

RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting
October 24, 2022
REGULAR MEETING

Call to order

7:00 P.M. – The council meeting was called to order by Mayor David Leshinski and opened with the Lord's Prayer followed by the Pledge of Allegiance.

The roll was called:

Councilmember Michele Jeffers	EA
Councilmember Scott Jones	P
Councilmember Jeanne Maschari	P
Councilmember Becky Siesky	P
Councilmember Jeri Leigh Siss	P
President Pro Tempore David Troike	P

Ex officio members:

Fiscal Officer Michelle Henke	P
Records Clerk Laurie Beran	P
Law Director Matthew Mishak	P

(EA – excused absences)

APPROVAL OF AGENDA October 24, 2022 with additions of monthly financial reports, follow-up discussion on Fire Department expenses for the new truck, and 139 E Main St gas line replacement project.

Councilmember Troike moved to approve the agenda with amendments. Councilmember Siesky second. Jeffers **absent** Jones x Maschari x Siesky x Siss x Troike x Motion passed.

APPROVAL OF MINUTES October 10, 2022

Councilmember Troike moved to accept the minutes as presented. Councilmember Jones second. Jeffers **absent** Jones x Maschari x Siesky x Siss x Troike x Motion passed.

Councilmember Siss moved to excuse Councilmember Jeffers for medical reasons. Councilmember Troike second.

Jeffers **absent** Jones x Maschari x Siesky x Siss x Troike x Motion passed.

VISITOR

Fire Chief Dennis Hevener

MAYOR

OML Conference

Attended the conference in Columbus last week and one topic of discussion was municipal income tax. The low is ½% with the high being 3%.

Community Development speaker was from Bellefontaine spoke on how they used a loan to purchase buildings in their downtown to revitalize and now lease them out to business owners. The mayor feels we could look into grants to help out business. Councilmember Siss asked if the mayor had a building in mind. The reply was the former Dairy Swirl. The mayor also stated that the main moneymaker in Bellefontaine are the restaurants. Councilmember Troike pointed out that until the village has sewers, the health department will not allow restaurants. Grants are available if the following qualifications are met:

Median Household Income $\leq$ \$58,116

Unemployment Rate $\geq$ 5.3%

Poverty Rate $<$ 200% of Poverty Level $\geq$ 30.4%

Percent Population Change $\leq$ 50% Increase

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Mayor's Court Refresher

One item that was mentioned regarding code enforcement is that you should have some training in law enforcement or in zoning, not to have a lay person knocking on doors.

Ludwig Ditch / Maple St Stormwater

Will be receiving an M.O.U. from the county for approval. The money used for this project will be ARPA funds, there will probably be a contribution from the village. At this time the amount is not known, should be in the M.O.U. "We have over \$40,000.00 in stormwater monies that can be used for that. So, it would behoove the water board and this village to take advantage of the opportunity of having that rectified where we can address and probably not alleviate all the flooding on the west end town but it's a step in the right direction." Councilmember Siss stated that there was an ask by the SABPA to follow-up directly with the county of what the contribution portion would be, this information has not made its way to you? Mayor, that is correct, and I have sent an email to the county with the all the board members copied on it, to the best of my recollection. Ms. Siss stated that the SABPA has specifically stated that you (the mayor) do not have the authority to speak on the board's behalf regarding how board funds are spent. The board has previously discussed that Ludwig Ditch was not one of their top priorities compared to other issues within the village that the storm water funds have been earmarked for. The mayor wanted it noted that for a fact there is over \$40,000.00 in that fund. Ms. Siss stated that no one is disputing that fact.

Baumhart Sewer Project Follow-up

Response from Village Engineer Aaron Appell:

I did speak with Bob Klaiber at the Lorain County Engineer's office. Here is the update I received:

As far as the Baumhart sewer, I spoke with the consultant and their plan is to have the design completed by December of next year. Acquiring construction funding will be the biggest hurdle.

It is my understanding that the County is pursuing funding construction of the Baumhart sanitary sewer that will be brought to the northern part of Quarry Road.

The County would be open to a meeting to provide an update and more discussion. Happy to coordinate this effort if you would like.

