

Amherst City Council met in a regular session under full compliance of State Law with President Dietrich opening the meeting at 7:10 P.M. Roll call vote: Mrs. Wasilk, Mr. Winiarski, Mr. Miller, Mr. Janik, Mr. Bukovac, Mr. Goodell, Mr. Van Treuren. Also present were Mayor Costilow, Auditor Kukucka, Treasurer Ramsey, Law Director Pecora and Safety Service Director Jeffreys.

The prayer was invoked by Chaplain Wasilk, followed by the Pledge to the Flag led by Sergeant at Arms Bukovac. The Clerk read the consent agenda. Mr. Van Treuren moved to accept the consent agenda as read. Second by Mr. Miller. Roll call vote 7-0 in favor. The public was acknowledged pertaining to items on the agenda. No one spoke.

**ORDINANCES AND RESOLUTIONS FIRST READING:**

(a) An ordinance to approve current replacement pages to the Amherst Codified Ordinances; and declaring an emergency. (A-17-02)

Mr. Goodell moved to suspend the Council rule requiring three readings. Second by Mr. Miller. Mr. Miller addressed the question that had previously been brought up about Chinese lanterns and firework rules in the ACO and ORC. He said that found ACO1519.4(B)&(C) addressing the materials used in fireworks but not actually the use. Roll call vote 7-0 in favor. Mr. Janik moved to adopt. Second by Mr. Winiarski. Roll call vote 7-0 in favor. **Becomes O-17-01.**

(b) An ordinance authorizing and directing the Safety/Service Director to solicit bids for the 2017 Street Rehabilitation Program and authorizing and directing the Safety/Service Director to award the contract for such work to the lowest responsive and responsible bidder; and authorizing the mayor to enter into a contract for professional services with Bramhall Engineering and Surveying Company relating to such program; and declaring an emergency.(A-17-03)

Mr. Miller moved to suspend the Council rule requiring three readings. Second by Mr. Goodell. Roll call vote 7-0 in favor. Mr. Janik moved to adopt. Second by Mr. Miller. Roll call vote 7-0 in favor. **Becomes O-17-02.**

(c) An ordinance authorizing and directing the Safety/Service Director to solicit bids for the Elyria Avenue repairs and improvements project and authorizing and directing the Safety/Service Director to award the contract for such work to the lowest responsive and responsible bidder; authorizing the Mayor to enter into a contract for professional services with Bramhall Engineering and Surveying Company relating to such improvements; and declaring an emergency.(A-17-04)

Mr. Goodell moved to suspend the Council rule requiring three readings. Second by Mr. Janik. Roll call vote 7-0 in favor. Mr. Miller asked for clarification on the work being done. Mayor Costilow said that the base would be fixed and overlaid with asphalt from North Main to the Amherst City limits. Mr. Miller moved to adopt. Second by Mr. Janik. Roll call vote 7-0 in favor. **Becomes O-17-03.**

(d) An ordinance authorizing and directing the Safety/Service Director to solicit bids for the widening of Kresge Drive along the frontage of Century Plaza and authorizing and directing the Safety/Service Director to award the contract for such work to the lowest responsive and responsible bidder; authorizing the Mayor to enter into a contract for professional services with Bramhall Engineering and Surveying Company relating to such improvements; and declaring an emergency.(A-17-05)

Mr. Goodell moved to suspend the Council rule requiring three readings. Second by Mr. Miller. Mr. Miller asked about the widening of Willow Creek bridge. The Mayor said that the bridge would stay two lanes but the road would be widened west to Route 58. Roll call vote 7-0 in favor. Mr. Van Treuren moved to adopt. Second by Mr. Goodell. Roll call vote 7-0 in favor. **Becomes O-17-04.**

(e) An ordinance approving and accepting dedicated improvements for the Preserve at Quarry Lakes, Phase I and approving the subdivision plat therefor. (A-17-06)

Mr. Miller said that he would like to suspend the Council rule requiring three readings. Second by Mr. Van Treuren. Mr. Miller said that he was asking for the suspension so that Mr. Brady could start working after the 30 days were up. Roll call vote 5-2 with Mrs. Wasilk and Mr. Winiarski voting no. Motion failed. Mr. Bukovac asked the Law Director to read the rule for the

number of votes needed for passage which he did. Law Director Pecora confirmed that a 6-1 vote was needed for suspension. Mr. Winiarski moved to take to second reading. Second by Mr. Van Treuren. Roll call vote 7-0 in favor.

**ORDINANCES AND RESOLUTIONS SECOND READING: NONE**

**ORDINANCES AND RESOLUTIONS THIRD READING:**

(a) A resolution of necessity for the construction and repair of sidewalks for the year 2017. (A-16-67)

Mr. Goodell moved to adopt. Second by Mr. Winiarski. Roll call vote 7-0 in favor. **Becomes R-17-02.**

Miscellaneous and acknowledgement of the public:

Mr. Winiarski spoke about the passage of R-17-02 saying that he knows that there will be additional work involved for different departments in taking care of the sidewalk repairs. Mayor Costilow said that he is concerned about where the funding will come for this project. Mr. Winiarski asked the Law Director for a punch list of responsibilities. Auditor Kukucka said that he has some ideas for financing that does not including bonding which he found cost prohibitive. He asked that Safety Service Director for a list of sidewalks needing repair. He said that he would also help the Clerk stuff envelopes.

Agenda Requests and Committee Meeting Schedules:

A-17-07 An ordinance to approve the Sub divider's Agreement between the City of Amherst and Cambred Development II, LLC for The Preserve at Quarry Lakes Subdivision 2..  
A-17-08 Authorization to bid and award 2017 tree trimming maintenance.

Finance February 6, 2017 at 7:00 PM A-17-08  
Bldg&Lands February 6, 2017 at 7:05 PM A-17-07

All other Council Committee Meetings for the period are cancelled.

Reports of the Administration:

Auditor Kukucka: No report.

Treasurer Ramsey: No report.

Law Director Pecora: He said that through ORC said that he confirmed that a 6-1 vote was needed for suspension of rules.

Safety/Service Director Jeffreys: No report.

Mayor Costilow: No report.

Mrs. Wasilk moved to accept the Reports of the Administration. Second by Mr. Bukovac. Roll call vote 7-0 in favor. Mr. Janik moved to adjourn. Second by Mr. Miller. Voice vote 7-0 in favor. Meeting adjourned at 7:42 PM.

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Linda Turley, Clerk of Council

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John Dietrich, President of Council