

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. Harmych, Mr. Wachholz, Mr. Nahorn. Also present were Mayor Costilow, Safety/Service Director Jeffreys, Law Director Pecora, Assistant Law Director Ward, and Treasurer Ramsey. Auditor Phillips was absent and had a letter on file. Mr. Dembinski motioned to excuse Auditor Phillips as she had a letter on file. Seconded by Mr. Heberling. Voice vote 7-0 to excuse Auditor Phillips.

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

Consent Agenda: The Clerk read the Consent Agenda. Mr. Heberling motioned to approve the Consent Agenda as read. Seconded by Mr. Nahorn. 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:

- (a) An Ordinance authorizing the Treasurer to extend a depository agreement with U.S. Bank for the City's funds. (A-24-51) Emergency clause was added at the Finance Committee Meeting)

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

ORDINANCES AND RESOLUTIONS SECOND READING:

- (a) An Ordinance establishing the wage rate, benefits and other conditions of employment for the seasonal Part-Time Tax Assistant I of the City of Amherst and repealing all Ordinances in conflict herewith. (A-24-48)

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

- (b) An Ordinance authorizing and directing the Mayor of the City of Amherst to enter into a Water Service Agreement with the City of Elyria for the Years 2025 Through 2044. (A-24-49)

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

ORDINANCES AND RESOLUTIONS THIRD READING:

- (a) An Ordinance authorizing the Treasurer to extend a depository agreement with Northwest Bank for the City's Funds. (A-24-45)

Mr. Dembinski motioned to adopt. Seconded by Mr. Wachholz. Roll call vote 7-0 to adopt. Becomes 0-24-42.

- (b) An Ordinance re-appropriating funds In the Waste Water Treatment Plant of the City of Amherst, Ohio to cover expected costs for the remainder of the year; and declaring an emergency. (A-24-46)

Mr. Dembinski motioned to adopt. Seconded by Mr. Nahorn. Roll call vote 7-0 to adopt. Becomes 0-24-43.

Miscellaneous and acknowledgement of the public: Mr. Dembinski announced that toys for Toys for Tots are being collected at the Police Station in case anyone wants to donate. New, unwrapped toys are requested. Last day of collection is December 6.

Agenda requests and committee meeting schedules:

A-24-52 Finance 2025 Interim Budget due to the County Auditor by 12/31/24

A-24-53 Finance – Re-appropriate funds in various accounts (per attached information) to cover expenses through year end; emergency

Finance - November 25, 2024 at 6:40 P. M. A-24-52, A-24-53

The remaining Committee Meetings for November 18, 2024 are cancelled

Reports of the Administration:

Auditor Phillips: Not present

Treasurer Ramsey: Noted the October 2024 reports have been completed and distributed.

Law Director Pecora: No report

Safety/Service Director Jeffreys: No report.

Mayor Costilow: Spoke about the bidding on the old Office on Aging as per Council's approval. The advertisement has been in the newspapers for five weeks and the bidding will be held this coming Wednesday (13th) in Council Chambers. He spoke about the leaf pickup and said it is going extremely well. They will continue going from one side of town to the other until the snow comes. The worrisome subject is the City's agreement with ODOT on the Rt. 2 maintenance. For 60 years when the street came into being, the State of Ohio and the agreement was signed and the agreement was a big part of that. That agreement has been honored for 60 years. There is no expiration date on that agreement. They are saying that there is no longer an agreement and refuse to maintain that area or Rt. 2. We have been in contact with them, have filed some documentation and have filed some lawsuits, one of which says they must continue until this is settled. We have offered, even if we lose this in court, to make payments. ODOT turned that generous offer down. The snow is coming, and we don't have a facilities as a city to take care of that portion of the road. ODOT should stay with their agreement until a court tells us otherwise. Mr. Pecora said we filed a motion for preliminary injunction, or injunctive relief, which means, pending the outcome of the lawsuit itself, at least temporarily, ODOT will follow through with their obligations per the ordinance and the contract we agreed to. It's indicating that we would be irreparably harmed; that we don't have the means or ability to perform the snow removal or deicing. We have not heard back from the court yet. It is very important and if anyone out there that might have some pull, would put in a good word for us. Mayor Costilow said he hopes that ODOT comes through and does their job at least until the courts make a decision. Cautioned everyone to be careful on that street if/when it snows.

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

Acknowledgement of the receipt of the November Auditor and Treasurer reports:

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

Mr. Heberling motioned to adjourn. Seconded by Mr. Wachholz. Voice vote 7-0 to adjourn. The meeting was adjourned at 7:16 p.m.

Olga Sivinski, Clerk of Council

Jennifer Wasilk, President of Council