

**City of Aurora, Ohio**  
**COMMITTEE OF THE WHOLE**  
**MEETING MINUTES**  
**January 25, 2016**

The Committee of the Whole of the City of Aurora, Ohio met in Council Chambers at City Hall on Monday, January 25, 2016 for the purpose of holding a regular public meeting. Committee Chairman John Kudley, Jr. called the meeting to order at 6:00 p.m.

**ROLL CALL**

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

Absent:         Kathi Grandillo

Also Present:  Ann Womer Benjamin, Mayor  
                  Dean DePiero, Law Director  
                  Timothy Clymer, Finance Director  
                  John Trew, Director of Public Services  
                  Denise Januska, Planning, Zoning & Building Director  
                  Karen Aldredge, Chief of Staff  
                  Jack Burge, Economic & Entrepreneurial Development Director  
                  Brian Byard, Police Chief  
                  David Barnes, Fire Chief  
                  Donna Hawks, Clerk of Council  
                  Colleen Martin, Deputy Clerk of Council

**APPROVAL OF MINUTES**

**MOTION:       Approval of the January 11, 2016 meeting minutes**

Mr. Hatridge moved; Ms. Barner seconded. The motion carried unanimous vote.

Mr. Kudley welcomed Mr. Clymer to his first official Committee of Whole Meeting.

**FINANCE DIRECTOR'S REPORT**

(Attached)

Mr. Clymer said he wanted to thank the city and all the employees that he encountered over the past couple of weeks. He said everyone has gone out of their way to make sure he feels comfortable. He said he wanted to thank Mr. Paul and the Finance Department staff for the easy transition for him. Mr. Clymer said when doing his report he will follow the style Mr. Paul has used in the past. He said he feels there are three areas of concern that Council should have. He said the first is Income Tax - 2015 tax collections came in better than 2014. He said on the spending side it is important that spending stay within the lines of the approved budget. He said third item is Fund Balance. He said if you are educated on those items you will have a good idea of the city's financial position. He said the 2016 budget is very promising. He said he will not be content with the city's financial position until the city has a self-sustaining long term Capital Improvement Plan. He said it is important to have a long term plan on how the city will replace or fix the assets in the city and also how they will be funded. He said the city is in a strong financial position. He said it is his full intent to improve this year and in the years to come.

**NEW BUSINESS****LAW DIRECTOR'S CONTRACT**

Mayor Womer Benjamin said the contract reflects the 2.5% increase for non-union employees.

**MOTION: To recommend to Council**

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

**CODIFIED ORDINANCE SECTION 125.01 AMENDMENT**

Mayor Womer Benjamin said there were a couple of sections the Law Department identified as needing to be revised due to the elimination of some committees.

Mr. Kudley asked if the next amendment reflects this change also. Mayor Womer Benjamin said that is correct.

**MOTION: To recommend to Council**

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

**CODIFIED ORDINANCE SECTION 177.01 AMENDMENT**

Mr. Kudley said this amendment is again reflecting the wording in the codified ordinance.

**MOTION: To recommend to Council**

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

**ROAD RESURFACING – SR43 & SR82**

Mr. Trew said the project was started in 2009 with ODOT. He said the city's responsibility is \$352,168.00. He said the resurfacing is SR82 from Twinsburg Township line to SR43. He said then it is from SR43 until the Streetsboro line. He said this includes milling, filling and full depth repair. He said if approved quickly ODOT will complete work by late July or earlier..

Ms. McDougald asked why Council needs to vote on this today. Mr. Trew said ODOT wanted this completed two months ago. He said ODOT's fiscal year ends earlier than the city's therefore, they wanted this bid in their first quarter. He said he explained to ODOT that they had to wait until the city's budget is approved.

Mayor Womer Benjamin said the point is the project has been held off and this project is beneficial to the city. She said she could not ask Council to do anything until the budget was presented and passed.

Mr. Horvat asked how much pavement will be taken off and will anymore pavement be added. Mr. Trew said they are milling it down and filling it back in and making sure the established crown is maintained on this road. He said it would be 1 ½ to 2" where they will mill. He said in some areas it will be 6" where they encountered bad pavement. Mr. Horvat asked if it will create any drainage problems. Mr. Trew said no it will actually improve. Mr. Horvat asked if this would interfere with July 4. Mr. Trew said it is written in the contract that they are not permitted to work on July 4, any Saturday, or Sunday without permission from the Mayor.

