

COUNCIL PRESIDENT-JENNIFER WASILK  
COUNCIL AT LARGE-DAVID JANIK  
COUNCIL AT LARGE-JOSEPH MILLER  
COUNCIL AT LARGE- PHIL VAN TREUREN

COUNCIL WARD ONE-BRIAN DEMBINSKI  
COUNCIL WARD TWO- ED COWGER  
COUNCIL WARD THREE-CHUCK WINIARSKI  
COUNCIL WARD FOUR-MATT NAHORN



## CITY OF AMHERST, OHIO

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### AGENDA REVISED

JULY 23, 2018  
REGULAR MEETING  
7:00 P. M.

0-18-26  
R-18-04  
A-18-33

1. Roll call: Mr. Van Treuren, Mr. Dembinski, Mr. Cowger, Mr. Winiarski, Mr. Nahorn, Mr. Miller, Mr. Janik
2. Prayer: Chaplain Nahorn
3. Pledge to the Flag: Sergeant at Arms Dembinski
4. Consent Agenda: Minutes of the Regular Council Meeting held July 9 , 2018  
Minutes of the Finance Committee Meeting held July 23, 2018  
Minutes of the Utilities Committee Meeting held July 23, 2018
5. Acknowledgement of the public pertaining to items on the agenda:
6. **ORDINANCES AND RESOLUTIONS FIRST READING:**
  - (a) An Ordinance to increase appropriations in Park and Pool various accounts, and declaring an emergency. (A-18-32)
  - (b) A Resolution authorizing the Safety/Service Director to enter into a non-binding letter of intent with AMP Transmission, LLC ("AMPT") to sell certain equipment and ancillary equipment to AMPT; and declaring an emergency. (A-18-33)
7. **ORDINANCES AND RESOLUTIONS SECOND READING: NONE**
8. **ORDINANCES AND RESOLUTIONS THIRD READING:**
  - (a) An Ordinance amending Amherst Codified Ordinance Chapter 1121, Section 1121.07 and amending Chapter 1145, Section 1145(a) and 1145(b). (A-18-29)
9. Miscellaneous and acknowledgement of the public:
10. Agenda requests and committee meeting schedules
11. Reports of the Administration
12. Adjournment

RESOLUTION NO. R-18-\_\_\_\_\_

**RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO A NON-BINDING LETTER OF INTENT WITH AMP TRANSMISSION, LLC ("AMPT") TO SELL CERTAIN EQUIPMENT AND ANCILLARY EQUIPMENT TO AMPT; AND DECLARING AN EMERGENCY.**

WHEREAS, discussions have occurred between the City of Amherst and AMP Transmission, LLC, an Ohio limited liability company, ("AMPT") in respect to the sale of certain electric transmission equipment and related ancillary equipment in order to avoid certain regulations, obligations and responsibilities which result from such ownership; and

WHEREAS, such discussions have included, as a possible additional consideration, the requirement that AMPT construct and install a second electrical feed into the City of Amherst; and

WHEREAS, both the City and AMPT desire to set forth current mutual understandings in a non-binding letter of intent with the goal of entering into legally binding obligations as set forth in one or more written definitive agreements to be separately approved by Council;

WHEREAS, the Utilities Committee of the City of Amherst a meeting on July 23, 2018, considered the matter and determine to bring it to the floor of Council with emergency.

NOW, THEREFORE, be it resolved by the Council of the City of Amherst, County of Lorain and State of Ohio:

SECTION 1: That the Safety Service Director of the City of Amherst be and hereby is authorized to enter into a non-binding letter of intent with AMPT to sell certain equipment and ancillary equipment to AMPT with the goal of entering into legally binding obligations as set forth in one or more written definitive agreements to be separately approved by Council.

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio, the emergency being the benefit of entering into the non-binding letter of intent with the goal of continuing good faith negotiations in order to enter into binding agreements on or before September 1, 2018; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Mayor; otherwise it shall take effect at the earliest period allowed by law.

1<sup>st</sup> reading \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_

\_\_\_\_\_  
Jennifer Wasilk, President of Council