

Amherst City Council met in a Regular Meeting under full compliance of State Law with President Wasilk opening the meeting at 7:00 P. M. Roll call: Mr. Winiarski - absent, Mr. Nahorn, Mr. Miller, Mr. Janik, Mr. Van Treuren, Mr. Dembinski, Mr. Cowger. Also present were Mayor Costilow, Law Director Pecora, Auditor Pittak, members of the public and the press. Treasurer Ramsey was absent. Three honorees were also present: Mr. John Dietrich, Mr. Dave Taylor and Mr. Dave Kukucka. Mr. Dembinski motioned to excuse Mr. Winiarski and Mr. Ramsey as they had letters on file. Seconded by Mr. Cowger. Vote 6-0 to excuse.

The Prayer was invoked by Chaplain Nahorn, 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. Miller. Roll call vote 6-0 to accept.

Acknowledgement of the public pertaining to items on the agenda: Mr. Miller thanked the three honorees for their service to the city for such a long time. He said it was fitting to have them back here. He appreciates all their guidance they provided him.

ORDINANCES AND RESOLUTIONS FIRST READING:

- (a) An Ordinance authorizing the re-appropriation of funds in various department; and declaring an emergency (A-18-39)

Mr. Cowger motioned to suspend all council rules to that this item may be passed in its first reading. Seconded by Mr. Miller. Roll call vote 6-0 to suspend rules. Mr. Dembinski motioned to adopt. Seconded by Mr. Miller. Roll call vote 6-0 to adopt. Becomes 0-18-31.

- (b) An Ordinance authorizing the increase in appropriations for part-time wages for part-time employee(s) of the Fire Department and appropriation for gasoline and oil within the Fire Apparatus Fire Levy Budget; and declaring an emergency. (A-18-40)

Mr. Dembinski motioned to suspend all council rules to that this item 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. Dembinski. Roll call vote 6-0 to adopt. Becomes 0-18-32.

- (c) A Resolution authorizing the re-appointment by City Council of two members of the Municipal Income Tax Local Board of Tax Review for two year terms commencing January 1, 2018; and declaring an emergency. (A-18-41)

Mr. Dembinski motioned to suspend all council rules to that this item may be passed in its first reading. Seconded by Mr. Cowger. Roll call vote 6-0 to suspend rules. Mr. Dembinski motioned to adopt. Seconded by Mr. Cowger. Roll call vote 6-0 to adopt. Becomes R-18-04.

- (d) An Ordinance establishing the salaries and benefits of the permanent part time tax assistant and setting the pay rate, terms and other conditions of employment; and declaring an emergency. (A-18-42)

Mrs. Wasilk noted that Treasurer Ramsey has requested that this be sent back to committee. Mr. Cowger motioned table and return this item to committee. Seconded by Mr. Dembinski. Roll call vote 6-0 to table and send back to committee.

- (e) An Ordinance authorizing the purchase and installation of equipment necessary for improved video recording and broadcast of municipal meetings, not to exceed \$50,000.00. (A-18-43)

Mr. Van Treuren motioned to send this on to its second reading. Seconded by Mr. Cowger. Roll call vote 6-0 to pass to second.

- (f) A Resolution recognizing and commending David Kuckuka for his outstanding public service as a member of Amherst City Council and Auditor of the City of Amherst. (A-18-44)

Mr. Miller motioned to suspend all council rules to that this item may be passed in its first reading. Seconded by Mr. Dembinski. Roll call vote 6-0 to suspend rules. Mr. Dembinski motioned to adopt. Seconded by Mr. Janik. Mr. Miller read the proposed Resolution in its entirety. Roll call vote 6-0 to adopt. Becomes R-18-05. There was a round of applause by all present.

- (g) A Resolution recognizing and commending John Dietrich for his outstanding public service as a member of Amherst City Council and President of Council of the City of Amherst. (A-18-45)

Mr. Dembinski motioned to suspend all council rules to that this item may be passed in its first reading. Seconded by Mr. Miller. Roll call vote 6-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Dembinski. Mr. Miller read the proposed Resolution. Roll call vote 6-0 to adopt. Becomes R-18-06. There was a round of applause by all present. Mrs. Wasilk thanked Mr. Dietrich for setting such a true example in this city.