Mr. Vaca asked if this is coming down from Squires Road to the County line. Mr. Trew said it will start where the old pavement started. Mr. Vaca asked if the issue with Bank Street and the curb would be corrected. Mr. Trew said not with this project. He said that will be a separate project. Mr. Vaca asked if this can be repaired prior to the resurfacing. Mr. Trew said he could fix the curb without it affecting the road.

Mr. Wolf asked if this included widening for a bike lane. Mr. Trew said there will be no widening.

Mayor Womer Benjamin said she has been trying to see where the city could do bike lanes. She said she thought it could be done with this new repaving at least to paint them on. She said however the city just got an Akron Metropolitan Area Transit Study (AMATS) done that rates the safety of routes in the area. She said looking at our city, the part being paved is among the most dangerous. She said you also cannot have speed limits over 35 MPH. She said they are looking at the safe route through the city and she is hoping to make some progress on that.

Ms. Barner asked how much this would interfere with traffic and how long will this project take. Mr. Trew said the position of AMATS and ODOT is preservation not expansion. He said there will be no widening and 45 MPH is very dangerous to have pedestrians with cars. Mr. Trew said the traffic will be maintained at all times. He said the only time there will be a slight closure will be on SR82 and ODOT will let the city know when that would occur. He said it will be open during school hours. Mr. Trew said this work could be done in a period of two weeks if the weather is good.

**MOTION: To recommend to Council**

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

**CONTRACT WITH inSITE ADVISORY GROUP**

Ms. Januska said the contract is for professional services that have been used for the past two years. She said it helps with the Mixed-Use District and developing design standards. She said hopefully some development will take off this year. She said the city would like to keep them on through this year to help with the JED that will hopefully come about. She said they are looking at improving our ABR Design Guidelines and establishing some design standards. She said inSITE is very familiar with the city so it would be a good continuation.

Mr. Hatridge asked if this will be the third year that the city has been paying fees to this company. Ms. Januska said yes. Mr. Hatridge asked how many more years will the city be paying. Ms. Januska said she hopes once the development takes off, maybe one more year. She said the design standards she hopes to get done this year is something they have not done before. Mr. Hatridge asked if they were also doing work for Bainbridge Township. Ms. Januska said yes they are.

Mr. Wolf wanted to point out for people watching and do not know, there are three abstracts to the contract: working with Bainbridge on the Mixed-Used District; the town center and the Architectural Board of Review.

Mr. DePiero said he has been in active conversations with lawyers for Bainbridge Township and Cedar Fair for about four months about a proposed JED. He said they are getting close to a final document. He said he is hoping to bring something to Council for their consideration in the near future.

**MOTION: To recommend to Council**

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

**SIDEWALKS PHASE III**

Mayor Womer Benjamin said she would like to proceed with this project. She said the engineering will be done for Phase III. She said it is not known what will show in terms of easements. She said the city is trying to stay ahead of the game to keep the project going. She said the city still has engineering going on for Phase II and easements are close on the last part of Phase I.

Ms. McDougald asked if the sidewalk at Aurora Hudson Rd. would go to the school. Mayor Womer Benjamin said yes, it is from SR43 to the school drive. Ms. McDougald asked what side of the street. Mayor Womer Benjamin said the north side.

**MOTION: To recommend to Council**

Mr. Hatridge moved; Ms. Barner seconded. The motion carried on unanimous voice vote.

**AMEND SPELLING OF HILLARY LANE (HILLIARY)**

Mr. Kudley said that Hilliary was misspelled and we need to add an "I" to correct the spelling.

**MOTION: To recommend to Council**

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

**VEHICLE PURCHASE FOR FIRE DEPARTMENT**

Chief Barnes said the vehicle is a replacement of a 12 year old car. He said the vehicle is a Ford Explorer police package to be used by Assistant Chief Schmader.

Mr. Kudley asked when the next big piece of equipment will be purchased. Chief Barnes said a squad would be purchased this year.

Mr. Horvat said he drives a sedan now, why is there a switch to the Explorer. Chief Barnes said it just depends what is out there and available. He said all-wheel drive will help in the winter and on construction sites. Mr. Horvat asked if it is similar to a police car. Chief Barnes said it is exactly the same vehicle as a police car. He said this one will be red.

**MOTION: To recommend to Council**

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

**MISCELLANEOUS****COUNCIL RULES CHANGES**

Mr. Kudley said committee members we are to consider Council Rule changes so they could be forwarded to Council for action if we deemed them to be appropriate.

