

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. Nahorn, Mr. Winiarski, Mr. Dembinski, Ms. Harnych, Mr. Wachholz-absent, Mr. Mowcomber. Also present were Mayor Costilow, Auditor Phillips, Treasurer Miller, Safety/Service Director Jeffreys, Law Director Pecora. Mr. Wachholz was absent and had a letter on file. Mr. Dembinski motioned to excuse Mr. Wachholz as he had a letter on file. Seconded by Mr. Nahorn. Voice vote 6-0 to excuse Mr. Wachholz. Also present in council chambers were four visitors.

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. She also read the correction that should have been included in the minutes of 6/8/26 minutes on Page 3 of minutes, Page 149 of Record of Proceedings which was: *Mr. Dembinski motioned to send this to its third reading as amended. Seconded by Mr. Winiarski. Roll call vote 6-1 to send to third reading with Mr. Mowcomber voting no. Mr. Dembinski motioned to approve the Consent Agenda as read including the amendment the Clerk read. Seconded by Mr. Janik. Voice vote 6-0 to approve the Consent Agenda as amended and 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) A Resolution authorizing the Mayor to apply for, accept, and enter into a Water Pollution Control Loan Fund (WPCLF) Agreement on behalf of the City of Amherst for planning, design and/or construction of wastewater facilities; designating a dedicated repayment source for the loan; and declaring an emergency. (A-26-27)

Mayor Costilow said he talked to his consultants and they advised if we adopt this item this evening, we can make the July date for funding. Mr. Nahorn motioned to suspend all council rules so that this may be adopted in its second reading. Seconded by Mr. Mowcomber. Roll call vote 6-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Nahorn. Mr. Dembinski asked about the account number and it has been included into the ordinance. Roll call vote 6-0 to adopt. Becomes R-26-04.

ORDINANCES AND RESOLUTIONS THIRD READING:

- (a) An Ordinance amending City of Amherst Ordinance No. O-23-29 to include operational days and hours in the designated outdoor refreshment area in accordance with Ohio Revised code Section 4301.82 and establishing requirements necessary to ensure public health and safety within such area and repealing all ordinances in conflict therewith. (A-26-20) **(amended on council floor 6/8/26)**

Mrs. Linda Gatz of 937 Barbary Circle, Amherst spoke and said she has been a resident of Amherst for over 25 years. She and her husband chose to build here because the town was family friendly, safe and historic. She has spoken to her council representative and two council at large and have taken time to research DORA and has considered its pros and cons. While she is not opposed to the current ordinance, which is used for Walking on Wednesdays, and special events, she is opposed to its extension of three days a week, 52 weeks per year. The argument that other cities in Ohio do reminds her of a teenager arguing that "everybody's doing it so why can't I?" What should be considered is what's good for all the citizens of Amherst. We are encouraging bad behavior and enabling people to do harm to themselves and others. As a retired high school teacher she knows drinking is a problem for many teens and they are very good about getting around rules. DORA being extended certainly would offer them more opportunities to circumvent the ordinance. She is not saying that there wouldn't be adults breaking the rules too. What would be the cost to the taxpayers is another question. Will other programs have to be cut to pay for police overtime and clean up? What about parking? We already have problems with parking for special events. The ordinance as written states that health and safety during DORA would be protected, but what

about the areas immediately outside DORA? This is just a few blocks of downtown, and many people when there's a crowd many people park out of that area. What if someone is misbehaving when they walk to their car that is outside this area? Do we have enough police to actively patrol this one small area three days a week 52 weeks a year? You have also read in this ordinance that you will spur economic development. She recognizes this as a propaganda technique. Who actually benefit from DORA? A few retail businesses? All the downtown businesses? The whole City of Amherst? She believes that Council were elected to serve the entire city of Amherst and all its residents and not just a elect group.

Mrs. Christine Burman of 137 Walnut Drive said she is a third generation Amherst citizen, has been in Amherst 79 years and has seen it all. She likes the DORA for events, she thinks it's great. It is well protected but she thinks it's going to be an enormous problem if it's going to be every weekend. We don't need this. We are known as the Sandstone Center of the world. Do we need to be known as the "drinking center" of the world? She does not think so. She wants our city to be clean and protected, enjoy our events but not go overboard. She agrees with Mrs. Gatz on most everything. She is secretary of one of the prominent churches in Amherst. Their whole church feels this is wrong. Other churches have joined us in the way we feel that this is not the way for Amherst to go. She begs the elected people to think about Amherst, and not anything else except the citizens.

Mr. David Rice of 770 Cleveland Ave., Amherst, said he just signed a petition to for Sunday liquor sales. He has a nephew in law that owns one of the prominent establishments in Amherst. One of the last things he wants to do is hurt any of the businessmen in downtown Amherst. He just finished his 53rd year in a classroom. Kids are his #1. As Mrs. Gatz said, high school kids, even good high school kids, do on occasion do bone headed things. He believes in percentages, anytime you can reduce the percentages of a problem happening, and alcohol seems to have a way of when a young person does something that was foolish, it can really induct their messing up their entire life. To him, that makes one more opportunity that doesn't need to be out there. He considers this to be a major thing. He remembers back in the 90's, two years in a row, there was a traffic accident, on Friday nights after a football game that pretty much ruined two football seasons. Alcohol was involved and the car was full of members of the football team. People play percentages in different ways. Looking at the kids, you would think none of them would ever do it, but he has seen first hand that oftentimes, even the good kids end up doing one goofy thing and it costs them. He is also concerned about how we are going to police the situation. Are we doing to have walking or bike patrols? Will there be something for them to do while walking besides drinking and hanging out? He jogs around Amherst and every time he see a piece of plastic, he reaches over and picks it up and people think he is a little dingy because he doesn't make a dent in the amount of plastic around. But will there be extra trash cans around? He is concerned especially for kids. He remembers walking to the theater with a date and walking through the middle of town and no one thought anything about it. And Amherst is still kind of like that.

