

**RECORD OF PROCEEDINGS**  
Minutes of Village of South Amherst  
**REGULAR COUNCIL**  
May 27, 2025

**CALL TO ORDER**

The council meeting was called to order by Mayor Jones at 7:00 p.m., commencing with the recitation of the Lord's Prayer followed by the Pledge Allegiance.

**LORD'S PRAYER AND PLEDGE OF ALLEGIANCE**

**ROLL CALL**

|                                     |   |                                |    |
|-------------------------------------|---|--------------------------------|----|
| Councilmember Michele Jeffers       | P | Fiscal Officer Michelle Henke  | P  |
| Councilmember Robb Koscho           | P | Records Clerk Laurie Beran     | P  |
| Councilmember Michael Sangiacomo    | P | Law Director Matthew Mishak    | EA |
| Councilmember Becky Siesky          | P | Utility Admin. David Valentine | P  |
| Councilmember David Troike          | P |                                |    |
| Council Pro Tempore Jeanne Maschari | P | (EA – excused absences)        |    |

**APPROVAL OF AGENDA**                      May 27, 2025                      Amendment: SAFD new hire.  
Councilmember Siesky moved to approve the agenda as amended. Councilmember Koscho seconded the motion.

Jeffers x Koscho x Maschari x Sangiacomo x Siesky x Troike x                      Motion carried.

**APPROVAL OF MINUTES**                      May 12, 2025  
Councilmember Koscho moved to approve the minutes as presented. Councilmember Siesky seconded the motion.

Jeffers x Koscho x Maschari x Sangiacomo x Siesky x Troike x                      Motion carried.

**VISITORS**

Chris Gallagher 390 Annis Rd.  
Kyron Lawson 205 N Lake St.  
Mr. & Mrs. Rutherford 119 E Main St.

Tom Fisher 203 N Lake S. – Prior to listing the property for sale, a septic system inspection was required. We had been unaware of any existing issues, as there had been no backups or signs of malfunction within the home. An initial estimate from Father & Son placed the cost of repairs at \$4,500.00. In an effort to reduce expenses, I opted to complete a portion of the repairs myself. After reassembling the system, a blockage persisted. Further investigation revealed a crushed PVC pipe connected to the septic system, which was the source of the obstruction. Additionally, I discovered a previously repaired section of pipe—one end had been broken off, while the other had been cut with a saw—indicating that although a repair had been attempted, it was not done correctly. I purchased the necessary replacement parts from Home Depot and completed the repair. The entire system is now functioning properly, with all components located outside the sidewalk. "I'm simply seeking to be reimbursed for what I spent and the labor... I have an itemized list." Mayor Jones asked that the information be emailed for council to do further investigation.

**FISCAL OFFICER**

Payment Listing

The Payment Listing for 5/9 to 5/23/2025 was presented to council.

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Financial Reports

The following Financial Reports for May were presented to council: Revenue Summary, Fund Summary and Appropriation Summary.

Street Paving Projects

(Kenwood-Vivian-Charles / E. Buckeye- Erie-Juanita)

Two options for funding the projects were given:

Option 1: Street Fund to pay full amount of \$61,500.00 for Kenwood, Vivian, Charles  
Street Fund to pay \$10,000.00 for E. Buckeye, Erie, Juanita  
General Fund to pay \$40,905.00 for E. Buckeye, Erie, Juanita – transfer to Street Fund for effective accountability.

Option 2: Pave Kenwood, Vivian, Charles this year  
Pave E. Buckeye, Erie, Juanita in 2026

Councilmember Maschari moved to approve the paving projects using Option 1 for funding.  
Councilmember Koscho seconded the motion.

Jeffers x Koscho x Maschari x Sangiacomo x Siesky x Troike x Motion carried.

NOPEC Energized Grant

Council confirmed that the remaining balance (\$692.88) will come from the general fund.

**RECORDS CLERK**

WWII Veterans 100 Birthday – parade at 3 p.m. S Lake-Russia-Annis- Main St to Old Fashion Grace Baptist Church. Please be out to help celebrate this special occasion. 12x18” flags are available at the town hall for people along the parade route. Following the parade a reception will be held at the church.

**UTILITY ADMINISTRATOR**

Penalty Fees

Regardless of whether someone is the mayor, a council member, a committee participant, an employee, or a resident, the same rules apply to everyone concerning late fees, post-construction permits, and code violations.

**DEPARTMENTS**

**Fire**

Councilmember Koscho moved to approve Jay Simons as an auxiliary firefighter.  
Councilmember Jeffers seconded the motion.

