

## Minutes of the Vermilion City Council Meeting

Monday, June 15, 2020

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

**Administrative Staff:** Mayor Jim Forthofer; Amy Hendricks, Finance Director; Chris Howard, City Engineer; Tony Valerius, Service Director; Ken Stumphauzer, Law Director (via phone); Chris Stempowski, Fire Chief

### **CALL TO ORDER:**

Steve Herron, President of Council called the Monday, June 15, 2020 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:**

**F. Loucka MOVED;** S. Holoavacs seconded to approve the minutes of the May 18, 2020 meeting. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

### **CORRESPONDENCE:**

S. Herron read the following emails from June 14, 2020 into the record:

*Dear Council Members,*

*I am writing to inform you of my dissatisfaction with Mayor Forthofer's decision to cancel the Chamber of Commerce's Festival of the Fish. I do respect the concerns over Covid-19 raised however, with the recent shutdown and now the reopening I feel that this event should continue as planned. I believe the Chamber has put together a comprehensive plan to maintain social distancing to prevent the spread of Covid-19.*

*This town has been devastated economically by the State of Ohio's mandatory shutdown. The Chamber, who represents multiple businesses, has made significant efforts to help restore the economy for all. By denying the Chamber its single most profitable event, the Mayor has put the Chamber in a precarious financial situation.*

*Other communities, including the Lorain County, are allowing festivals and fairs. The City of Vermilion should allow these events to occur to bring in income to the struggling community.*

*I do not feel that they Mayor, even if he's acting as the Safety Director should have the sole authority to cancel such a private event that has a large economic impact on our community.*

*Sincerely,*

*Christy Parsons*

*This is in reference to the 6:00 pm siren. Being from a family of combined 80 years of service on the vermilion fire dept. I hope you guys don; change the time or take it away from the vermilion community. When I was growing up here in Vermilion the siren went off at 6pm and that's when we knew to be home for dinner, or to at least check in. I'm really hoping we keep the siren and time the same. Thank you for your time.*

*-Mr. Kneiding*

**PRESIDENT OF COUNCIL'S REPORT:** No report.

### **COMMITTEE REPORTS:**

#### **Legislative:**

M. Stark reported on the meeting held June 8. The next meeting is scheduled for July 20, 2020 at 7:00 p.m.

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### Vermilion Community Services:

M. Stark reported the Vermilion Community bus is still running every day.

### Utilities:

F. Loucka reported the next meeting has been scheduled for July 20, 2020 at 7:00 p.m.

### Port Authority:

F. Loucka reported the next meeting has been scheduled for July 23 at 6:30 p.m.

### Finance:

B. Brady reported the next meeting has been scheduled for July 20, 2020 at 7:00 p.m.

### Planning Commission:

B. Brady reported on the meeting held June 3. The next meeting is scheduled for July 1, 2020 at 7:00 p.m. at the Vermilion Municipal Complex.

### Health & Safety:

B. Holmes reported the next meeting is scheduled for July 20, 2020 at 7:00 p.m.

### Parks and Recreation:

B. Holmes reported the next meeting is scheduled for June 16, 2020 at 6:00 p.m. via zoom.

### Historic Design & Review:

Emily Skahen reported on the meeting held June 3. The next meeting is scheduled for July 1, 2020 at 6:00 p.m. at the Vermilion Municipal Complex.

### Vermilion Tree Commission:

Emily Skahen reported on the meeting held June 10. The next meeting has not been scheduled at this time.

### Streets, Buildings & Grounds:

S. Holovacs reported the next meeting has been scheduled for July 20, 2020 at 7:00 p.m.

### Contractor Registration:

S. Holovacs reported the next meeting has been scheduled for June 23, 2020 at 7:00 p.m.

### Zoning Board of Appeals:

S. Holovacs reported the next meeting is scheduled for June 23, 2020 at 7:00 p.m.

### **OPEN TO THE AUDIENCE:**

Kenneth Baughman of 995 State Street stated he was present on behalf of the Friends of Harbour Town, Inc. a non-profit organization. He said he finds himself in the eye of two hurricanes and the first thing he discussed is the removal of the "Thin Blue Line" flags they placed on the poles. He made it apparently and abundantly clear that they were not ordered down by any city official. There was a recommendation made and one of their volunteers took them down because he felt it was the best choice. As President of the organization, he fully takes responsibility for this. He doesn't like the message it sent by taking them

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down, so to that end he drafted a letter to the President of City Council that he read into the record that is attached hereto and incorporated herein as part of the official record of proceedings.

