

RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting
REGULAR COUNCIL
March 27, 2023

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 Becky Siesky	P
Councilmember Jeri Leigh Siss	P
Councilmember David Troike	P
President Pro Tempore Jeanne Maschari	P

Ex officio members:

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

(EA – excused absences)

Councilmember Maschari moved to approve Councilmember Jeffers absence due to illness.
Councilmember Siss second.

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

APPROVAL OF AGENDA March 27, 2023

Councilmember Siss moved to accept the agenda. Councilmember Jones second.

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

APPROVAL OF MINUTES March 13, 2023

Councilmember

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

VISITORS

SAFD –Assistant Chief Crawford, Firefighter Lawrie

MAYOR

Lorain County Public Health Update

#1 cause of death in the county is heart disease.

The EPA has mandated an inspection of all 24,000 septic systems throughout the county. There will be a forty (\$40.00) dollar inspection fee assessed to each property. Councilmember Siss recommended to have a representative from LCPH speak to council on April 24, 2023 and the public regarding this mandate and what it can mean to the individual residents. The mayor will contact LCPH.

Sewer Grant

County applied through Sherrod Brown's office for a twenty (20) million dollar grant for the trunk line to come off of Baumhart Road, to Middle Ridge, up Quarry Rd to the Village and was denied.

LAW DIRECTOR

Contracts

In Ohio, a service contract typically includes the following elements:

1. Identification of the parties involved.

RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting

2. Scope of services: clearly define the services that will be provided.
3. Term: specify the length of time that the service provider will be providing services.
4. Payment terms: outline the payment terms for the services provided, including the amount to be paid, payment schedule, and late payment penalties.
5. Warranties: specify and warranties or guarantees provide by the service provider.
6. Limitations of liability: outline any limitations on the liability of the service provider.
7. Termination: specify the conditions under which either party can terminate the agreement.
8. Dispute resolution: outline the process for resolving any disputes that may arise between the provider and the customer.

The village does not need to have a standard contract developed, because the village does not normally provide a service. When reviewing contracts/agreements from providers, review the eight listed steps from above.

FISCAL OFFICER

Payment Listing 3/10 -3/23/23 presented.

March Financial Reports: Fund Summary, Revenue Summary, Appropriation Summary were presented.

Mayor Leshinski asked for clarification on why the Cemetery Endowment Fund is at 99.8% of revenue collected. Fiscal Officer responded that the interest rate increased. The mayor also asked what the transfer out of fifty thousand (\$50,000.00) was for. The transfer was for the OPWC Grant payments which had been discussed at a previous meeting.

RECORDS CLERK

ZBA Meeting

There is a meeting scheduled for March 29 at 7 p.m. to discuss a variance for Parcel 0500011105042 on Annis Rd.

DEPARTMENTS

Service

103 & 105 Drainage Councilmember Troike presented.)

East side of the town hall is finished, the west side has to be completed.

Signs (Councilmember Maschari presented remainder of the report.)

Road signs have been delivered. No Parking signs have been installed on the entrance signs into the Village.

Code Enforcement

Zoning Inspector inquired to the Ordinance Committee of those residents who have already received notices of violations, which ones should he act upon, seeing that we have only set aside ten thousand dollars (\$10,000.00). A current list will be sent for review of council to vote on which ones would have immediate action taken.

Councilmember Siss inquired if decisions on enforcement needed to be in chronological order. The law director responded that you do not have to, but there should be a methodology to the order to demonstrate impartiality. The law director did encourage to work with the residents first

RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting

before issuing citations. Nuisance abatement is always a solution and can be placed on the property tax assessment.

Councilmember Maschari stated that the clear path of procedure would be to send the certified letter, follow-up on the letter with the resident. If the date of violation correction has expired the Zoning Inspector would give a duplicate copy of the documentation to the police department in order to have a citation served and the resident goes to Mayor's Court. If the violation is for nuisance abatement, the

Zoning Inspector would get a cost estimate, bring to council for approval, once the abatement is completed and if the invoice goes unpaid, then it would be added to the tax duplicate.

The law director will research the issue of non-payment of fines to Mayor's Court of what recourse the Village would have.

Fire

Approve recommended promotions from lieutenant to captain for Robert Abfall and Steven Crawford.

Councilmember Maschari moved to approve the promotions of Robert Abfall and Steven Crawford to captain.

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

BOARDS

Cemetery (Councilmember Jones presented.)

Property Damage

Service worker will review the tire ruts and repair the damage.

Councilmember Siesky asked for clarification regarding the Cemetery Board Minutes from February 8, 2023 where it states that the Board approved the secondary road project.

Councilmember Jones replied that the action is still presenting to the Building & Grounds Committee for the unanswered questions, and then to council.

COMMITTEES

Bldg. & Grounds (Councilmember Maschari presented.)

