

**City of Aurora, Ohio**  
**CITY COUNCIL**  
**MEETING MINUTES**  
**January 11, 2016**

The Council of the City of Aurora, Ohio met in Council Chambers at City Hall on Monday, January 11, 2016 for the purpose of holding a regular public meeting. Council President George Horvat called the meeting to order at 7:00 p.m. with the Pledge to the Flag of the United States of America.

**ROLL CALL**

Present: Reva Barner  
Kathi Grandillo  
Harold Hatridge  
George Horvat  
John Kudley, Jr.  
Dennis Kovach  
Amy McDougald  
James Vaca  
Scott Wolf

Also Present: Ann Womer Benjamin, Mayor  
Dean DePiero, Law Director  
Robert Paul, Finance Director  
John Trew, Director of Public Services  
Karen Aldredge, Chief of Staff  
Denise Januska, Director of Planning, Zoning and Building  
James Kraus, Director of Parks and Recreation  
Jack Burge, Director of Economic and Entrepreneurial Development  
Brian Byard, Police Chief  
Donna Hawks, Clerk of Council  
Colleen Martin, Deputy Clerk of Council

*For clarity all items appear in the meeting minutes in the same order as they appear on the meeting agenda.*

Mr. DePiero administered the Oath of Office for Council President to Mr. Horvat.

**Reconsideration of a Prior Action**

Ms. McDougald indicated that at the last meeting she voted in favor of suspending the rules on Ord. 2015-171. She said although she did support the idea of it, she now feels she should not have done that, as it would have been best to have had another meeting to contemplate it and discuss it.

**Consideration of Minutes**

**MOTION: Approval of the December 21, 2015, Meeting minutes**

Mr. Vaca moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

AYES: Barner, Grandillo, Hatridge, Horvat, Kovach, Kudley, McDougald, Vaca, Wolf  
NAYS: None

**MOTION: Approval of the January 4, 2016, Organizational Meeting minutes**

Mr. Vaca moved; Mr. Wolf seconded. The motion carried on an 8-0-1 roll call vote. Mr. Horvat abstained.

AYES: Barner, Grandillo, Hatridge, Kovach, Kudley, McDougald, Vaca, Wolf  
NAYS: None  
ABSTAIN: Horvat

### **Introduction of Canine Nero and Handler Officer Dale Riley**

Mr. Horvat introduced Officer Riley and Canine Nero.

Officer Riley provided a brief background on Canine Nero and his training. Officer Riley stated that Nero is a dual purpose canine trained in control function and protection of narcotics. He explained control function includes tracking, article search, area and buildings searches, and apprehension of criminals and protection of his handler. He said protection of narcotics means he is trained to find narcotics. Officer Riley said he is a very good dog.

Mr. Kovach requested the city obtain protective armor for the dog. He said the dog should have as much protection as possible given what happen in another city.

Council stated they are very pleased to have the canine officer in place again.

### **Mayor's Report**

(Attached)

Mayor Womer Benjamin said she will get an estimate on armor for Nero and include it in the budget. She said in reference to the aging waterlines in the city some are 90 years old. She said there are plans to replace the lines on Shawnee and Harmon this year. She said there is a need for a long term plan to fund such replacements. She said the city cannot expect to do so without a dedicated funding source to provide some of the cost. Mayor Womer Benjamin said the need to replace aging infrastructure was highlighted with the water main break this weekend on New Hudson Road. She stressed the importance of a water line replacement plan is for the city.

Mayor Womer Benjamin said the State of the City luncheon will be held on Thursday, February 11, 2016 at 11:30 a.m. at the Bertram Inn and Conference Center.

Mayor Womer Benjamin provided a brief recap of those she met with and functions that she attended since the last meeting of Council. She said she attended a meeting to discuss ways to eliminate the woodpecker problem with the wood on the Deed House. She stated it is Mr. Paul's last meeting with Council and thanked him for his many years of service.

Various members on Council provided suggestions for the woodpecker problem.

Mr. Wolf explained the water rate study will compare the city's rates with the rest of the state and provide a basis for determining what kind of increase the city will need to support the 0% interest loans the city is trying to get in order to replace aging infrastructure.

