

STREETS, BUILDINGS & GROUNDS MEETING MINUTES

June 27, 2022

In Attendance: **Vermilion City Council:** *Monica Stark, Council President; Steve Herron, Council At Large; Pat Stein, Ward One; Greg Drew, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five (late arrival). Absent: Teresa Mayle, Ward Two*

Administration: *Jim Forthofer, Mayor; Chris Howard, City Engineer; Amy Hendricks, Finance Director; Chris Hartung, Police Chief; Tony Valerius, Service Director*

Call to Order: Steve Herron, Chairman, RESOLVED THAT this Health & Safety Committee comprised of the committee of the whole does now come to order.

TOPIC ONE: DORA

M. Stark said according to the Vermilion City Council Rules and Regulations for 2022-2023, it states under Rule 3 – Public Participation, that Public Participation during committee meetings shall not require any individual to sign up. Each participant shall be allowed a total of five minutes in which to address Council unless otherwise determined by the Council President. However, she asked residents to please sign in with their name, so the clerk has accurate spellings of names for the minutes. She said she would limit their comments to three minutes because many people have signed up.

Micah Roberts of 606 Sassafras Drive reviewed the DORO survey with Council that was launched on May 24, which was open for 10 days. The survey was shared on Facebook 73 times, and it was limited to one response per IP address, and they had a total of 1,139 respondents, which based on the population of over 10,000 gave them a 99 percent confidence level with these results. They asked six questions and the first one was to mark the option that best represents them. They had 51 percent that were City of Vermilion residents, 2 percent were downtown merchants, 9 percent were historic downtown residents – 107 of those that responded, 21 percent were township residents, and 15 percent were visitors. The second question – Do you like the idea of Vermilion creating a Designated Outdoor Refreshment Area (DORA)? They had 847 responses of yes in favor of the program at 74 percent, and 291 said no, they did not like the idea. The third question – Do you think the creation of a DORA would enhance the downtown experience? She said 836 of the respondents said yes and 301 said no. The fourth question – How comfortable would you be with Vermilion City Council approving a DORA with the proposed boundaries, days, and times as a trial for 2022 with review of the outcomes at the end of the year? She said 773 said very

comfortable; 53 said slightly comfortable; 47 were neutral; 65 were slightly uncomfortable; and 201 said not comfortable at all. When asked why they would rate their comfort level in question four, there were various responses, so for those who chose slightly comfortable or very comfortable (economy, experience, trial, trust, progress, and change is good) some of the responses said they were slightly comfortable or very comfortable. For those that responded they were uncomfortable, slightly uncomfortable, or very uncomfortable – responses included they did not need alcohol to have a good time, it invites trouble, it impacts families and children, people will not follow the rules, they need more information, and others. She said the sixth question was specifically requested and that was a breakdown of age – 60 years and older were 30 percent of the respondents, 36 percent were ages 40-59, and about 34 percent was ages 21-39. Out of these respondents over age 60, which they were asked to break down – 55 percent said they were slightly or very comfortable, 31 percent was not comfortable at all, and 8 percent responded they were slightly uncomfortable.

Amy Hoffman of 6419 W. Lake Road said they broke the data down further and have more results on their website as well – mainstreetvermilion.org/dora. She said their committee is dedicated to making this program a success. They have been researching DORA for months and they have interviewed other communities who have experienced the program and proposed a program that will enhance the experience of the downtown. They have listened to the feedback of the Mayor, Council, and the community, and with this they have adjusted what their proposal would be. Their revised proposal includes the days being Thursday to Sunday instead of every day, and 12 p.m. to 10 p.m. No beach and deck area, but it would still include the park or grassy hill to coincide with programming – example would be Third Thursday's, Concerts at the Lighthouse or any other events that may happen in this grassy area around the lighthouse they think would be a benefit because of the walkability and the experience of it. They want it to be a natural fit with how people experience Vermilion when they come to town. Due to the expressed comfort and safety concerns, they did remove the beach, but they feel strongly that the grassy hill is important with the natural flow and walkability, and they want it to be easily understood. They reminded everyone that this is a trial of the DORA program, and they plan to do a formal review after six months and a year. Should any concerns arise prior to this review, they would address them as immediately as possible.