I did reach out to NOACA and will reach out to the Ohio EPA Northeast District Office. It may be advisable to schedule a meeting with the County, NOACA and OEPA to review further options for potential funding. I will reach out to NOACA and OEPA and follow-up to see if a meeting can be scheduled.

As you know in August of 2021 we prepared a submittal to the State of Ohio for the design of the collection system for the Village. Acquiring the design funding is the first step for the Village to then have plans ready to build. The construction of the Baumhart Sanitary sewer from the City of Lorain to the Village of South Amherst is a significant hurdle as stated above by the County.

Councilmember Siss actually wants a meeting scheduled and put on the calendar, before the end of the year. Councilmember Troike stressed that the village wants to know what steps need to be taken for the Village to be included in the project. Councilmember Maschari asked if it is possible for the engineer to estimate what it would cost for him to develop a plan for the village, so the cost could be budgeted for next year. The mayor will contact Bramhall Engineering for the estimated cost and mentioned that it might be possible for the county to do.

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LAW DIRECTOR

Water Utility Privatization

Three options for consideration:

1. SABPA continues to operate as usual with OPEA funding.
 - Grants & loans available through EPA and OWA (Ohio Water Authority) if the village qualifies.
 - Grants & loans would help correct current issues and possible improvements.
2. Form a partnership with another political subdivision.
 - Downside is that another community will not want to burden their residents with debt.
3. Private/public partnership
 - Varying degrees of partnership (how much control would a private company have)
 - Main plus is that they have the money to invest in the system
 - Main negative is that a private company is there for profit, which in turn would be recouped from the residents.

The law director conferred with attorney Steven Samuels of the Environmental Division of Frost, Todd & Brown (Columbus, Ohio) regarding the utility issue questions. Mr. Samuels stated that if the Village is serious in pursuing the matter, he is available for consultation. Mr. Mishak stated that if the matter moves forward he would advise using an expert in the specific field and he would be available for contracts, etc. The law director had suggested that the system be assessed by an outside contractor to determine immediate repairs and what is in danger of failing.

Councilmember Maschari asked for clarification on who (SABPA, Council, residents) makes the decision to sell the utility. The law director stated that in his research he could not find where it would be a ballot initiative. The consensus was that the SABPA makes the decisions on the daily operations of the utility and council would make the final decision to sell. Councilmember Siss requested a summary of the law director's findings to share with the SABPA.

FISCAL OFFICER

Financial Reports

Payment Listing 10/6 – 10/20/2022, October Fund Summary, October Revenue Summary, and October Appropriation Summary were presented.

September Bank Reconciliation was completed and awaiting signatures.

Appropriation Ordinance 295

Reallocation of money for truck loan payments for 2022

Fire Department equipment for new truck

Councilmember Troike moved to reappropriate Fire Department funds for expenses of equipment for new truck. Councilmember Maschari second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

RECORDS CLERK

2023 Revised Calendar

Councilmember Maschari moved to approve the 2023 calendar. Councilmember Jones second.

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Discussion: Councilmember Maschari stated that we should wait until the end November in case there are other changes.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike Nay

Motion passed.

449 W Main St.

Approval to assess the property \$1,650.00 for nonpayment relating to the abatement of a public nuisance and noxious weeds.

Councilmember Troike moved to approve the property tax assessment for 449 W Main St.

Councilmember Jones second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x

Motion passed.

ORDINANCE

Ordinance No. 1749-22

An ordinance repealing existing South Amherst Codified Ordinance Section 921.04 Water Rates; enacting new South Amherst Codified Ordinance Section 921.04 Water Rates

(First Reading)

Mayor Leshinski asked for the ordinance to be read in full. Fiscal Officer read the new water rates only: (residential)

	Jan-2023	Jan-2024	Jan-2025
p/first 1000 gallons/monthly minimum	12.77	12.77	12.77
p/1000 gallons over the first 1000 gallons	12.77	12.77	12.77

(bulk)

	Jan-2023	Jan-2024	Jan-2025
p/1000 gallons for bulk hydrant rate	22.48	22.48	22.48

Councilmember Siss inquired as to why the mayor asked council for approval to read the ordinances by title only but then proceeds to have it read in full. Ms. Siss does not mind having the ordinances read in full but asking one thing and doing another creates confusion for all. Councilmember Maschari asked if the intent is to have all the legislation read in full. The mayor said that this ordinance affects the residents, which Ms. Maschari stated that all legislation affects residents.