Mr. Nahorn said that he's spent the last two weeks reflecting on the ordinance. In reviewing the discussions we've had - which is why, of course, something like this needs to go three readings, he goes back to Mr. Mowcomber's comments regarding preferential treatment of businesses in the DORA vs. those not within the designated area. He finds this troubling. He also understands that the police may be somewhat more comfortable with the new proposed schedule, but this does not mean it is ideal. Out of the week, Friday, Saturday, and Sunday are certainly some of the busiest days and times of the week - he knows; he's enjoyed many excellent meals at our downtown establishments. He likes the idea of an event-based DORA (as he's stated throughout this). But coupling the DORA, with three very busy days of the week in our Downtown, is not the right recipe for our Town. There is mention that the expanded DORA will contribute positively to the economic environment of the Downtown - he has heard comments both that it could greatly contribute, and others have stated there likely would be negligible change. Finally, he's spoken with several individuals throughout Town - most of whom have no idea what a DORA entails. When explained to them, most like the "event-based" plan that we already have in place. Many are concerned with the expansion schedule, as proposed, and, even though there aren't many residents who live within the DORA area, he's spoken with some who live contiguously to it. They adamantly oppose it. In review: He's concerned about Downtown visitor safety; pedestrians walking in the DORA area, (around. as the area is not cordoned off from traffic); preferential business treatment; police safety costs; police resources being concentrated in one area of our City; holding a DORA, every week, on the three busiest days of the week; negligible increases to local economy; residents' concerns, living nearby - with a weekly recurring DORA.

Mr. Mowcomber thanked the residents for coming down and speaking. He thinks what he took from Mr. Rice's comments is the focus on children. He feels that Council's first priority is to children in this community and impacts on children. He thinks this Council's first priority is to children in this community. So he agrees 100%. With regard to propaganda, to him the whole DORA acronym is propaganda. Designated outdoor refreshment area. This is not about refreshment. Residents already can drink lemonade downtown outside. They can drink Pepsi outside. This is not about refreshments, this is about alcohol, solely about alcohol. And they hide behind the DORA acronym. For that reason, he will be opposing this. Mr. Dembinski motioned to adopt. Seconded by Mr. Winiarski. Roll call vote 4-2 with Mr. Nahorn and Mr. Mowcomber voting no to adopt. Becomes 0-26-24.

Miscellaneous and acknowledgement of the public: Mr. Nahorn said Council usually recesses in August, and in order to plan appropriately, he motioned that Council recesses from August 1 to August 31, 2026. Seconded by Mr. Mowcomber. Roll call vote 4-2 with Mr. Winiarski and Mr. Dembinski voting no. Mrs. Wasilk pointed that that special meetings will be called if necessary.

Agenda requests and committee meeting schedules:
No requests were presented so no meetings are scheduled at this time.

Reports from the Administration:

Auditor Phillips: They will be wrapping up their annual audit in the next few weeks. There's been a lot of work done on that and they anticipate it to conclude very well.

Treasurer Miller: No report

Law Director Pecora: No report

Safety/Service Director Jeffreys: No report.

Mayor Costilow: He said he wants it reflected again that he is against this DORA expanding beyond special events, it's kind of a two point comment, but with that being said, with Council adopting this; Administration will work to make this as successful as possible. During the next 30 days, he will prepare a letter that will get sent out to the state, we will have signs being made. We will have some rules and information posted. He will work with Main Street on some kind of Q R code on the Web site that needs to be updated. Over the 30 days we will do what we need to do to make this things work. But he wants the minutes to reflect this that he has been against this – we have made some compromises and he will do his part. He talked about the big storm we had. It was massive. We have had employees here for 40 years that said this is the biggest storm damage we've had even with the tornado years past. Every single employee that we could have out were out – the street department, the fire department, for safety. Just to talk about how massive, the police department had over 400 calls that night which is a lot of calls. The Fire Department does not have their report out, but they had a lot of calls for wires and things on fire. He wants to publicly thank the two cities that helped, Wellington and Oberlin both sent electric crews out to help us. We haven't got the bill yet, but he is sure it will be fair. The help was much appreciated. Pennline is the company that won the line clearing award for clearing lines, but this was above and beyond, they sent five people to help with tree clearing and getting limbs off the lines and trees off the road. We've had three other tree companies come in and help since. It's been a massive effort, we won't know for a while what the total cost will be. Extra wages alone that we have put into this are above or below \$100,000. It was about \$35,000 just for the electrical transformers – the parts that had to be used. There is still a lot to do. The city crews, the workers, police, fire, of them did such a tremendous job to get people to work in that kind of weather. Most of the city electric was out. The majority was on by the next morning. There were still some people out, but they got them on and then we had another short storm on Sunday to put some people out. But they worked as hard a possible. He again thanked all the employees. other cities, and others that came to help us out. It was a real community effort. He said most of the limbs the city is responsible for have been picked up. We have taken care of all that the city is responsible for. For private property, residents can bundle the limbs into 4' bundles and Republic Waste will pick them up.

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

Mr. Dembinski motioned to adjourn. Seconded by Mr. Winiarski. Voice vote 6-0 to adjourn. The meeting was adjourned at 7:33 p.m.

