

June 13

22

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. Wachholz, Ms. Smith and Mayor Costilow. Present via ZOOM were, Treasurer Ramsey, Law Director Pecora, Auditor Pittak, Safety/Service Director Jeffreys and Assistant Law Director Ward. Also present were Mrs. Diane Truman, the City new Deputy Auditor and her son Carson, and residents from Jackson Street. Mr. Cowger was absent. Mr. Dembinski motioned to excuse Mr. Cowger as he had a letter on file. Seconded by Mr. Wachholz. Voice vote 6-0 to excuse.

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. Dembinski. Voice vote 6-0 to accept the Consent Agenda as read.

Acknowledgement of the Public pertaining to items on the Agenda: Mrs. Wasilk introduced the new Deputy Auditor Mrs. Diane Truman and welcomed her to the staff of the City of Amherst, and her Connor who was present as Connor is working on his citizenship and community merit badge. There was no one speaking.

ORDINANCES AND RESOLUTIONS FIRST READING:

- (a) An Ordinance authorizing and directing the Safety Service Director to submit an application to the State of Ohio Emergency Management Agency for American Rescue Plan Act Grant Funds In the amount of \$200,000.00 for the retention and wellness of City of Amherst Police Department employees and accept such funds when awarded; and declaring an emergency. (A-22-35.)

Mayor Costilow asked that both (a) and (b) be adopted under first reading. Mr. Janik said he was not at the meeting when this was discussed, but he reviewed this on line and he when he heard we were not applying for the recruitment portion of this grant, he read the application for the grant and certainly can apply for recruitment funds. We will be hiring two new officers, the Chief would like to put marketing efforts that he wants to put in place, so he feels there is an opportunity to include all three areas. He would like to add another \$200,000 for the recruitment piece of this grant request. Mayor Costilow said the whole \$200,000 may not be used for just for recruitment, it could be used for the wellness portion. Maybe the amendment could read "up to" \$400,000. Mr. Janik motioned to **amend** this ordinance to add the phrase for recruitment, retention, and wellness and change the amount to up to \$400,000. Seconded by Dembinski. Mr. Dembinski said we are applying for the grant to might as well ask for the \$400,00. Mr. Wachholz asked if they could apply for all three grants but only get two? Mayor Costilow did not know but would find out. This will give them a few more days to figure out at their own discretion what they want to do. Chief Cawthon has been away at the FBI training and just got back so he was mostly out of communication until this morning. This will give them more flexibility to apply for up to \$400,000 and let them make a discretion call. Mr. Janik said he looked at the grant application and there are three sections you can apply for. So potentially there could be funding for three different areas. So why not apply for all three areas and see what we can get? Mr. Heberling said his experience with non-profit is that when applying for these grants there is a possibility you may get a portion, but also possibility you can get it all. Roll call vote to amend 6-0. Mr. Dembinski motioned to suspend all Council rules to that this may be passed in its first reading. Seconded by Mr. Heberling. Roll call vote 6-0 to suspend rules. Mr. Dembinski motioned to adopt as amended. Seconded by Mr. Janik. Roll call vote 6-0 to adopt. Becomes 0-22-27.

- (b) Resolution requesting that the County Auditor of Lorain County, pursuant to Ohio Revised Code Section 5705.03(B), certify to the City of Amherst the Total Current Tax Valuation of the City and the dollar amount of revenue that would be generated by One (1.0) Mill for the purpose of providing and maintaining fire apparatus, appliances, buildings, and sites therefor for the Fire Department of the City of Amherst, Ohio pursuant to Section 5705.19(I) of the Ohio Revised Code; repealing all Ordinances and Resolutions in conflict herewith; and declaring an emergency. (A-22-36)

Mr. Dembinski motioned to suspend all Council Rules so that this may be passed in its first reading. Seconded by Mr. Wachholz. Roll call vote 6-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Dembinski. Mr. Winiarski had some questions about the amount of money this levy would bring in. Will discuss this later. Roll call vote 6-0 to adopt. Becomes R-22-06.

ORDINANCES AND RESOLUTIONS SECOND READING: NONE

ORDINANCES AND RESOLUTIONS THIRD READING:

- (a) An Ordinance vacating a portion of North Dewey Road and retaining utility and drainage easements on a portion of the area vacated. (A-22-32)

Mr. Dembinski motioned to adopt. Seconded by Mr. Heberling. Roll call vote 6-0 to adopt. Becomes 0-22-28.

