

COUNCIL PRESIDENT-JOHN S. DIETRICH  
COUNCIL AT LARGE-DAVID JANIK  
COUNCIL AT LARGE-JOSEPH MILLER  
COUNCIL AT LARGE- PHIL VAN TREUREN

COUNCIL WARD ONE-BRIAN DEMBINSKI  
COUNCIL WARD TWO- DAVE GOODELL  
COUNCIL WARD THREE-CHUCK WINIARSKI  
COUNCIL WARD FOUR-JENNIFER WASILK



## CITY OF AMHERST, OHIO

OFFICE OF THE  
CLERK OF COUNCIL  
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### AGENDA

May 8, 2017  
REGULAR MEETING  
7:00 P. M.

0-17-17  
R-17-04  
A-17-27

1. Roll call: Mr. Dembinski, Mr. Miller, Mr. Janik, Mr. Goodell, Mr. Van Treuren, Mrs. Wasilk, Mr. Winiarski
2. Prayer: Chaplin Wasilk
3. Pledge to the Flag: Sergeant at Arms Dembinski
4. Consent Agenda: Minutes of the Regular Council Meeting held April 24, 2017  
Minutes of the Finance Committee Meeting held May 1, 2017  
Minutes of the Executive Committee Meeting held May 1, 2017  
Minutes of the Special Council Meeting held May 1, 2017
5. Acknowledgement of the public pertaining to items on the agenda
6. **ORDINANCES AND RESOLUTIONS FIRST READING:**
  - (a) An ordinance authorizing the increase in appropriations for expenses paid from contributions/donations Account 100-1001-52405; and declaring an emergency. (A-17-21)
  - (b) An ordinance authorizing the increase in appropriations for refunds and reimbursements Account 610-5003-52730. (A-17-22)
  - (c) An ordinance approving and accepting changes to the collective bargaining agreement with the part-time patrol of the Ohio Patrolmen's Benevolent Association; and declaring an emergency. (A-17-23)
  - (d) An ordinance approving and accepting changes to the collective bargaining agreement with the part-time dispatchers of the Ohio Patrolmen's Benevolent Association; and declaring an emergency. (A-17-24)
  - (e) An ordinance approving and accepting changes to the collective bargaining agreement with the full-time dispatchers/computer technical operator of the Ohio Patrolmen's Benevolent Association; and declaring an emergency. (A-17-25)
  - (f) An ordinance approving and accepting changes to the collective bargaining agreement with the full-time dispatchers unit of the Ohio Patrolmen's Benevolent Association; and declaring an emergency. (A-17-26)
7. **ORDINANCES AND RESOLUTIONS SECOND READING:**
  - (a) An ordinance approving and rezoning The Reserve at Beaver Creek as a Planned Development District. (A-17-20)
8. **ORDINANCES AND RESOLUTIONS THIRD READING: NONE**
9. Miscellaneous and acknowledgement of the public
10. Agenda requests and committee meeting schedules
11. Reports of the Administration

12. Acceptance of the reports of the Auditor and Treasurer
13. Adjournment

ORDINANCE NO. O-17-\_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE INCREASE IN APPROPRIATIONS FOR EXPENSES PAID FROM CONTRIBUTIONS/DONATIONS ACCOUNT 100-1001-52405; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Amherst Police Department has collected contributions/donations in the amount of \$4,748.70 in account 100-1800-48130; and

WHEREAS, the City of Amherst Police Department wishes to use and appropriate such funds for the purchase of new bicycles for the Department from account 100-1001-52405; and

WHEREAS, the Finance Committee of Amherst City Council, at its meeting on May 1, 2017 determined bring the matter to the floor of Council on emergency.

NOW, THEREFORE, be it ordained by the Council of the City of Amherst, County of Lorain, and State of Ohio:

SECTION 1: That increased appropriations are authorized in the following account:

<u>Account No.</u>	<u>Name</u>	<u>Amount</u>
100-1001-52405	Expenses Paid from Contributions/Donations	\$4,748.70

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio, the emergency being to allow the earliest possible acquisition of new bicycles for the Police Department for the more efficient operation of the Department; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Mayor; otherwise it shall take effect at the earliest period allowed by law.

