

RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting
PUBLIC HEARING – Revised Tax Credit
June 13, 2022

CALL TO ORDER the public hearing as called to order at 6:45 by Mayor Leshinski.

ROLL CALL

Councilmember Michele Jeffers	P	Fiscal Officer Michelle Henke	P
Councilmember Scott Jones	P	Records Clerk Laurie Beran	P
Councilmember Jeanne Maschari	P	Law Director Matt Mishak	
Councilmember Becky Siesky	P		
Councilmember Jeri Leigh Siss	P		
President Pro Tempore David Troike	A		

(EA – excused absences)

FISCAL OFFICER

This is a public hearing to answer questions regarding the revision to Ordinance 182.81 Credit for tax paid to another municipality. The new wording is:

A taxpayer, subject to tax in more than one municipality on the same income, who has complied with the provisions of the Chapter, shall be allowed a credit towards the Village of South Amherst income tax on such income as provided herein:

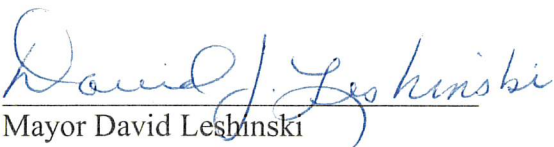
(A) When a resident of South Amherst is subject to and has paid or acknowledged liability for a municipal income tax in another municipality on the same income taxable under this chapter, such South Amherst resident shall nonetheless still be liable to the Village of South Amherst, pursuant to the terms of this section, to pay nine tenths of one percent of such taxable income to the Village of South Amherst.

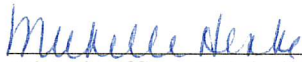
(B) When a nonresident of South Amherst is subject to the tax imposed by this chapter, and is also subject to tax on the same income in the municipality of his residence, he shall not be allowed any credit or claim of refund, nor will the Village of South Amherst acknowledge or allow any claim for refund of any portion of such tax so levied.

Council had no questions and there were no visitors.

ADJOURNMENT Councilmember Siss moved to adjourn at 6:57 p.m. Councilmember Jones second.

Respectfully submitted,


Mayor David Leshinski


Fiscal Officer Michelle Henke

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REGULAR MEETING

Council meeting

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	P
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 June 13, 2022 addition of June 9 Minutes, OMCA Scholarship, Police Coverage, Emergency mtg 6/9, 449 W Main St.

Councilmember Maschari moved to approve the agenda with additions. Councilmember Siesky second. Jeffers Jones Maschari Siesky Siss Troike Motion passed.

APPROVAL OF MINUTES May 23, 2022, June 6, 2022, June 9, 2022

Councilmember Maschari approve the minutes with the corrections to June 9, 2022. Councilmember Jones second.

Jeffers Jones Maschari Siesky Siss Troike Motion passed.

VISITORS

Cemetery: Andrew Johnson, Clerk - Paula Knodel

Mr. Johnson inquired how does the Cemetery Board go about requesting a meeting with the Finance Committee to do a presentation. The meeting will be coordinated between the committee chair and the cemetery clerk.

Mike Sangiacomo 111 E Main St

Stated that last year he had talked with council regarding speeders on Main St. and currently we are not having an issue due to construction. Mr. Sangiacomo inquired to how many officers were currently employed. There are five (5) officers that can work up to thirty (30) hours per month (does not include the chief, captain and lieutenant). Councilmember Troike would like the mayor as the police chief's supervisor ask the chief why we are able to have an officer on duty 8 hours a day, 5 days a week for the Columbia Gas project and we cannot have the same for regular patrols? Mr. Sangiacomo is requesting a breakdown of how many officers are on the streets at any given time. The Fiscal Officer stated that she would have to defer to the Law Director in order to release the information and that currently there is not a record that shows that particular information.

Councilmember Siss continues to request coverage on the west end.

Mark Butler representing St. John's U.C.C.

requesting an ordinance revision to 1165.09 Sign Illumination. Councilmember Jones will be in contact with Mr. Butler to set a meeting time to further discuss the request.

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SABPA: Thomas Pelletteri

MAYOR

Memorial Day Parade and service were very well attended and thank you to Ms. Siss for providing the outstanding speaker.

Councilmember Siss forwarded the request of Kathy Thompson to be involved with the planning of Memorial Day events for next year. The Girl Scouts had asked why they were lined up so far behind the Boy Scouts. Councilmember Siss does recommend that the lineup should be reviewed and scouts be put together.

FISCAL OFFICER

Payment listing 5/18 – 6/10/22, May Bank Reconciliation presented.

Mayor's Court April 2022 Village: \$3,343.00 County/State: \$1,042.00

Ohio BWC audit – took place on Friday, first one that we have ever had. Final report was received late this afternoon, will forward the report to council.

