

Amherst City Council met in a Regular Meeting under full compliance of State Law with President Dietrich opening the meeting at 7:00 P. M. Roll call: Mr. Winiarski, Mrs. Wasilk, Mr. Van Treuren, Mr. Janik – absent, Mr. Cowger, Mr. Dembinski, Mr. Miller. Also present were Mayor Costilow, Safety/Service Director Jeffries, Treasurer Ramsey, Auditor Kukucka, Law Director Pecora, members of the Public. Mr. Van Treuren motioned to excuse Mr. Janik as he had a letter on file. Seconded by Mr. Dembinski. Voice vote 6-0 to excuse.

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. Cowger motioned to accept the Consent Agenda as read. Seconded by Mr. Dembinski. Roll call vote 6-0 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 re-appropriating funds in various accounts and declaring an emergency. (A-17-46)

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 6-0 to suspend rules. Mr. Cowger motioned to adopt. Seconded by Mr. Winiarski. Roll call vote 6-0 to adopt. Becomes 0-17-39.

- (b) An Ordinance authorizing the City to enter into an agreement with Eaton Corporation to purchase and install advanced metering infrastructure (“AMI”) System. (A-17-47)

Mr. Winiarski motioned to pass this on to its second reading. Seconded by Mr. Cowger. Mr. Dembinski said he was in favor of the ordinance but felt it was light on some of the details. Now that we got some figures, he wanted to amend this to have a “not to exceed” amount in the ordinance. Mr. Kukucka said he just submitted an agenda request this evening for the actual financing where the “not to exceed” clause will be inserted. Mr. Pecora said this ordinance actually allows us to enter into a contract where the new request will allow for the financing. Roll call vote 6-0 to pass to second.

#### **ORDINANCES AND RESOLUTIONS SECOND READING:**

- (a) An Ordinance repealing Ordinance No. 0-01-32, 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. (A-17-45)

After determining what this ordinance entails, Mr. Van Treuren motioned to pass this on to its third reading. Seconded by Mr. Cowger. Mr. Miller disagrees with moving money around in this manner and will be voting no. Roll call vote 5-1 with Mr. Miller voting no.

#### **ORDINANCES AND RESOLUTIONS THIRD 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)

Mr. Dembinski motioned to adopt. Seconded by Mr. Van Treuren. Mr. Miller thanked Mr. Campana and Mr. Brady for their efforts to bring this development into Amherst. He feels this will be a good thing for the city. They have done their due diligence and have done their homework. Roll call vote 6-0 to adopt. Becomes 0-17-40.

Miscellaneous and acknowledgement of the public: There was no one speaking.

Agenda requests and committee meeting schedules:

- A-17-48 Finance - Resolution accepting amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and approving the alternative method, formula and allocation of ULGF and ULGRAF and certifying them to the county auditor.
- A-17-49 Bld & Lands - Resolution to accept the 2<sup>nd</sup> lowest bid for LOR-Amherst Turnpike Mitigation Project
- A-17-50 Comm. Devel – Challenge HB 49 adopted by the Ohio Legislature (re: Municipal Income Tax)
- A-17-51 Finance Reflect changes to ACO 192.18 and 192.29 as mandated by ORC 718.08 (c)(1)(d) and 718.27 (c)(1)(b) (regarding declared estimates and withholding penalties)
- A-17-52 Finance To approve lease agreement for meter project

Finance – October 16, 2017 at 7:00 p.m. -- A-17-48, A-17-51, A-17-52

Building and Lands – October 11 at 7:30 p.m. -- A-17-49

Community Development - October 16, 2107 at 7:15 p.m. -- A-17-50

Mr. Van Treuren motioned to hold a special council meeting on Wednesday, October 11, 2017 at 7:45 P. M. to consider A-17-49. Seconded by Mrs. Wasilk. Roll call vote 6-0 to hold a special council meeting.

Reports of the Administration:

Auditor Kukucka thanked Council for adopting the re-appropriation ordinance. The September reports have been distributed.

Treasurer Ramsey: The September reports have been distributed.

Law Director Pecora: No report

Safety/Service Jeffries: No report

Mayor Costilow: Thanked Mr. Van Treuren for calling for the special meeting. He explained that the turnpike mitigation project was bid out. We had bidders on that project, and the bidder that won, KARVO was not prequalified with ODOT so we cannot use that company. For the second place bidder, we have to have a resolution to accept the second place bidder. But they were also one hundredth of a percent over the engineering estimate, so we need a resolution to accept the bid. If anyone has any questions about this, they can call his office.

Mr. Miller motioned to accept the Reports of the Administration. Seconded by Mr. Van Treuren. Roll call vote 6-0 to accept the reports.

Acknowledgement of receipt of monthly reports from Treasurer and Auditor: Mr. Miller motioned acknowledge the receipt of the reports. Seconded by Mr. Cowger. Voice vote 6-0.

Mr. Cowger motioned to adjourn, seconded by Mr. Dembinski. Voice vote 6-0 to adjourn.

The meeting adjourned at 7:17 p.m.