Mayor Womer Benjamin stated she does not know how many communities will be surveyed but rate data will be gathered from a variety of communities. She said not only will it help support the city's good financial rating going forward but it will also provide an ongoing source of revenue to at least underwrite some of the cost of the projects.

Mr. Kovach asked when the road study will be completed.

Mr. Trew said there is a kickoff meeting on Tuesday; after that he will have a better idea of when it will be completed and inform the Mayor.

Mr. Vaca asked regarding the budget proposal for the California Street Project; if Reminderville has gone forward to obtain a grant for the third time. He said would like to know where the city stands if they are rejected a third time and where the funds will go that were put aside.

Mayor Womer Benjamin said Reminderville received a call from AMATS late last year indicating they had extra funding and wanted to devote to the California Project.

Mr. Trew said he had talked with the engineer from Reminderville and he said surveying will be done on Tuesday for the final engineering for the project.

### **Law Director's Report**

(Attached)

Mr. DePiero stated that ABR Management filed an administrative appeal with the Portage County Court of Common Pleas on January 4, 2016. He said they are appealing the decision of Council on December 7, 2015 which confirmed the decision of the Planning Commission to deny the request for the conditional zoning certificate. He said the city has 40 days from the day of the appeal to compile the record and transmit it to the court where the procedure will begin. He said at that point the appellant and the city will file their briefs and the case will proceed.

### **Council President's Report**

(Attached)

#### **MOTION: To amend the agenda by adding Ordinances 2016-001 and 2016-002**

Mr. Vaca moved; Ms. Grandillo seconded. The motion carried on a unanimous voice vote.

#### **MOTION: To approve correcting the typographical error on the numbering of Resolution 2015-163 changing it to Resolution 2015-175.**

Mr. Kovach moved; Mr. Vaca seconded. The motion carried on a unanimous voice vote.

### **Citizens Comments - Legislation**

Mr. George Mazzaro, Eldridge Road - commented on Ord. 2015-155 thru 158 - he said by raising the fees the citizens of the community are being taxed through the back door as the contractor will be the one charging on the final product. Ord. 2015-170 - he said the buildings need to be upgraded and are not included in the appropriation. Ord. 2015-172 - he thanked Mr. Paul for the information he provided. He said he will not oppose the legislation as long as the money is used for the waterlines.

### **Councilman Remarks - Legislation**

There were none.

### **Legislation**

#### **Ordinance 2015-155**

AN ORDINANCE AMENDING SECTION 157.05 "APPLICATION FEE" OF AURORA'S CODIFIED ORDINANCES

#### **MOTION: To postpone Ordinance 2015-155**

Mr. Vaca moved; Ms. McDougald seconded. The motion carried on a 9-0 roll call vote.

AYES: Barner, Grandillo, Hatridge, Horvat, Kovach, Kudley, McDougald, Vaca, Wolf

NAYS: None

Remain on third reading

#### **Ordinance 2015-156**

AN ORDINANCE AMENDING SECTION 1101.09 "FEES, DEPOSITS, GUARANTEES" OF AURORA'S CODIFIED ORDINANCES

**MOTION: To postpone Ordinance 2015-156**

Mr. Vaca moved; Ms. McDougald seconded. The motion carried on a 9-0 roll call vote.

AYES: Barner, Grandillo, Hatridge, Horvat, Kovach, Kudley, McDougald, Vaca, Wolf

NAYS: None

Remain on third reading

**Ordinance 2015-157**

AN ORDINANCE AMENDING SECTION 1135.04 "ZONING FEES" OF AURORA'S CODIFIED ORDINANCES

**MOTION: To postpone Ordinance 2015-157**

Mr. Vaca moved; Ms. McDougald seconded. The motion carried on a 9-0 roll call vote.