Secondly, he said he wrote a story about the history of the Siren, which is posted on their website. He summarized it verbally. The History of the Vermilion 6PM Siren is attached hereto and incorporated herein as the official record of proceedings. He noted he was a military policeman and one of their jobs was to make sure the bugle calls went off on time; at 1700 a bugle call retreat, which is 21 seconds long blows and then at five o'clock they did retreat to the colors and the flag would come down. He humbly suggested that Vermilion consider the possibility of playing the Bugle Call Retreat at five or six o'clock and then everybody knows this means it is time to get home. They keep all the mothers happy in the community and they also show their support and respect for both the veterans and the flag, which is another topic in his wheelhouse. He noted he did talk briefly with the police chief and it is possible to do the tone out to test for the Fire Department's needs, and then have the bugle call be that. It would also eliminate confusion – when you hear that siren blow, you don't know if it means six o'clock for a test; whether it means there is a tornado or a fire call because there is no distinguishment between the three of them. This bugle call which would be more inclusive of groups like veterans and mothers, and the fire department – might be a solution. It is the Chief's house and that is a fire call. This is his tool; it is for caution that he believes in and he thinks the wisdom he provides the public is the voice everyone should listen to.

Brent Guch of Ashland, Ohio said he figured he should show up since he is the man of the hour of starting everything. He wrote up a statement that was submitted to the clerk for the record, which is attached hereto and incorporated herein as the official record of proceedings.

Sandra Coe, Executive Director of the Vermilion Chamber of Commerce, 5495 Liberty Avenue spoke on the Festival of the Fish and said they are celebrating 54 years this year; she hopes. This event is a tradition in Vermilion for 54 years. She has been with the Chamber for 14 years and sees the impact it has on the community, the residents, and the economy. She knows they say 30,000 people come to the festival but it is a marketing thing. If she told them 10,000 people come to the Festival of the Fish does it make it exciting. She said of course you build your festival and since she has been in the Chamber, she thinks it has always been a description – 25,000 to 30,000 people come to the Festival of the Fish over the weekend. This is not even close. In fact, she asked Mr. Goddard once how he knows how many people are at Woollybear and he had a statistical analysis, but they flew Sky Fox 8 over the festival – they do not have that at Festival of the Fish. She can guarantee they do not have any more than 10,000 to 15,000 over the weekend at Festival of the Fish. Sunday she sometimes is begging people to come because she thinks they have more firefighters there fighting the water fight than they do people attending. She just doesn't know if the attendance is dying on Father's Day because it is Father's Day, but during Friday or Saturday, of course their attendance is a little bit higher from 2,000 to 3,000 people a night. She doesn't have an exact number, but she knows there is not 30,000 people that come into this town over Festival of the Fish weekend. Again, this is a marketing thing. This is to drive it up when you are advertising it. Merchants make money from this and children for their clubs make money from it when they set up tables at the festival. She understands cancelling it or postponing it early on because they didn't know what was going on with COVID and more and more is coming out. More events are starting to happen around them – Rocking on the River in Lorain is going on and they probably see way more than she does. The Lorain and Erie County Fairs are going on. She hasn't heard if they're not, but Lorain County Fair is definitely a full fair and it's going on. Walking on Wednesday, which is Vermilion's version of Third Thursday is going on in Amherst, along with their Farmer's Market. The Vermilion Beach Market in August is going on from what she read today. She doesn't know how factual this is, but she just read her comment, and somebody asked her, and she told them yes - she has permission from the Parks Board. A few other events she sees that are going on is during the Festival of the Fish (June 19-21), which is not the date any longer. They had to reschedule the festival date because one year of scheduling bands – you can't know how much goes into scheduling the festival. You cannot plan a festival in a week. You must give them at least a month – bands longer. One of her bands she had to book 1 ½ years in advance, so now they jumped through hoops when she asked if they could possibly play in August because this is important. She said as they well know it's important to the Vermilion economy, but it's important to the Vermilion Chamber. The Chamber relies on the income and the revenue from the Festival of the Fish, Woollybear, and from their other events. This is how they keep their doors open. This is like telling the merchant in Vermilion, "You can open, but you can't sell anything".

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She said they have a Plan A and B and Plan A used to be they would have it as it. They know they have to social distance.

She said in the past, the festival was fenced off – where you would let people in one way and they went out another way. They did this one year and they charged people one dollar to come in that were from out of town and it was free if you were a resident. She didn't know the purpose if they were trying to count how many people were coming to the festival, but it didn't work to charge them. She said they could fence it in – this would not be a problem at all. Would it be a smaller version of the regular festival? Absolutely! She said they will have Crazy Craft and the Lighted Boat Parade – they will try whatever they can do to safely put a festival on and she thinks they have proven in the past how safe their committee can be with bringing in a festival like Woollybear into Vermilion with no incidents that are detrimental to the community.

