

**City of Aurora, Ohio**  
**CITY COUNCIL**  
**MEETING MINUTES**  
**January 22, 2018**

The Council of the City of Aurora, Ohio met in Council Chambers at City Hall on Monday, January 22, 2018 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  
                  George Horvat  
                  Dennis Kovach  
                  John Kudley, Jr.  
                  Amy McDougald  
                  James Vaca  
                  Scott Wolf

Absent:           Harold Hatridge

Also Present:   Ann Womer Benjamin, Mayor  
                  Dean DePiero, Law Director  
                  Denise Januska, Director of Planning, Zoning and Building  
                  Justin Czekaj, City Engineer  
                  Karen Aldredge, Chief of Staff  
                  Kris Allen, Executive Assistant to the Mayor  
                  Laura Holman, Director of Park and Recreation  
                  Jack Burge, Director of Economic and Entrepreneurial Development  
                  Brian Byard, Chief of Police  
                  David Barnes, Fire Chief  
                  Donna Hawks, Clerk of Council  
                  April Secura, Deputy Clerk of Council

**Consideration of Minutes**

**MOTION:       Approval of the January 8, 2018, Organizational Meeting minutes**

Mr. Kudley moved; Mr. Wolf seconded. The motion carried on an 8-0 roll call vote.

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

NAYS:           None

**MOTION:       Approval of the January 8, 2018, meeting minutes**

Mr. Kudley moved; Ms. Barner seconded. The motion carried on an 8-0 roll call vote.

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

NAYS:           None

**Public Hearing For: Ordinance 2017-178 from Planning Commission - AN ORDINANCE AMENDING CHAPTER 1110 "SITE DEVELOPMENT REGULATIONS" OF AURORA'S CODIFIED ORDINANCES AMENDING THE SUBMITTAL REQUIREMENTS FOR ALL TOPOGRAPHIC SITE PLANS**

Ms. Deb Conti, S. Chillicothe Road, Commented on Ordinance 2017-178 – she said the increase to submit a topography map from \$5,000 to \$10,000 is a large increase for small builders. She said she has no problem with the increases for inspections. She said she has a problem with the loss of the deposit if the builder did not complete the final grade. She said she appreciates that the City wants this done, but the loss is being passed on

to the buyer of the home. She asked if the City keeps the money because the final grade was not done, does that mean that the City is going to help make the final grade on the home.

Mr. Czekaj said the \$10,000 is a deposit that will be returned upon the completion of the final grade. He said experience has been that the residents need to be protected by increasing the fee and having a deadline. He said there have been builders that have come into the city and can take their time getting this done and it is a detriment to the residents, the stormwater codes and the character of the community we are trying to have. Mr. Czekaj said the deposit is not outside what other communities require.

Mr. James Pinter, Eggleston Road, commented on Ordinance 2017-178 – he said he built his house 30 years ago. He said he thinks Aurora has become Beachwood to the detriment of the residents that have lived here for 30 years. He said he thinks the intention was good, but it only serves the purpose of Pulte Homes and Ryan. He said it protects them but is not a good thing for standard, regular people. He said he has property in Aurora that he would like to build on but he thinks he will sell the property and move on because this is only beneficial to the big boys and not a good thing for someone like him. He said the City is pricing the normal, everyday guy, out of town.

Mr. DePiero said the City of Aurora is a most desirous place for people to live. He said the building of the home is not complete until the final grade is completed to ensure that other neighbors in the area are not going to be flooded out by the builder's faulty grade or non-grade. He said it part of the process and they must follow the ordinances. He said the only way do that is to make sure that there is an incentive to come back to complete the topo and the deposit is it. He said it is protecting the residents and protecting the integrity of the neighborhood. Mr. DePiero said there needs to be a way for the City to hold the people that filed to complete.

Mayor Womer Benjamin stated there are stormwater requirements imposed by the EPA and others that did not exist 30 years ago. She said some of the regulation fees and inspections are because of those requirements and stormwater is among them.

