

This meeting was in Hybrid Form – Council members to be present in Chambers and as many members of the Administration that wish to be present in Chambers. Those members of the Administration that wish to be present via ZOOM, may attend in that form.

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, Ms. Smith, Mr. Heberling, Mr. Janik, Mr. Winiarski, Mr. Dembinski, Mr. Wachholz, Mayor Costilow, Law Director Pecora, Auditor Phillips. Present via ZOOM were Assistant Law Director Ward and Safety/Service Director Jeffreys. Treasurer Ramsey and Mr. Cowger were absent and had letters on file. Ms. Smith motioned to excuse Treasurer Ramsey and Mr. Cowger as they had letters on file. Seconded by Mr. Heberling. Voice vote 6-0 to excuse Mr. Cowger and Mr. Ramsey.

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: There was no one speaking.

ORDINANCES AND RESOLUTIONS FIRST READING: NONE

ORDINANCES AND RESOLUTIONS SECOND READING:

- (a) An Ordinance amending City of Amherst Ordinance No. O-23-05 establishing the salary, terms and other conditions of employment for the Information Technology Department of the City of Amherst and repealing all Ordinances in conflict herewith. (A-23-34)

Mr. Dembinski motioned to pass this on to its third reading. Seconded by Mr. Wachholz. Roll call vote 6-0 to pass to third reading.

- (b) An Ordinance establishing the salary for the Clerk of Council for the years 2024, 2025, and beyond and repealing all Ordinances in conflict herewith. (A-23-35)

Mr. Dembinski motioned to pass this on to its third reading. Seconded by Ms. Smith. Roll call vote 6-0 to pass to third reading.

- (c) An Ordinance establishing the compensation for the members of the Office of the Director of Law; establishing the compensation authorized to be paid to additional legal counsel retained by the Mayor to serve as a labor specialist; establishing the compensation authorized to be paid to additional legal counsel retained by the Director Of Law to assist In litigation; and repealing all Ordinances in conflict herewith. (A-23-36)

Mr. Heberling motioned to pass this on to its third reading. Seconded by Mr. Wachholz. Roll call vote 5-1 with Mr. Winiarski voting no to pass to third reading.

- (d) An Ordinance establishing the salary and benefits for the full-time Mayor's position and repealing all Ordinances in conflict herewith. (A-23-37)

Mr. Dembinski said one of the things that came up in the last meeting was that you should not be able to negotiate your own salary. The way A-23-37 is currently written, it says that in 2026 the salary becomes the average of OPBA and AFSCME contract increases. If you look at the Law Director's proposed ordinance in Section 6, it says that it's further found that it provides that the Mayor shall be the chief negotiator for the City of Amherst. So he would like to see this changed so it's not the combination of contracts so we don't have potential issues in the future. Council is also pegged to receive on OPERS credit and that is actually set at 1.75% credit per year. So per this, he motioned that for 2026 and beyond, it will be a 2% raise. Mrs. Wasilk then he is saying to delete the verbiage about the "Average of OPBA

(etc) “ and insert 2% instead. Mr. Dembinski agreed. Seconded by Ms. Smith. Roll call vote 6-0 to amend. Mr. Heberling motioned to pass this on to its third reading. Seconded by Mr. Wachholz. Roll call vote 4-2 with Mr. Janik and Mr. Winiarski voting no to send to third reading.

- (e) An Ordinance establishing the salary for the Safety Service Director for the years 2024, 2025, and beyond and repealing all Ordinances in conflict herewith. (A-23-38)

Ms. smith motioned to pass this on to its third reading. Seconded by Mr. Heberling. Roll call vote 6-0 to pass to third reading.

- (f) An Ordinance authorizing an increase in appropriations for the Civil Service Commission wage increase. (A-23-39)

Mr. Dembinski motioned to pass this on to its third reading. Seconded by Mr. Wachholz. Roll call vote 6-0 to pass to third reading.

- (g) An Ordinance authorizing an increase in appropriations for the position of Technician within the Information Technology Department for wages, OPERS, Health Insurance, and Worker’s Compensation. (A-23-40)

Mr. Heberling motioned to pass this on to its third reading. Seconded by Ms. Smith. Roll call vote 6-0 to pass to third reading.

ORDINANCES AND RESOLUTIONS THIRD READING: NONE

Miscellaneous and Acknowledgment of the Public: There was no one speaking.

Agenda Requests and committee Meeting Schedules:

- A-23-41 Streets Ordinance to replace Amherst Codified Ordinance Chapter 916; with emergency
- A-23-42 Streets Resolution to adopt the Solid Waste Management Plan for the Lorain County Solid Waste Management District
- A-23-43 Finance Authorizing the Chief of Police to donate a used 2013 Chevrolet Tahoe ((VIN: 1GNLC2E04DR192461) to Sheffield Township at no cost to the Township
- A-23-44 Finance Re-appropriate funds in Sewer Department to cover Engineering costs (610-5004-52350); emergency
- A-23-45 Finance Authorize Mayor to enter into a contract with CT Consultants for the Amherst NFA study at an amount no to exceed \$147,500.00; emergency
- A-23-46 Utility Ordinance authorizing the execution of the 2024-2028 fixed volume energy supply schedule with American Power Inc.
- A-23-47 Finance Increase appropriations for the Police Department Insurance and Bonding; emergency

Finance August 21, 2023 at 7:00 p.m. A-23-43, A-23-44, A-23-45, A-23-47
Streets August 21, 2023 at 7:05 A-23-41, A-23-42
Utility August 21, 2023 at 7:15 A-23-46

The remaining Council Committee meetings August 21, 2023 are cancelled.

Reports of the Administration

Auditor Phillips: The July reports have been completed and distributed.
Treasurer Ramsey: Not present
Law Director Pecora: No report
Safety/Service Director Jeffreys: No report.

Mayor Costilow: Explained an additional agenda report will be submitted regarding a contract with CT Consultants for an NFA study. This flow study is required by the EPA. The OPWC road projects are going along as planned. Even with some of the bad weather, they are keeping up on schedule. Just the way things are, some of the construction will be going into the school year. But we are working with the schools to make things go as smoothly as possible. We are still making progress on the railroad bridges. He had another update on the plans and the plans are getting close to being finalized. They are coming up with dates to bid that out and they should be in town this week actually doing bore samples in and around the bridges. They have been working with the Utilities Department. He is really happy to be working with the railroad about these bridges.

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

Acknowledge the receipt of the July 2023 reports from the Auditor and Treasurer:

Mr. Dembinski motioned to acknowledge the receipt of the July 2023 reports from the Auditor and Treasurer. Seconded by Ms. Smith. Voice vote 6-0 to acknowledge the receipt of the reports.

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

The meeting was adjourned at 7:19 p.m.

Olga Sivinski, Clerk of Council

Jennifer Wasilk, President of Council