

SEPTEMBER 11

2017

Amherst City Council met in a Regular Session under full compliance of State Law with President Dietrich opening the meeting at 7:00 P.M. Roll call: Mr. Dembinski, Mr. Miller, Mr. Winiarski, Mrs. Wasilk, Mr. Van Treuren, Mr. Janik, Mr. Cowger. Also present were Treasurer Ramsey, Safety/Service Director Jeffries, Mayor Costilow, Law Director Pecora, Auditor Kukucka, one member of the Press and Mr. Shaun Brady.

The Prayer was invoked by Chaplin Wasilk, followed by the Pledge to the Flag led by Sergeant at Arms Dembinski.

Consent Agenda: The Clerk read the Consent Agenda. Mr. Miller motioned to accept the Consent Agenda as read. Seconded by Mr. Dembinski. Roll call vote 7-0 to accept the Consent Agenda.

Acknowledgement of the public pertaining to items on the agenda: There was no one speaking.

ORDINANCES AND RESOLUTIONS FIRST READING:

- (a) An Ordinance approving the subdivider's agreement between the City of Amherst, Ohio and Cambrad Development III, LLC for Phases 1, 2 and 3 of the Reserve at Beaver Creek Subdivison. (A-17-41)

Mrs. Wasilk motioned to take this to its second reading. Seconded by Mr. Miller. Roll call vote 7-0 to pass to second.

- (b) An Ordinance re-appropriating funds from Electric Department Account #620-5001-52501, Capital Outlay, to Account #620-5001-52401 Line Materials; and declaring an emergency. (A-17-42)

Mr. Dembinski motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Cowger. Roll call vote 7-0 to suspend rules. Mr. Cowger motioned to adopt. Seconded by Mr. Janik. Roll call vote 7-0 to adopt. Becomes 0-17-30.

- (c) An Ordinance authorizing additional funding to perform night work for the Kresge Drive widening project; and declaring an emergency. (A-17-43)

Mr. Van Treuren motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Dembinski. Mr. Miller asked when this work will begin. Mayor Costilow said tonight if we adopt this ordinance. Mr. Miller thanked Mayor Costilow for spending a little more and doing this to help with traffic flow for the businesses and customers that are in that area. Roll call vote 7-0 to suspend rules. Mr. Miller motioned to adopt. Seconded by Mr. Dembinski. Roll call vote 7-0 to adopt. Becomes 0-17-31.

- (d) An Ordinance authoring the City to enter into a contract to read all of the City's Meters; and declaring an emergency. (A-17-44)

Mr. Dembinski motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Winiarski. Mr. Kukucka asked about the accounts regarding this legislation and where it will be paid from. Mayor Costilow said it would be sewer and electric and things will be shuffled around. Roll call vote 7-0 to suspend rules. Mr. Winiarski motioned to adopt. Seconded by Mr. Janik. Roll call vote 7-0 to adopt. Becomes 0-17-32.

ORDINANCES AND RESOLUTIONS SECOND READING:

- (a) An Ordinance adopting a Capital Asset Policy for the City of Amherst. (A-17-35)

Mr. Miller motioned to pass this on to its third reading. Seconded by Mr. Dembinski. Roll call vote 7-0 to pass to third.

- (b) An Ordinance amending Amherst Codified Ordinance Chapter 913, Section 913.04.

Mr. Dembinski motioned to pass this on to its third reading. Seconded by Mr. Cowger. Roll call vote 7-0 to pass to third.

ORDINANCES AND RESOLUTIONS THIRD READING: None

Miscellaneous and acknowledgement of the public: Mr. Miller acknowledged the 16th anniversary of the 911 attacks. He would like to remember all the safety/service members, fire, police and others who lost their lives and those who were affected by this. In addition, many left Amherst and Lorain County to New York to assist those with recovery. We do appreciate their efforts. It shows us how important it is to unify and to be an American and to be there for those in need. We are also proud of the help being provided for the victims of the hurricanes.

Agenda requests and committee meeting schedules:

A-17-45 Finance An Ordinance repealing O-01-32 and directing the Auditor to discontinue the transfer of funds generated by the implementation of the kilowatt –hour tax from the General Fund to the Electric Fund

Finance September 18, 2017 at 7:00 p.m. A-17-45

Ordinance September 18, 2017 at 7:10 p.m. A-17-38 (add section to ACO pertaining to food and vendor carts and trucks)

The remainder of Council Committee Meetings for September 18, 2017 are cancelled

Reports of the Administration:

Auditor Kukucka: The audit has been released by the State and is out on the State web site. The July and August Auditor's reports have been distributed.

Treasurer Ramsey: The July and August Treasurer's reports have been distributed.

Law Director Pecora: No report

Safety/Service Director Jeffries: No report

Mayor Costilow: Referred to the presentation Mr. Courtney had last week about our electric rates and the PPA and how it was figured over a three month average and how that could cause some spikes in the rates and he and Mr. Courtney have talked about this and have decided to change that to a six month rolling average and that should stabilize that PPA and cause some of those spikes to be less severe. That should begin sometime soon. Council should have received the sidewalk letters that have been and are being sent out. There are about 900 addresses so we are about 1/3 done sending those letters out in smaller groups so that it's not such an impact on the Administration and gives people time to ask questions. There is a web site, an e mail address and phone number that people can call for questions. This is going very well. He thanked Council for passing the extra money for Kresge Drive. We will start on that project tonight. There are some message boards out there that will keep people apprised of what's going on. Hopefully, 99% of the work will be done at night. Some will have to be done during the day. Thankfully, the concrete plant will stay open at night to help us out. Mr. Cowger said one person that contacted him had questions and he went with that resident to the address in question and he did not see anything wrong with the sidewalk. He walked the whole development and noticed two different spots. But they were not that address. Mayor Costilow said he wishes the residents would contact the building department. We could have made a mistake, some of the specifications are pretty small. We did some during the winter and there could have been some heaving and unheaving. That's why the Building Department would like to look at those. They will look and if there's nothing to be done, they will change that. Mr. Cowger asked how many letters are being sent out in a group? Mayor Costilow said it varies depending on the areas. We are up to 350 letters. We kind of wait until the calls and e mails quit coming in to send out another group of letters. Mr. Cowger asked for copies of those addresses. Mayor Costilow asked that if Council is asked about this, their first response should be to contact the Building Department, or e mail or phone number provided by us. Mr. Miller said he believed at one time during this process we received copies of the addresses of these homes, the first 250. Have all those been contacted? Mayor Costilow said they may be a part of that list. Mr. Miller said so we have a master list. Is that sitting out on the web site so people can have more than just the time from when they received the letter? Mayor Costilow said that will not get posted until the more official time. He explained. Mr. Miller asked what the time frame is from time people receive the letter to repair? Mayor Costilow said this is just a voluntary letter, it could be up to three years before the repair is required. He hopes some of these people will repair on their own. He spoke of possible bid packages when that time arrives and explained further how that might work.

Mr. Miller motioned to accept the Reports of the Administration. Seconded by Mr. Cowger. Voice vote 7-0 to accept the Reports of the Administration.

Acknowledgement of receipt of monthly reports from Treasurer and Auditor: Mr. Miller motioned to accept the monthly reports from the Treasurer and Auditor from the months of July and August. Seconded b Mr. Dembinski. Roll call vote 7-0 to acknowledge receipts.

Mr. Dembinski motioned to adjourn. Seconded by Mr. Cowger. Voice vote 7-0 to adjourn. The meeting adjourned at 7:26 p.m.

Olga Sivinski, Clerk of Council

John S. Dietrich, President of Council