

City of Aurora, Ohio
CITY COUNCIL
MEETING MINUTES
January 27, 2020

The Council of the City of Aurora, Ohio met in Council Chambers at City Hall on Monday, January 27, 2020 the purpose, 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
 Dennis Kovach
 John Kudley, Jr.
 James Vaca
 Scott Wolf

Absent: Amy Eckard

Also Present: Ann Womer Benjamin, Mayor
 Dean DePiero, Law Director
 Tim Clymer, Finance Director
 Brian Byard, Police Chief
 Karen Pope, Director of Personnel/Chief of Staff
 Laura Holman, Director of Parks and Recreation
 Denise Januska, Director of Planning, Zoning and Building
 Harry Stark, Director of Public Services
 David Barnes, Fire Chief
 Donna Hawks, Clerk of Council
 Colleen Martin, Deputy Clerk of Council
 April Secura, Deputy Clerk of Council

Consideration of Minutes

MOTION: Approval of the January 13, 202, organization meeting minutes
Mr. Hatridge moved; Ms. Grandillo seconded. The motion carried on an 8-0 roll call vote.

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

MOTION: Approval of the January 13, 2020 regular meeting minutes
Mr. Vaca moved; Ms. Grandillo seconded. The motion carried on an 8-0 roll call vote.

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

Public Hearing for:

Ord. 2019-189 from Planning: AN ORDINANCE AMENDING CHAPTER 1177 "MIXED-USE DEVELOPMENT DISTRICT" OF AURORA'S CODIFIED ORDINANCES

Ord. 2019-190 from Planning: AN ORDINANCE ENACTING A NEW CHAPTER 1317 "PROPERTY MAINTENANCE STANDARDS" OF AURORA'S CODIFIED ORDINANCES

Ms. Deb Conti, S. Chillicothe Road said this is a civil issue between neighbors and not with the city. She said she would lose her rights as a property owner with this ordinance. She said she believes there is not a need for this as the city has existed without.

Mr. John Biggs, S. Chillicothe Road said he alarmed to see this back again. He said it is time to put a stake in the heart of this idea and kill it off once, and for all. He said he believes the maintenance code will make it open season for older people, seniors whose partners are gone, older homes, on social security and retired. He suggested focusing on rental homes that are not owner occupied and leave the single owner occupied homes alone. He said he sees a terrible expense to the taxpayers with this. He said it should be decided by the community as a whole as something to vote on. He said when voted on before, it was turned down. He said he does not know if the community wants it now and it is wrong to ignore the community.

Ord. 2019-191 from Planning: AN ORDINANCE ENACTING A NEW CHAPTER 1319 "RENTAL REGISTRATION" OF AURORA'S CODIFIED ORDINANCES

Ord. 2019-192 from Planning: AN ORDINANCE AMENDING CHAPTER 1321 "ARCHITECTURAL BOARD OF REVIEW" OF AURORA'S CODIFIED ORDINANCES

Ord. 2019-193 from Planning: AN ORDINANCE AMENDING SECTION 1329.01 "PERMITS AND FEES – FEE SCHEDULE" OF AURORA'S CODIFIED ORDINANCES

Ord. 2019-194 From Planning: AN ORDINANCE AMENDING CHAPTER 1305 "OHIO BUILDING CODE" AND CHAPTER 1325 "INSPECTION PROCEDURES" IN THE BUILDING CODE OF AURORA'S CODIFIED ORDINANCES

Mr. DePiero commented on Ord. 2019-190 – he said the Mayor, elected officials and staff make the policies. He said the Planning Commission and the City Council determine if they are good for the community. He said regarding abating a nuisance, you look at the cost and whether or not the city can recoup those costs. He said you look to see if there is equity in the home and then you could put a lien on the property after you abate the nuisance. He said also to recoup the money a civil law suit could be filed. Mr. DePiero said the maintenance code is not to hire enforce it; it will eliminate neighbors fighting with each other about painting their house; they can call the city intervene and help. Mr. DePiero stated that the maintenance code did not slip in through the back door. He said the Planning Commission discussed it for several months; there were public hearings and input at City Council meetings. He said if you compared the ordinance to those in other cities; you would find this one to be the least intrusive and has the least conditions on it. He said it tells homeowners to clean their yard, paint their house, keep the trash out of their yard and do not have a condition that drives down property values.

Ms. Grandillo submitted a letter to be part of the public hearing from Ms. Gina Ehart.

Cathy Morgan, Branch Manager, Aurora Memorial Library

Ms. Morgan discussed various programs the library has to offer.

Executive Session to Discuss Compensation of Public Employees

MOTION: That Council enter into executive session pursuant to Ohio Revised Code 121.22(G) (1) to discuss compensation of public employees

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

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

NAYS: None

Council entered into executive session at 7:19 p.m.