- (h) A Resolution recognizing and commending David Taylor for his outstanding public service as a member of Amherst City Council, Safety and Services Director and Mayor of the City of Amherst. (A-18-44)

Mr. Dembinski motioned to suspend all council rules to that this item may be passed in its first reading. Seconded by Mr. Janik. Roll call vote 6-0 to suspend rules. Mr. Miller motioned to adopt. Seconded by Mr. Dembinski. Mr. Miller read the proposed Resolution. He thanked the three honorees and also thanked Mayor Costilow and Council President Wasilk and Law Director Pecora and everyone else that got behind this. He and Mr. Winiarski co-sponsored this. If it were not for all of their work, we would not be in the great position we are in. Roll call vote 6-0 to adopt. Becomes R-18-07. Mrs. Wasilk thanked Mr. Taylor for his 12 years as Mayor. There was a round of applause by all present. Mr. Taylor spoke and said no one does this by themselves. It takes the help and cooperation of everyone. He was fortunate to work with Mr. Kukucka, who kept us fiscally responsible and Mr. Dietrich for all his support. He always relays to everyone, that if he made one right decision in 12 years, it was when he hired Jami Anderson as his Secretary. He also thanked all the administration for all the help in his 12 years in office. Our City is very fortunate to have this group working for our City.

ORDINANCES AND RESOLUTIONS SECOND READING:

- (a) An Ordinance repealing Chapters 1341, 1342 and 1344 of part thirteen, Title Three of the Codified Ordinances of the City of Amherst and enacting a new Chapter 1340, entitled "Property Maintenance" which adopts the International Property Maintenance Code 2015 Edition including Appendix "A" thereto relating to boarding standards, with certain amendments and additional provisions; and amending Section 1125.03 of the Codified Ordinances to grant jurisdiction to the Board of Zoning Appeals to hear and determine appeals from decisions, notices or orders of the code official acting under the International Property Maintenance Code. (A-18-31)

Mr. Cowger motioned to pass this on to its third reading. Seconded by Mr. Dembinski. Roll call vote 6-0 to pass to third.

- (b) An Ordinance renewing for a period of ten years the present one-half percent (1/2%) Income Tax Levy previously approved and passed by the electors on November 3, 2009, subject to passage and approval of the voters of the City of Amherst at the Primary Elections on May 7, 2019. (A-18-38)

Mr. Dembinski motioned to pass this on to its third reading. Seconded by Mr. Cowger. Roll call vote 6-0 to pass to third.

- (c) A Resolution to place on the ballot for the primary election to be held on May 7, 2019, the question of renewing the one-half percent (1/2%) Income Tax Levy previously passed November 3, 2009 with a one-half percent (1/2%) Income Tax Levy. (A-18-37)

Mr. Dembinski motioned to pass this on to its third reading. Seconded by Mr. Cowger. Roll call vote 6-0 to pass to third.

ORDINANCES AND RESOLUTIONS THIRD READING: NONE

Miscellaneous and acknowledgement of the public:

Mrs. Wasilk stated there was a vacancy on the Design Review Board due to the resignation of Mr. Winiarski from the Board. Mr. Nahorn has agreed to accept the appointment. She asked if there were any objections to this appointment. There were not.

Mrs. Wasilk said that for some time now there has been a vacancy to the Ambulance Board and Mr. Cowger has agreed to serve on that Board. She asked if there were any objections to this appointment. There were not.

Mrs. Wasilk said there were a number of council members who would like to have the first council meeting in the month of October on October 8. Mr. Van Treuren motioned to have the first Council meeting in October on October 8, 2018. Seconded by Mr. Dembinski. Voice vote 6-0 to change the date from the listing on the October calendar.