Mike Majer of 320 Salem Drive asked how many council members grew up or were born and raised in Vermilion. S. Herron explained they do not answer questions during audience participation. M. Majer said they are probably here for the same reason he is. He grew up in Lorain and is 70 years old and has been in Vermilion over half his life. They came to Vermilion because of a

certain type of community that they wanted to raise their families in. Personally, he knows Sandusky and Lorain is doing this and he knows it is the trendy thing. He thinks they have something so special here in Vermilion, so they do not need to follow trends. They have just welcomed a recovery center on the east side of town and now they want to allow open drinking in public, which he thinks speaks out of both sides of their mouth for this community. He did not think it was a good thing for the city and sees young impressionable people watching what is going on in this community. He recently spent 10 days in the Cleveland Clinic in Cleveland and everybody he encountered that found out he was from Vermilion had the same thing to say – we love Vermilion, what a wonderful community – lakefront, quaint, quiet. He said this is why they came here to raise their families. He said his kids were born and raised in Vermilion and after high school they went to college and traveled the country, and none of them live here. On Memorial Day weekend they had a family get-together down at Main Street beach and they played on the beach, walked downtown having hotdogs, walking back to the beach, and went to Romp's for ice-cream, which was very Andy of Mayberryish, which is what this community has been in his lifetime. His 40-year-old daughter told him that she hated growing up in Vermilion, but now absolutely gets it. She has five-year-old twins and just the joy of the safety of being able to walk through town was a memorable day for him because he could do it with kids and grandkids. He did not have to worry about any kind of chaos on the street. He did not think DORA is a good fit for Vermilion. Great Place to Drop Anchor!

Paul Habermehl of 5196 Devon Drive said if anyone checks social media or Facebook, they will know that he is totally against the DORA. They do not need alcohol to bring people into town. He is amazed on the weekends to see people walking all over the downtown with packages they have bought someplace – you can tell they are not from Vermilion and DORA did not bring them here, so why do they need DORA to bring other people in. They have so many people come in now for the festivals and everything because they know Vermilion is a nice, quiet, and safe town. The police department has done such a good job over the years controlling everything and they could probably walk the streets at 2 a.m. and feel safe not like you can in other cities. He cannot believe people are pushing this unless they are making a lot of money off selling the cups.

Nikki Dover of 4303 Ste. Rte. 60 said she is on the Board of Directors for the Chamber of Commerce, and she did not know that Main Street Vermilion was looking into DORA, and she had done some research herself and thinks DORA would be a success here in Vermilion. She feels that Vermilion lends itself to DORA. They have Live at the Lighthouse, Third Thursday, and the Wine and Chocolate Walk. She feels that people are doing it anyway. People have their yeti's, and she sees people with water bottles full of wine walking in the streets, so why not make it permissible and lucrative for the downtown

businesses. She feels that people think it will be chaos and disorderly, but she does not think it will. There are several business owners in Sandusky that she knows and has spoken to, and they found success and growth with it.