She asked the Mayor to give them a chance to have this event and to allow them to show the City a plan that would be safe to have this event in the community, so that the businesses, the Chamber, and the residents who come to Vermilion for a reunion of family, friends, and tradition can carry on for another 54 years. She is hoping the Mayor will take this into consideration before they just cancel it because now there is so much confusion out there with people saying, "Is it on, is it off?" Give it a chance! Give them a chance to give the City a plan. She asked this before, just a chance to show him what they can do. Just don't write us off. She is hoping to be on the June 29 meeting or the July meeting because they will come with a plan. She had an emergency executive board meeting to go over all the details and she has a strong executive board that has gathered quite a bit of information for her. She wasn't planning on speaking tonight, but she needed to represent the Chamber and the importance of it. She understands safety and does respect it, so she is hoping the City gives them a chance to do this. Hopefully, when she comes back to the next Council meeting, she can present something so they can see it and say it works or it doesn't work. This is kind of what Cedar Point did – they handed in their guidelines. She gets it and knows they can't have a festival if the Health Department isn't going to approve it because they come in and check all the vendors right up front. If the Health Department won't approve it, then of course she knows she can't have it, but before they cancel everything for the season, can they please just try and postpone the festival and see how it works, and give her a chance.

B. Holmes asked what dates she had in mind. S. Coe said August 21 – 23 and the reason why she picked these dates is because she really wanted these dates. She had to look at what other events were still going on in the area because she must make sure the vendors are available, and she doesn't step on anyone else's toes. She mentioned the Lorain County Fair starts the 23<sup>rd</sup>, so this would be the last day of the Festival of the Fish, but the committee is even talking about trying two days. She knows this isn't a normal year and it's not going to be like this forever. She said this is also in the plan they're working on to see if they maybe try it for two days and have their bands, police everyone, fence it in, and have fun signs made up to remind people about social distancing and if you don't feel well, please go home.

She felt that all local people leave for Woollybear and everybody from outside comes in, but she thinks Festival of the Fish are all locals. In fact, when she is counting these people that she sees, she sees the same people over the whole weekend because they're spending the whole weekend there, so it could be just the same people she is seeing, and it helps the local pubs. They love them at Festival of the Fish because they make quite bit of money. Not only do they get all their supplies locally from advertising dollars they spend, or businesses like the Photojournal that puts in a Souvenir Edition and makes money from it, to Kendra Screen Printing to Szabo Apparel, to everything that is involved into a festival. There is a lot money that goes into it and a lot of money is spent locally to help. She is hoping they can come back and present to the City when they have two solid feet to stand on to present something solid to do this. She said they would not have a beer tent; anything that is going to cause people to be under a small area they would remove. They would stagger the vendors and would spread out the craft vendors. They wouldn't have as many, but everything would be staggered and moved out, and they would have hand sanitizers and hand washing stations as they know the importance of safety.

Christy Parsons of 636 Sandusky Street said she is present to show her support for the Vermilion Fire Department. She is daughter of a retired fireman – he was on the force for 37 years. She said Brent brought up the notion of perception and the siren being something other than for the Vermilion Fire Department. This idea was brought up a few years ago on social media and at that time she championed against the fact that it is not a racist or a segregated alarm to tell people to get out of Vermilion. It was put

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to rest three or four years ago when this first came up. Again, perception wise it was brought up a couple weeks ago and perception is everything, especially in this town. When one person says that it means one thing and other people say it means something else, you need to weigh the facts. She believes Mr. Baughman, Mr. Rich Tarrant, and herself have all presented facts on social media to the origins of this siren. She believes people who are uneducated about this – who think it's just for a six o'clock time so that mother's know when to make dinner, or the kids know to be home – she does think they need to be educated on the fact that this actually was for safety purposes. The comment in the article originally stated that teachers at the High School were teaching history lessons that this town was a Sundown town. Upon her investigation into this, there is a book put out by a Dr. James Loewen from a college down in the southern states; where she believes is Mississippi, and he put together a list of possible Sundown towns. She said Vermilion is actually listed and they are listed as possible. It says in that article that there are no definitive signs that it was a Sundown town, so she thinks in support of the Fire Department, they should keep the siren the way it is and she thinks that the Photojournal and other social media outlets like Vermilion News should step up and do their own research and put out an article or a social media post, so they can lay this issue to rest.

