

RECORD OF PROCEEDINGS

Minutes of

Meeting

Minutes of the Vermilion City Council Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held _____ Monday, October 6, 2025 _____ 20 _____

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CALL TO ORDER:

John Gabriel, President of Council called the Monday, October 6, 2025, Vermilion City Council Meeting to order.

PLEDGE OF ALLEGIANCE:

The members of the City Council, the administrative staff, and audience members recited the Pledge of Allegiance; a moment of silence followed.

ROLL CALL:

Vermilion City Council: John Gabriel, President of Council; Gary Howell, Council at Large; Patricia West, Ward One; Drew Werley, Ward Three; Jeff Lucas, Ward Four; Brian Holmes, Ward Five; Melanie Wood, Clerk of Council. Absent: Greg Drew, Ward Two.

Administrative Staff: Mayor Forthofer; Tony Valerius, Service Director; Amy Hendricks Finance Director, Susan Anderson, Law Director; Chris Howard, City Engineer.

APPROVAL OF MINUTES:

J. Lucas MOVED; G. Howell seconded to approve the September 22, 2025, Vermilion City Council meeting minutes. Roll Call Vote 5 YEAS; 1 ABSTAIN (Holmes). **MOTION CARRIED.**

OPEN TO THE AUDIENCE:

Jim Luby of 233 Overlook said he had a couple questions regarding the property at 217 Overlook, if you have been down there, that is the local landfill for the project, and it is starting to wind down as he can see. The first question he has is what is the future of that property? When they tore the house down, they did a really great job of renovating the property and leveling it. As he sees it right now, the heavy equipment has gauged it out really bad and if it isn't brought up to where it was prior to the project, it will be a sump. That whole area to the east and north is very wet, he has lived there many years. He wants to make sure they are going to return it to the condition prior to the project. Given that the owner was assessed for the work, it would only be fair to him to bring it back to condition. The other question he had was whether they are going to repair or replace the cleanout that was on that property and has been missing for four years now. J. Gabriel said they would get those answers to him, if not this evening, someone will contact him.

Homer Taft of 3972 Edgewater Drive said he was there to ask council to table and defer until next year Ordinance 2025-61 regarding the Flock system. He asks for several reasons, first of all and it is probably impolite to say so but folks, if you look to your left and to your right, you are a lame duck council where there will be at least three new members of council next year. It is going to be a different council, but more importantly it is going to be a different administration with different folks, and he thinks they need to look at this. Also, there is going to be a different chief, so the police department is changing as well. As you know, he is a candidate for council so let's say it is 50/50 he might be up there, but whoever is up there has the right and the new mayor has the right to decide what spending is done next year. It is not your year, it is their year, and he doesn't know they can afford \$36,000 for that and he doesn't know they could afford \$27,000 or whatever for the AEDs. They can't afford to study the roads to know what the needs are, they can't afford to fix things, but they are going to do new things. Another reason he has spoken in the past - the sensitivity of the information. They don't even have a contract in front of them when this ordinance is presented much less carefully and thoughtfully and thoroughly reviewed by whomever the new law director is and others including the new council. It needs to be looked at exceedingly carefully. Let's understand what it is they are doing, they are not just surveilling folks who pass through town, they are surveilling every driving resident in this community every single day of the year. They have been told it only looks at license plates, no it doesn't you have already seen photographs that show that's not true. We don't know where

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they are going to go yet, we don't know all the privacy concerns. There are substantial civil liberties concerns. He has heard they get rid of the information after 30 days – yes, unless it has been shared with somebody. Exactly what are the rules going to be of that sharing, because they are pretty loopy-goopy as he has seen them. It says after 30 days they get rid of it, but you can download all of it and keep it – that is your data, and it can be kept for years, and they can misuse it. Well, they have rules against that – people break rules all the time, we need to make sure things are locked down before they do things like this. He thinks it is exceedingly premature and ill-advised, they even consider this ordinance at this time. He doesn't think it serves the community well and the thinks before they do it, it should go to three committee meetings and be completely fleshed out, thoroughly vetted, and make sure they are not just messing with the safety and privacy of the people who they serve.