Oberlin Court traffic case – March speeder, 42 in a 25. His cost would have been 300. He pleaded guilty to speeding, no points, 25 mph in a 20 mph zone. Cost was \$60 less than what we would have charged. Chief was concerned because no points were assessed.

Councilmember Jones motion to recess for 5 minutes. Councilmember Siss second.
Councilmember Jones motion to resume, Councilmember Siss second.

RECORDS CLERK

OMCA Scholarship was awarded for the annual Institute July 17-21.

ORDINANCE

Ordinance No. 1734-22 Revised Tax Credit Codified Ordinance 182.01 (Second Reading)

Ordinance No. 1735-22 An ordinance authorizing the Mayor to enter into an agreement with the Regional Income Tax Agency for the administration of the Income Tax Laws of the Village of South Amherst and for the collection of said taxes, and declaring an emergency. (Second/Final reading)

Councilmember Troike asked for clarification of why the ordinance was being passed as an emergency on the second reading. Fiscal Officer responded that it needed to meet the deadline set by RITA for converting information over to their systems.

Councilmember Troike moved to approve Ordinance No. 1735-22, to suspend the rules and pass as an emergency. Councilmember Siss second.

Jeffer x Jones x Maschari x Siesky x Siss x Troike x Motion passed.

Ordinance No. 1736-22 Revised Sidewalk Ordinance 901 (Second Reading)

Ordinance No, 1738-22 Solar Energy Systems (First Reading)

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Ordinance No. 1739-22 An ordinance repealing existing South Amherst Codified Ordinance Section 921.16 (a) Tampering with Meters; enacting new South Amherst Codified Ordinance Section 921.16 (a) Tampering with Meters, and declaring an emergency.

Councilmember Maschari moved to approve Ordinance No. 1739-22, to suspend the rules and pass as an emergency. Councilmember Jones second.

Discussion: Councilmember Troike asked for clarification on why the ordinance was being passed as an emergency. The Records Clerk responded that the SABPA requested that Ordinance 1739-22 and 1740-22 be passed as an emergency due to the extended rewrites and approvals, plus current infractions.

Jeffers Jones Maschari Siesky Siss Troike Motion passed.

Ordinance No. 1740-22 An ordinance repealing existing South Amherst codified Ordinance Section 921.04 (b) Bulk Water Rate; enacting new South Amherst Codified Ordinance Section 921.04 (b) Bulk Water Rate, and declaring an emergency.

Councilmember Troike moved to approve Ordinance No. 1740-22, to suspend the rules and pass as an emergency. Councilmember Jones second.

Jeffers Jones Maschari Siesky Siss Troike Motion passed.

BOARDS

Cemetery

Councilmember Jones gave the following board report:

Seven (7) trees in the Memorial Garden are diseased and need to be removed and replaced. The main roadway entrance needs to be evaluated for improvements and a meeting will be scheduled with the Methodist Church. Three cameras will be installed during June to monitor activity. The board has called a special meeting with Franklin Monument regarding their columbarium program. Bylaw meeting on June 29th.

Park

Councilmember Maschari inquired on the status of the Basketball Court; to be started after the water breaks have ceased, the same crew working on the water breaks are to do the court.

Councilmember Siss asked if the Prairie Grass was supposed to be mowed; yes it is to be slowly mowed shorter over the summer.

SABPA

Councilmember Siss gave the following report:

Grant writer is doing due diligence researching grants. CCR for 2021 has been approved and posted. 305 E Main St. issue of outstanding account and water damage is being dealt with through the law director and the board. The Class II Operator has resigned.

Public Statement from the South Amherst Board of Public Affairs:

To our fellow residents and valued customers:

A recent event at our water tower has led to a series of water main breaks and leaks resulting in a series of instances of temporary pressure loss. These main breaks can cause a loss of water pressure, or even temporary loss of service, as the main is shut down to isolate and repair the emergency.

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Your South Amherst Board of Public Affairs is taking diligent steps to react to current events as quickly as possible. We are currently taking steps to coordinate funds to respond to the immediate situation we are faced with. Also, we are attempting to obtain grants to take proactive measures to improve our water system and replace older infrastructure. We greatly appreciate the patience of our customers and for your understanding while we work on addressing the immediate needs our water system.

Councilmember Maschari move to enter executive session at 7:47 p.m. to discuss personnel issues.
Councilmember Troike second.

Councilmember Siss moved to resume Regular Council at 8:27 p.m. Councilmember Jones second.

Mayor Leshinski commended the SABPA on how they have handled the water emergency. The village staff has worked together and has handled the issues professionally. Board member Pelletteri thanked Kyle Urig who volunteered his time on a Sunday evening along with members of Digger's staff.

Councilmember Maschari asked the liaison to receive permission from the Board if she would be allowed to call the Lorain County Storm Water Management District to take over Ludwig Ditch. Councilmember Maschari asked if Columbia Gas would be able to fix the erosion control issue is on Leonard and Elm Streets would the SABPA be ok with council taking the lead on this issue?