Cathy Johnston of 776 Exchange Street said in respect of the Mayor, Council, and the Fire Chief, but more in respect to her family – she has a firefighter husband, son, and son in law, so that tone does mean something to them. They are very respectful, and they are not prejudice, and they never will be. They just want what is right to be right, so she does stand behind this. In all the years, they have never heard that this is the reasoning behind anything negative or it's just for the firemen. It's actually a test and there have been times in all the years that her husband has been on the fire department that this alarm test did not go because something was happening at the police station and he couldn't push the button. In turn, he would call the department to say his test wouldn't go, are we good because that test tells them that their system is working, so if indeed there is a real fire they know their alarm is going to go off. Therefore, they have a test, so out of respect for them and the City, this is why she is present to stand behind what they believe in - that this is just a test for the Vermilion firemen. She played off her phone a recording for council which is the tone out of the test alarm that comes through her home every night at six o'clock, and it comes from the Vermilion Police Dispatcher and it states, "This is a test for the Vermilion Fire Department". They're testing to make sure their system is working and if there is a fire then her husband, son, and son in law jumps in the truck as there indeed is something they need to take care of for the City of Vermilion, and not to get someone out of town ever!

Michele Gioffredo of 854 State Street spoke on behalf of everyone that is supportive of the Fire Department's siren. She said she has lived in Vermilion for 46 years as she was raised here and she heard the rumor once or twice and she was told it was a nasty rumor, so she always knew not to spread it. She stated she is the wife of a minority and has many minorities in her family, and has friends that are minorities, and friends that are minorities on our fire department, so it really bothered her that she heard this rumor being spread once again that Vermilion is a Sundown town. She said it has never been proven, nor does she know of any elder resident here that actually believes it to be true. She is before Council to actually propose something about the siren. She believes that education cures ignorance, so she thinks they should add language to the Utilities statements that simply list times of emergency response testing similar to how the city announces bulk trash or pickup of storm damage. She would also like education of their emergency response sirens to be added into the police program of Safety Town, which is a fantastic program and a little blurb of what the sirens are, and this is why they're there. This would really help a whole generation of children. They should also ask the school systems to add education into their local citizenship programs just for those children who don't get the benefit of Safety Town.

### **Law Director's Report:**

K. Stumphauzer reported that today he copied members of Council with privileged and confidential communications that related to issues from July of 2019 with the Civil Service Commission regarding the Sergeant's Promotional test, and the issues that subsequently arose, including a lawsuit filed by the two officers that were denied right to take Phase 2 of the exam. Subsequently, the court in Erie County ruled against the City and the Civil Service interpretation of their rules, and their issue was should that decision of the Common Pleas Court be appealed. Their research indicated that the Mayor was someone that had the authority to make that decision and the Mayor chose not to appeal the Common Pleas Court decision. Having said the foregoing, if anybody on Council has more detailed questions, then he would suggest

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they discuss this in Executive Session. If in fact there are no questions, then he considers the matter concluded.

S. Herron said if any Council members have questions, they can address them at the next meeting in Executive Session with the City Law Director.

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

Mayor Forthofer provided his submitted report as read into the record.

#### **Fish Festival**

Tuesday, June 7<sup>th</sup>, I met in the Vermilion Chamber of Commerce offices with Board President Tiffany Sekeres and Executive Director Sandy Coe. At that time, I informed them that as Safety Director, in the interest of the health of the general population of Vermilion, the City of Vermilion would not support the Fish Festival in 2020.

The reason for my decision is the unnecessary health risk to the residents of Vermilion from an assembly of 30,000, 20,000 or 10,000 additional people to the community, which one way or another multiplies the size of the current residents. The number of Erie County and Vermilion cases of COVID-19 are low. Merchants have endured an enforced involuntary shut down to contain the spread of the virus. Likewise, residents have been asked to stay at home. To throw away those gains by the influx of a large volume of visitors from communities with much higher presence of the virus would be an unconscionable risk to our area. It would not only affect those present at the festival but other Vermilion residents who come in contact with those people, etc., etc. Additionally, because most public events in surrounding communities have been cancelled this year, it is my belief that the attendance could be even higher than usual.

I am keenly aware of the disappointment of Fish Festival attendees and the impact on local merchants and missed business opportunities for festival vendors. However, I am sworn to act in the best interest of Vermilion as a totality. After conference with the Erie County Health Department, it is my conclusion that the risk to the public would be too great for the community we love.

My hope is to be able to work with Chamber and our other service organizations to host some smaller more manageable events this summer that we can all enjoy safely and plan for Fish Festival 2021.

#### **City Operations**

Office staff back in City Hall. City Hall has opened the Finance, Building and Utilities have performed well from home returning all calls with a little more turnaround time because of our outdated phone system and keeping billing, permits, and financial projects moving. I will be glad to have them back.

City Hall visitors are asked to wear a mask and be in good health. Our personnel will be wearing masks when dealing with the public as well as maintain six-foot distancing.