Ms. McDougald said she regrets Councilmen Grandillo is not here because she was supportive of this change. She said she is recommends allowing citizens comments at the Committee of Whole. She said she did some research to find out what cities have a Committee of Whole. She said other than Cleveland Heights there is no city in Ohio that had a Committee of Whole that did not allow people to speak. She said as representatives of the people it looks good when we give them the opportunity to share their thoughts. She said it is something that should be on the agenda and she likes the idea of a time limit. She said not many people come to Committee of Whole so you are only looking at five minutes of our time just to be able to hear what the citizens say. She said given the fact that every city she called except Cleveland Heights allow this, she thinks Aurora should follow suit. She said all other meetings that Aurora has, citizens have the opportunity to share their views. She said its good government policy to allow people to express their point of view.

Mr. Horvat asked if the cities that were contacted also have a Council meeting on the same day. He also asked how much time is given during the Council meetings. Ms. McDougald said some cities have them the same day and therefore the time would be limited until the start of next meeting. She said at Council Meetings the allowed time for citizens to speak varies.

Mr. Vaca said Council is just getting information at Committee of Whole so how can a citizen ask questions on something that Council does not know yet. He said it does not make sense to him.

Mr. Hatridge said that this is a working committee. He said he is for citizen's input and the way we do our Councils meeting gives them adequate time to speak.

Mr. Kudley said he would like to commend Ms. McDougald for bringing this issue before Council. He said he would agree with her if Council did not already provide ample opportunities within our political system in the way we operate for citizens to participate. He said our Committee of Whole agenda does not arrive to Council until Thursday afternoon. He said Council does not have the opportunity to ask administrators questions until that meeting. He said the city has 14 different committees and 70 citizens participate on committees. He said during Council meeting there are up to three opportunities for citizen's comments. He said that starting time for Committee of Whole depends on our legislation. He said it is not until Thursday afternoon that a time is determined for Committee of Whole. He said we have a published time for Council meetings to start at 7:00. He said if we allow citizens participation at Committee of Whole, we have to adjust the time for that. He said Committee of Whole was designed to make City Council work efficiently and we have done that. He said he thinks it is important to have this work session where we are free to discuss what we think as far as Council is concerned. He said he believes that Council adequately takes care of citizen comments during the Council Meeting.

Mr. Wolf said his concern is the time frame in allowing citizens comments to the meeting and not being able to start Council at 7:00.

Ms. McDougald said she thinks it can be arranged to allow citizens to comment. She said if time did not allow then citizens would not have that opportunity to speak. She said she is asking to move it to Council Agenda so it can be discussed further.

Ms. Barner said she feels it is a great opportunity for citizens to comment. She said she would like further discussion to come up with different suggestions on how it can work.

Mr. Kudley said if we put citizens comments at the end of Committee of Whole Agenda and time did not allow them to comment, as Chairperson he would hate to handle the wrath if there is not time to allow citizens to speak. He said citizens should not come with the expectation of having the ability to talk and then denying them that right, it would be asking for controversy and problems.

Mr. Kudley said we amend the rules at Committee of Whole. He said if they are approved they then go to Council for action. He said if we are going to have a rule change, now is the time to make the motion.

Mr. Vaca said in fairness, two more weeks is not going to make a difference. He said keep it under Miscellaneous until all Council members are here.

**MOTION: To postpone for two weeks**

Ms. Barner moved; Ms. McDougald seconded. The failed on a 4-4 roll call vote.

AYES: Ms. Barner, Mr. Hatridge, Ms. McDougald, Mr. Vaca

NAYS: Mr. Horvat, Mr. Kovach, Mr. Kudley, Mr. Wolf

**MOTION: To amend Council Rule to allow citizen's to speak**

Mr. Barner moved; Ms. McDougald seconded. No vote was taken, the motion died on the table.

Mr. Horvat asked if he can change his vote. Mr. DePiero stated that he can. Mr. Horvat asked if he could change his vote to an Aye. He said he would like to give Ms. McDougald the opportunity to have this at another meeting. Mr. Kudley and committee members agreed to allow Mr. Horvat to change his vote; therefore item a under Miscellaneous was postponed.

**ADJOURNMENT**

**MOTION: To adjourn**

Mr. Hatridge moved; Mr. Wolf seconded. The motion carried on a unanimous voice vote.

The meeting was adjourned at 6:52 p.m.

John Kudley Jr., Chairman

Colleen Martin, Deputy Clerk of Council