1<sup>st</sup> reading \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_

\_\_\_\_\_  
John S. Dietrich, President of Council

PASSED \_\_\_\_\_

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_

\_\_\_\_\_  
David A. Taylor, Mayor

Approved as to form by:

\_\_\_\_\_  
Anthony R. Pecora, Director of Law

Filed with the Mayor: \_\_\_\_\_

ORDINANCE NO. O-17-\_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE INCREASE IN APPROPRIATIONS FOR REFUNDS AND REIMBURSEMENTS ACCOUNT 610-5003-52730.**

WHEREAS, the Auditor for the City of Amherst recommends an increase in appropriations for account number 610-5003-52730 in the amount of \$3,000.00 for the payment of certain user fees to the Lorain County Treasurer as such fees have increased; and

WHEREAS, the Finance Committee of Amherst City Council, at its meeting on May 1, 2017 determined bring the matter to the floor of Council.

NOW, THEREFORE, be it ordained by the Council of the City of Amherst, County of Lorain, and State of Ohio:

SECTION 1: That increased appropriations are authorized in the following account:

<u>Account No.</u>	<u>Name</u>	<u>Amount</u>
610-5003-52730	Refunds & Reimbursements	\$3,000.00

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this Ordinance shall take effect at the earliest period allowed by law.

1 <sup>st</sup> reading _____	_____
2 <sup>nd</sup> reading _____	John S. Dietrich, President of Council
3 <sup>rd</sup> reading _____	_____
PASSED _____	APPROVED _____
ATTEST _____	David A. Taylor, Mayor

Approved as to form by:

\_\_\_\_\_  
Anthony R. Pecora, Director of Law

Filed with the Mayor: \_\_\_\_\_

ORDINANCE NO. O-17-\_\_\_\_\_

**AN ORDINANCE APPROVING AND ACCEPTING CHANGES TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE PART-TIME PATROL OF THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Amherst has entered into negotiations with the Ohio Patrolmen's Benevolent Association for changes to the Collective Bargaining Agreement in respect to part-time patrol officers of the City of Amherst Police Department; and

WHEREAS, the Executive Committee of Amherst City Council, at its regular meeting on May 1, 2017 considered the matter of approval of changes to the collective bargaining agreement and recommended that the matter be brought to the floor of Council on emergency.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Amherst, County of Lorain and State of Ohio:

SECTION 1: That the Council of the City of Amherst, Ohio hereby approves the changes to the collective bargaining agreement between the City and the Ohio Patrolmen's Benevolent Association in respect to part-time patrol officers as shown in the agreement attached hereto as "Exhibit A" and hereby adopts such agreement for the period effective on January 1, 2017 and shall expire on December 31, 2019.

SECTION 2: That the Director of Public Safety and Service is hereby authorized to execute and deliver the collective bargaining agreement incorporating such changes on behalf of the City of Amherst.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio, the emergency being the immediate necessity of implementing the agreement at the earliest possible date for the safety and protection of the citizens for the City of Amherst; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Director of Public Safety and Service; otherwise it shall take effect at the earliest period allowed by law.

1<sup>st</sup> reading \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_

\_\_\_\_\_  
John S. Dietrich, President of Council

PASSED \_\_\_\_\_

\_\_\_\_\_  
APPROVED

ATTEST \_\_\_\_\_

\_\_\_\_\_  
Mark Costilow, Mayor

Approved as to form by:

\_\_\_\_\_  
Anthony R. Pecora, Director of Law

Filed with the Mayor: \_\_\_\_\_

ORDINANCE NO. O-17-\_\_\_\_\_

**AN ORDINANCE APPROVING AND ACCEPTING CHANGES TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE PART-TIME DISPATCHERS OF THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Amherst has entered into negotiations with the Ohio Patrolmen's Benevolent Association for changes to the Collective Bargaining Agreement in respect to part-time dispatchers of the City of Amherst Police Department; and

WHEREAS, the Executive Committee of Amherst City Council, at its regular meeting on May 1, 2017 considered the matter of approval of changes to the collective bargaining agreement and recommended that the matter be brought to the floor of Council on emergency.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Amherst, County of Lorain and State of Ohio:

SECTION 1: That the Council of the City of Amherst, Ohio hereby approves the changes to the collective bargaining agreement between the City and the Ohio Patrolmen's Benevolent Association in respect to part-time dispatchers of the City of Amherst Police Department as shown in the agreement attached hereto as "Exhibit A" and hereby adopts such agreement for the period effective on January 1, 2017 and shall expire on December 31, 2019.