COMMITTEES

Bldg.& Grounds

Request for meeting

Mayor asked to have it coordinated and would cover issues such as gutter guards on village hall, service garage, etc.

Tires

Councilmember Maschari asked and received permission to check the sizes of the used tires that are at the service garage. Mayor Leshinski volunteered to help.

449 W Main St. Nuisance Complaint

Councilmember Troike moved to:

1. Send a certified letter within three days of the council meeting stating the violation. In addition to the violation, inform the resident they have seven days to rectify the situation.
2. After seven days upon receipt or delivery of the certified letter the problem must be corrected.
3. If the problem is not corrected within seven days the village will then correct the problem. The cost of the village correcting the problem in addition to any administrative fees will be the home owner's responsibility. A bill will be sent upon completion of the abatement.
4. The bill/invoice will have a due date of thirty days. After thirty days the bill will be considered past due.
5. Any past due bills will be placed on the homeowner's property taxes.

Councilmember Siss Second.

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

Motion passed.

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Service-Street-Sidewalk

Signs

Mayor installed the sign on Pyle/SA Rd and will continue to do the other signs at the entranceways into the village. Councilmember Jones inquired to why it was not done last month. The mayor replied that he wanted to see how much work needed to be done. Councilmember Maschari stated that it had been previously discussed to hire a contractor to complete the project. Councilmember Maschari moved to have the signs installed by July 1st, if not completed by then, it will be contracted. Troike second.

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

Striping

Received proposals from the county and Maintenance Systems.

Sidewalks

Mayor Leshinski contacted Amherst for information on their Sidewalk program. It was handled through their Building Department. Committee members walked through town in order to assess the condition of the sidewalks. The committee will draft a notice for the summer newsletter reminding residents of the current codes and their responsibilities to the sidewalks. Councilmember Maschari reminded the law director that she was still waiting for the response on sidewalks.

Trees

Mayor Leshinski added that Amherst has ordinance stating no trees can be planted in the tree lawn. Councilmember Maschari will be trimming the tree at 304 E Main St. so there is a clear view of the street.

Service Worker

Councilmember Siss asked for an update on service worker applications. The mayor has not received any applications at the present time. Councilmember Jones will be posting the ad on Indeed.com on June 14.

Safety

Virtual meeting 6/16 @ 11 a.m.; event compensation; committee obligations.

Community & Economic Development

Councilmember Siss would like to thank the water clerk and others for using the form for the FB page. Helps getting the information out to residents.

Village Newsletter information needs to be forwarded to Councilmember Siss by July 1 for circulation to occur in mid July.

MISCELLANEOUS

Clarification on the roles of the Mayor, Law director and the Records Clerk/Zoning Inspector

The roles of the mayor and law director are determined by the O.R.C. The job description for the records clerk will be emailed to Councilmember Troike.

WENS

Councilmember Maschari noted that she had tried numerous times over the past several months to have her account corrected with the county. The account is updated and she is receiving emergency notices. Glitches on the villages end have been worked through and residents will be reminded in the newsletter to please update their information.

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Resident Complaint Form

Councilmember Maschari would like a recommendation from council to approve the use of the Resident Complaint Form.

Councilmember Siss asked the mayor three times if he tracked resident complaints and how they were resolved. The mayor stated that he did not keep a formal tracking system.

Code Enforcement

SAFEbuilt – Mayor Leshinski commented that it was a productive meeting and that we should adopt the IPMC in order to help enforce property issues.

Councilmember Maschari asked who is the mayor's appointee for Code Enforcement. The zoning inspector is the mayor's appointee at this time. Clarification was given to the inspector that complaints would be sent directly to the inspector with the mayor copied.

Building & Zoning Report

Councilmember Maschari moved to have the Building & Zoning report included in the monthly reports. Councilmember Troike second.

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

Councilmember Siss asked the Zoning Inspector to check the property at 511 W Main St. to see if a zoning a permit was required.

Emergency meeting clarification

Councilmember Troike stated that special meetings needed at least twenty-four hours notice before the meeting could occur. Clarification was made that according to the Ohio Sunshine Law for an emergency meeting, such as the one that was held on June 9th at 11:00 a.m. that:

*An emergency meeting is a type of special meeting that a public body convenes when a situation requires immediate official action. Rather than the 24-hours advance notice usually required, a public body scheduling an emergency meeting must **immediately** notify all media outlets that have specifically requested such notice of the time, place, and purpose of the emergency meeting. The purpose statement must comport with the specificity requirements.*

Councilmember Troike moved to always have the meeting location always listed on public notices. Councilmember Siss second.

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

ADJOURNMENT Time 9:30 p.m.
Jones second.

Councilmember Siss moved to adjourn. Councilmember

Respectfully submitted,



Fiscal Officer Michelle Henke


Mayor David Leshinski