utility services, such as garbage? If so, you are subject to Vermilion income tax.
  - b. If unsure, verify your tax district by contacting RITA as other agencies are not as familiar with the various boundaries. Your neighbor may not be right.

***For additional information, please contact RITA at 1-800-860-7482***

### CITY ENGINEER'S REPORT:

C. Howard updated Council on the Hollyview Drive Reconstruction Phase I project by noting the paving subcontractor should be finishing the south side lane and the intersections this week; weather permitting. Hopefully the project will be wrapped up next week. S. Holovacs said this will probably be the nicest street in the city and he encouraged council to drive it. With the base they put in, the street should be with the city for years to come.

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

**RESPONSE TO THE AUDIENCE:** No response.

### OPEN TO THE AUDIENCE:

Ray Sliman of 5230 Park Drive offered council a possible solution in addressing the boat dockage issue by going with 15' floating docks, 3' setback off the line, and instead of a Zoning Board appeals process to

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get your dock on the line, why not make it a permit process just like a roof or a sidewalk. He said one side can be filled out by the property owner and the next-door neighbor can fill out the other side saying he grants this permit for 1, 2, or 3 years, and it's void on property transfer, and it must be resigned with the new neighbors. This wouldn't clog BZA and takes care of people who have invested in their property, and with the people who wanted floating docks. He said the Lagoons leadership can use their influence instead of backing somebody away and to ask that person that's saying they don't want this to allow it to go to the line. It also encourages the situation where you have two neighbors that want floating docks – they can put them on the line and conserve what dockage they have left, whether it's 70' or 45'. He knows it doesn't fit the process of a roof or sidewalk, but there is nothing they can compare to with this issue, so maybe it takes something that's a little different in order to accomplish it.

B. Brady asked if the building inspector can weigh in on this discussion at the next committee meeting. S. Herron agreed that he would be influential in the practicality of enforcement.

### **NEW BUSINESS:**

**S. Herron MOVED;** F. Loucka seconded to add Ordinance 2019-57 to the agenda for a first reading. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

### **Reading of the Ordinances:**

**TABLED - Third Reading – Ordinance 2019-31:** AN ORDINANCE TO AMEND SECTION 1270.10(i) ENTITLED “RL-1 EXISTING LAGOON DISTRICT” OF CHAPTER 1270 ENTITLED “DISTRICT REGULATIONS” OF THE CODIFIED ORDINANCES OF THE CITY OF VERMILION AND DECLARING AN EMERGENCY. *(Referred to the October 21, 2019 – Legislative Committee Meeting)*

**Third Reading – Ordinance 2019-52:** AN ORDINANCE TO OFFICIALLY SUPPLEMENT THE MINIMUM CONTRACTUAL SERVICES TO BE PERFORMED BY BRAMHALL ENGINEERING & SURVEYING COMPANY BY VIRTUE OF ORDINANCE 2018-5 ADOPTED JANUARY 2, 2018, BY AUTHORIZING PROFESSIONAL ENGINEERING AND SURVEYING SERVICES RELATED TO THE SUNNYSIDE ROAD RESURFACING PHASE 1 PROJECT; PRESCRIBING THAT THE FIRM SHALL BE PAID FOR ADDITIONAL SERVICES IN ACCORDANCE WITH THE RATE SCHEDULE SET FORTH IN THE PROPOSAL DATED JANUARY 3, 2018, IN A TOTAL AMOUNT NOT TO EXCEED SEVENTY NINE THOUSAND THREE HUNDRED EIGHTY FIVE DOLLARS (\$79,385.00), AND DECLARING AN EMERGENCY.

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

**First Reading – Ordinance 2019-54:** AN ORDINANCE ESTABLISHING FUND 406 “HISTORIC VERMILION LIGHTHOUSE” AND DECLARING AN EMERGENCY.

**First Reading – Ordinance 2019-55:** AN ORDINANCE TO RESCIND SECTION 1270.10(i) ENTITLED “BOAT DOCKAGE” OF CHAPTER 1270 ENTITLED “DISTRICT REGULATIONS”, OF THE VERMILION CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY. *(Referred to the October 21, 2019 – Legislative Committee Meeting)*

**First Reading – Ordinance 2019-56:** AN ORDINANCE AMENDING CHAPTER 1444 ENTITLED “CONTRACTOR REGISTRATION BOARD OF EXAMINERS” OF THE CODIFIED ORDINANCES OF VERMILION, OHIO AND DECLARING AN EMERGENCY.

**First Reading – Ordinance 2019-57:** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO (“CITY”) TO ENTER INTO AN AGREEMENT WITH LIFECARE AMBULANCE, INC. FOR MANAGED IT SERVICES AND DECLARING AN EMERGENCY.

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

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**S. Holovacs MOVED;** J. Gabriel seconded to adopt this ordinance by emergency. Discussion: B. Brady  
Roll Call Vote 7 YEAS. **MOTION CARRIED.**

### **Announcement of Meeting Dates**

*October 14, 2019 – Columbus Day – City Offices Closed – No Meeting*  
*October 21, 2019 – Vermilion City Council Committee Meetings (All) – 7pm*  
*October 28, 2019 – Vermilion City Council Meeting – 7pm*

### **Adjournment:**

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

*Transcribed by: Gwen Fisher, Certified Municipal Clerk*