Mr. Nahorn said he had the opportunity to tour our Water Pollution Control Center last week and he thanked Mr. Brailer for providing a thorough and complete tour. With his background in environmental studies, he appreciates the process, but each city does it differently. He wanted to understand our specific way that we do it here. So he wanted to thank Mr. Brailer.

Mrs. Kathy Olsen, 745 Ford Ave., spoke to her high electric bill which went up by a couple of hundred dollars. She wanted to know if anything could be done about it. She did not follow Mr. Dembinski's advice to call the Utilities office for answers. Mayor Costilow said we went over this quite extensively at the last council meeting. The first thing she needs to do is to go to the Utilities Office who would go over past bills, look at past usages. They can answer a lot of questions that we can't answer here. He urged her to go there. She asked if the city might split bills up so that water and electric would be separate. Mayor Costilow said probably not.

Agenda requests and committee meeting schedules:

Added after last meeting all to Community Development:

- A-18-44 Resolution recognizing service to the City by David Kukucka
- A-18-45 Resolution recognizing service to the City by John Dietrich
- A-18-46 Resolution recognizing service to the City by David Taylor

New:

- A-18-47 Finance Reappropriate funds in Auditors Department from Worker's Comp to Part Time Wages in the amount of \$2,000

Finance October 8, 2018 at 6:50 p.m. A-18-47

Reports of the Administration:

Auditor Pittak: No report

Law Director Pecora: No report

Safety/Service Director Jeffreys: Reported that there will be a leaf pickup schedule announced soon.

Mayor Costilow: Said we are blessed to have had the services of the three gentlemen who were honored this evening. Their long service was really appreciated. Most of the time it goes unnoticed. So as Mayor, he appreciates all they have done. He especially appreciates Mayor Taylor picking such an excellent secretary. He agrees it was one of the best decisions he ever made.

He announced the long awaited Cooper Foster Park Road rehab project is actually out for bid. So that item could be in contractor's hands. The bid opening date is October 2, which could be extended. He hopes to get a contractor on board, and this will be a year long project. Could start later this year.

Speaking to the new easy read electric meters, the Electric Department did set up some meter testing which seemed to be one of the biggest concerns that we could immediately address to check the validity of the meter readings and how they are reading the electricity. So the next day they took meters of residents who had expressed the most concern about how accurate the meters are. We took four to City of Oberlin and they were gracious enough to check them for us, and they checked within spec. We hired a company to come in from out of state and we purchased a piece of equipment that actually checks the meter and the accuracy. We went back and found the old meters and checked side by side. 2% is the industry standard. 98-102% is what the industry accepts as normal. We checked close to 50 meters. He had a book with all the information in it. They did not find any old meters that checked more than five one hundreds of one percent out of whack and the average is coming in at about two one hundreds of a percent plus or minus on the new meters. So you are talking pennies on a dollar of inaccuracy. The out of state meter tech that was here and he said that with these new meters, they either work or they don't. They measure electricity with light impulses and there are no moving parts. With this new system, we will know if the meter is working or not. The reports are available to everyone who is interested. They are confident that the higher usages and bigger bills are not due to inaccurate meters. They are still looking at the times the meters were read. He again said that if anyone has any concerns, to contact the Utilities office and then see him if they don't like their answer there.

Mr. Miller thanked the mayor for his transparency and consistency of following up on these things and ease resident's mind that there is nothing going on except for there is an adjustment in this particular time period during the switch out. He feels that Mayor has done everything he can.

Mr. Dembinski motioned to accept the Reports of the Administration. Seconded by Cowger. Voice vote 6-0 to accept the Reports.

Acknowledgement of 2017 CAFR Report from the Auditor: Mr. Pittak said anyone can call him and talk to him if they have any questions about this report. Mr. Dembinski motioned to acknowledge the 2017 CAFR report. Seconded by Mr. Cowger. Voice vote 6-0 to acknowledge the receipt of the 2017 CAFR report.

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

The meeting adjourned at 7:47 p.m.

Olga Sivinski, Clerk of Council

Jennifer Wasilk, President of Council