

**REGULAR**

**SEPTEMBER 11 2023**

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 the Council Chambers were, Mr. Janik, Mr. Winiarski, Mr. Dembinski, Mr. Wachholz, Ms. Smith, Mr. Heberling, Auditor Phillips, Law Director Pecora, Assistant Law Director Ward, Safety/Service Director Jeffreys, Treasurer Ramsey. Present via ZOOM was Mayor Costilow. Mr. Cowger was absent and had a letter on file. Mr. Dembinski motioned to excuse Mr. Cowger as he had a letter on file. Seconded by Mr. Heberling. Voice vote 6-0 to excuse Mr. Cowger. There were also residents from Park Avenue at this meeting.

The Prayer was invoked by: Chaplain Janik followed by the Pledge to the Flag led by Sergeant 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 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:**

Mayor Costilow said it would be difficult for him to speak to each item, and he asked that Council suspend rules on items (a) (b) (c) and (e) if they see fit.

- (a) A Resolution adopting the federally approved Lorain County 2023 Hazard Mitigation Plan; and declaring an emergency. (A-23-48)

Mr. Janik motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Ms. Smith. Roll call vote 6-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Dembinski. Roll call vote 6-0 to adopt. Becomes R-23-03.

- (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 38) Funds for the year 2024 for roadway Improvements and repairs on Park Avenue and various other streets; and declaring an emergency. (A-23-49)

Mr. Heberling motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Janik. Roll call vote 6-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Wachholz. Roll call vote 6-0 to adopt. Becomes 0-23-46.

- (c) An Ordinance authorizing the City of Amherst, Ohio to accept a donation from Amherst Eagles Aerie #1442 and an Increase In appropriations for the purchase of gym equipment for the city's Police Department; and declaring an emergency. (A-23-50)

Mr. Dembinski motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Janik.. Roll call vote 6-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Miss Smith. Roll call vote 6-0 to adopt. Becomes 0-23-47.

- (d) An Ordinance authorizing and directing the Safety Service Director to bid and award the contract for sludge removal services for the city's Water Pollution Control Center for the years 2024 and 2025. (A-23-51)

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

- (e) An Ordinance authorizing an increase In appropriations for the 2023 OPWC State Issue 1 (Round 36) Middle Ridge Road Improvement Project to pay for storm water improvements on or near Michael Lane; and declaring an emergency. (A-23-52)

Mr. Heberling 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. Roll call vote 6-0 to adopt. Becomes 0-23-48.

**ORDINANCES AND RESOLUTIONS SECOND READING:**

- (a) An Ordinance to adopt the Solid Waste Management Plan (2024-2033) for the Lorain County Solid Waste Management District; and declaring an emergency. (A-23-42)

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

**ORDINANCES AND RESOLUTIONS THIRD READING: NONE**

Miscellaneous and acknowledgement of the public: Mrs. Judy Trotter of 1037 Park Ave., Amherst, spoke to the cars speeding on Park Avenue. She had provided a petition signed by all residents living on Park Avenue. (on file). She said this summer many of them have been concerned about the speeding up and down Park Avenue. She wrote a letter addressed to Council and it was also directed to the Mayor, Safety/Service Director and to the Superintendent of Schools. and Police Chief. She went up and down the street starting at Rt. 58 all the way to Your Deli, both sides, knocking on every door and spoke to every resident. The concern with the speeding, there are only a few speed limit signs and the lighted one just past the library. It deters a little bit. Speaking with residents looking for more signage, some lighted signs, maybe a little more police input, anything. She knows it's not just Park Avenue where the speeding is excessive. It's everywhere. There is concern for people walking their dogs, kids playing in the front yards due to concerns regarding speeding. She spoke to a blind gentleman who has his family take out his garbage. He can hear the excessive speed. She is trying to get some answers or input. A crosswalk was placed at one point, it's a state law that cars have to stop, but they do not. One gentleman who lives at that area, said the cars do not stop, they blow through there. She may have missed speaking to residents at four houses. She has spoken to the Police Chief and speed stops were set up for about a week. Like everything else, that has dwindled off.

Mr. Winiarski welcomed Mrs. Trotter. He said after he spoke to her, he spoke to the Police Chief and Lt. Perez, and Mrs. Trotter made an impression on them. He assured that she is not being ignored on this. Mr. Janik also thanked her and asked if the speed tracking mechanisms are still in place? Mr. Trotter said they were there about a week. Mr. Janik said he has mentioned to the Chief that he would like to see something more permanent on that street as well as other streets which have become serious speeding issues in Amherst. Mr. Heberling thanked everyone for coming and appreciates hearing from them. After receiving this letter, he spent some time walking in their neighborhood. Having grown up in that neighborhood, Woodhill has always been notorious for speeding. It never occurred to him that Park Avenue was also a street where speeding took place. Mayor Costilow said he is aware of the situation and he thinks the speed tracking system is still up there. Those do collect data and they are looking at those. There have been some citations for speeding recently. They are looking at the data and trying to figure out what to do. It's ongoing and they are not being ignored. He thanked them for coming and speaking to council about this.

Mrs. Ashely Brucker, 1120 Park Avenue. She wonders if anything has been done city wide about the speeding? Mayor Costilow said it's constantly part of our conversation. The staff is only so large so we do what we can. It is part of our conversation consistently. Mrs. Brucker asked about a ticketing cameras? Mayor Costilow said he is not a fan of those; he does not know the constitutionality of those. Some cities have used them, but it's not anything that we will be looking at.

Agenda requests and committee meeting schedules:

A-23-53 Police/Fire Tobacco Retail licensing

A-23-54 Finance Increase appropriations for Planning Commission capital outlay

A-23-55 Finance Return advance funds from General Fund to Fund 265 per 0-22-30 for body armor vests

A-23-56 Building and Lands To exercise Section 13 of a real estate purchase agreement with Freakin Greekin, LLC to purchase certain land on Church Street

Finance September 18, 2023 at 7:00 p.m. A-23-54, A-23-55

Building and Lands September 18, at 7:05 p. m. A-23-56

Police and Fire September 18, 2023 at 7:10 p.m. A-23-53

The remaining Council Committee meetings September 18, 2023 are cancelled.

Reports of the Administration:

Treasurer Ramsey: The transition with the new Deputy Treasurer is doing great. He was not available for tonight's meeting, but he will try to be present at the next full council meeting. The reports for the month of August have been distributed.

Auditor Phillips: Answered a question Miss Smith had asked previously regarding police appropriations. This cost will be added to the budget next year. She referenced 0-23-28. The August reports have been completed and distributed.

Law Director Pecora: No report

Safety/Service Director: No report

Mayor Costilow. Thanked Council for adopting the legislation he had spoken about.

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

Acknowledgement of the receipt of the August reports from the Auditor and Treasurer: Mr. Dembinski motioned to acknowledge the receipt of the August reports from the Auditor and Treasurer. Seconded by Mr. Heberling. Voice vote 6-0 to acknowledge the receipt of the reports.

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

The meeting adjourned at 7:28 p.m.

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Olga Sivinski, Clerk of Council

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Jennifer Wasilk, President of Council