Sherry Miller-Francis said her home address is 10075 Darrow Road and her business address is 5485 Liberty Avenue. She said she owns Brewed Awakening, and her son runs it for them. She said Main Street took a survey and they got 1,000 people to take it. She had over 1,900 people in her store this past year and this was just one time – this does not include the double time they have been in. They did not come in for alcohol – they came in for coffee and bagels. She has had girls on Third Thursday, and she hires local people. She must worry about the safety of her employees because when alcohol comes in there – those are her kids. She should not have to worry because she has raised her kids here and came back here for the safety. She drives 100 miles round trip every day to work and every day they say – why do you live out there. She lives out here because there is a lake, it is safe, it is quaint, and its family oriented. She will never have alcohol in her establishment. It will always be family oriented because this is how she raised her kids, and this is how she is going to have her store. She said they have told her she can put a sign on her door saying she is not doing DORA and now that person she must turn away. She should not have to turn anybody away because everyone is coming in and she has had record sales every month going into this year. They were opened 361 days a year through COVID, and she did not have alcohol. Will she ever? No! She will keep her kids safe, and she will keep the workers safe, and she does not think DORA is a good fit for Vermilion. She said Sandusky is all bars and they are going over to the Jet Express. It is all bars in Amherst too. It is what they want because this is all they have. Vermilion has something they do not have. They have a community, a lakefront, a great Main Street which she is involved with and the Chamber as well. She is involved with all of this, but when it comes down to politics you usually do not hear her, but her son has talked to everybody, and he is 22 years old, and he says no because it is not safe. What did the city talk about on the fireworks on the beach – it is the alcohol. They are chasing the people with alcohol firing them off. What is the city going to do on Third Thursday and what is the city going to do from noon to 10 p.m. to protect everybody? She is told the cops will protect them. Now they are going to have all the cops working on the DORA cups. Is that what Vermilion needs?

Jacqui Adkins of 666 Main Street said her new store is Main Street Threads. She cannot speak on the past but can speak on what she has experienced here as she has lived in Vermilion for seven years. Coming from a small quaint town of South Amherst to Vermilion she has found that Vermilion is a given place that everyone talks to each other and smiles when they walk down the street. She invested in the community and loves the community. She does see some jealousy with her seeing other communities offer DORA

and seeing all the growth and potential that it does bring to the local communities and towns. It brings people to their downtown and brings people in and enhances their experience while they are there. They have personally been to Sandusky and have never seen any problems, and they have talked to many business owners, restaurants, and bars, and it does help move people in and out of their establishments. They have never had problems and the wonderful thing about owning a business - any business could have the no drinks or no food inside their business, so this is an ongoing thing. She does not have those in her store and over the past month they have been open, a lot of people were walking around with Yeti's with alcohol in it anyway and there are no problems in the streets or crime happening. She thinks with the addition of DORA it would create a good atmosphere with walking to the beach and she thinks it is very family friendly as well.

Larry Newsome of 2216 Brownhelm Station Road thanked everyone for a job well done on the Brownhelm Station culvert as everything looks good and safe. He said as he came into town a few moments ago, he saw a man and woman and four kids walking around and he does not know why Vermilion would want to have people going into a bar to get a beer – the majority of the people when they start drinking their language changes. Do you want your grandkids to hear all that? This is supposed to be Vermilion, a small town on a Great Lake. How can bringing in all the beer and stuff on the streets improve the quality of downtown Vermilion. He cannot see it and it is just not right, and he hopes it does not happen because it will just bring trouble. He asked how many police officers Vermilion has. Chief Hartung responded 18 full time officers. L. Newsome said if they start DORA, they will need a bunch more part timers because you are going to see it. They need peace and not to invite trouble just for a few bucks. If you start this, you may lose a lot of people not coming to town – a lot of families and a lot of people with kids. He is against this really and truly and cannot for his life see how this can improve downtown Vermilion by people walking the streets with a beer in their hands. It is just not right, and he would not want to bring his grandkids down here to walk the streets. He asked the city to be reasonable and to do what is right for the city.

