

City of Aurora, Ohio
CITY COUNCIL
MEETING MINUTES
June 27, 2016

The Council of the City of Aurora, Ohio met in Council Chambers at City Hall on Monday, June 27, 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: Kathi Grandillo
Harold Hatridge
George Horvat
Dennis Kovach
John Kudley, Jr.
James Vaca
Scott Wolf

Absent: Reva Barner
Amy McDougald

Also Present: Ann Womer Benjamin, Mayor
Dean DePiero, Law Director
Timothy Clymer, Finance Director
John Trew, Director of Public Services
Jack Burge, Director of Economic and Entrepreneurial Development
Karen Aldredge, Chief of Staff
Denis Januska, Director of Planning, Zoning & Building
David Barnes, Fire Chief
Robert Hagquist, Police Lieutenant
Andrew Lumpkins, Police Lieutenant
Donna Hawks, Clerk of Council

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

Consideration of Minutes

MOTION: Approval of the June 13, 2016, Meeting minutes

Mr. Vaca moved; Ms. Grandillo seconded. The motion carried on a 6-0-1 roll call vote. Mr. Kudley abstained.

AYES: Grandillo, Kovach, Hatridge, Horvat, Vaca, Wolf

NAYS: None

ABSTAIN: Kudley

Public Hearing for Ordinance 2016-065 from Committee of the Whole

AN ORDINANCE APPROVING AND ADOPTING THE TAX BUDGET OF THE CITY OF AURORA FOR THE CALENDAR YEAR 2017, AND DECLARING AN EMERGENCY AS THE BUDGET MUST BE ADOPTED BY JULY 15, 2016 IN ORDER TO COMPLY WITH OHIO REVISED CODE 5705.28

Mr. George Mazzaro, Eldridge Road, commented on Ord. 2016-065 – he said the citizens need to be thanked, because without them and their income tax, Aurora would not be the city it is now.

Mayor's Report

(Attached)

Mayor Womer Benjamin said she hopes to see many people on July 4th. She provided the various times and locations of activities that will occur throughout the day. She said U.S. Senator Rob Portman is expected to be on hand for the festival. Mayor Womer Benjamin said anyone interested in welcoming him should arrive at 1:30 p.m. She said the Transportation Program is in full swing. She urged Aurora seniors and disabled to call 330-995-8795 to sign up for transportation to medical appointments and errands around northeast Ohio. She said the new van is ready to go. She said former mayor Mignon Donaldson and her family visited. Mayor Womer Benjamin said she presented her with a key to the city following a tour of City Hall and the Police Station. She said the summer newsletter is nearly complete and should be mailed in the next few weeks. She said the culvert work and SR306 road closure has been delayed until July 25.

Mayor Womer Benjamin provided a brief recap of those she met with and functions that she attended since the last meeting of Council.

Mr. Kudley on behalf of the Aurora Historical Society; expressed their gratitude to the Mayor and to the city for the work that was put into the Deed House project. He said historical societies throughout northeast Ohio are envious of the relationship Aurora's Historical Society has with the city and their officials. Mr. Kudley said the Deed House is now officially open on Saturday from 11:00 to 3:00 p.m.

Mayor Womer Benjamin thanked Mr. Kudley and the Aurora Historical Society for all the work they have done on the project.

Mr. Hatridge congratulated the Mayor for getting the Transportation Program going. He asked if the services are immediate as soon as the form is filled out.

Mayor Womer Benjamin said the form is needed for emergency contacts and it is asked that the van is scheduled at least a day or two ahead of time. She said cancellations can be made more at the last minute by calling the 24 hour hotline.

Mr. Hatridge asked if the number listed for the program is a City Hall or Parks and Recreation number.

Mayor Womer Benjamin replied that it is a City Hall number. She said the calls are being handled by the City Hall receptionist, Ms. Vikki Harris, who is doing the scheduling.

Mr. Vaca said that Ms. Donaldson was influential with him becoming a Politian. He said he was sorry that he was not able to attend the luncheon.

Law Director's Report

(Attached)

Mr. DePiero said a complaint of a Public Nuisance has been filed with the Portage County Common Pleas Court and that he will keep Council posted on it.

Mr. DePiero provided a brief history on Ord. 2016-072. He explained that in Council's packet there is a Consent Judgment Entry from the Portage County Common Pleas Court that was filed on May 1, 2007, which ordered the city to allow the development to go forward. Mr. DePiero read from the document that the plaintiff shall (he emphasized shall) be entitled to develop and use permanent parcel (he indicated the parcel number is listed in the document) consisting of approximately 69.9 acres, in accordance with the R-3 Residential District development standards as set forth in 1153.03(p) or elsewhere in the Zoning Code, as applied to the R-3 District. He said basically this demands that the city allows this to go forth. He continued to read in Section F that the terms and conditions of the Consent Judgment Entry are binding upon the Parties hereto, their successors, assigns and grantees, unless this Consent Judgment Entry is amended by consent of the Parties hereto and this Court enters an Order in accordance with the consent

of the Parties hereto. Mr. DePiero said to date he is not aware of any amendments to the Consent Entry. He read, if it becomes necessary to enforce the Consent Judgment Entry and the movant is successful in enforcing this Consent Judgment Entry, it shall be entitled to appropriate damages and legal fees associated with the enforcement of the Consent Judgment Entry. Mr. DePiero explained if the city wrongfully did not allow the RCD to go forward, they would be subject to damages and attorney fees. He said taxpayer's money being paid out because the city violated a court order. He said it does not say that the city cannot control the development standards, engineering and the other things that Ms. Grandillo and her Planning Commission has done a good job of vetting and continues to vet. He said there will be another piece of legislation coming forward that will approve the plat. He reminded Council that this is a court order.