### **Mayor's Report**

(Attached)

Mayor Womer Benjamin said she would appreciate Council's support to amend and approve the 2018 Budget. She said the State of the City luncheon will be held on Wednesday, February 20, 2018 at 11:30 a.m. at the Bertram Inn and Conference Center. She said a water main and also a valve broke on E. Pioneer at Willard a week ago Saturday. She said she and Karen Aldredge kept the impacted residents informed through flyers and a reverse 911 call. She encouraged residents who have not yet signed up for Aurora's reverse 911 system to do so through the Police Department's website or by calling City Hall. She said it is one of the last remaining oldest waterlines in the city which is targeted to be replaced.

Ms. McDougald said she noticed in the amendments to the budget that the Treat Road/SR 43 traffic signal has been removed. She asked when it will be done.

Mayor Womer Benjamin explained she learned several weeks ago the City will be receiving federal funds for a very significant city wide signalization project. She said it is a major and expensive project and the City is fortunate the grant is to be finalized within a few days. She said the City was told they need to have at least half of the engineering for the project in the budget this year. She said the engineering is at the sole expense of the City and it is approximately \$600,000. She said it was more responsible to eliminate a project and to take funds out of connectivity for this. She said she is committed to doing a signal at the Treat Road intersection and if it can be done next year the City will do it.

Ms. Barner said she also is disappointed about the Treat Road traffic signal. She said she appreciates the Mayor being conservative with the budget. She said if there is money left over she would appreciate that a traffic signal at Treat Road becomes a priority as the residents in her Ward have indicated to her they feel one is needed at that intersection.

Mr. Vaca asked if the light at Treat Road was a part of the grant. Mayor wormer Benjamin explained the grant is to upgrade the existing system throughout the city it would not address the Treat Road signal.

Mr. Vaca asked if the grant included a flashing light in front of VCA on East Blvd. Mayor Womer Benjamin said several school lights were included and she thinks it is one of them.

Mr. Wolf thanked the Mayor and Ms. Aldredge for the quick response on the waterline break.

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

(Attached)

Mr. DePiero did not read his report.

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

(Attached)

**MOTION: To amend the agenda by adding Ordinances 2018-015 thru 2018-021**

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

#### **Citizens Comments - Legislation**

Ms. Deb Conti, S. Chillicothe Road, commented on Ord. 2017-177 – she said she appreciates receiving answers to her questions. She shared some of the information that she received from Ms. Davis. Ord. 2017-078 – she said she agrees that the final grade is important. She it is hard for the independent builder to compete with the big guy.

Mr. James Pinter, Eggleston Road, commented on Ord. 2017-178 – he said his mother in law lives next to the condo association at the Lakes of Aurora. He said the developer was granted a 25ft variance to the west because of the wetlands. He said this was closer to his mother-in-law's property and since construction was finished and the final grade was done by a developer her property is constantly wet and it never was before. He said that has never been corrected or fixed. He said this will hurt the independent guy and not the guys that are causing the problem.

Mr. George Mazzaro, Eldridge Road, commented on Ord. 2017-180 – he asked for the amount of the appropriation budget 2018. Ord. 2018-013 – he asked for someone to tell him the background on the legislation. He asked who is paying for all of it. Ord. 2018-014 – he asked if the road is going to be signed over to the City and what cost is there other than the repair.

Mr. Clymer commented on Ord. 2017-180 – he said the total appropriation budget is \$34,509,790.00 and it is decrease of \$191,678.00 over last year's original appropriations. He said the General Fund appropriations are \$16,263,290.00 which is an increase of \$147,476.00 over last year's appropriations of \$16,115,814.00.