Alec Bonawit of 3927 Brownhelm Station Road said Mr. Taft has said it all for him. He agrees with Mr. Taft on most items he mentioned about the Flock Cameras. He doesn't have anything personally against the Flock Cameras or getting the Flock Cameras, he agrees that the quote "Lame Duck Council" should table this until next year and let the new council and administration review it and do the contracts necessary.

RESPONSE TO THE AUDIENCE:

Amy Hendricks said she had a response to the questions from resident Bill McCourt about the city's IT services. A summary of what is covered in the agreement is on site and remote engineering that will provide best top server, network storage, wired and wireless networking, firewalls, two-way radios, voiceover IP, project management and engineering, and other miscellaneous items supported as needed by the city. She does think it is important to understand to understand the city does not have any fixed type of IT staff that they employ to be here on a daily basis to be dedicated for maintenance nor do they have dedicated electrical staff that can install cable for any of the IT needs. Also, the contract covers attending meetings where it relates to IT technology for the city and they provide onsite and remote personnel throughout the week and weekends with a tiered support system, provide emergency support which is 24/7 including holidays. Emergency support includes network outages, server failures, and other critical infrastructure defined by Vermilion. A support ticket management system and help desk phone number, monitoring of network and servers and the cost of equipment is not included in the agreement. Also to clarify under Ohio Revised Code technology services, equipment and software are not subject to competitive bidding requirements for municipalities. Any services beyond those covered under this agreement in categories listed are provided and paid separately by the selected provider whether that be LorCo or other vendors. All equipment is leased and or purchased separately also from that service contract.

Specific questions were raised about the items that were paid for in addition to the agreement and those are clearly outside of that scope. It looks like there is a lot because of the way they allocate their costs across every department so for the monthly services, you are going to see ten lines in different departments because they are charging it to those different departments based on the number of licensed users in each of those to give a better handle on the costs. The base cost for the year, there was a question about the total spend with LorCo and in FY 2024 it was \$234,000 and year to date 2025, \$232,000. In both years the base service for fees is \$150,000 and the items that were covered in each of the years are things like Microsoft licensing which is \$27,000 per year and they have \$22,000 in upgrades to the camera systems at the water plant, \$14,000 in the cabinetry and cameras for the AEDs, \$12,000 for the MVTs that went into each of the patrol cars, and various other things while we are gearing up to be able to accommodate Windows 10 and some computers had to be upgraded for that and they tried to do that over a three year period.

Because of the size of the city and the staff, and the complexity of IT if they started bringing in a different firm to save \$100 here or there, what she has seen happen over too many years of experiences all you have is finger pointing and blaming the other company for this or that and it gets a little touchy. Time is money and they want to make sure that when they are dealing with public safety to avoid any of those hiccups and interruptions in services.

Susan Anderson said along the same topic of the LorCo contract, she took a look at the questions surrounding the conflict of interest involving the contract and she determined there is no conflict of interest to keep council from renewing its contract with LorCo if they choose to do so. The employee in question is

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an employee of LorCo, not an owner and serves as a volunteer auxiliary police officer for the city and does not receive any compensation through that volunteer role and thus is not subject to the conflict-of-interest laws.

Tony Valerius said in response to Mr. Luby's question as it relates to the vacant lot next door, when the construction is completed, that lot will be graded, top soiled, and seeded with straw. As it relates to the clean out, he will have to investigate it further.

CORRESPONDENCE:

M. Wood reported that Council received a liquor control permit from the Ohio Division of Liquor Control to Ambica Inc, 1605 North Ridge Road, Vermilion, Ohio.

President of Council Report: No Report.

COMMITTEE REPORTS:

Finance:

J. Lucas reported the last meeting was September 15, 2025. The next meeting is scheduled for October 20, 2025, at 6:00 p.m.

