

**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 7:05 P. M. Also present in Council Chambers were Mr. Wachholz, Ms. Smith, Mr. Heberling, Mr. Janik, Mr. Winiarski, Mr. Dembinski, Mr. Cowger and Mayor Costilow. Present via ZOOM were Safety Service Director Jeffreys, Law Director Pecora, Assistant Law Director Ward, Auditor Pittak, and Treasurer Ramsey.

The prayer was invoked by Chaplain Janik, followed by the Pledge to the Flag led by Sgt. At Arms Dembinski.

Consent Agenda: The Clerk read the Consent Agenda: Mr. Dembinski motioned to accept the Consent Agenda as read. Seconded by Mr. Heberling. 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) An Ordinance amending Chapter 557 of the Codified Ordinances of the City of Amherst, Ohio to include a Revised Section 557.03(c) and a Revised Section 557.05 regarding the definition of "Litter" and fees to be charged when the city must remedy a failure to cut or destroy weeds, cut grass, or remove litter. (A-22-44)

Mr. Dembinski motioned to pass this on to its second reading. Seconded by Mr. Wachholz. Roll call vote 7-0 to pass to second.

- (b) An Ordinance authorizing and directing the Safety Service Director to submit an application to the Ohio Public Works Commission for State Issue I (Round 37) Funds for the Year 2023 for roadway improvements and repairs on North Ridge Road and various other streets; and declaring an emergency. (A-22-45)

Mr. Dembinski motioned to suspend all council rules so that this may be passed in its first reading. Seconded by Mr. Heberling. Roll call vote 7-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Ms. Smith. Mr. Dembinski asked if it were possible to add sidewalks to the project? Mayor Costilow answered not as a part of this project but we can take a look at it as a separate project. Roll call vote 7-0 to adopt. Becomes 0-22-33.

- (c) An Ordinance authorizing the City of Amherst Community Improvement Corporation, acting as agent for the City, to negotiate the terms of an agreement to sell or ease Parcel No. 05-00-003-106-018 and Parcel No. 05-00-003-106-020 to AMP Transmission, LLC for the purpose of establishing a second electric connection point; and declaring an emergency (A-22-47)

Mayor Costilow asked for suspension of rules on this so that CIC may begin to negotiate this and get back to us with the results. Mr. Janik motioned to suspend all council rules so that this may be passed in its first reading. Seconded by Mr. Dembinski. Roll call vote 6-1 with Mr. Winiarski voting no to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Cowger. Roll call vote 6-1 with Mr. Winiarski voting no to adopt. Becomes 0-22-34.

- (d) An Ordinance authorizing an increase in appropriations for the Park & Pool Fund; and declaring an emergency. (A-22-48)

Mr. Dembinski motioned to suspend all council rules so that this may be passed in its first reading. Seconded by Ms. Smith. Roll call vote 7-0 to suspend rules. Mr. Dembinski motioned to adopt. Seconded by Mr. Cowger. Roll call vote 7-0 to adopt. Becomes 0-22-35.

- (e) An Ordinance authorizing the Safety Service Director to purchase two 2022 Ford Explorer Cruisers for the Amherst Police Department through the State Purchasing Program and other equipment for such cruisers at a total cost not to exceed \$113,000.00; and declaring an emergency. (A-22-49)

Mr. Heberling motioned to suspend all council rules so that this may 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. Janik. Roll call vote 7-0 to adopt. Becomes 0-22-36.

- (f) An Ordinance authorizing the Mayor to enter into a contract for professional services with Bramhall Engineering & Surveying Company relating to the State Route 58 Corridor Planning Study With Crash Analysis; and declaring an emergency. (A-22-50)

Mr. Dembinski motioned to suspend all council rules so that this may be passed in its first reading. Seconded by Mr. Heberling. 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 0-22-37.

- (g) An Ordinance authorizing the Mayor to enter into a Cooperative Agreement with the City of Lorain for the Amherst/Lorain Leavitt Road Traffic Improvement Study; and declaring an emergency. (A-22-51)

Mr. Heberling motioned to suspend all council rules so that this may be passed in its first reading. Seconded by Ms. Smith. Roll call vote 7-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Dembinski. Roll call vote 7-0 to adopt. Becomes 0-22-38.

**ORDINANCES AND RESOLUTIONS SECOND READING: NONE**

**ORDINANCES AND RESOLUTIONS THIRD READING: NONE**

Miscellaneous and acknowledgement of the public:

- (a) Request by Ohio Division of Liquor Control for a change in ownership to La Plaza holdings at 1190 Milan Avenue, Amherst Ohio, from Bilana, Inc. of 221 Troy Street Dayton, Ohio.

There were no objections to this request.

There was no other discussion.

Agenda requests and committee meeting schedules:

Read this evening:

- A-22-52 Finance - Accept rant from Lorain County Community Foundation from the estate of Lorna Middendorf in an amount to be determined annually for the care and maintenance of Maude Neiding Memorial Park

Added 9/13/22 and 9/15/22

- A-22-53 Finance - Ordinance consenting to ODOT for Bridge Inspection Services; emergency
- A-22-54 Finance – Re-appropriate funds in Office on Aging to cover food costs; emergency

Finance – September 26, 2022 - at 6:40 p.m. A-22-52, A-22-53. A-22-54

No Committee Meetings scheduled for September 19, 2022

## Reports of the Administration:

Mayor Costilow: Said he appreciated everyone researching and adopting all the items this evening. He thanked them for their support for accomplishing everything this evening.

He announced that the railroad quiet zone has been progressing. We have two residents on this committee and they have done a really good job. We have also brought in a consultant. The project has actually been expanded to three more townships – Brownhelm, Elyria Township and Amherst Township, so there will be a significant amount of crossings that will be a part of this. The traffic studies have been done and some of the delineators will begin to appear. The railroad will come out and do their measuring and make sure the signs are in the right places and we may have these quiet zones by the end of the year. There is a bigger problem with this than people realized, such as people working from home and the noise affecting them if they opened their windows. So it was a bigger issue than we realized.

Treasurer Ramsey: The August report has been distributed.

Auditor Pittak: The August report has been distributed.

Law Director Pecora: Reported that there will be a free seminar provided by Dooley, Gembala, McLaughlin and Pecora regarding asset protection and Medicaid planning for nursing homes. Two experts will be presenting the information. Saturday, September 24 at 9:00 a. m. at Main Streets. All are welcome.

Safety/Service Director Jeffreys: No report

Mayor Costilow: Also added that the plastic barriers between the council members seats will be coming down unless there are objections by anyone. Mrs. Wasilk added that we will continue to meet in hybrid form.

Mr. Heberling motioned to accept the Reports of the administration. Seconded by Ms. Smith. Voice vote 7-0 to accept the reports.

Acknowledgement of the receipt of the August 2022 Auditor and Treasurer monthly reports.

Mr. Cowger motioned to acknowledge the receipt of the August 2022 Auditor and Treasurer Reports. Seconded by Mr. Dembinski. Voice vote 7-0 to acknowledge the reports.

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

The meeting adjourned at 7:24 p.m.

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Olga Sivinski, Clerk of Council

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Jennifer Wasilk, President of Council