

Amherst City Council met in a Regular Session under full compliance of State Law with President Dietrich opening the meeting at 7:00 p. m. Roll call: Mr. Miller, Mr. Winiarski, Mrs. Wasilk, Mr. Van Treuren, Mr. Janik - absent, Mr. Cowger, Mr. Dembinski. Also present were Mayor Costilow, Safety/Service Director Jeffries, Treasurer Ramsey, Law Director Pecora, Auditor Kukucka, members of the Public and the Press. Mr. Cowger motioned to excuse Mr. Janik as he has a letter on file. Seconded by Mr. Van Treuren. Voice vote 6-0 to excuse Mr. Janik.

The Prayer was invoked by Chaplin Wasilk, followed by the Pledge to the Flag led by Sergeant at Arms Dembinski.

Consent Agenda: The Clerk read the Consent Agenda. Mr. Dembinski motioned to accept the Consent Agenda as read. Seconded by Mr. Miller. Roll call vote 6-0 to accept the Consent Agenda.

Acknowledgement of the public pertaining to items on the agenda: There was no one speaking.

**ORDINANCES AND RESOLUTIONS FIRST READING:**

- (a) An Ordinance repealing Ordinance No. 0-01-32, and directing the Auditor to discontinue the transfer of funds generated by the implementation of the Kilowatt-hour tax from the General Fund to the Electric Fund. (A-17-45)

Mr. Cowger motioned to pass this on to its second reading. Seconded by Mr. Dembinski. Mr. Miller said he disagrees with this movement of the money to the General Fund. We are telling the citizens we are going to increase the rates in the electric fund because we are going to be running in a deficit, but we will taking money from that same deficit fund, whether we need that money in the General Fund or not, whether we have other municipalities or governments that already have it on the books. He feels this is another way for our government in Columbus, who has taken money and never returned it back, this is their way of saying that we are giving them permission to move this money to the General Fund to make up for money that they have taken to Columbus and not returned. This is a "use fee." It's like a sales tax. The proposed electric increase will hit, warranted that it may be, will still hit our elderly, our residents on fixed incomes, and lower income residents. He feels that this is one way we could offset the amount that we will raise it, or possibly not raise it as much or as quickly. A message should be sent back to Columbus that if breaks are given to businesses and the wealthy, don't have it be on the backs of those who have to pay for electricity to heat their homes and cook their meals. He finds this is just another way for the State to shuffle the money and move the burden on the backs of the people. Roll call vote 5-1 with Mr. Miller voting no to pass to second.

**ORDINANCES AND RESOLUTIONS SECOND READING:**

- (a) An Ordinance approving the subdivider's agreement between the City of Amherst, Ohio and Cambrad Development III, LLC for Phases 1, 2 and 3 of the Reserve at Beaver Creek Subdivison. (A-17-41)

Mr. Van Treuren motioned to pass this on to its third reading. Seconded by Mr. Dembinski. Roll call vote 6-0 to pass to third.

**ORDINANCES AND RESOLUTIONS THIRD READING:**

- (a) An Ordinance adopting a Capital Asset Policy for the City of Amherst. (A-17-35)

Mr. Dembinski motioned to adopt. Seconded by Mr. Winiarski. Roll call vote 7-0 to adopt. Becomes 0-17-37.

- (b) An Ordinance amending Amherst Codified Ordinance Chapter 913, Section 913.04. (A-17-36)

Mr. Dembinski motioned to adopt. Seconded by Mr. Miller. Roll call vote 6-0 to adopt. Becomes 0-17-38.

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

Agenda requests and committee meeting schedules:

Finance A-17-46 Re- appropriations in various accounts  
Utilities A-17-47 Enter into agreement with Eaton Corporation to purchase and install  
An Advances Metering Infrastructure (AMI) system

Finance October 2, 2017 at 7:00 p.m. A-17-46  
Utilities October 2, 2017 at 7:10 p.m. A-17-47

Reports of the Administration :

Auditor Kukucka: No report

Treasure Ramsey: Mr. Ramsey referred to a report from Frost, Brown, Todd he provided to everyone this evening. This is a solicitation from this law firm. It is in reference to H.B. 49. The way this bill may affect us is the change of due date quarter for estimated payments by moving that back a month. They would change the way net profits are allocated to the city. It would redefine what a sale it. Many cities believe this will be a problem for them. We have not yet done enough research to see how this will affect us. Then, the state will make net profits be filed through the Ohio business gateway where businesses will have to basically agree to a five year agreement to do this. The state would collect 1% of those as a collection fee. We are not quite liking what the State is doing, so he wants everyone to look this letter over. This law firm is contacting cities to see if we want to challenge this. We would have to adopt language to challenge this by January 2018 unless we wanted to go with Frost, Brown, Todd. So this is heads up of what's coming down the pike. He will be working with Karen and Laura, who have already done a lot of hard work on this, to prepare something to bring to Council.

Law Director Pecora: No report

Safety/Service Director Jeffries: No report

Mayor Costilow: The City did advertise for two weeks for request for proposals for the AMI System and received three proposal. The review committee looked at those and picked Eaton Corporation as best for cost wise and service wise. Both contract and proposal are being provided and he will be sending these electronically as they are lengthy.

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

Mr. Miller motioned to adjourn. Seconded by Mr. Cowger. Voice vote 6-0 to adjourn.

The meeting adjourned at 7:16 p.m.

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Olga Sivinski, Clerk of Council

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John S. Dietrich, President of Council

Please note that numbering in the last Council Meeting of the ordinances should be:  
For A-17-42 change from 0-17-30 to 0-17-34  
For A-17-43 change from 0-17-31 to 0-17-35  
For A-17-44 change from 0-17-32 to 0-17-36