SECTION 2: That the Director of Public Safety and Service is hereby authorized to execute and deliver the collective bargaining agreement incorporating such changes on behalf of the City of Amherst.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio, the emergency being the immediate necessity of implementing the agreement at the earliest possible date for the safety and protection of the citizens for the City of Amherst; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Director of Public Safety and Service; otherwise it shall take effect at the earliest period allowed by law.

1<sup>st</sup> reading \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_

\_\_\_\_\_  
John S. Dietrich, President of Council

PASSED \_\_\_\_\_

\_\_\_\_\_  
APPROVED

ATTEST \_\_\_\_\_

\_\_\_\_\_  
Mark Costillow, Mayor

Approved as to form by:

\_\_\_\_\_  
Anthony R. Pecora, Director of Law

Filed with the Mayor: \_\_\_\_\_

ORDINANCE NO. O-17-\_\_\_\_\_

**AN ORDINANCE APPROVING AND ACCEPTING CHANGES TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE FULL-TIME DISPATCHERS/COMPUTER TECHNICAL OPERATOR OF THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Amherst has entered into negotiations with the Ohio Patrolmen's Benevolent Association for changes to the Collective Bargaining Agreement in respect to full-time dispatchers/computer technical operator of the City of Amherst Police Department; and

WHEREAS, the Executive Committee of Amherst City Council, at its regular meeting on May 1, 2017 considered the matter of approval of changes to the collective bargaining agreement and recommended that the matter be brought to the floor of Council on emergency.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Amherst, County of Lorain and State of Ohio:

SECTION 1: That the Council of the City of Amherst, Ohio hereby approves the changes to the collective bargaining agreement between the City and the Ohio Patrolmen's Benevolent Association in respect to full-time dispatchers/computer technical operator of the City of Amherst Police Department as shown in the agreement attached hereto as "Exhibit A" and hereby adopts such agreement for the period effective on January 1, 2017 and shall expire on December 31, 2019.

SECTION 2: That the Director of Public Safety and Service is hereby authorized to execute and deliver the collective bargaining agreement incorporating such changes on behalf of the City of Amherst.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio, the emergency being the immediate necessity of implementing the agreement at the earliest possible date for the safety and protection of the citizens for the City of Amherst; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Director of Public Safety and Service; otherwise it shall take effect at the earliest period allowed by law.

1<sup>st</sup> reading \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_

\_\_\_\_\_  
John S. Dietrich, President of Council

PASSED \_\_\_\_\_

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_

\_\_\_\_\_  
Mark Costillow, Mayor

Approved as to form by:

\_\_\_\_\_  
Anthony R. Pecora, Director of Law

Filed with the Mayor: \_\_\_\_\_

ORDINANCE NO. O-17-\_\_\_\_\_

**AN ORDINANCE APPROVING AND ACCEPTING CHANGES TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE FULL-TIME DISPATCHERS UNIT OF THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Amherst has entered into negotiations with the Ohio Patrolmen's Benevolent Association for changes to the Collective Bargaining Agreement in respect to the full-time dispatchers unit of the City of Amherst Police Department; and

WHEREAS, the Executive Committee of Amherst City Council, at its regular meeting on May 1, 2017 considered the matter of approval of changes to the collective bargaining agreement and recommended that the matter be brought to the floor of Council on emergency.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Amherst, County of Lorain and State of Ohio:

SECTION 1: That the Council of the City of Amherst, Ohio hereby approves the changes to the collective bargaining agreement between the City and the Ohio Patrolmen's Benevolent Association in respect to the full-time dispatchers unit of the City of Amherst Police Department as shown in the agreement attached hereto as "Exhibit A" and hereby adopts such agreement for the period effective on January 1, 2017 and shall expire on December 31, 2019.

SECTION 2: That the Director of Public Safety and Service is hereby authorized to execute and deliver the collective bargaining agreement incorporating such changes on behalf of the City of Amherst.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio, the emergency being the immediate necessity of implementing the agreement at the earliest possible date for the safety and protection of the citizens for the City of Amherst; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Director of Public Safety and Service; otherwise it shall take effect at the earliest period allowed by law.

1<sup>st</sup> reading \_\_\_\_\_  
2<sup>nd</sup> reading \_\_\_\_\_  
3<sup>rd</sup> reading \_\_\_\_\_

\_\_\_\_\_  
John S. Dietrich, President of Council

PASSED \_\_\_\_\_

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_

\_\_\_\_\_  
Mark Costillow, Mayor

Approved as to form by:

\_\_\_\_\_  
Anthony R. Pecora, Director of Law

Filed with the Mayor: \_\_\_\_\_