Mr. Vaca thanked Mr. DePiero for the complaint filed on 944 N. Aurora Road.

Mr. Hatridge asked how many more RCD judgments are there.

Mr. DePiero said regarding Mr. Vaca's comment; with the more aggressive approach the Mayor has asked him to take his hope is to clean up more properties.

Mr. DePiero said he is not aware of any other Consent Judgment Entries.

Ms. Januska said there is one more; it is not a Consent Judgment Entry but there is an existing CZC which Pulte is developing. She said after this one because of the recent change in the codified ordinances there are limits to where they can go and it will help in the future.

Mr. Hatridge stated Council has full faith in Ms. Januska's department and in Ms. Grandillo's Planning Commission to make sure things are done properly and with excellent quality.

Council President's Report

(Attached)

MOTION: To amend the agenda by adding Ordinances 2016-073 thru 2016-075

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

Citizens Comments - Legislation

Mr. George Mazzaro, Eldridge Road – commented on Ord. 2016-061 – he said he does not have a problem with the Mayor signing off on a property but he still wants to know what authority gives the Mayor the right. Ord. 2016-067 – he asked for the annual cost to the city. Ord. 2016-071 – he asked if it went out for bid and why did the city wait until June. Ord. 2016-072 – he said he appreciates what the Law Director stated. He said he has very little faith in the engineering and planning departments. Ord. 2016-077 – he said the residents need to take the time to vote for the levy. He said it is very important the levy continues for the city.

Mayor Womer Benjamin reminded Council that Ord. 2016-071 is appropriating additional monies for the road paving. She said the road paving has not been bid yet for most of the projects. She said SR43 and SR82 were ODOT projects and they handled the bidding. She said \$63,000 is being added to the Concrete Road Paving Program because it was taken out to repair the curbing on SR43 before the paving started. She said it was decided that an additional \$100,000 was needed in the fund after looking at the road conditions survey.

Councilman Remarks - Legislation

There were none

Legislation

Ordinance 2016-059

AN ORDINANCE AUTHORIZING THAT THE POSITION OF PLANNING AND ZONING INSPECTOR BE REINSTATED TO FULL-TIME WITH A SALARY RANGE OF \$33,949.00-\$70,000.00 AND DECLARING AN EMERGENCY IN ORDER TO KEEP UP WITH THE DEMANDS OF THE DIVISION OF PLANNING, ZONING AND BUILDING

MOTION: To adopt Ordinance 2016-059

Ms. Grandillo moved; Mr. Hatridge seconded. The motion carried on a 7-0 roll call vote.

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

NAYS: None

Ordinance 2016-060

AN ORDINANCE APPROVING A CONDITIONAL ZONING CERTIFICATE FOR A COMPARABLE USE FOR THE VACANT PROPERTY LOCATED AT AURORA COMMONS CIRCLE, SOUTHWEST OF PNC BANK, IN A C-3 PLANNED COMMUNITY SHOPPING CENTER ZONING DISTRICT

MOTION: To adopt Ordinance 2016-060

Mr. Hatridge moved; Ms. Grandillo seconded. The motion carried on a 7-0 roll call vote.

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

NAYS: None

ORDINANCE 2016-061

AN ORDINANCE APPROVING A CONDITIONAL ZONING CERTIFICATE FOR A PUBLIC OUTDOOR RECREATION FACILITY FOR THE PROPERTY LOCATED AT 325 TOWNLINE ROAD (HARTMAN PROPERTY) IN A R-1 RESIDENTIAL ZONING DISTRICT

MOTION: To adopt Ordinance 2016-061

Mr. Kovach moved; Mr. Wolf seconded. The motion carried on a 7-0 roll call vote.

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

NAYS: None

Ordinance 2016-065

AN ORDINANCE APPROVING AND ADOPTING THE TAX BUDGET OF THE CITY OF AURORA FOR THE CALENDAR YEAR 2017, AND DECLARING AN EMERGENCY AS THE BUDGET MUST BE ADOPTED BY JULY 15, 2016 IN ORDER TO COMPLY WITH OHIO REVISED CODE 5705.28

MOTION: To suspend Council's rule of not passing legislation on the same night as the public hearing

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

MOTION: To adopt Ordinance 2016-065

Mr. Kudley moved; Mr. Hatridge seconded. The motion carried on a 7-0 roll call vote.