Treatment Plant

The whole has been backfilled. There was a barrel of ferric chloride plus an oxygen tank left in the garage that wasn't removed prior to demolition. Kelly Brothers will advise of any additional cost for the removal of the items.

Street-Sidewalk-Service (Councilmember Siesky presented.)

Walk About Town

Due to high wind warnings and overall inclement weather the Walk About scheduled for March 31st has been rescheduled to April 14th at 5:30, start at Village Hall.

RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting

Audit/Finance (Councilmember Siesky presented.)

There were two questions that were rectified from the March Audit. They included verification of where the Mayor's Court Ledger could be found and the approval policy of employee timesheets.

A Finance Committee meeting was requested to discuss appropriations on April 11th.

Ordinance

Storage/Shipping Containers (Records Clerk presented,)

A resident has requested permission to use metal storage/shipping containers to form a garage on his property. At the present time the Village has no legislation prohibiting the use of said containers. Council was presented with information from the Building Official on the requirements that must be adhered to with the State Building Code and sample ordinances from various communities in the State of Ohio. Council was in favor of the proposed construction as long as it follows Village and State Codes.

Councilmember Jones moved to develop an ordinance for the use of storage/shipping containers as an accessory structure within the Village. Councilmember Troike seconded the motion.

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

Records Clerk will contact the resident to notify him of the approval and the requirements to be followed.

Safety

Councilmember Troike noted that there was a loose wire hanging from the Fire Department antenna, that needs to be taken care of ASAP.

The fiscal officer stated the Fire Chief would like to change the FD pay ordinance by deleting the custodian and inserting IT, along with the appropriate salary amount for the position. Council responded that he needs to forward the information to the committee chair.

Community & Economic Development (Councilmember Siss presented.)

General calendar

Developed for council on Google Drive. If there are changes to meetings, office staff still needs to be notified.

Memorial Day Committee

Next meeting is scheduled for April 3rd at 5 p.m.

Sound System (Councilmember Jones presented.)

Exploring options of various sound systems for community events in order to have better sound, range quality, plus mobile ease.

Councilmember Troike moved to purchase the system for \$289.00. Councilmember Maschari seconded the motion.

Discussion: Fiscal Officer stated that a W9 would be required from Sweetwater. Councilmember Jones will donate the microphones.

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

RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting

Administrative

Emergency Legislation Vote: Need a motion to suspend the rules and one vote to pass the legislation.

Councilmember Maschari moved to approve emergency legislation with one motion to suspend the rules and one motion to pass the legislation. Councilmember Jones seconded the motion.

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

Revised Job Descriptions

Updated job descriptions for the following positions:

Mayor's Court Clerk, Records Clerk/Administrative Assistant, Service/Street Superintendent

Councilmember Maschari moved to approve the revised job descriptions for the listed positions. Councilmember Jones seconded the motion.

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

ZBA Council Representative

Councilmember Maschari moved to open the floor for nomination of a ZBA Council Representative. Councilmember Troike seconded the motion.

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

Councilmember Siss nominated Councilmember Troike to be the council representative to the Zoning Board of Appeals.

Councilmember Maschari moved to close nominations and called for a vote of Councilmember Troike to be the Council representative to the Zoning Board of Appeals. Councilmember Jones seconded the motion.

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

ORDINANCE

Ordinance No. 1764-23 An ordinance repealing existing South Amherst Codified Ordinance Chapter 717 Sections .02 (d), .03 Rummage Sale Permits; enacting new South Amherst Codified Ordinance Chapter 717 Sections .02 (d), .03 Rummage Sale Permits and declaring an emergency.

Councilmember Maschari moved to suspend the rules for ordinance No. 1764-23.

Councilmember Jones seconded the motion.

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

Councilmember Maschari moved to pass ordinance No. 1764-23. Councilmember Jones seconded the motion.

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

RESOLUTION

Resolution No. 689-23 Northeast Ohio Public Energy Council (NOPEC) Energized Community Grant Program 2023 NEC Grant Acceptance. *(Second Reading)*

RECORD OF PROCEEDINGS
Minutes of Village of South Amherst Meeting

MISCELLANEOUS

Executive Session – Personnel

Councilmember Jones moved to enter Executive Session at 8:25 p.m. to discuss employee concern. Councilmember Siss seconded the motion.

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

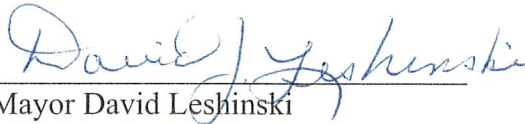
Regular council meeting was resumed at 8:46 p.m.

ADJOURNMENT Time 8:47 p.m. Councilmember Maschari moved to adjourn. Councilmember Siesky seconded.

Respectfully submitted,



Fiscal Officer Michelle Henke



Mayor David Leshinski