Mr. DePiero commented on Ord. 2018-014 – he said Council passed legislation last year to accept dedication of Aurora Lake Road from a private owner. He said the agreement entails that the City after dedication will own the property and will be paid. He said the City has already been paid \$10,000.00 and as properties are developed along the Hawthorn area there is a payment made to the City. The estimated payment to the City if all the properties are developed is a little north of \$350,000.00. He said the City is being paid to take the road with the realization they will have to spend money to improve the road over time. He said in addition it will allow the City to go out for grant money to repair the road.

Mr. Sean O'driscoll, E. Pioneer Trail, commented on Ord. 2017-179 – he said it is his understanding Council has been approached about adding language to the Master Plan concerning the curve on Pioneer Trail around the 500 block. He said the only issue that could be brought up there is the speed that cars go around the curve. He said the responsibility of the curve lies with the individual following the posted

speed limits. He discussed to a complaint against the City in 2006 regarding development density. He said the 2003 Master Plan stated that the Master Plan was no longer a guide but intended to be document where zoning changes must occur in accordance with the City Charter. He said that point was well taken and the City settled out of court and now there is density in the area. He said the City must be careful what is put in the Master Plan so it is not used in such a way that it would be opposite of what they want the plan to say.

### **Councilman Remarks - Legislation**

Mr. Wolf stated that the Executive summary in this year's Master Plan goes back to it being a guide and not intended to be a binding document.

Mr. Vaca commented on Ord. 2017-178 – he asked about steel roofs and where are they permitted in the city. He asked about accessory buildings matching the house. He said not all accessory buildings are made of wood and can be painted.

Ms. Januska said they tried to clarify the metal roofs because previously they were not allowed. She said the accessory buildings that are less than 200 sq. ft. do not go to ABR. She said they would like it to match the residence but there is some discretion as to location, bushes and how it is hidden.

Mr. Vaca said he felt he was unfairly tagged that he had to put siding on his. He said it does not seem fair that the shed has to match the house.

Ms. Januska said when it is reviewed in house to make sure it meets setbacks they look at the landscaping and how it is sheltered on the parcel and screened on the parcel and its location to other areas.

Ms. Grandillo commented on Ord. 2017-178 – she said the \$10,000 is a deposit; if the developer gets the grading done they will get the money back. She said she does not think it is going after small builders.

Mr. Kudley commented on Ord. 2017-179 – he said Council will move to postpone as it is still being discussed at the Committee of the Whole.

Mr. Kudley commented on Ord. 2017-178 – he said what the City is trying to do is to make sure there is no flooding. He said this has come about as a result of the flooding the city has had and to prevent it from happening. He said the City wants make sure the builders are building the way it was engineered and before they walk away from the project that it is built according to the way it is supposed to be to prevent the problem. He said it is not designed to be a penalty on the builder it is to protect the homeowner.

Mr. Vaca commented on Ord. 2017-178 – he said several years ago he submitted a change of grade ordinance from Pepper Pike. He said this ordinance would have stopped people with lowlands from filling them in and pushing the water to the next property. He said this happens in the Geauga Lake Area. He said the City needs to look into a change of grade ordinance as it may be advantageous for them.

Mr. Wolf commented on Ord. 2017-177 – he asked what will be done about solar panels that are designed to look like shingles.

Ms. Januska replied that solar panels are addressed. She said they are supposed to be on the rear of the structure so they are not seen. She said as new technologies come out the guidelines can be updated periodically.

### **Legislation**

#### **Ordinance 2017-177**

AN ORDINANCE ADOPTING THE RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL GUIDELINES, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR THE ARCHITECTURAL BOARD OF REVIEW

**MOTION: To adopt Ordinance 2017-017**

Ms. Grandillo moved; Ms. Barner seconded. The motion carried on an 8-0 roll call vote.

