

**REGULAR**

**June 24**

**2024**

Amherst City Council met in a Regular Session under full compliance of State Law with President Wasilk opening the meeting at 7:00 p. m. Roll call Mr. Janik, Mr. Heberling, Mr. Winiarski, Mr. Dembinski, Ms. Harnych, Mr. Wachholz, Mr. Nahorn. Also present were Mayor Costilow, Safety/Service Director Jeffreys, Law Director Pecora, Auditor Phillips and one member of the public. Treasurer Ramsby was absent and had a letter on file. Mr. Dembinski motioned to excuse Mr. Ramsey as he had a letter on file. Seconded by Mr. Nahorn. Voice vote 7-0 to excuse Mr. Ramsey.

The Prayer was invoked by Chaplain Janik, which was followed by the Pledge of Allegiance to the Flag led by Sgt. At Arms Dembinski.

Consent Agenda: The Clerk read the Consent Agenda. Mr. Heberling motioned to approve the Consent Agenda as read. Seconded by Mr. Wachholz. Voice vote 7-0 to approve 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 vacating a portion of Jefferson Street and retaining utility and drainage easements on a portion of the area vacated. (A-24-26)

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

**ORDINANCES AND RESOLUTIONS THIRD READING: NONE**

Miscellaneous and acknowledgement of the public:

- (a) Transfer liquor license from Quesadillas, Inc. (DBA Quesado;;as & Patio), to Nina Bonitas, LLC, at 249 Church Street (DBA Quesadillas Mexican Cuisine and Patio)

There were no objections to this transfer.

Mr. Wachholz asked about our ordinances about pods, specifically, a pod that has been sitting in a resident's driveway. The neighbor would like it removed. Law Director Pecora said if the pod has been grandfathered in, then it does not have to be removed. Mr. Wachholz asked what can be done to alleviate the problem for the neighbors. Mr. Pecora said he will look at the rules and check on what references there are to ownerships being changed. That would be a different situation. A separate ordinance would specifically have to speak to retroactivity.

Agenda requests and committee meeting schedules:

A-24-27 Ordinance Approving the current replacement pages of the Amherst Codified Ordinances; emergency

Ordinance July 8, 2024 A-24-27

The remaining Council Committee Meetings for July 1, 2024 are cancelled.

Reports of the Administration:

Auditor Phillips: No report

Treasurer Ramsey: Not present

Law Director Pecora: Law Director Pecora announced that the City of Amherst has filed action against ODOT over Route 2 care issue as discussed in Executive Session. The information will be provided to all to all.

Safety/Service Director Jeffreys: No report.

Mayo Costilow: He will add to the Law Director's report and will make sure that the information is forwarded to everyone in the morning. A press release will be written as well. Mr. Pecora said they could go to the Franklin County Clerk of Courts unapproved filings and find it there. The complaint is attached as an Exhibit.

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

Mr. Dembinski motioned to adjourn. Seconded by Mr. Wachholz. Voice vote 7-0 to adjourn. The meeting was adjourned at 7:10 p.m.

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Olga Sivinski, Clerk of Council

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Jennifer Wasilk, President of Council