

APRIL 12

2010

Amherst City Council met in a Regular Session under full compliance of State Law with President Dietrich opening the meeting at 7:30 P. M. Roll call: Mr. Traster, Mr. Loughrie, Mr. Janik, Mrs. Wasilk, Mr. Van Treuren, Mr. Gambish, Mr. Bukovac. Also present were Mayor Taylor, Safety/Service Director Clotz, Auditor Kukucka, Law Director Pecora, Treasurer Hullman, members of the Public and the Press.

The Prayer was invoked by Chaplain Wasilk, followed by the Pledge to the Flag led by Sgt. At Arms Traster.

Consent Agenda: The Clerk read the Consent Agenda. Mr. Janik motioned to accept the Consent Agenda. Seconded by Mr. Loughrie. Roll call vote 7-0 to accept the Consent Agenda.

Mr. John Courtney to speak to our Revenue Accounts: Mr. Courtney distributed handouts with summary financial information regarding our electric, water and sewer account. He also provided a copy of a letter and graph speaking to the Purchase Power Cost Adjustment. There were questions by Council members which Mr. Courtney answered. Mr. Courtney noted that our utility costs were lower than the state average and he gave some figures for that. At this time, we do not need to increase any of our rates. That is a positive thing for our City.

Mr. George Roling of 6120 Dewey spoke and urged that N. Dewey be considered when the crack sealing program is done this summer. The street is in good shape and he would like to see it stay that way.

Judge Tom Januzzi spoke in response to a Memo (4/5/10) he had sent regarding cost apportionment and cost of operations of the Oberlin Municipal Court. There was some concern on the part of the City that Amherst's portion had excessively increased. He thanked Council for allowing him to address them. The memo he referred to is on file. He explained how the court has jurisdiction over many cities, townships and villages and how costs are apportioned. He provided the history behind the court and numbered the employees. He explained what low maintenance court cases were vs. high maintenance court cases. He spoke to the costs of running the Court and that the cost of improvements is not passed on to the entities involved. He spoke highly of his staff and said they worked many hours and worked very hard, and spoke highly of our Prosecutor, Mr. Carlson. He said the court is not over-staffed and the court tries to be fiscally responsible. There were questions by Council which Judge Januzzi answered.

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 Lorain National Bank; and declaring an emergency. (A-10-20)

Mr. Gambish motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Loughrie. Roll call vote 7-0 to suspend rules. Mr. Gambish motioned to adopt. Seconded by Mr. Loughrie. Roll call vote 7-0 to adopt. Becomes 0-10-21.

- (b) An Ordinance authorizing the Treasurer to enter into a depository agreement with First Place Bank for the City's funds; and declaring an emergency. (A-10-21)

Mr. Gambish motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Bukovac. Roll call vote 7-0 to suspend rules. Mr. Gambish motioned to adopt. Seconded by Mr. Traster. Roll call vote 7-0 to adopt. Becomes 0-10-22.

- (c) An Ordinance authorizing the Treasurer to enter into a depository agreement with the Farmers Savings Bank for the City's funds; and declaring an emergency. (A-10-22)

Mr. Janik motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Gambish. Roll call vote 7-0 to suspend rules. Mr. Loughrie motioned to adopt. Seconded by Mr. Janik. Roll call vote 7-0 to adopt. Becomes 0-10-23.

- (d) An Ordinance authorizing the Treasurer to extend a depository agreement with RBS Citizens, dba Charter One, Cleveland, Ohio; and declaring an emergency. (A-10-23)

Mr. Janik motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Bukovac. Roll call vote 7-0 to suspend rules. Mr. Gambish motioned to adopt. Seconded by Mr. Traster. Roll call vote 7-0 to adopt. Becomes 0-10-24.

- (e) An Ordinance authorizing the Treasurer to extend a depository agreement with U. S. Bank National Association; and declaring an emergency. (A-10-24)

Mr. Gambish motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Janik. Roll call vote 7-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Traster. Roll call vote 7-0 to adopt. Becomes 0-10-25.

- (f) An Ordinance authorizing the Safety/Service Director to enter into a contract for professional engineering services with Bramhall Engineering and Surveying Company for the sanitary sewer overflow elimination project at a cost not to exceed \$78,600.00; and declaring an emergency. (A-10-25a)

Mr. Janik motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Traster. Roll call vote 7-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Traster. Roll call vote 7-0 to adopt. Becomes 0-10-26.

- (g) An Ordinance authorizing the Safety/Service Director to bid and award a contract for the sanitary sewer overflow elimination project at a cost not to exceed \$616,000.00; and declaring an emergency. (A-10-25b)

Mr. Bukovac motioned to suspend all Council rules so that this may be passed in its first reading. Seconded by Mr. Janik. Roll call vote 7-0 to suspend rules. Mr. Janik motioned to adopt. Seconded by Mr. Traster. Roll call vote 7-0 to adopt. Becomes 0-10-27.

**ORDINANCES AND RESOLUTIONS SECOND READING: NONE**

**ORDINANCES AND RESOLUTIONS THIRD READING: NONE**

Miscellaneous and Acknowledgement of the Public: Mr. Gambish asked about the Civil Service Minutes in reference to the Police Chief retiring. He asked about the type of exam that would be given. Mayor Taylor said they are only looking to see if they will expand the test or not. Expansion of that test is really costly so they will take a look at that. This is Civil Service's job and responsibility to make that determination.

Agenda Requests and Committee Meeting schedules: There are no new Agenda Requests. All the Council Committee meetings were cancelled.

Mr. Traster motioned, there being no Agenda Assignments, and no committee meetings scheduled, that the April 26, 2010 Council Meeting be cancelled. Seconded by Mr. Gambish. Roll call vote 7-0 to cancel the Council Meeting of April 26, 2010.

Reports of the Administration:

Treasurer Hullman: Reminded residents their income tax returns are due on April 15. Cautioned everyone to file timely as there is a penalty if returns are not filed timely. On the website is an interactive form that residents can use. The staff will be in their office additional hours for residents to file. He spoke to the Income Tax Collections and why they are lower at this point this year as compared to last year. In 2009 there were a couple of unusual incidents where there were unique collections, otherwise we are pretty much on target considering the environment.

Auditor Kukucka: The March Cash Position report has been distributed. He reminded everyone that the Financial Disclosure Statement are due this Thursday for elected officials.

Law Director Pecora: Noted his Law Director hours for this week and the fourth Saturday of the month.

Safety/Service Director: Noted that the sewer collection system was mapped in 2004 and 2005 and they have been working to fix some different situations in town. It will take a lot of money in the future to take care of the system. This was referenced last week by Mr. Watkins last week. But the maps are available if anyone is interested.

Mayor Taylor: Mr. Hullman answered his question about the Income Tax Collection as he was quite concerned when he saw the report.

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

Mr. Janik motioned to adjourn, seconded by Mr. Loughrie. Roll call vote 7-0 to adjourn.

The meeting adjourned at 9:05 P. M.

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Olga Sivinski, Clerk of Council      John S. Dietrich, President of  
Council