Jeffers x Koscho x Maschari x Sangiacomo x Siesky x Troike x Motion carried.

**COMMITTEES**

**Building & Grounds**

Meeting 5/28/25 @ 7 p.m. for further discussion on SAFD projects.

**Ordinance (Councilmember Koscho)**

1834-25 Amendments

Councilmember Koscho moved to amend Ordinance No. 1834-25 as follows:

2025802

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Thirty feet amended to read fifty feet; deletion of (d)(2); simplified (e)(1) to read: Any amplified sound with such volume as to annoy or disturb the peace, quiet, comfort or repose of persons where such a noise is plainly audible at a distance of more than fifty feet within the Village.; section (f) to read as follows: The following acts from 10:00 p.m. to 7:00 a.m. and the causing or permitting thereof are hereby declared to be violations of this section, but such enumerations are neither deemed to be exclusive of not limited to; and renumbering and lettering of each section. Councilmember Siesky seconded the motion. (See Exhibit A Ord 1834-25 Amendments)  
Jeffers    Koscho    Maschari    Sangiacomo    Siesky    Troike    Motion carried.

**ORDINANCE**

Ordinance No. 1834-25

Councilmember Koscho moved to take the motion from the table on Ordinance No. 1834-25. Councilmember Maschari seconded the motion.  
Jeffers    Koscho    Maschari    Sangiacomo    Siesky    Troike    Motion carried.

*(Final Reading)* An ordinance repealing existing South Amherst Codified Ordinance Chapter 509.08 enacting new South Amherst Codified Ordinance Chapter 509.08 Noise Disturbances.

Councilmember Koscho moved to approve Ordinance No. 1834-25. Councilmember Sangiacomo seconded the motion.

*Discussion: Councilmember Sangiacomo commented that the ordinance was updated and emphasized that the main point was to help reduce loud, continual noise. We are aware that it will be hard to enforce, but it is complaint driven and once the police are contacted it can be enforced.*

Jeffers    Koscho    Maschari    Sangiacomo    Siesky    Troike    Motion carried.

Ordinance No. 1835-25 *(Final Reading)* An ordinance amending Section 1129.02 of the Codified Ordinances of the Village of South Amherst, with the addition of Definition -Maternity Home

Councilmember Siesky moved to approve Ordinance No. 1835-25. Councilmember Maschari seconded the motion.

Jeffers    Koscho    Maschari    Sangiacomo    Siesky    Troike    Motion carried.

Ordinance No. 1836-25 *(Final Reading)* An ordinance amending Section 1165.09 Conditions for Specific Uses – of the Codified Ordinances of the Village of South Amherst, with the addition of Conditions of Specific Uses - Maternity Home.

Councilmember Siesky moved to approve Ordinance No. 1836-25. Councilmember Maschari seconded the motion.

Jeffers    Koscho    Maschari    Sangiacomo    Siesky    Troike    Motion carried.

Ordinance No. 1837-25 *(Final Reading)* An ordinance amending Section 1133.05 of the Codified Ordinances of the Village of South Amherst, with the addition of Conditional Uses – Maternity Home in the Agricultural – Residential District

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Councilmember Siesky moved to approve Ordinance No. 1837-25. Councilmember Maschari seconded the motion.

*Discussion: Councilmember Sangiacomo asked how many residents there would be and is this the final approval. Records Clerk confirmed a total number of 20 and the next steps are for the organization to complete a Conditional Use Permit, Planning Commission approval is required, security plan approved by the police chief and council. During that phase the Planning Commission may make additional stipulations. There will be a public hearing and then vote.*  
Jeffers x Koscho x Maschari x Sangiacomo x Siesky x Troike x Motion carried.

Ordinance No. 1838-25 (Emergency) An ordinance repealing existing South Amherst Codified Chapter 921.02 enacting new South Amherst Codified Chapter 921.02 Deposit Required; Termination of Delinquent Accounts; Habitual Delinquent Accounts and declaring an emergency

Councilmember Koscho moved to approve and pass as an emergency Ordinance No. 1838-25. Councilmember Siesky seconded the motion.

Jeffers x Koscho x Maschari x Sangiacomo x Siesky x Troike x Motion carried.

**MISCELLANEOUS**

Ward Hill

Councilmember Maschari with the help of South Amherst Historical Society member Lynn Schmitz located the mother of Miranda Ward and family will be in attendance at the rededication ceremony of Ward Hill. Councilmember Koscho was able to locate Jimmy Pearson the former S.A.M.S. student who wrote the letter requesting the hill be named after Miranda. Unfortunately, he will not be able to attend the rededication.