Historic Design & Review Board:

J. Lucas reported on the meeting held on October 1. The next meeting is scheduled for November 5, 2025, at 6:00 p.m.

Planning Commission:

J. Lucas reported on the meeting held October 1, 2025. The next meeting is scheduled for November 5, 2025, at 6:00 p.m.

Stormwater Advisory Commission:

No meeting scheduled to date.

Health & Safety:

B. Holmes reported the next meeting is scheduled for October 20, 2025, at 6:00 p.m.

Streets, Buildings & Grounds:

The next meeting is scheduled for October 20, 2025, at 6:00 p.m.

Vermilion Tree Commission:

The next meeting is scheduled for October 7, 2025, at 9:30 a.m. at the Parks Department.

Legislative:

G. Howell reported the next meeting is scheduled for October 20, 2025, at 6:00 p.m.

Parks & Recreation:

G. Howell reported the next meeting is scheduled for October 21, 2025, at 6:00 p.m.

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Port Authority:

J. Gabriel reported the next meeting is scheduled for October 9, 2025, at 6:30 p.m.

Main Street Vermilion:

P. West reported on the next meeting is scheduled for November 6, 2025.

Utilities:

The next meeting is scheduled for October 20, 2025, at 6:00 p.m.

Zoning Board of Appeals:

The next meeting is scheduled for October 28, 2025, at 6:00 p.m.

MAYOR/SAFETY DIRECTOR'S REPORT:

Mayor Forthofer said at the previous meeting he had asked to table Ordinance 2025-55 and tonight he is asking for the Ordinance to be un-tabled for council consideration. He introduced Lorain County Sheriff Jack Hall and said he had asked to address the local councils with the purpose of informing those who live in Lorain County of an upcoming issue on the ballot.

Sheriff Jack Hall thanked the Mayor for allowing him to address council. He said he had the honor of participating in the Woollybear Festival parade this Sunday with a tremendous amount of people and he got to march with Sheriff Sigsworth and Chief Hartung. The Lorain County Sheriff's Office has an amazing relationship with the City of Vermilion as they have a mutual aid agreement with not only Erie County but the Vermilion Police Department as well to make sure that the areas of Vermilion in both Lorain and Erie County are covered by not only the Vermilion Police Department but also the Erie County Sheriff's Office and Lorain County Sheriff's Office. The city also graciously hosts the Lorain County Sheriff's office boats at their marina that they use for watercraft enforcement on Lake Erie.

The Mayor allowed him to speak about Issue 1 which is on the Lorain County Ballot this upcoming November election. The purpose of the issue is to be able to apply the ¼ of 1% sales tax that would be reinstated from a tax from 2016 that was placed on the tax collection by the commissioners and rescinded in 2020. The difference between that tax and what they are asking for on the ballot is that this is a voter initiative. Due to the fact that the Lorain County Sheriff's Office is the largest consumer of the county budget for the entire county. They take up approximately 35% of the entire county budget. With that 35%, back in the mid 90's a .25% sales tax was passed by the voters then to be applicable to the Lorain County Jail for any operations and functions of the jail. It was not to build a new jail; it was to maintain what they have now. When they look at the tax that comes in through the sales tax, they also have to go back to the general fund of the county for about \$5 million to fulfill what they need in the jail. That is due to the fact that they spent \$1.1 million last year just transporting prisoners and maintaining borrowed prisoners from state prisons who commit crimes on Route 83. They also have an aging jail, but this tax has nothing to do with that jail. This tax also has nothing to do with income tax, it has nothing to do with property tax and to go back to address what Mr. Taft had said earlier, this tax is to maintain what they do now as Lorain County Sheriff's Office and being applicable to assisting the Vermilion Police Department, Erie County Sheriff's Office, and fulfilling all the functions they do on a daily basis. This tax would generate nearly \$14 million coming solely into Lorain County Sheriff's Office, the commissioners have voted this tax would go nowhere else in the county and is directly for law enforcement purposes. That allows them to return nearly \$14 million to the county budget.

