

REGULAR

FEBRUARY 28

2022

This meeting was in Hybrid Form (Council members and visitors in Chambers and all others via ZOOM)

Amherst City Council was brought to order in a Regular Session with President Wasilk opening the meeting at 7:00 p.m. Also present in Council Chambers were Mr. Heberling, Mr. Janik, Mr. Winiarski, Mr. Dembinski, Mr. Cowger, Mr. Wachholz, Ms. Smith, and Mayor Costilow. Present via ZOOM were, Treasurer Ramsey, Law Director Pecora, Assistant Law Director Ward, Safety/Service Director Jeffreys. Auditor Pittak was absent and had a letter on file. Mr. Dembinski motioned to excuse Mr. Pittak as he had a letter on file. Seconded by Mr. Cowger. Voice vote 7-0 to excuse Mr. Pittak.

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

Consent Agenda: The Clerk read the Consent Agenda. Mr. Heberling motioned to accept the Consent Agenda as read. Seconded by Mr. Janik. Voice vote 7-0 to accept the Consent Agenda as read.

Acknowledgement of the Public pertaining to items on the Agenda: There was no one speaking.

ORDINANCES AND RESOLUTIONS FIRST READING:

- (a) A Resolution recognizing and commending Geralyn Rice for her years of service to the City of Amherst, Ohio organizing and coordinating all parades within the city. (A-22-09)

Mr. Winiarski thanked Mr. Ward for the well written Resolution. Mr. Winiarski motioned to pass this on to its second reading. Seconded by Wachholz. Roll call vote 7-0 to pass to second reading.

- (b) An Ordinance authorizing and directing the Safety Service Director to enter into a Mutual Aid Multi-Jurisdictional Agreement for Lorain County Specialty Weapons and Tactics Team with certain Lorain County Subdivisions; and declaring an emergency. (A-22-10)

Mr. Janik motioned to suspend all council rules so that this can be passed in its first reading. Seconded by Mr. Dembinski. Roll call vote 7-0 to suspend rules. Mr. Cowger motioned to adopt. Seconded by Mr. Wachholz. Roll call vote 7-0 to adopt. Becomes 0-22-02.

- (c) An Ordinance amending Section 105.02 of the Codified Ordinances of the City of Amherst, Ohio regarding boundaries of wards; and declaring an emergency. (A-22-11)

Mr. Dembinski motioned to suspend all council rules so that this can be passed in its first reading. Seconded by Mr. Heberling. Roll call vote 7-0 to suspend rules. Mr. Dembinski motioned to adopt. Seconded by Mr. Janik. Roll call vote 7-0 to adopt. Becomes 0-22-03.

- (d) An Ordinance authorizing and directing the Safety Service Director to solicit bids to trim trees (on a unit basis) In the city for the Year 2022 at a cost not to exceed \$80,000.00, and declaring an emergency. (A-22-12)

Mr. Heberling motioned to suspend all council rules so that this can be passed in its first reading. Seconded by Mr. Dembinski. Roll call vote 7-0 to suspend rules. Mr. Dembinski motioned to adopt. Seconded by Mr. Heberling. Roll call vote 7-0 to adopt. Becomes 0-22-04.

- (e) An Ordinance authorizing and directing the Safety Service Director to solicit bids for the 2022 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 appropriating additional funding for professional services provided by Bramhall Engineering & Surveying Company; and declaring an emergency. (A-22-13).

Mr. Dembinski motioned to suspend all council rules so that this can 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. Dembinski. Roll call vote 7-0 to adopt. Becomes 0-22-05.

- (f) An Ordinance authorization the Ohio Department of Transportation (ODOT) to perform maintenance work on SR 2 during the summer of 2023; and declaring an emergency. (A-22-14)

Mayor Costilow asked that this go on to its second reading. Mr. Winiarski motioned to pass this on to its second reading. Roll call vote 7-0 to pass to second.

ORDINANCES AND RESOLUTIONS SECOND READING:

- (a) An Ordinance creating a training/transitional employment position within the Auditor's Office of the City of Amherst, Ohio; and declaring an emergency. (A-22-06)

Mr. Dembinski motioned to suspend all council rules so that this can be passed in its second reading. Seconded by Mr. Janik. Roll call vote 7-0 to suspend rules. Mr. Wachholz motioned to adopt. Seconded by Mr. Dembinski. Roll call vote 7-0 to adopt. Becomes 0-22-03.

- (b) An Ordinance to make appropriations for current expenses and other expenditures of the City of Amherst, State of Ohio, during the fiscal year ending December 31, 2022, repealing all ordinances in conflict herewith; and declaring an emergency. (A-22-07)

Mr. Dembinski motioned to pass this on to its third reading. Seconded by Mr. Cowger. Mr. Winiarski asked when negotiations will begin. Mayor Costilow answered. Roll call vote 7-0 to pass to third.

- (c) A Resolution recognizing and commending Bella Dellipoala for her bravery and willingness to act calmly and quickly while assisting and helping an Amherst senior citizen in the City of Amherst. (A-22-08)

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

ORDINANCES AND RESOLUTIONS THIRD READING:

- (a) An Ordinance authorizing and directing the Mayor to enter Into a Delinquent Debt collection Agreement with the Ohio Attorney General. (A-22-02)

Mr. Ramsey reported on how the collection will work. He explained the program. Mr. Winiarski motioned to adopt. Seconded by Mr. Dembinski. Roll call vote 7-0 to adopt. Becomes 0-22-07.

- (b) An Ordinance forming an advisory committee to Identify and assess annexation opportunities and make recommendations regarding such opportunities to the Annexation Committee of Amherst City Council. (A-22-03)

Mr. Winiarski motioned to send this back to second reading as he needs a bit more time to further research this. Seconded by Ms. Smith. Roll call vote 7-0 to send this back to second reading.

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

Agenda requests and committee meeting schedules: Assigned this evening:

A-22-15 Finance Create Ordinance to re-appropriate funds for the CDBG Kiddie Pool and Parking Lot Projects

A-22-16 Finance Create Ordinance to transfer unused funds for the CDBG Kiddie Pool and Parking Lot Projects back to originating funds

Assigned later in the week:

A-22-17 Bld. & Lands Eagle Ridge Development Plan Amendment

Finance – March 7, 2022 at 7:00 p.m. A-22-15, A-22-16
Building and Lands – March 7, 2022 at 7:05 p.m. A-22-17

The remaining Council Committees for the March 7, 2022 meeting are cancelled.

Reports of the Administration:

Treasurer Ramsey: Explained the \$1 fee is only when you use VCH payment. For any credit card payments we are still charging the 2.5%. He wants to update the website to better reflect this.

Law Director Pecora: Requested an Executive Session to discuss imminent legal action.

Safety/Service Director Jeffreys: No report

Mayor Costilow: Will provide State of the City report at the next council meeting.

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

Mr. Cowger motioned to go into Executive Session to discuss imminent legal action. Seconded by Mr. Dembinski. Roll call vote 7-0 to go into Executive Session.

The council meeting recessed at 7:30 p.m. and will go into Executive Session after a three minute break.

The regular council meeting reconvened at 7:56 p.m.

Mr. Heberling motioned to adjourn, seconded by Mr. Dembinski. Voice vote 7-0 to adjourn.

The meeting adjourned at 7:57 p.m.

Olga Sivinski, Clerk of Council

Jennifer Wasilk, President of Council