Tyson Todd of 4679 Hollyview Drive said he does not drink but he likes what Sandusky and Broadway has done. He loves that a pizza place has never decided to expand, but now that something is going on, they will invest and open a second business. He said when you walk in Sandusky by Old Taco and talk to the candy shop owner, he says he would be closed now if it was not for DORA. Not just because of DORA, but businesses getting to stay open later, and again the possibility of needing more police – it is going to end at 10 p.m. They can drink now until 2 a.m. and walk around the town, and it could be worse if that. If this is the case, then maybe all bars should close at

10 a.m. He said they will cut DORA off at certain times and he loves that DORA can be reviewed. If it does not work, then restrict the area and change the times or get rid of it. It is worth a try. People who say it will not bring people in town – go down to Sandusky and watch people walk around. He loves Vermilion and has lived here 42 years, so he does not want bad things to happen, but it is kind of bad when you see other towns growing and Vermilion is kind of at a standstill. For him, he does not drink, but he loves when people come here and if this becomes a bad thing, then he would be the first one to come back and say please get rid of it just because it would not help the city. He said you might be able to go into a restaurant now because that person is going to get up and walk around, and go to the beach, and he will be able to get into a seat. He thinks they have all probably gone into a restaurants on Third Thursday and everyone of those are completely packed and half the time you can't get something to eat on Third Thursday, which he loves because those businesses are obviously making money, but it would probably be nicer if some of those people got up and walked around to different establishments, and other people can sit down and eat, and keep a flow going. He said this will start on Thursday to Sunday which would be great because it involves their Third Thursday and their Wine and Chocolate Walks that are great for the city that brings in about 300 people. He said in his business they had people that came in and he knows they are not supposed to go past the tracks with alcohol, but they came in on Main Street and they were perfectly fine. They came in and looked and then went on their way. It was an enjoyable weekend with even the people who came in with their Yeti cups and Labatt's that they must have gotten at the Fish Festival.

Mike Rini of 5637 Ferry Street said he is not a fan of DORA. He does enjoy partaking around town as one of his good friends is a local establishment owner. He said drinking is something they do in a bar and other cities have tried it starting out with Put in Bay. It was open container and they cut it out. Dancing on Main Street – that was all their venue – bands, which was typically Third Thursday. They did that for that business, and they could not control the crowd. There were police everywhere and it began to close at 11 p.m., then 10 p.m. It was something on which they could not gain. The two cities that he hears that has it (Lorain, Sandusky) is not in a residential neighborhood. They are talking about having this in the middle of a historic residential neighborhood. No! Do not put it anywhere! Drinking is for in a bar, and if he needs to go to the next bar to have a drink, he does not need to have a beer in his hand to go downtown to have the next drink. If it is for Third Thursday, they do not need it. It is a family venue from 70-year-olds to his five- and six-year old's that he can say, "Go walk about the town", it is safe. They do the best with police on the corner if they can control it. It is so busy on Third Thursday and if it is a venue to bring in more people on Third Thursday, he thinks they already have their hands full. They should not

allow the alcohol and if they are going to allow it at all, then it needs to stay on Main Street, and it doesn't need to go to the beach, the neighborhoods, the two parks, the park across the street from the public bars, or in the middle of Victory Park, or Main Street beach. This is a family venue. If he wants his kids to have family time, he can bring them into the choice of his establishment or he can take them to a beach or a park to fly a kite and swim. As some people say, the language gets much harsher as liquor happens and he attests to that. They get louder and more vocal as they are with their friends having a good time. As much as he enjoys having a drink with friends, family, and neighbors, it just does not mix in public places. If it is to bring tourists and people into town to come to their establishments, the establishments are opening on an average at 9 a.m. and they are closed on an average of 6 p.m. he believes. The coffee shops may be open a little earlier. He would not want somebody walking in with a drink in hand spilling all over his goods. He said he hopes it is considered to keep the beer in the bars and the family venues at the parks.

S. Herron said by technicality DORA is not even in front of council. This is not something they are voting on tonight or anytime in the future. It must come from the administration, so if it comes from the administration and city council by motion and second makes an ordinance, they will have three readings and a public hearing.