#### **Business Collaborations**

- A gourmet cupcake shop has opened on Main Street. Ms. Brenda Bals is in partnership with Ms. Diana Machock of Poppin' Around. Specialty baked goods and popcorn all in the same place.
- Coal and Ice Station amusement and hot dogs opens June 22 at Washington and Liberty across from Ritter Library. Hot Dogs, Ice Cream and family entertainment in a Vermilion themed park is the creation of the Dan and Laura Roth and family. The Roth's are collaborating with Joe Jesko and Jeremy Crawford of Pavilion Grill so those dogs are going to be special.
- Friday, I went to Avon to meet with Ken Smith, owner of Railway Barber Shop. Mr. Smith is planning to open a barber shop in the old Bailey Hardware on Grand Street. His shop in Avon has a railroad theme and serves both men and women. Marilou Suszko of Main Street Vermilion gave me the contact for Mr. Smith who is a Vermilion resident. Plans for Railway Barbershop's renovation are being reviewed by our Building Department. It will be nice to have that space occupied by a quality service business again.

#### **VFD Siren**

Last week I mentioned that there were objections regarding our fire siren and its alleged significance as part of a Sunset Town history. It was proposed by some that our siren had a history of signaling people of

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color to leave town. They want it discontinued. The whole idea of this signal having another meaning was news to me. It was brought up to me once during my campaign and that's it. Also speaking to Chief Stempowski this past week I learned more about the siren. I promised those making claims about the siren's meaning that I would investigate the matter and I have.

Chief Stempowski said the Vermilion Fire Department is a volunteer fire department. They do rely on remote toning. They don't man their stations like career departments who receive their tones while they're on duty in those stations. They have roof top sirens and they also have pagers that all personnel carry on them 24/7. The roof top sirens have had much discussion on when they were put into place – there are many articles and discussions and the long and short of it is that the mid-20<sup>th</sup> century had the initial full city alert notification. Prior to this, there was a bell that was at the fire station and somebody would have to run to the station and pull the rope to activate the bell until firefighters responded to the station. He said when the sirens came along – there's one on top of City Hall and Station #2 and this was the primary toning capability for an alert notification system for the Vermilion volunteer fire department. He conveyed that he can't find any meeting minutes, notes, or discussions about why a certain time was chosen for the testing of the system, but the importance of the test is that every single day within a 24-hour period they can verify the system is working, and if that alarm does not activate it could be critical to their response. It is very important that the siren is tested every single day. Again, they are a volunteer fire department and they rely on that remote notification. Every single one of them is proud to serve Vermilion. He is very proud of what his department does for this community. When he joined the department 30 years ago, all new personnel were told what the purpose of the siren was and what to be aware of in the event of a system failure. The roof top sirens were all outdoor notification systems and the purpose of the siren was to notify the volunteers that there was an emergency requesting them and they needed to respond to the fire stations. They were also told that another purpose of the roof top siren was a notification to the public and the firefighters would be responding to the station and then out to the call, so it was dual purpose emergency notification system. They currently test their paging system every single day at 6pm. Testing the system ensures that the system works for their department. Again, not being career or staff departments make it necessary for them to do this. Their volunteer firefighters are committed to this department and their community and make many sacrifices to be a part of this department. They miss many holidays, birthdays, anniversaries, and primary job obligations, and much more without complaints. They do strive to be the best they can 24/7 – 365! When they join this department, they know the sacrifices that they are going to make. Having this outdoor notification system gives them just a little brief relief sometimes as it's crucial to their notification, but there are times when you're a volunteer firefighter you have this thing strapped to your waist 24/7 or in a charging stand that you need to be within earshot of to hear. It is nice to take that off and set it on the charger and go outside and do gardening, swimming, or mowing the lawn, and then you have that notification system outside. It's been effective for decades and it works well, and that's the current system that they use.

Mayor Forthofer said in addition:

Pagers for volunteer firefighters came into being in 1992. The siren was retained as a redundant system in case firefighters were away from their pagers, there was a pager system failure, or paging equipment was faulty. At least one of the fire sirens runs on a generator if power to the City fails. Pagers do not.

- The time 6 pm was chosen for a test because.
  - Most firefighters were home from their jobs in other communities.
  - It did not conflict with noon church bells.
  - It did not coincide with the 7 pm dispatcher shift change at VPD/VFD.
- A daily test of the siren was chosen because the Fire Department does not want to wait more than 24 hours to find out that the siren does not work in case of an actual emergency call.

Also, the Chief mentioned that the ISO, Insurance Service Organization, establishes industry grades for fire departments. A redundant "toning out" system is a factor in a favorable grading. VFD has an ISO Rating of 3 - 8.5 which is exceptionally good for a volunteer fire department. These ratings are used to attract residents to the community and lower insurance rates for businesses and residents.

