

FEBRUARY 27 2023

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. Janik, Mr. Winiarski, Mr. Dembinski, Mr. Cowger, Mr. Wachholz, Ms. Smith, Mr. Heberling, and Mayor Costilow. Present via ZOOM were Law Director Pecora, Treasurer Ramsey, Assistant Law Director Ward, and Auditor Pittak, and Mr. Jeffreys.

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. Heberling motioned to accept the Consent Agenda as read. Seconded by Mr. Cowger. 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 to make appropriations for current expenses and other expenditures of the City of Amherst, State of Ohio, during the fiscal year ending December 31, 2023, repealing all Ordinances in conflict herewith, and declaring an emergency. (A-23-08)

Mayor Costilow spoke to the changes to be made to the budget due to receiving the \$400,000 ARPA grant funds. Account 272-7010-53501 needs to be increased by \$400,000 making that total \$1,005,386.90. These funds will be committed strictly to construction expenditures so some other engineering accounts need to be increased. So in the water improvement account, 420-5002-52350 was increased by \$20,000 making that \$45,000, and a part of this project is also sewer so in the sewer account 610-5003-52350 he would like to add \$95,000 to the engineering, making that \$145,000. This will still leave us a very healthy balance even with the engineering dollars. This will also change the final grand total of the budget to \$50,856,790.01. He also noted that last week Mr. Janik found a five cent line item that he questioned and that was also reflected in the copies Council received.

Mr. Cowger motioned to amend the ordinance to change the amounts per the Mayor's request. Seconded by Ms. Smith. Roll call vote 7-0 to amend the proposed budget. Mr. Dembinski motioned to send this on to its second reading. Seconded by Mr. Cowger. Roll call vote 7-0 to pass to second reading. Ms. Smith thanked Mayor Costilow for going after that money.

- (b) 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 2023 at a cost not to exceed \$80,000.00; and authorizing and directing the Safety Service Director to award the contract for such work to the lowest responsive and responsible bidder; and declaring an emergency. (A-23-09)

Mr. Dembinski motioned to suspend all Council rules so that this may 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 0-23-09.

- (c) An Ordinance authorizing the Mayor to enter Into a contract for professional services with Bramhall Engineering & Surveying Company relating to the 2023 Road Rehabilitation Program; and declaring an emergency. (A-23-10)

Mayor Costilow said he presented an amended ordinances to Council. The sewer and water portions of this road program were put on hold until we found out about the ARPA dollars. We did get the grant from the county so he added \$5,200.00 in sewer department engineering fees and Water Improvement Engineering Fees of \$25,900.00. He asked for suspension of rules so Bramhall can get this project bid out and continue with the road project this summer. Mr. Janik motioned to amend the ordinance as presented by the Mayor. Seconded by Mr. Cowger. Roll call vote 7-0 to amend as proposed by the Mayor. Mr. Winiarski noted that on Bramhall Engineering letter under Scope of Services, Task I, he felt that Material Specification (2019 version) should be changed the 2023 version. After some discussion, it was agreed that the change should be (2019 or most current version). Mr. Winiarski motioned that the change be made to read 2019 or most current version. Seconded by Mr. Wachholz. Roll call vote 6-1 with Mr. Cowger voting no to make this amendment. Mr. Janik motioned to suspend all Council rules so that this maybe passed in its first reading as amended. Seconded by Ms. Smith. Roll call vote 7-0 to suspend rules. Mr. Dembinski motioned to adopt as amended. Seconded by Mr. Heberling. Becomes 0-23-10.

ORDINANCES AND RESOLUTIONS SECOND READING: NONE

ORDINANCES AND RESOLUTIONS THIRD READING: NONE

Miscellaneous and acknowledgement of the public: Mrs. Wasilk read a letter from the Mayor requesting the re-appointment of Bill Swanzer to the Design Review Board. Mr. Winiarski commended Mr. Swanzer for his work and motioned for the re-appointment. Seconded by Mr. Janik. Voice vote 7-0 to reappoint Mr. Swanzer to the Design Review Board.

Mr. Dembinski reported on a project he has been working on. As Mr. Janik alluded to the train derailment in East Palestine, Ohio, and as a reminder, we also had a train derailment here in Amherst in December 2020. There was nothing hazardous, but still, safety should be a concern and something we should be cognizant of. He had reached out this past fall to Norfolk Southern’s Operational Awareness Response Team. They handle hazmat training and response and things like that. He asked if they had training for first responders and he spoke with one of their regional directors. So Norfolk Southern actually has a specially designed train that they take around the country on their system to train first responders on their system that they train for hazmat situation. This would be for situation just like what happened in East Palestine. They were able to come up with a date and location and they will be touring the county later this year. He was going to bring this up in the fall, but with the happening in East Palestine, it seemed like a good time to bring this up so people would be aware that we are being pro-active. He has talked to our Mayor, our Fire Department, and also been in touch with the Director of the Office of the Emergency Management Homeland Security for Lorain County. He will also be contacting surrounding counties with corresponding people’s offices. This will be for a whole year, so in case anyone is interested, it is free for anyone who wants to attend. More information will be forthcoming. Mr. Janik thanked Mr. Dembinski for this information.

Mr. Janik said there is a community outreach event for the residents of East Palestine. St. Joseph Church in Amherst from March 7 to March 11 will have a semi truck on the property. They want to stuff the truck with basic items that the community needs, such as water, canned food. Lists are available on the St. Joseph website. They also need people to help load the trucks, and people can call the St. Joseph parish office and volunteer their help.

Agenda Requests and Committee Meeting Schedules:

- A-23-11 Finance Authorization to make upgrades to the Amherst Fire Station to include storage, offices, and an upgraded exterior façade in an amount not to exceed \$250,000
- A-23-12 Ordinance Adopting and approving current replacement pages to Amherst Codified Ordinance; emergency
- A-23-13 Finance Accept grant from Lorain County ARPA funds for sewer, water and road infrastructure

Finance March 6 , 2023 at 7:00 p.m. A-23-11, A-23-13
 Ordinance March 6 at 7:10 p.m. A-23-12

Remaining committee Meetings for 3/6/23 are cancelled.

Reports of the Administration:

Treasurer Ramsey: No report

Auditor Pittak: No report

Law Director Pecora: No report

Safety/Service Director Jeffreys: No report

Mayor Costilow: Spoke about Mr. Ben Cutler from Columbia Gas attending our last meeting about their projects. He said Columbia Gas moved through Sharondale pretty quickly. The City will then do their work and afterwards Columbia Gas will return and do their restoration work. Working together really pays off. Their next move is to Route 58. The WENS system will be used to notify residents of lane closures, large holes, etc. He does not want people to not go to the business there, because the businesses there rely on the traffic. But if a resident is only using Rt 2, try to exit one of the other lanes. This will alleviate some of the congestion. But please continue to use those businesses. There will never be a time where Columbia Gas will not allow residents to get to the business or to homes. They will keep everyone's property accessible. Residents can call City Hall or the number Mr. Cutler provided. He has much confidence in this working, but also knows this will hurt. So just a fair warning.

Mrs. Wasilk asked the location of where they will begin and how far they will go. Mayor Costilow explained they will begin close to Drug Mart and possibly go as far as Jaeger Road. This will a main line being laid through this area with meters being upgraded. There is no way around it, there will be heartache and delay. So if you don't need to be in that area, avoid it. Mr. Janik asked for additional signs so that residents are aware of the construction besides depending on WENS.

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

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

The meeting adjourned at 7:32 p.m.

Olga Sivinski, Clerk of Council

Jennifer Wasilk, President of Council