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

NAYS: None

**Ordinance 2017-178**

AN ORDINANCE AMENDING CHAPTER 1110 "SITE DEVELOPMENT REGULATIONS" OF AURORA'S CODIFIED ORDINANCES AMENDING THE SUBMITTAL REQUIREMENTS FOR ALL TOPOGRAPHIC SITE PLANS

**MOTION: To suspend Council's rule of action being taken on legislation on the same night as the Public Hearing**

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

**MOTION: To adopt Ordinance 2017-0178**

Ms. Grandillo moved; Mr. Kudley seconded. The motion carried on an 8-0 roll call vote.

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

NAYS: None

**Ordinance 2017-179**

AN ORDINANCE APPROVING AND ADOPTING A MASTER PLAN FOR THE CITY OF AURORA

To third reading

**MOTION: To postpone Ordinance 2017-179**

Mr. Kudley moved; Mr. Wolf seconded. The motion carried on an 8-0 roll call vote.

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

NAYS: None

**Ordinance 2017-180**

AN ORDINANCE APPROVING AND ADOPTING THE ANNUAL BUDGET AND APPROPRIATIONS FOR CALENDAR YEAR 2018, AS SUBMITTED BY MAYOR ANN WOMER BENJAMIN, AND APPROPRIATING THE FUNDS NECESSITATED BY THE ADOPTION OF THAT BUDGET AND DECLARING AN EMERGENCY

**MOTION: To adopt Ordinance 2017-180**

Ms. Grandillo moved; Mr. Vaca seconded. The motion carried on a 7-0-1 roll call vote. Mr. Kudley abstained.

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

NAYS: None

ABSTAIN: Kudley

**Ordinance 2018-013**

AN ORDINANCE ACCEPTING FOR DEDICATION THE SANITARY SEWER EASEMENT LOCATED AT AURORA COMMONS CIRCLE FOR RECORDING AND DEDICATION AS A PUBLIC SANITARY SEWER LINE IN THE CITY OF AURORA

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

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

**MOTION: To adopt Ordinance 2018-013**

Mr. Vaca moved; Ms. McDougald seconded. The motion carried on an 8-0 roll call vote.

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

**Ordinance 2018-014**

AN ORDINANCE ACCEPTING FOR DEDICATION AURORA LAKE ROAD FOR RECORDING AS A PUBLIC STREET IN THE CITY OF AURORA

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

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

**MOTION: To adopt Ordinance 2018-014**

Mr. Kovach moved; Mr. Vaca seconded. The motion carried on an 8-0 roll call vote.

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

**Ordinance 2018-015**

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 NON-UNION EMPLOYEES**)

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

Mr. Vaca moved; Ms. Grandillo seconded. The motion carried on a 7-0-1 roll call vote. Mr. Kudley abstained.

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

**MOTION: To adopt Ordinance 2018-015**

Ms. Grandillo moved; Mr. Vaca seconded. The motion carried on a 7-0-1 roll call vote. Mr. Kudley abstained.

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

**Ordinance 2018-016**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2018 AMBULANCE FROM HORTON EMERGENCY VEHICLES IN THE AMOUNT OF \$218,248.25 WHICH IS THROUGH THE OHIO STATE TERM PRICING SCHEDULE (#STS233), TAKING THE NECESSARY FUNDS FROM THE FIRE PARAMEDIC LEVY FUND (#39) AND DECLARING AN EMERGENCY IN ORDER TO EXPEDITE THE PURCHASE OF AN EMERGENCY VEHICLE

To second Reading

**Ordinance 2018-017**

AN ORDINANCE APPROPRIATING \$2,935.00 FROM THE SEWER CAPITAL FUND (#73) FOR THE HAWTHORN PUMP STATION ELECTRICAL UPGRADE PROJECT

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

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

**MOTION: To adopt Ordinance 2018-017**

Ms. McDougald moved; Mr. Kovach seconded. The motion carried on an 8-0 roll call vote.