I also contacted Vermilion's resident historian Rich Tarrant. Mr. Tarrant deals with Vermilion history back to the early 19<sup>th</sup> century. Mr. Tarrant said, "The "Sunset Town" claim in context with the fire siren is really not a valid hypothesis." Mr. Tarrant continued, "The real truth in this case is: There is no hidden agenda /

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message when the siren sounds except that there may be an emergency. Vermilion, like any other place in America certainly has its share of bigots and racists; but they are not the majority – silent or otherwise.” I have had correspondence from the public. Most correspondence about the siren’s nefarious purpose is hearsay. Someone heard someone say there used to be a sign or they heard someone’s grandfather say something. I have seen no evidence of Vermilion having a history as a “Sunset Town.” I have seen no evidence of the siren ever having any other purpose than as a volunteer fire department signal.

My determination is that the Vermilion fire siren is just that, a fire siren for a volunteer fire department. It performs an essential function as a backup for the more sophisticated electronic digital communications. As a safety component for Vermilion residents the fire siren should stay.

I believe Sunset Towns existed elsewhere. It is naïve to suggest that racism does not exist in Vermilion and every other community. It exists intentionally and unintentionally. But it exists in people not sirens. The energy in the fight against racism should be applied in engaging people and creating awareness of the effects of their actions. I believe retrofitting a sinister meaning on to a benign first responder exercise is unproductive in the fight against racism.

F. Loucka said he agrees with the Mayor that there is no room in the City of Vermilion for irresponsible race baiting and he firmly supports the comments of the Fire Chief.

S. Herron said he appreciates the conversations he has with the Mayor weekly about the City and knows he takes his oath very seriously. As an elected official, he wanted to let the Mayor know that he disagrees with the aspect of cancelling the Festival of the Fish at this point in time; right now. The reason for this is that he thinks the administration should wait about two or three weeks to see what it looks like as they are seeing some spikes around the country for different reasons. They certainly are not out of this, but this doesn’t mean that just because he disagrees, that he doesn’t respect the Mayor’s opinion as he knows it is well thought out. He knows the Mayor has the best interest of the community at heart and he thanked him for that and for taking the time to explain his position.

Additionally, concerning the situation with the siren, because there is no question in his mind that there is no nefarious intent to the siren. He simply would invite the administration and his colleagues of the community to understand that one of the things that is not just perception, is that there are things that go on that cause pain to people, and one of those things may be this siren. This doesn’t mean that the Mayor is wrong in this decision, but it is an aspect of their fellow man and women who don’t have a voice that when there is something that happens that causes pain, they don’t just need to be sensitive to it but they need to listen and hear what they’re talking about. He said Brent’s comment about those who aren’t speaking or those who aren’t here to speak with respect to that, but he certainly believes the administration has a legitimate position and a reason behind this, but it doesn’t mean that he doesn’t recognize that this can be a painful event and they need to speak up for those who are minorities that can’t speak up for themselves. He thanked the Mayor and Fire Chief for explaining their positions on this matter. He said it is a very difficult time they’re living in and they have to take a step back and listen.

B. Brady asked if the six o’clock siren is the issue; is it not the fire call siren which is the same tone that is causing this. Mayor Forthofer said some felt it was the six o’clock siren and some felt that seven o’clock would not be acceptable. Opinions were all over the place. B. Brady was wondering as K. Baughman suggested earlier in the meeting a different tone because it has history with it, so could they do a bugle call at six o’clock and not get rid of it and then they would all know for sure that if the regular tone went off it was an emergency for the fire department. Mayor Forthofer said this was something they could look into for sure. B. Brady said it would be a compromise. Mayor Forthofer said anything was worth examining and all options can be examined. He said this was not taken lightly at all and he is trying to work with as many facts as he can, but this is an interesting possibility. B. Brady said sometimes at 6 o’clock she thinks it is a fire call when it isn’t; it’s just the siren. Chief Stempowski said to answer her question about the six o’clock siren, at six o’clock when they are relying on the siren, if it is activated once they know it’s a test as firefighters. If it is a call at six o’clock and it’s an emergency then they will activate that siren two or three times, so the firefighters know that it’s more than a system test at six o’clock. They also have the pagers, but if they malfunction, they know that siren is activating more than once. This tells them that there is an emergency.