In regard to spending new money, they would like to point out that the average resident in Lorain County spends about \$485 per month on taxable goods and services. That means on average a Lorain County resident would spend \$1.21 per month in order to contribute to the sole operation of Lorain County Sheriff's Office. With that in mind, he would like to address the new initiatives since he has taken office with Lorain County that includes a mounted unit, expanding special operations they have done in their K-9 units and to Mr. Taft's point regards to spending money on different things – their community outreach which is the

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Frosty 5-0 which is an ice cream truck they use to speak with children in the area. It is a white vehicle with comical ice cream figures on the side to make kids feel easy about approaching law enforcement which was a used 2017 corrections vehicle. The donor of the graphics donated the time and labor for that and in addition the ice cream has been provided by private organizations and fraternal organizations, and they have spent \$0 on that program. In addition to that for the mounted unit, they have raised approximately \$90,000 in order for the purchase of the horses and equipment. They have had trailers donated and they have three horses they are looking at buying all costing the county taxpayer \$0. They also have two new K-9s and their first ever bomb dog which is being put into play. If you have children in the Firelands School District, you may be familiar with school resource officer Trifiletti who has taken the position of the new K-9 officer for the bomb unit. Those dogs were purchased with zero general fund dollars and zero dollars for the training of those officers because those were all through donations. They have been very successful with the generous support of the business community and residential community in Lorain County and new initiatives have been paid for by the hard work their deputies have done in making sure they solicit those appropriate donations to do the programs they want to do.

Issue 1 which they are asking for and which will generate about \$14 million for the general operation budget will take the politics out of being able to run the Sherrif's Office because even though the county commissioners will still have an oversight of their budget, they will have that money dedicated to them and it is a dedicated revenue stream that will be coming in. He thanked the council and mayor for their support in allowing him to address Issue 1 which will be coming up in Lorain County.

Mayor Forthofer said it was an amazing Woolleybear Festival for those who were not there. It was hard not to encounter Woolleybear yesterday there were so many people, and they estimate it was one of the biggest crowds in recent memory. The parade route was packed almost all the way around. The heat took a toll on a couple of the band members, and he appreciates them coming. He offered his congratulations to the Vermilion Chamber of Commerce and Sandy Coe for organizing this thing effortlessly and it ran exceedingly smoothly and they should be very appreciative of the work of the Vermilion Chamber.

SERVICE DIRECTOR'S REPORT:

Tony Valerius reported last Thursday, the city received an email from ODOT's bridge inspection contractor regarding the condition of the bridge on Jerusalem Road that spans Brownhelm Creek. Based on the findings of the inspection, ODOT recommended the immediate closure of the bridge. As such, he instructed the street department to barricade the bridge and install signage using temporary measures. They are currently working to install a more permanent closure with proper barricades and appropriate signage for the long term. Emergency services were also notified as well as the schools and the public. At this time, they are currently looking to see if the city may be eligible for obtaining any supplemental emergency funding from outside sources to replace the bridge.

He wanted to inform citizens on the east side of the river that the distribution department will begin flushing hydrants later this week. Please be aware at times you may experience low water pressure, or slight discoloration and if so, they ask you run the water until it clears before drinking or doing laundry. Flushing will continue through the remainder of October.

FINANCE DIRECTOR'S REPORT:

Amy Hendricks reported they have appropriation updates on the agenda this evening for the first reading. Fund 236 and Fund 601 have requested increases of \$3,000 for additional overtime that has occurred recently for those departments. Also, Fund 407 which is the fundraising allocation for Showse Park improvements – late Friday, orders were submitted that exhausted the number of the amount of funds that were currently budgeted so what she is asking is that the remaining cash balance of \$46,400 in those donated funds be budgeted and appropriated so that if there are any additional expenses for that project between now and the end of the year, they are able to move forward on an as needed basis.