**EXECUTIVE SESSION**

ORC 121.22 (G)(1) Personnel

Councilmember Maschari moved to enter executive session to discuss personnel in accordance with ORC 122.22 (G)(1) at 7:29 p.m. Councilmember Jeffers seconded the motion.

Jeffers x Koscho x Maschari x Sangiacomo x Siesky x Troike x Motion carried.

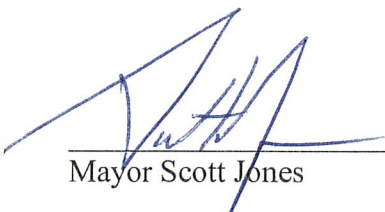
Returned to regular session at 8:14 p.m.

**ADJOURNMENT** 8:14 p.m.

Respectfully submitted,



Fiscal Officer Michelle Henke

  
Mayor Scott Jones

Ordinance No. 1834-25

Passed:

**AN ORDINANCE REPEALING EXISTING SOUTH AMHERST CODIFIED ORDINANCE CHAPTER 509.08 ENACTING NEW SOUTH AMHERST CODIFIED ORDINANCE CHAPTER 509.08 NOISE DISTURBANCES**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SOUTH AMHERST, LORAIN COUNTY, STATE OF OHIO THAT:**

SECTION 1: The Council of the Village of South Amherst hereby repeals existing South Amherst Codified Ordinance Chapter 509.08 to enact new South Amherst codified Chapter 509.08 Noise Disturbances; and

SECTION 2: The council of the Village of South Amherst hereby enacts new South Amherst Codified Chapter 509.08 as detailed herein:

**509.08 NOISE DISTURBANCES**

(a) No person shall unreasonably make or continue, or cause to be made or continued, or permit any noise disturbance.

(b) Definitions as used in this section:

(1) Continuous sound” means any sound with duration of more than one minute as heard from at least ~~thirty~~ fifty feet away. Impulsive sounds that are rapidly repetitive and have duration of one second or longer shall be measured as continuous airborne sound.

(2) Noise - any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

(3) Noise Disturbance - any sound which:

(A) Endangers or injures the safety or health of persons or animals;

(B) At a volume that causes actual interference with a person’s peaceful enjoyment of a residence or the peace and good order of the community.

(C) Endangers or injures personal or real property.

(4) Plainly Audible - the listener can clearly hear the sound produced by a sound source with unaided hearing faculties at a distance of more than ~~thirty~~ fifty feet.

(5) Vehicles - any motorized means of transportation or conveyance, including but not limited to cars, trucks, motorcycles, mopeds, all-terrain vehicles (ATVs), golf carts, snowmobiles, and any other similar motorized equipment designed for land use.

(6) Zones of Quiet - a designated area where noise levels are restricted to protect sensitive environments, such as hospitals, schools, and places of worship.

(7) Impulsive sound - sound of short duration, usually less than one second, with an abrupt onset and rapid decay.

(c) Zones of Quiet

(1) No person operating a vehicle within any such zone shall sound the horn or other warning device of such vehicle except in an emergency.

(5) Noise restrictions apply at all times to protect sensitive environments.

(d) Maximum Permissible Sound Levels

(1) Continuous Sound

~~(2) From the hours of 10:00 pm to 7:00 am~~

(e) Specific Acts

The following acts, and the causing or permitting thereof, are hereby declared to be violations of this section, but such enumerations are neither deemed to be exclusive of nor limited to:

(1) ~~Radios, television sets, musical instruments, and similar devices which produce, reproduce, or amplify sound in such a manner or~~ Any amplified sound with such volume as to annoy or disturb the peace, quiet, comfort or repose of persons where such a noise is plainly audible at a distance of more than ~~thirty~~ fifty feet within the Village.

(2) Radios and sound-producing devices such as “boom boxes”.

(A) No person shall play sound devices in a manner or at a volume as to disturb the peace, quiet, comfort or repose of neighboring inhabitants or at a volume which is plainly audible to persons other than those who are in the same room or vehicle.