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M. Stark said last June when her house got hit by lighting and was on fire and she made the phone call to 911, she was thankful to hear the alarm go off because she knew they were heading to her house. In no way, shape, or form does she feel the six o'clock alarm is intentional of any ill-thoughts for anybody other than testing the alarm. She asked if it was possible for the alarm to go off at a different time, such as 10:00 a.m. She said six o'clock at night isn't sundown right now as the sun sets after 9:00 p.m. and in the wintertime it does run about sunset. Mayor Forthofer said this was one of the questions he asked of the Chief as he thought maybe they could do it around noon, but Chief said the firefighters who are out of town working can't hear it. M. Stark asked if it was for them to hear or is it for the community to know it's working. Chief Stempowski said it's primarily a notification system for the fire department. However, when he first came on the department, he was told it was also a notification for the community that the fire department is going to be responding. Another event that occurs once a month at noon is the tornado siren alarm and his fear is that they would get the two confused. There is a different tone from this siren and a longer duration compared to their fire sirens.

M. Stark addressed the community in saying that what they hear on social media is not what is really going on. She said when she saw 'Discover Vermilion' on Facebook, it is nothing to do with the City of Vermilion. Discover Vermilion when you look at their FB page it says City of Vermilion or Vermilion, Ohio and a lot of people probably think this is the City Government putting this page out, and she wanted to say it loud and clear that **Discover Vermilion** is not the City of Vermilion! She said Discover Vermilion had a very distasteful post that she thinks is why most of them are here tonight. It was so distasteful, and it sent her through the roof! The matter has come up, but they didn't have to post it like they did. She said she is glad they are having this conversation, but not to have it posted like it was – it was terrible! She just wanted to make it known that Discover Vermilion is not the City of Vermilion. If anyone wants to see what the City is saying, it is the City of Vermilion. She asked the community to watch what they're looking at on social media because people are out there that want to make you think they are somebody they are not. She apologized to the community on how Discover Vermilion made this look with a very distasteful post.

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

T. Valerius mentioned the roadside mower is out of service and they are having repairs done on the power steering pump. In lieu of the mower, the street department has been using the brush hog in the worst places and will continue to do so until the mower returns, which should be mid next week.

He reported that work began on the Lighthouse today. The Main Street Lighthouse Preservation Program hired a contractor to paint the structure, which will be done in accordance with the Department of Transportation guidelines and it's expected to last up to 15 years. The Lighthouse will be sandblasted down to the bare metal, primed using an industrial primer, and then painted with an enamel gloss polyurethane which will help prevent dirt and debris from sticking to it. The total cost of the project is \$17,074, which \$15,500 of that came from donations from various local foundations, including Sherwin Williams who donated 20 gallons of paint. He thanked the Lighthouse Preservation Committee and Chairman Reenie Rak for organizing this project, which will be completed by the end of the week.

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

Amy Hendricks provided her submitted report as read into the record as follows:

#### **Appropriation Update**

You received a copy of the appropriations for tonight's agenda on Friday. The changes are primarily line item adjustments within department or adjustments related to new donations, or revised grant allocations.

#### **CARES Act Ordinance**

Municipal governments have been put on notice in the past week of items that need to be completed in advance of receiving any CARES Act support that will come to the State and Erie County and eventually being transferred to the City of Vermilion for use as HB 481 passes. Preliminary estimates show that Vermilion will receive roughly \$140,000. The online application process has been completed and an ordinance on this evening's agenda.

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These monies cannot be used to replace lost revenue from sources such as income tax or State fuel tax revenues. It is limited in use to expenses relating to compliance with COVID-19 requirements, service continuation, etc. We have been tracking all COVID-19 expenses from payroll to purchasing since the onset using a specific account coding to easily track.

I participated in a conference call with other Finance Directors last week moderated by counsel from Squire Patton and Boggs discussion the regulation and compliance for funding.

### **Investment Options**

Interest rates have been dropping since the onset of the pandemic due to economic questions. Active management of the city's available funds for investments has been a contributor to the city regaining financial stability since 2018. The federal reserve is not expected to move on interest rates in the foreseeable future. Our option for short term investments has been STAR Ohio that was paying 2.48% in June 2019, 1.81% in January 2020 to the current .61% yield.

Hilltop Securities, Superior Avenue, Cleveland, presented options for FDIC Insured CDs this morning that will help lock in some rates and is on the agenda this evening for approval.

### **Technology Update**

The ease in which impacted staff members were able to convert to working at home and back again through this initial round of the pandemic is representative of the type of technology support staff the city has engaged this past year. Kudos to Richard, Josh, and Hannah from Lifecare!

The transition also brought to the forefront processes that would benefit our operations or technology that could be updated. There was a need to provide laptops to a few staff members as well as adding basic printers for home use to minimize trips into the office.

Little things can make a difference:

1. All regular employees are now on direct deposit for payroll, with seasonal staff being encouraged to enroll.
2. We have increased the participation of vendors receiving electronic payments.
3. Utility payments made from customer's personal online banking are now being converted to automatically deposited batches in to eliminate handling those checks.
4. The Building Department has switched to online permit processing, which is going great!
5. Departments have now embraced scanning invoices to Finance with approval for payment.