Also on the agenda is the first reading for the 2026 temporary appropriations as they have done in the past this is based on the tax budget for the upcoming years. Temporary appropriations are in effect for the first quarter of the year until permanent appropriations are adopted. Also, a brief narrative was provided to council, and this will be a discussion item at the Finance Committee meetings on October 20th.

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Also, it was time for the annual filing of the information form which is submitted to the Municipal Securities Rulemaking Board in advance of the September 30th deadline with the assistance of the bond counsel. The AIF provides essential investor information that supports transparency and regulatory compliance to inform investor decisions. Legal Counsel included disclosure of two subsequent events in 2025 to note. One of those is the reduction in the municipal income tax forgiveness as well as the reduction in the sewer rates given the potential impact that both of those actions could have on repayment of debt.

CITY ENGINEER'S REPORT:

Chris Howard reported the Edgewater Boulevard Waterline Replacement Phase 1 - all cross-street connections and laterals have been completed. The contractor has to do some clean up work, topsoil, seeding and mulch.

The V.O.L. Sanitary Sewer Project contractor is looking to complete the sanitary lateral work on Edgewater next week. Currently, they are working on sanitary manhole castings.

For the 2025 Road Program, all base repairs and asphalt have been completed on Larchmont and Nautical. The contractor has some topsoil and seeding to do on Nautical. Please note that Columbia Gas has repair work they are responsible for on Larchmont.

LAW DIRECTOR'S REPORT: No Report.

OLD BUSINESS: None.

NEW BUSINESS:

B. Holmes MOVED; J. Gabriel seconded to un-table Ordinance 2025-55. Roll Call Vote 5 YEAS; 1 NAY (Werley). MOTION CARRIED.

READING OF THE ORDINANCES:

S. Anderson asked with respect to Ordinance 2025-55, it is identified in the agenda as a 5-year contract, and it has been changed to a 3-year contract. J. Gabriel responded in the reading of the ordinances, they will entertain a motion to amend and reflect the changes of the 3-year contract and the 60 day out.

Third Reading – Ordinance 2025-55: AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH LORAIN COUNTY DATA, LLC (DBA LORCO DATA), OF ELYRIA OHIO, EFFECTIVE DECEMBER 1, 2025, THROUGH NOVEMBER 30, 2030, IN AN AMOUNT OF \$12,750 PER MONTH INCLUDING UNLIMITED REMOTE, ONSITE, AND AFTER HOUR "IT" SUPPORT, AND DECLARING AN EMERGENCY.

J. Lucas MOVED; B. Holmes seconded to amend Ordinance 2025-55 to reflect the change to a 3-year contract and 60-day out. Discussion: D. Werley said he was curious what the emergency was. A. Hendricks answered the contract expires December 1st. S. Anderson answered the contract will go into effect December 1st this year if approved by council. D. Werley asked if the previous contract would expire before the 30 days. S. Anderson said the previous contract expires at the end of November. J. Gabriel said the motion to amend will bring it into compliance with the changes that have been made, taking it from a 5-year contract to a 3-year contract and then adding the 60-day out clause. Mayor Forthofer said he believed the 60-day out was there in the first place. J. Gabriel thanked the mayor and said he was not aware of that. D. Werley said just to double check, the current contract ends the end of November, they have 30 days if they don't pass it by emergency they have 30 days to allow it to happen and allow someone to petition it if they want to which probably will not happen, he does not see a reason to pass it by emergency. G. Howell asked regarding the \$12,750 spread out between 10 line items – the money is divided by which 10 departments. A. Hendricks answered any of the departments who have employees who they purchase a Microsoft license for, and it is prorated. It would include Parks, Port Authority, Finance, Utility Billing, Water Plant, Wastewater Plant, Service Director, Building Department, Police Department, City Council. G. Howell responded that each of those departments would have a line item for roughly \$1,000. A. Hendricks answered yes. J. Gabriel said the concern he has is if someone were to