Ordinance No. 1750-22

An ordinance fixing the rate of compensation for elected and certain appointed officials and declaring an emergency. (Fiscal Officer)

Councilmember Troike moved to suspend the rules, pass as an emergency and approve Ordinance No. 1750-22. Councilmember Siss second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x

Motion passed.

RESOLUTIONS

Resolution No. 671-22

Chevrolet 3500 Dump Truck Loan

Councilmember Maschari moved to approve Resolution No. 671-22. Councilmember Jones second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x

Motion passed.

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Resolution No. 672-22

Service Worker I Rate of Compensation

Councilmember Troike moved to approve Resolution No. 672-22. Councilmember Maschari second.
Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

Resolution No. 673-22

Gutter/Drain Cleaning Agreement

Councilmember Troike moved to approve Resolution No. 673-22. Councilmember Jones second.

Discussion: Councilmember Maschari stated that a contractor needs to be chosen, the last estimate was just received today. Ms. Maschari/Ms. Siss read the estimates.

Proposals received from:

1. *Economy Drain Cleaning – jet rod (1596 4/hr.) 399/hr.*
2. *Bulldog Sewer Cleaning – jet rod (1480) 185/hr.*
3. *Brothers – only do gutters*

Councilmember Troike moved to table discussion for further information on a scope of work. Councilmember Siss second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

APPROPRIATIONS

Appropriation No. 295

Councilmember Maschari moved to approve Appropriation No. 295, Councilmember Siesky second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

BOARDS

Cemetery (Councilmember Jones presented)

Entryway

Clerk followed up with the church, the church has no problem with a walkway but opposed a second drive because it would go over their septic. Board is working on an alternative plan for an entrance between village property at 231 W Main St. & 235 W Main St.

Bylaws

There will be price increases for 2023 along with some revisions to the bylaws. The final approved version will be sent to council for approval.

Pioneer Tree Removal

Four bids were received for the removal of eight (8) trees for \$1,900.00. The remains of the trees will be placed in the woods and the stumps will be left in place.

SABPA (Councilmember Siss presented)

Public Hearings for Water Rates

Will be held at the SABPA meetings on November 7th & 21st at 6:45 p.m.

Storm Water

Clerk and operator are continuing to work with the county on mapping of the storm water system.

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Inactive Accounts

The proposed ordinance will be going to the Ordinance committee meeting on November 10th. The water clerk will be available at the meeting for any questions.

Phone Line replacement

The board is requesting a 1" line run in conduit from the hall to the doghouse. The modem has been replaced and at this time, it is working with no interruptions of service.

COMMITTEES

Bldg.& Grounds

Service Garage Addition (Councilmember Troike presented)

Additional room is needed for proper storage of equipment. Estimate for an 18x30x12 structure is \$12,300.00, includes the \$3000.00 for 4" of concrete. The structure would mainly be for street equipment, if there is available space other departments would be able to utilize it. Fiscal Officer stated that it was her understanding the monies were to come from the Street Fund, Councilmember Troike said that was correct. The structure will be constructed first, and the concrete will be secondary.

Councilmember Maschari moved to approve the purchase of a storage building. Councilmember Troike second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

Residing Service Garage 2023 (Councilmember Maschari presented)

There are holes in the siding, one garage door is rusted through, service worker to get estimates for the 2023 budget.

Councilmember Maschari moved to approve. Councilmember Troike second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

Sandstone

For the amount of sandstone that is currently at the village garage, it was decided to keep for the time being and to possibly use in the park.

Grindings

Fire Chief suggested to use the grindings currently located at the village garage to level the parking area to the west of the fire station, once the holding tanks are in place. An estimate will be needed from Digger's for transferring the grindings to the station from the garage.