(3) Animals and birds. Keeping any bird or animal which, by causing frequent or long continued noise, disturbs the comfort and repose of any person in the vicinity, where such noise can be distinctly heard at a distance of more than ~~thirty~~ fifty feet from its source;

(4) Signal devices. Sounding any horn, bell or other signal or warning devices on any vehicle in such a manner as to create a noise disturbance, except as a danger or warning signal;

(5) Vehicles. Using or operating any motorized vehicle so out of repair, so loaded or in such a manner as to create loud or unnecessary grating, grinding, rattling or other noise so as to cause a noise disturbance or racing the motor of any vehicle unnecessarily or operating any motor vehicle, except in an emergency, in such a manner that the vehicle is so rapidly accelerated or started from a stopped position that the exhaust system emits a loud, cracking or chattering noise unusual to its normal operation, or whereby the tires of such vehicle squeal or leave tire marks on the pavement or other surface, commonly known as “peeling”;

**(f) The following acts from the hours of 10:00 p.m. to 7:00 a.m. and the causing or permitting thereof are hereby declared to be violations of this section, but such enumerations are neither deemed to be exclusive of not limited to:**

(1) Vehicle or motorboat repairs and testing. Repairing, rebuilding, modifying or testing of any motor vehicle, motorcycle, motorized vehicle or motorboat in such a manner as to cause a noise disturbance across a residential real property boundary;

(2) Loading and unloading. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans or similar objects in such a manner as to cause a noise disturbance across a residential real property boundary;

(3) Heavy vehicles; racing engines. Operating or permitting the operation of any motor vehicle with a gross weight rating in excess of 10,000 pounds, or any auxiliary equipment attached to such vehicle, for longer than five minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion, except while loading and unloading perishables, where such noise creates a noise disturbance across a residential real property boundary.

(4) Construction. Operating or permitting the operation of any tools, other than domestic tools, or equipment used in construction, drilling or demolition work, such that the sound creates a noise disturbance across a residential real property boundary, except for emergency work of public service utilities or by a special permit by the Mayor or their designee.

(5) Domestic power tools. Operating or permitting the operation of any mechanically powered saw, drill, sander, lawn or garden tool, or similar device used outdoors, other than powered snow removal equipment, in residential areas

(6) Vibration. Operating or permitting the operation of any device that creates vibration perceptible beyond the property boundary of the source,

~~(g)~~ (g) This section shall not apply to the:

(1) Emission of sound for the purpose of alerting persons to the existence of an emergency, or to the emission of sound in the performance of emergency work.

(2) Noncommercial public speaking and public assembly activities conducted on any public space or public right of way.

(3) Church bells or similar sound-making devices customarily utilized in religious services.

(4) Programs, activities, or events organized, sponsored or sanctioned by public or private schools, churches, or the Village.

~~(g)~~ (h) **Penalty**

(1) Whoever willfully or knowingly violates any of the provisions of this section for which no penalty is otherwise provided, is guilty of a minor misdemeanor. Whoever willfully or knowingly persists in violating any of the provisions of this section, for which no penalty is otherwise provided, is guilty of a misdemeanor of the fourth degree. A separate offense shall be deemed committed each day, or part thereof, during or on which a violation occurs or continues.

(A) Minor misdemeanor on the first offense; fine not to exceed \$150;

(B) Minor misdemeanor of the fourth degree for the second offense within 12 months; the fine not to exceed \$250 and/or 30 days in jail;

(C) Minor misdemeanor of the third degree for the third offense within 12 months (or second or multiple offenses within 30 days); fine not to

exceed \$500 and/or 60 days in jail;

- (D) In addition to the above described penalties, any person who violates this section is subject to having all current permits revoked and all permit requests denied for a period of 12 months from the date of violation.
- (E) Nothing in this section shall prohibit the village from pursuing any and all civil remedies that may be available for the abatement of a nuisance.

SECTION 3: This Ordinance shall repeal all Ordinances in conflict herewith.

SECTION 4: 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 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.

***First Reading: April 14, 2025***

***Second Reading: April 28, 2025***

***Adopted the day of 2025.***

\_\_\_\_\_  
Scott Jones, Mayor

ATTEST: \_\_\_\_\_  
Fiscal Officer

I, the Fiscal Officer of the Village of South Amherst, Lorain County, Ohio, hereby certifies that the forgoing Ordinance No. **1834-25** is taken and copied from the record of proceedings of the Village Council of the Village of South Amherst, Lorain County, Ohio and that it has been compared by me with the ordinance on the record and is a true and accurate copy. Further, I certify that the adoption of such ordinance occurred in and open meeting held in compliance with O.R.C. 121.22

\_\_\_\_\_  
Fiscal Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
Matthew A. Mishak, Law Director  
SA/1834-25 Repeal Enact New 509.08 Noise Disturbances