AYES: Barner, Grandillo, Hatridge, Horvat, Kovach, Kudley, McDougald, Vaca, Wolf

NAYS: None

Remain on third reading

**Ordinance 2015-158**

AN ORDINANCE REPEALING THE CURRENT SECTION 1329.01 "FEE SCHEDULE" AND ENACTING A NEW SECTION 1329.01 "FEE SCHEDULE," SUBSTANTIALLY IN THE FORM ATTACHED HERETO, OF AURORA'S CODIFIED ORDINANCES

**MOTION: To postpone Ordinance 2015-158**

Mr. Vaca moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

AYES: Barner, Grandillo, Hatridge, Horvat, Kovach, Kudley, McDougald, Vaca, Wolf

NAYS: None

Remain on third reading

**Ordinance 2015-170**

AN ORDINANCE APPROVING AND ADOPTING THE ANNUAL BUDGET AND APPROPRIATIONS FOR CALENDAR YEAR 2016, AS SUBMITTED BY MAYOR ANN WOMER BENJAMIN, AND APPROPRIATING THE MONIES NECESSITATED BY THE ADOPTION OF THAT BUDGET

To third reading

**Ordinance 2015-172**

AN ORDINANCE ACCEPTING THE PROPOSAL OF, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH WSOSCAC, INC. IN THE AMOUNT OF \$20,000.00 TO COMPLETE A WATER RATE STUDY, TAKING THE NECESSARY FUNDS FROM THE WATER CAPITAL FUND (#71) AND DECLARING AN EMERGENCY IN ORDER TO EVALUATE WATER RATES EARLY NEXT YEAR

**MOTION: To suspend the rule requiring an ordinance to be read on three separate occasions**

Mr. Kudley moved; Ms. Grandillo seconded. The motion carried on an 8-1 roll call vote.

AYES: Barner, Grandillo, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: Vaca

**MOTION: To adopt Ordinance 2015-172**

Mr. Kudley moved; Ms. Grandillo seconded. The motion carried on an 8-1 roll call vote.

AYES: Barner, Grandillo, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: Vaca

**Ordinance 2016-001**

AN ORDINANCE AMENDING ORDINANCE 2015-106 TO REVISE THE COMMUNITY REINVESTMENT AREA AGREEMENT WITH AKMA DEVELOPMENT, LLC AS A RESULT OF THE INCREASE IN THE NEW CONSTRUCTION INVESTMENT FROM \$450,000.00 TO \$700,000.00 AND DECLARING AN EMERGENCY TO PERMIT CONSTRUCTION TO PROCEED AS SCHEDULED

To second reading

**Ordinance 2016-002**

AN ORDINANCE AMENDING EXHIBIT "A" TO AURORA CODE OF ORDINANCES CHAPTER 161, "EMPLOYEES GENERALLY," TO REFLECT CHANGES IN COMPENSATION FOR THE INDIVIDUALS LISTED ON THE ATTACHED SCHEDULE AND/OR TO PLACE THOSE NEWLY HIRED INDIVIDUALS LISTED ON THE ATTACHED SCHEDULE ON EXHIBIT "A" AT THE COMPENSATION SPECIFIED FOR THEM, APPROVING SUCH COMPENSATION, AND DECLARING AN EMERGENCY **(ANNUAL INCREASES FOR CITY EMPLOYEES)**

To second reading

**Citizens Comments**

Mr. George Mazzaro asked if anyone has requested the consultant report on file regarding the storm water problems. He said if there is another rain like the one the city had in July there will be a serious problem in the community. He said Council must give direction to the administration to review what has been in the past. He said nothing has been done or reviewed.

Mr. Horvat asked Boy Scout Jacob Tansky, Chelmsford Drive, introduce himself.

**Councilman and Committee Remarks**

Ms. McDougald commented on the increase of sales tax and her dissatisfaction with the citizens not having a say on that. She asked Mr. Kraus to provide a report on the security protocol on the computer systems in the city.

Mr. Hatridge reflected on the years he and his wife have known Mr. Paul and wished him the best of luck.

Mayor Womer Benjamin stated the major studies that were done in the last decade have been done in the Geauga Lake Area. She said as part of the request to Stantec they were asked specifically to review the most recent report and give the city updated recommendations.

**Adjournment**

**MOTION: To adjourn**

Mr. Vaca moved; Mr. Hatridge seconded. The motion carried on a 9-0 roll call vote.

AYES: Barner, Grandillo, Hatridge, Horvat, Kovach, Kudley, McDougald, Vaca, Wolf

NAYS: None

The meeting was adjourned at 7:41 p.m.

George Horvat, President

Donna Hawks, Clerk of Council