

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. Wachholz, Mr. Mowcomber, Mr. Janik, Mr. Nahorn, Mr. Dembinski, Ms. Harmych. Also present were Mayor Costilow, Law Director Pecora, Auditor Phillips, Treasurer Miller, Assistant Law Director Ward. Mr. Winiarski and Safety/Service Director Jeffreys were absent and had letters on file. Mr. Nahorn motioned excuse Mr. Winiarski and Mr. Jeffreys as they had letters on file. Seconded by Mr. Dembinski. Voice vote 6-0 to excuse Mr. Winiarski and Mr. Jeffreys.

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. Janik motioned to approve the Consent Agenda as read. Seconded by Mr. Dembinski. Voice vote 6-0 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) A Resolution for automated clearing house and electronic transactions; repealing all Resolutions in conflict herewith; and declaring an emergency. (A-26-09)

Mr. Dembinski motioned to suspend all Council rules to that this may be passed in its first reading. Seconded by Mr. Janik. Roll call vote 6-0 to suspend rules. Mr. Dembinski motioned to adopt. Seconded by Mr. Janik. Roll call vote 6-0 to adopt. Becomes R-26-01.

#### **ORDINANCES AND RESOLUTIONS SECOND READING**

- (a) An Ordinance establishing and implementing a program to charge mitigation rates for the Deployment of emergency and non-emergency services by the Fire Department for services provided/rendered by/for the City of Amherst Fire Department. (A-26-05)

Mr. Nahorn motioned to pass this down to its third reading. Seconded by Mr. Dembinski. Mr. Janik said he would be voting no on this ordinance and he wished to explain. He had wanted to do some fact finding on the traffic accidents in Amherst for the years 2023, 2024 and 2025. We had 558 accidents in 2023 with 509 motorists being insured. 49 who were not so it was 8.1%. In 2024 we had 609 accidents with 559 insured and 50 uninsured for 8.21% and 2025 we had 584 total accidents with 516 insured and 68 not insured and that was 11% of motorist with no insurance. He felt this ordinance was not written tightly enough to deal with the uninsured motorist. It is by law that we are supposed to carry auto insurance. The State of Ohio does not mandate that when you go to the BMV that you have to provide proof of insurance. The fact that we are not dealing with the uninsured motorist by using our Mayor's court or other means necessary to make them pay he feels is a problem. This is not addressed in this legislation. He asked about a loss of life and if it could added and the Mayor denied that request. He feels the loss of life is enough of a kind of payment to pay on their conscience and he feels that it's not right to give them any bill or anyone that's had a loss of life or experienced a loss of life to give them a bill after the fact. He disagrees on that as well. Even with the level one being a \$618 bill he understands that property damage gets covered, he does not feel that it's right when it's loss of life to kick someone when they are down. So he disagrees with this as well. Currently we are not faced with a loss of funds from the state and our taxes covered this service and when he filed his city taxes, they are more than his state taxes this year. The funds are there, we have operated in the black. There is nothing from the state that says we have to start collecting these monies. These monies are not going to the Fire Department but going in the general fund. That's another issue for him. He understands we have done a good job with looking over the budget and what goes in and out. He is concerned about where the money is going to be in terms of the Fire Department. We don't have any levies for the Fire Department. This is where he stands with that and he feels not pursuing the non-insured motorist sends a sharp signal or sign that we are going after the folks that are insurance which makes their premiums go up. Once a claim is put against your insurance, your rates will go up. That's another burden on the citizen. He understands that when there is property damage, we get the funds back. But just for

answering a call especially for Amherst residents where these funds are figured into our taxes, he is just not good with that. Roll call vote 5-1 with Mr. Janik voting no.

- (b) A Resolution recognizing the 250<sup>th</sup> Anniversary of the U.S. Postal Service and its invaluable service to the Public. (A-26-06)

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.

- (c) An Ordinance establishing the salary of the Mayor's Court Magistrate and the salary and benefits of the Mayor's Clerk of Court; and declaring an emergency. (A-26-07)

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.

### **ORDINANCES AND RESOLUTIONS THIRD READING:**

- (a) An Ordinance authorizing the Safety Service Director to enter into a contract for Professional Services with Verdantas LLC relating to the City of Amherst Water Pollution Control Center's No Feasible Alternative Improvement Project; and declaring an emergency. (A-26-02)

Mr. Nahorn motioned to adopt. Seconded by Mr. Dembinski. Roll call vote 6-0 to adopt. Becomes 0-26-05.

Miscellaneous and acknowledgement of the public: There was no one speaking.

Agenda requests and committee meeting schedules:

- A-26-10 Utilities An ordinance to approve the form and authorize the execution of the Potomac Energy Schedule with American Municipal Power, Inc. (AMP)  
 A-26-11 Utilities - An ordinance to approve the form and authorize the execution of the Bright Mountain Solar Schedule with American Municipal Power, Inc. (AMP)  
 A-26-12 Finance 2026 Permanent Budget. Due to Lorain County Auditor by 4/10/26

Utilities – February 16, 2026 at 7:00 p.m. A-26-10, A-26-11

Finance – February 16, 2026 at 7:05 p.m. A-26-12

The remainder of the Committee Meetings for February 16, 2026 are cancelled.

Reports from the Administration:

Auditor Phillips: The January report has been completed and distributed.

Treasurer Miller: The January report has been completed and distributed

Safety/Service Director Jeffreys: Not present

Law Director Pecora: No report

Mayor Costilow: Noted that the 2026 Budget will possibly be presented for the next committee meeting.

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

Acknowledgement of the receipt of the Auditor and Treasurer reports for the month of January:

Mr. Dembinski motioned to acknowledge these reports. Seconded by Mr. Nahorn. Voice vote 6-0 to acknowledge the reports of the Auditor and Treasurer for the month of January.

Mr. Dembinski motioned to adjourn. Seconded by Mr. Nahorn. Voice vote 6-0 to adjourn. The meeting was adjourned at 7:16 p.m.