Miscellaneous and acknowledgement of the public:

Mrs. Sue Conkle of 161 Jackson Street spoke about the home at 167 Jackson Street owned by Sherwood Smith. She reported on the improvement that have been made to the home since the time when they came to council a few months ago. The roof was repaired, as was the front of the house and the garage. But there are many problems that cannot be seen from the front of the house. These pictures were viewed on the screen, and she spoke to them. The back door was never properly secured – it's just propped up with a table and propane tanks. So there is still fear of people trespassing and going inside the home. The gutters were taken off the back and are full of water and high weeds are growing all around them. There are cut trees and saplings all over. There is kind of a "beaver dam" built up and critters can live there. Leaves are still all over the back yard. Things got started and then stayed. They do not think Mr. Sherwood has been back on the property for three weeks. A new dumpster was brought in at the beginning of April, and it is just sitting there. Mr. Todhunter, a neighbor, is beginning to smell the smell from the dumpster. She showed pictures of Mr. Todhunter's property which abuts Mr. Smith's. She is asking that the city take action according to the ordinance that had been posted on Mr. Smith's door as to maintaining the property. They do not feel that Mr. Smith will do anything about the property. To leave it like this when it was so close to actually sort of being ok, would be a shame. So they are making this request that the city take action and clear the property. Mr. Jim Todhunter 171 Jackson Street's home is next to Mr. Smith's. He said the garage was repaired, but the door does not go up and down, and it's propped up by 2x4's So there are animals going in and out again. Mr. Smith does not have any property on his side, so his lawn cannot even be mowed because the kids can't get through there. There is an open ditch that was never filled when he built an addition on the back, and that was about 10 years ago. He could see through the open garage door that's it's full of gas outboards, jet skis, and they can't even close the door. When he asked the men working there if they are going to work inside, the man told him they would not go inside because it was unsafe to go in there. Mr. Heberling asked if there has been anyone seen inside attempting to work inside? Mr. Todhunter said it has all been outside as far as he knows. Mrs. Kelly Post of 321 N. Lake Street said one of the things promised to them the last time was that there would be enforcement of the lawn care. The back yard has not been touched in 10 years. It is so bad and overgrown and they should not have to deal with the animals, the smell, the grass clippings, all the things he took off the front of the house which are in the back yard. They were promised three months ago that she would get updates and they would not look the other way. She has had no communication whatsoever and they need help. It is not fair to the neighborhood nor to her dad. Mr. Janik asked if anyone has seen the property owner on the property. Mrs. Post said she has spent the last 12 days, round the clock, at her mother's house and has not seen a soul. Mr. Heberling asked when they brought the dumpster last year and placed it in the front yard, how long was it there? Mrs. Post said about four weeks. There was a discussion about the number of dumpsters and whether they were filled. There is a dumpster currently there and it is beginning to smell. Ms. Smith then asked if this dumpster was the third since the beginning of this but nothing got filled? Mrs. Post thought maybe some things were in the first dumpster but nothing since that time. Mr. Janik asked the Mayor as far as the city cutting lawns, do we typically cut the back yard? Mayor Costilow said they do front yards, but does not know about back yard. He will look into the back yard of this one. He will follow up with the Building Department and Law Director about legal access. Mrs. Cokel said when he had the workers there, they had to extensively remove the back roof on the property and Sherwood did take a few things that they had thrown out and did put some things in the dumpster. She said the letter that was sent by the city last year said "all yards." Many vines are in the back.

Agenda requests and committee meeting schedules:

No Agenda Requests were presented and so no committee meetings were scheduled for June 20, 2022.

Reports of the Administration

Auditor Pittak: He noted that the new Deputy Auditor is doing a wonderful job. He met with the Mayor and they will be doing a compensation study for the city. It is not ready yet. He explained and said that may be coming in the next two months. Financial statements should be completed by the auditor and the city looks good.

Treasurer Ramsey: The May reports have been distributed.

Law Director Pecora: No report

Safety/Service Director Jeffreys: No report.

Mayor Costilow: The DORA application has been submitted to council. Some small updates will be made. There will be a public hearing for July 25, 2022. After that, we will go through some readings before being adopt. It is likely that this DORA may not come into effect this summer. We will take our time and make sure this gets done right. He gave an update on the AMP transmission line coming into the other end of the city. They are still at the point of acquiring the easements from the three property owners. They have retained legal counsel and AMP is about ready to make their final offer. He explained further. They are almost on schedule and looking at the end of 2023 to actually pull that switch.

Mrs. Wasilk asked if these three property owners will have any physical properties on the the easement areas or this only allows the transmission lines over the areas? Mayor Costilow said there may be one or two metal poles on those areas and there may be apparatus of some kind on the ground.

Mr. Dembinski motioned to accept the reports of the administration. Seconded by Mr. Heberling. Voice vote 6-0 to accept the reports.

Mrs. Wasilk noted that beginning July 11 we will no longer hold hybrid meetings. We may not have committee meetings the week of July 4 as people are gone and we sometimes don't have a quorum. Tentatively committee meetings will be on July 11 prior to the council meeting.

Acknowledgement of the receipt of the monthly May 2022 reports from the Auditor and Treasurer

Mr. Dembinski motioned to acknowledge the Auditor and Treasurer May 2022 reports. Seconded by Mr. Wachholz. Voice vote 6-0 to acknowledge the reports.

Mr. Heberling to adjourn. Seconded by Mr. Dembinski. Voice vote 6-0 to adjourn.

The meeting adjourned at 7:40 p.m.