Pat Stein said she represents Ward One and since DORA would affect Ward One, she decided to put out a survey. She took a week and walked around to the businesses and residents and gave them the survey and asked them to fill it out. She did not require names and in fact she had two businesses who said they would not fill out a survey in fear of retribution. She summarized and broke her survey down into businesses in Harbourtown, but she was not able to get to all the businesses because some were not open the days she went, or they were too slammed to speak to her. She received 10 yes votes, 11 no votes, and two unsure within the businesses. She noted that some businesses asked her how she felt about it, but she told them she would not tell them how she felt because it was their survey to fill out. She just wanted to present the information. She divided all the surveys into groups and residents in Harbourtown resulted in 10 for DORA, 46 against, and three unsure. She broke it down further and went to residents in Harbourtown who also are business owners and eight of them said yes, and three said they were not sure. She had two people from outside of the Harbourtown area, but still living in Vermilion who said sure. She had some who said definitely not. She also left room for comments and touched on some of those comments, which said that just because other communities embrace DORA, it does not mean Vermilion should join the crowd. That was stated by a young person who is not old enough to drink yet. She said other comments asked how DORA would be enforced – police? Do we need additional

signage and if posted, it would need to be at eye level because no one reads streets signs? Additionally, if passed the beach and waterfront should be excluded as there will always be those who want to enjoy the water, sunset, and beach, and they will ignore any of the postings. P. Stein said this survey is part of the public record. G. Fisher said the survey is scanned in and anyone wishing to view the survey can request them from her. P. Stein said in talking with bar owners, most do not care one way or the other, or see a real benefit in DORA. The nays were very vocal about why and the positives were just vocal and would just say, "Oh sure." She said she did not have the financial resources to do pie charts and newspaper articles, so she just spent a week walking around downtown Vermilion, and she bought something from just about every store she went into and that was without a glass of wine.

Mayor Forthofer said as the law director had previously explained, he has the honor of being the trigger on DORA as he would have to make application to council. He said he has had more people write to him, call him, and come up to him during the recent festival on any subject other than the Baumhart Road project. He said the opinions were passionate. In listening to the process that the law director described, he believes it is getting late in the season to be able to achieve a DORA, at least in their traditional summer season. He thinks it is important to take some time to take the valuable information that the community, Main Street, Chamber of Commerce, and the elected officials have had, and try and think about something that if appropriate – would be appropriate for the City of Vermilion in particular. He has spoken with city managers and mayors in other cities that have DORA. It is not a slam dunk and none of them took what was available and put it on their city. They all had customization to some degree if they chose to go forward with it. Therefore, he will be giving DORA a little bit of a rest while this cools down, and then deciding after he talks with people on what will be the best thing for the City of Vermilion. If there is something that he thinks that will be brought back, this is the application he will bring back to Council and then they can do with it as they please.

B. Brady said the one thing that bothers her is that right now they have choice. They choose to go into a place that has alcohol and if they choose not to, then they go into the Soda Grill or Granny Joe's, or down to the beach or whatever. What worries her is that if they pass DORA, they take away this choice. Now all sudden the whole city will have alcohol available, and people will be walking around with it. This is the thing that is hitting her the most that they will be faced with alcohol or faced with being around it or not.

TOPIC TWO:2022 Pavement Marking Program

Chris Howard asked for council's permission to go out to bid for the 2022 Pavement Marking Program. The last time they did pavement markings was

in 2019. B. Brady asked about the Lorain side of Liberty. C. Howard said they will not include this because it will be done this year with Urban Paving. The only section that will not be done is the section from west of the bridge to South Shore Court. This will be done next year.

M. Stark MOVED; P. Stein seconded to authorize the administration to go out to bid for the 2022 Pavement Marking Program. Roll Call 6 YEAS. **MOTION CARRIED.**

B. Brady asked the service director to look at street signs as they are bad, and you cannot read them.

S. Herron adjourned the meeting after no further business came before the committee.

Next Meeting: July 18, 2022 @ 7:00 p.m. at the Vermilion Municipal Court Complex, 687 Decatur Street, Vermilion, Ohio

Transcribed by: Gwen Fisher, Certified Municipal Clerk