

MEETING WAS HELD 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. Winiarski, Mr. Dembinski, Mr. Cowger, Mr. Wachholz, Ms. Smith, Mr. Heberling, Mayor Costilow, Assistant Law Director Ward, Mrs. Teresa Gilles, and several residents. Present via ZOOM were Safety Service Director Jeffreys, Auditor Pittak, and Mr. Janik. Treasurer Ramsey was absent. Ms. Smith motioned to excuse Mr. Janik from voting as he had a letter on file, and was present via ZOOM. Seconded by Mr. Heberling. Voice vote 6-0 to excuse Mr. Janik. Ms. Smith motioned to excuse Mr. Ramsey as he had a letter on file. Seconded by Mr. Cowger. Voice vote 6-0 to excuse Mr. Ramsey.

The Prayer was invoked by Mr. Janik via ZOOM. Mr. Janik also prayed for the family of Mayor's secretary, Jami, following the death of her father. This was followed by the Pledge to the Flag led by Sgt. At Arms Dembinski.

Consent Agenda: The Clerk read the Consent Agenda: Mr. Heberling motioned to accept the Consent Agenda as read. Seconded by Mr. Cowger. Voice vote 6-0 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) An Ordinance levying upon certain lots and lands assessments for the cost of repairing and replacing various public sidewalks under the City of Amherst, Ohio's 2021 Sidewalk Program; and declaring an emergency. (A-22-41)

Mayor reminded council that they spoke about this last week and there is a deadline as it has to be to the county by 9/12. If not adopted in time, we have to wait for another year to get those taxes. There were a few more people who have paid their assessment bill. The Building Inspector has indicated that if anyone else pays before he takes the list to the county, he will remove them from the list. Mr. Heberling 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. Dembinski motioned to adopt. Seconded by Mr. Cowger. Roll call vote 6-0 to adopt. Becomes 0-22-31.

- (b) An Ordinance approving the Mayor's application with the legislative authority of the City of Amherst, Ohio to designate certain property within the City as an Outdoor Refreshment Area in accordance with Ohio Revised Code Section 4301.82. (A-22-42)

Mayor Costilow said this has been published for the required two weeks and has to be adopted no sooner than 30 days and no later than 60 days. There is within the application the basics which are required by law – the security plan has everything that is required by state code. There is an additional agenda request for additional health and safety regulations which he hopes will piggy-back this. He suggested that both of these be passed at the same meeting. Any other limitations council may want to add at that time can be added. There was a discussion on the proper adoption of these two items. Mr. Cowger motioned to pass this on to its second reading. Seconded by Mr. Heberling. Mr. Winiarski spoke to the creation and designation. Tonight we are designating the area with a touch of creation of the safety plan? Mr. Ward said there are specific sections that must be created in the DORA ordinance. Mr. Winiarski had spoken to the Liquor Department and they took a cursory look and made sure it's in compliance with what the state law is. It's up to us to create our own DORA and up to them to decide if we are in compliance. There was further discussion with Mr. Winiarski discussing his wishes for the compliance ordinance and pointing out that beer and liquor are included but does not state cider or wine. He mentioned 4301.01. Mr. Cowger pointed out that this can be amended in the second reading, give the Law Department a chance to look at this and correct it. Roll call vote 6-0 to pass to second reading.

- (c) An Ordinance amending Chapter 1121 of the Codified Ordinances of the City of Amherst, Ohio to include a new Section 1121.08 regarding notices and hearings relating to zoning regulations. (A-22-38).

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

ORDINANCES AND RESOLUTIONS SECOND READING: NONE

ORDINANCES AND RESOLUTIONS THIRD READING: NONE

Miscellaneous and acknowledgement of the public: Mr. Cowger motioned to suspend all council committee and council meetings for the month of August. Seconded by Mr. Heberling. There was a discussion about the possibility of meetings that will be needed and Mr. Cowger amended his motion that Council vacation in the month of August with Mr. Heberling agreeing. Voice vote 2-4 with Mr. Winiarski, Mr. Dembinski, Mr. Wachholz and Ms. Smith voting no. The motion is defeated and council will meet in the month of August.

Agenda Requests and Committee Meeting Schedules:

A-22-43 Ordinance - Ordinance governing the health and safety regulations for the City of Amherst's Designated Outdoor Refreshment Area (DORA)

A-22-44 Ordinance – Authorizing to amend Amherst Codified Ordinances to update changes for work performed

Ordinance – August 1, 2022 at 7:00 p.m. A-22 -43, A-22-44
No other Committee Meeting scheduled for August 1, 2022

Reports of the Administration :

Auditor Pittak: No report

Treasurer Ramsey: Absent

Assistant Law Director Ward: No report

Safety/Service Director Jeffreys: No report

Mayor Costilow: Reported it's almost the end of summer so the road constructions are coming to a head at this point. He has seen some of the grinders in town. He is hoping the Cleveland Avenue projects begin very soon. It will be a very busy couple of weeks with our paving programs.

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

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

The meeting adjourned at 7:36 p.m.

Olga Sivinski, Clerk of Council

Jennifer Wasilk, President of Council