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

NAYS: None

Ordinance 2016-067

AN ORDINANCE ACCEPTING THE QUOTATION AND RENEWING THE CONTRACT WITH VSP (VISION SERVICE PLAN) FOR THE ADMINISTRATION OF AN EMPLOYEE VISION INSURANCE PROGRAM FOR CITY OF AURORA EMPLOYEES FOR THE TIME PERIOD SEPTEMBER 1, 2016 THRU AUGUST 31, 2018

To third reading

Ordinance 2016-071

AN ORDINANCE APPROPRIATING \$163,000.00 FROM THE STREET CONSTRUCTION, MAINTENANCE AND REPAIR FUND (#40) FOR CONCRETE AND CURB REPAIR

To second reading

Ordinance 2016-072

AN ORDINANCE GRANTING A CONDITIONAL ZONING CERTIFICATE TO EAST PIONEER DEVELOPMENT LLC FOR A RESIDENTIAL CONSERVATION DEVELOPMENT LOCATED ON THE SOUTH SIDE OF EAST PIONEER TRAIL WEST OF PAGE ROAD, IN AN R2 ZONING DISTRICT

To second reading

Ordinance 2016-073

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE (1) YEAR CONTRACT, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR DISPATCHING SERVICES WITH THE VILLAGE OF HIRAM POLICE AND FIRE DEPARTMENTS AND DECLARING AN EMERGENCY IN ORDER TO PROVIDE ADEQUATE TIME TO INSTALL SOFTWARE, HIRE AND TRAIN DISPATCHERS, AND COORDINATE SERVICES

To second reading

Ordinance 2016-074

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE (1) YEAR CONTRACT, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR DISPATCHING SERVICES WITH THE VILLAGE OF GARRETTSVILLE FIRE DEPARTMENT AND DECLARING AN EMERGENCY IN ORDER TO PROVIDE ADEQUATE TIME TO INSTALL SOFTWARE, HIRE AND TRAIN DISPATCHERS, AND COORDINATE SERVICES

To second reading

Ordinance 2016-075

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE (1) YEAR CONTRACT, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR DISPATCHING SERVICES WITH COMMUNITY EMS AND DECLARING AN EMERGENCY IN ORDER TO PROVIDE ADEQUATE TIME TO INSTALL SOFTWARE, HIRE AND TRAIN DISPATCHERS, AND COORDINATE SERVICES

To second reading

Ordinance 2016-076

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 (**DREGER, HALL, TRITTO**)

MOTION: To suspend the rule requiring an ordinance to be read on three separate occasions
Mr. Wolf moved; Ms. Grandillo seconded. The motion carried on a unanimous voice vote

MOTION: To adopt Ordinance 2016-076

Mr. Kovach moved; Ms. Grandillo seconded. The motion carried on a 7-0 roll call vote.

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

Resolution 2016-077

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING 1.5-MILL TAX LEVY FOR THE PURPOSE OF THE PURCHASE OF AMBULANCE EQUIPMENT, OR THE PROVISION OF AMBULANCE, PARAMEDIC OR OTHER EMERGENCY MEDICAL SERVICES OPERATED BY A FIRE DEPARTMENT OR FIREFIGHTING COMPANY, AND REQUESTING THE PORTAGE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, PURSUANT TO SECTIONS 5705.19(I) AND 5705.191 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

MOTION: To suspend the rule requiring an ordinance to be read on three separate occasions
Mr. Wolf moved; Ms. Grandillo seconded. The motion carried on a unanimous voice vote

MOTION: To adopt Ordinance 2016-077
Mr. Vaca moved; Mr. Wolf seconded. The motion carried on a 7-0 roll call vote.

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

Mr. DePiero administered the oaths of office to Police Officers Antonio Tritto and Brandon Drager.

Citizens Comments

There were none

Councilman and Committee Remarks

Mr. Vaca thanked the Mayor for the work that has been done on the planters in Geauga Lake. He said initially he was against providing dispatching services to other communities but after he met with Chief Barnes and Chief Byard he is now comfortable giving his support to the ordinances.

Mr. Hatridge welcomed the new officers. He said he was at a wedding and he talked with three residents of the Aurora Shores area and they all were very appreciative of the city fixing Aurora Lake Road.

Ms. Grandillo wished everyone a very Happy July 4th.

Mr. Kovach said he attended the meeting with Mr. Vaca regarding the dispatching. He said he now feels it will work out very well. He welcomed the new officers.

Mr. Wolf commended Mr. Aultman and Mr. Kraus for the ground work that has been done. He also welcomed the new officers.

Mr. Kudley said he wanted to be on record as having really nothing to say.

Adjournment

MOTION: To adjourn
Mr. Vaca moved; Mr. Hatridge seconded. The motion carried on an 7-0 roll call vote.

AYES: Grandillo, Hatridge, Horvat, Kovach, Vaca, Wolf

NAYS: None

The meeting was adjourned at 7:43 p.m.

George Horvat, Council President

Donna Hawks, Clerk of Council