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petition the police department is under construction and he would hate to delay that construction and incur those construction costs as they wait to find another professional service to fulfill that obligation or need. B. Holmes noted it could be any department. J. Gabriel agreed, but the police department is the crucial need the other ones could maybe get by. Mayor Forthofer said he supports the Council President's observation they began discussions on the new police department over a year ago, and involved in it was IT from the very beginning because this is a technology intensive building with dispatch and everything else and as the Council President said to disrupt that before it is not only in but operating effectively would be switching courses in the stream. G. Howell said at first glance \$12,750 per month seems like a whole lot but when you are spreading it out as thin as they are talking about, \$1,000 per department seems reasonable to him. A. Hendricks said as a point the current rate is \$12,500 and has been that for the five years the contract has been in place, so it is a 2.5% increase. B. Holmes noted it includes the Fire Department as well. Roll Call Vote 5 YEAS; 1 NAY (Werley). **MOTION CARRIED.**

B. Holmes MOVED; J. Gabriel seconded to adopt Ordinance 2025-55 declaring an emergency. Roll Call Vote 5 YEAS; 1 NAY (Werley). **MOTION CARRIED.**

Second Reading – Ordinance 2025-58: AN ORDINANCE AMENDING ORDINANCE 2018-34 ADOPTED JUNE 18, 2018, AND CHAPTER 860 OF THE VERMILION CODIFIED ORDINANCES OF THE CITY OF VERMILION, OHIO, ENTITLED "PEDDLERS, CANVASSERS, AND SOLICITORS" AND DECLARING AN EMERGENCY.

First Reading – Ordinance 2025-59: AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF VERMILION, STATE OF OHIO, DURING THE THREE-MONTH PERIOD BEGINNING JANUARY 1, 2026, AND ENDING MARCH 31, 2026.

First Reading – Ordinance 2025-60: AN ORDINANCE ACCEPTING AND APPROVING THE FINAL PLAT OF LIGHTHOUSE ESTATES SUBDIVISION NO. 4 FOR RECORDING PURPOSES AND DECLARING AN EMERGENCY.

B. Holmes MOVED; J. Lucas seconded to suspend the rules for Ordinance 2025-60 and declaring an emergency. Discussion: J. Gabriel said three phases have already been put in at least two of those phases have been put in on a first reading and with the weather changing and contractors in line already, he does not see a reason for delaying this project. C. Howard said at Planning Commission they brought up some of the punch list items and the contractor has addressed all of them as of today. J. Gabriel asked if he felt they were up to code. C. Howard answered yes. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

G. Howell MOVED; B. Holmes seconded to adopt Ordinance 2025-60 and declaring an emergency. Roll Call Vote 6 YEAS. **MOTION CARRIED.**

First Reading – Ordinance 2025-61: AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF VERMILION, OHIO TO ENTER INTO A CONTRACT WITH FLOCK GROUP, INC. (FLOCK SAFETY) OF ATLANTA, GEORGIA, FOR AN INITIAL PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED THIRTY-SIX THOUSAND DOLLARS (\$36,000).

First Reading – Ordinance 2025-62: AN ORDINANCE AMENDING ORDINANCE 2025-6 ADOPTED MARCH 3, 2025, TO MAKE APPROPRIATIONS FOR CURRENT EXPENDITURES, AND TO AMEND THE 2025 CERTIFICATE OF ESTIMATED RESOURCES FOR THE CITY OF VERMILION, OHIO.

J. Gabriel asked if they needed Ordinance 2025-62 passed this evening or if they were behind on anything. A. Hendricks answered currently they should be able to make it to the second reading at the end of the month, and she will keep them posted.

ANNOUNCEMENT OF MEETING DATES:

All meetings will be held at the Vermilion Municipal Complex, 687 Decatur Street, Vermilion, OH

-October 20, 2025 – Vermilion City Council Committee Meetings – 6:00 p.m.

-October 27, 2025 – Vermilion City Council Meeting – 6:00 p.m.

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ADJOURNMENT:

After no further discussion, J. Gabriel adjourned the Vermilion City Council Meeting.

Transcribed by: Melanie Wood, Clerk of Council (October 7, 2025)