Street-Sidewalk-Service (Councilmember Maschari presented)

Service Worker Back-up

Councilmember Maschari stated that Todd Siesky (CDL license) volunteered to be a back-up in the event that the service worker was sick. Councilmember Siss asked if Mr. Siesky would have any benefits. The fiscal officer stated he would be enrolled in OPERS and receive wages for hours worked and that is all. The law director clarified that the appointment is by the mayor with council approval and Councilmember Siesky would abstain from the vote.

Councilmember Jones moved to recommend Todd Siesky as the backup for the service worker.

Councilmember Maschari second.

Jeffers EA Jones x Maschari x Siesky Abstain Siss x Troike x Motion passed.

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S. Lake St. Trees

Week of October 16th a tree on village property that abuts 202 S Lake St. fell and damaged two sections of their fence. The tree was cut and removed. During the winter the service worker will inspect the area along S. Lake St. to assess the number of trees that should be removed to avoid further property damage to residents.

Councilmember Troike asked for the branch that has been hanging on N. Lake St. at the bend to be taken down and disposed of.

Sidewalk (Councilmember Siss presented)

139 E. Main St. filed a complaint with Columbia Gas/Infosource regarding the sidewalk replacement that took place during the Kenwood Gas Main Project. At this time the issue is still outstanding. Ms. Siss asked Mayor Leshinski to follow up with Infosource.

Audit/Finance (Councilmember Siesky presented)

At the October meeting the following items were discussed: current reappropriations, how to use the \$10.00 computer fund fee for Mayor's Court differently in next year's budget, all invoices need to be in by Thanksgiving.

Ordinance

Code Enforcement Report

Councilmember Siss recommended having a further discussion at the next committee meeting regarding how to enforce noncompliance.

2023 Code Enforcement Budget

Councilmember Maschari moved to budget \$10,000.00 for Code Enforcement to the 2023 Budget. Councilmember Troike second.

Discussion: Fiscal Officer stated that the amount can be added to the 2023 Permanent Appropriations but could not be used until after March 2023.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

The fiscal officer clarified that funds for Code Enforcement come from the General Fund. If an assessment is placed on a property for nonpayment of a Code Enforcement violation, the money will be returned to the General Fund once the assessment is paid.

Safety

Executive Session

Councilmember Maschari moved to enter executive session at 8:55 p.m. to discuss fire personnel. Councilmember Jones second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

Regular meeting resumed at 9:12 p.m.

Fire

Leave of absence

Councilmember Jones moved to approve the leave of absence for Beau Matus. Councilmember Siss second.

Jeffers EA Jones x Maschari x Siesky x Siss x Troike x Motion passed.

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Monthly Report (September)

	<u>EMS</u>	<u>Fires</u>	<u>MVA</u>	<u>Tpk.</u>	<u>MA</u>
<u>Total</u>	<u>9</u>	<u>3</u>	<u>2</u>		<u>5</u>

Training was EMS and hose testing.

Councilmember Siss asked to please post the Halloween Parade and Trick-or-Treat on their board. Councilmember Siesky commended the SAFD on the Open House that was held on October 15th. Chief recognized Firefighter Lawrie for spearheading the open house.

Police

Traffic Citations (9/23-10/24)

49 speed, 2 right on red Locations: Russia 20, W Main 15, E Main 9, Annis 4, S Lake 4, N Lake 2

Calls for Service

SAPD: 6 LCSO: 3

Officers are completing the last of their CPT training. Officers will be attending training at LCCC on Responding to Sexual Assaults. The new hire will be starting in November.

Sandstone Ambulance District

Report unavailable.

Community & Economic Development (Councilmember Siss presented)

Any meetings or items to share for social media, please send ASAP. Proposed newsletter for the beginning of the year.

Special Committee

Administrative

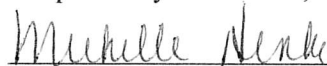
Evaluations were completed for the fiscal officer and service worker.

MISCELLANEOUS

Council – Committee Workshop to plan 2023 projects will be held December 12th at 7 p.m.

ADJOURNMENT Time 9:20 p.m. Councilmember Maschari moved to adjourn. Councilmember Siss second.

Respectfully submitted,



Fiscal Officer Michelle Henke

Mayor David Leshinski