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

NAYS: None

**Ordinance 2018-018**

AN ORDINANCE ACCEPTING THE PROPOSAL OF, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH OHIO EDISON IN THE AMOUNT OF \$15,436.31 FOR THE HAWTHORN PUMP STATION UPGRADE PROJECT, APPROPRIATING THE NECESSARY FUNDS FROM THE SEWER CAPITAL FUND (#73) AND DECLARING AN EMERGENCY IN ORDER TO UPDATE THE ELECTRICAL NEEDS OF THE PUMP STATION

**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 2018-018**

Mr. Wolf moved; Ms. McDougald seconded. The motion carried on an 8-0 roll call vote.

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

NAYS: None

**Ordinance 2018-019**

AN ORDINANCE ACCEPTING THE WATER AND SANITARY SEWER LINES IN THE FOREST RIDGE PHASE I SUBDIVISION FOR RECORDING AS PUBLIC UTILITIES IN THE CITY OF AURORA

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

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

**MOTION: To adopt Ordinance 2018-019**

Mr. Vaca moved; Ms. McDougald seconded. The motion carried on an 8-0 roll call vote.

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

NAYS: None

**Ordinance 2018-020**

AN ORDINANCE SELECTING THE BID OF AND AWARDING A CONTRACT TO GARDINER AS THE BEST BID, REJECTING ALL OTHER BIDS, AUTHORIZING THE MAYOR TO ENTER INTO A ONE YEAR CONTRACT WITH GARDINER FOR THE 2018 MAINTENANCE OF HEATING AND COOLING SYSTEMS FOR CITY BUILDINGS IN THE AMOUNT OF \$26,980.00, AND HAVING THE OPTION TO RENEW THE CONTRACT FOR THE SECOND AND THIRD YEAR IN ACCORDANCE WITH THE ATTACHED BID AMOUNTS, TAKING THE NECESSARY FUNDS FROM THE GENERAL FUND (#01) AND DECLARING AN EMERGENCY TO ENSURE CONTINUITY IN SERVICE FOR THE MAINTENANCE OF HVAC SYSTEMS IN CITY BUILDINGS

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

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

**MOTOIN: To adopt Ordinance 2018-020**

Mr. Kovach moved; Mr. Vaca seconded. The motion carried on an 8-0 roll call vote.

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

NAYS: None

**Ordinance 2018-021**

AN ORDINANCE ACCEPTING THE PROPOSAL OF, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH HEJDUK-COX AND ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED \$11,427.00 TO PROVIDE ENGINEERING SERVICES FOR THE PAGE ROAD RETENTION POND OUTLET PIPE REPLACEMENT PROJECT, TAKING THE NECESSARY FUNDS FROM THE STORMWATER UTILITY FUND (#75) AND DECLARING AN EMERGENCY IN ORDER TO CONTINUE WITH THE DESIGN SO THAT THE PROJECT CAN MOVE TO THE CONSTRUCTION PHASE AS SOON AS POSSIBLE

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

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

**MOTION: To adopt Ordinance 2018-021**

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

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

NAYS: None

**Citizens Comments**

Mr. George Mazzaro, Eldridge Road, said there has been a lot of discussion on a maintenance code in the past. He said people need to know they can get help if they cannot afford to fix their house. You said you need to have people on the inspections that are tolerant.

**Councilman and Committee Remarks**

Ms. Barner said she agrees with Mr. Mazzaro and she will support putting together a maintenance code for the city. She indicated there is a tree limb on Barrington Blvd. from the storm and asked if it be removed.

Mr. Kudley said Liberty Ford and the interior group working with them approached the Historical Society for use of historical pictures of Geauga Lake inside the showman. He said the Historical Society has given permission for them to use five images. He said Liberty Ford is trying to help Aurora preserve part of their history.

**Adjournment****MOTION: To adjourn**

Mr. Vaca moved; Ms. Grandillo seconded. The motion carried on an 8-0 roll call vote.

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

NAYS: None

The meeting was adjourned at 8:00 p.m.

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George Horvat, Council President

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Donna Hawks, Clerk of Council