### **COVID-19 Reveals Glitch**

One need that became obvious with staff working remotely was the need to address our failing phone system. Our IT team has been helpful in starting to plan to get that moving. Our voice mail system, call forwarding and other programmed features such as call trees no longer function effectively. We also had failure of key backbone components in the system in recent weeks that are essential to keeping support going for safety forces. Those things have been patched to get us through a limited time until we can get a new system in place.

This important upgrade is critical for the health and safety services we provide to citizens but will also allow us to provide customer service at an enhanced level. I am excited about the opportunity to allow our team to work smarter as well.

### **RITA Update**

Everyone is reminded that the extended deadline for filing 2019 local income tax returns along with 2020 estimated payments for the 1<sup>st</sup> and 2<sup>nd</sup> Quarters is July 15.

In planning for 2020s taxes, if you worked from home when you normally work at a location outside Vermilion, your local tax status will stay the same for 30 days after the Governor removes the Emergency declaration.

However, if you are one of the people that is now given the option to be transferred to working from home indefinitely, you may be able to eliminate paying local income tax to the city you work in and simply pay

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the 1.5% local income tax for Vermilion. Residents should notify their payroll department if this applies to them to initiate the change.

RITAs tracking has also found new cases where residents of the City of Vermilion are not filing their city tax returns. Many are in the areas of Brownhelm Township that are within the incorporated city boundaries. Indian Ridge has emerged as a new area where this is occurring.

In addition to messages on social media and in utility bills, we are continuing to provide an information sheet to residents signing up for new utility accounts, even if they are not new to the community in an effort to catch some of these. The same information is provided to applicants for any type of building permit. I have made a connection with the Lorain County and Firelands Realtor's Associations to help get correct information out as well.

Vermilion is enrolled again for RITAs compliance mailing program for delinquent and non-filing residents. This service is provided at no additional cost to the City.

### **Transient Rental Enforcement**

We have a new crop of listings showing up on the rental sites that are not registered yet for tax payments with Erie County. We tried to be flexible with last year with operators since it was the first year at the County and City level. However, we expect compliance in 2020 for collection and payment. This is a tax that the operator should be collecting from guests, not an expense for them.

I have approached Rick Jeffries, Erie County Auditor, about the compliance service discussed recently at committee meetings. He is very interested in the service and is open to sharing the cost as the county benefits from the revenue collected as well.

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

C. Howard reported the Sanford Street Water Main Replacement contractor has installed the main line up to Pineview and is hoping to have the main line installed up to Northview Court by the end of this week. He said relative to the Haber Road Bridge Replacement – the water line work is complete and the contractor is working on the footers for the structure, and they're hoping to have the project completed by mid to end of July.

B. Brady asked the engineer if he has an update on the VOL televising. C. Howard said he has not seen a report but hopes to have something to present at the next committee meeting.

S. Holovacs asked for a status update on the water meter project. T. Valerius said everything is going good so far and they have not been having any issues and everything is moving along smoothly. There were a few initial hiccups but for the most part everything is going well.

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

**First Reading – Ordinance 2020-20:** AN ORDINANCE AMENDING ORDINANCE 2020-5 ADOPTED MARCH 2, 2020 TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020 AND DECLARING AN EMERGENCY.

**S. Holovacs MOVED,** F. Loucka 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 – Ordinance 2020-21:** AN ORDINANCE AMENDING ORDINANCE 2018-18 ADOPTED APRIL 2, 2018 BY DESIGNATING AND INCLUDING HILLTOP SECURITIES INC. AS A DEPOSITORY OF THE INTERIM AND INACTIVE DEPOSITS OF THE CITY OF VERMILION, OHIO FROM THE PERIOD COMMENCING JUNE 15, 2020 AND CONTINUING TO AND INCLUDING APRIL 1, 2023, AND DECLARING AN EMERGENCY.

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**S. Holovacs MOVED**, B. Holmes seconded to suspend the rules. Roll Call Vote 7 YEAS. **MOTION CARRIED**.

**M. Stark MOVED**, F. Loucka seconded to adopt this ordinance by emergency. Roll Call Vote 7 YEAS. **MOTION CARRIED**.

**First Reading – Resolution 2020R-8**: A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO APPLY FOR COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUNDS AND DECLARING AN EMERGENCY.

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

**B. Holmes MOVED**, M. Stark seconded to adopt this resolution by emergency. Roll Call Vote 7 YEAS. **MOTION CARRIED**.

### **Announcement of Meeting Dates:**

July 13, 2020 – Vermilion City Council Meeting – 7pm

July 20, 2020 – Vermilion City Council Committee Meetings – 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*