MOTION: To return to open session

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

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

NAYS: None

Council returned to open session at 7:31 p.m.

Mayor's Report

(Attached)

Mayor Womer Benjamin thanked Council for their consideration of the 2020 Budget. She said she would appreciate Council's approval this evening so that the city can get moving on the many projects that are ahead. She reminded everyone that the State of the City Luncheon is February 12, at 11:30 a.m.

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

Law Director's Report

(Attached)

Mr. DePiero did not read his report.

Mr. DePiero said his annual report should be ready for the next meeting.

Council President's Report

(Attached)

MOTION: To amend the agenda by adding Ordinance 2020-007 and 2020-008

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

Citizens Comments - Legislation

Ms. Deb Conti, S. Chillicothe Road, commented on Ord. 2019-214 – she asked what amount of money is budgeted for the properties that not discussed.

Mr. Clymer said the funds to maintain those properties are in the General Fund.

Councilman Remarks - Legislation

Mr. Wolf commented on Ord. 2019-109 – He said he looks at it the way that the State handles automobiles; there is a minimum standard for cars to be on the road and there should be a minimum standard in place for people taking care of their homes so they do not detract or detour from the value of other homes.

Mr. Vaca commented on Ord. 2019-109 – he said this is just simple maintenance. He said high grass is already on the books. He said this ordinance is so simple and easy to enforce. He said there are program that will assist people that may not be able to afford repairs. He said the ordinance is not against old people. Ord. 2019-091 – he asked how the city would know who owns what. He said you should not have to register homes where immediate family resides.

Mr. Hatridge commented on Ord. 2019-109- he said the city has contacts with organizations that can help residents on a fixed income. He said if this ordinance passes; periodically review it to make sure that all parts are still working.

Mr. Kovach commented on Ord. 2019-109 – he said there is no need to feel threatened by the ordinance.

Ms. Grandillo commented on Ord. 2019-109 – she said home owners association are thrilled with the ordinance and something on the books with more strength than their rules. She said organizations in the community are always looking for something to do to help people.

Ms. Barner commented on Ord. 2019-109 – she said the ordinances is overdue and so minimal will benefit and beautify the city even more so.

Mr. Vaca commented on Ord. 2019-214 – he asked if the overhead lights he proposed were in the budget. He said he thought there was not a dare program. He thinks there should be more money for the car show as they ran out of stickers. He said there is nothing for the fireworks. He said he discussed with the Mayor about a trail at Picnic Lake Park and there is nothing in the budget this year but he would like to see something in the 2021 budget in good faith. He asked why \$5,000.00 for the Deed House.

Mayor Womer Benjamin said the lights he proposed are not in the budget. She said she does her best but not everything everyone proposes is in the budget. She said she has money for the car show.

Mr. Clymer said the fireworks are coming out of the parks and recreation fund. He said there is not a project in place for Picnic Lake Park and that is why they are not plugging any funds now.

Mayor Womer Benjamin said there is exterior maintenance that needs to done at the Deed House.

Mr. Vaca said in the 2006 survey Squires Road they rated poor, and has been for a long time. He said it is time to reevaluate the streets in the survey and stick to it.

Mayor Womer Benjamin said they are planning to do Pennsylvania this year. She said they are holding off on Squires because of the development that will occur back there. She said Pioneer Trail has a lot of traffic and part of the waterline project repaving of that road. She said she has made it a practice to repave a road after they have dug up a waterline.

Mr. Kovach said he would take any leftover asphalt in Ward 2.

Mr. Stark said Squires is in bad shape and he does not recommend the city putting any money into it with the big development coming in. He said they would probably do a chip and seal to get through the next 3-4 years.

Legislation

Ordinance 2019-189

AN ORDINANCE AMENDING CHAPTER 1177 "MIXED-USE DEVELOPMENT DISTRICT" OF AURORA'S CODIFIED ORDINANCES

MOTION: To suspends Council's rule of not taking action on the same night of the public hearing

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

MOTION: To adopt Ordinance 2019-189

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

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

NAYS: None

Ordinance 2019-190

AN ORDINANCE ENACTING A NEW CHAPTER 1317 "PROPERTY MAINTENANCE STANDARDS" OF AURORA'S

CODIFIED ORDINANCES

MOTION: To postpone Ordinance 2019-190

Mr. Vaca moved; Mr. Hatridge seconded. The motion carried on a 6-2 roll call vote.

AYES: Barner, Hatridge, Horvat, Kovach, Kudley, Vaca

NAYS: Grandillo, Wolf

Ordinance 2019-191

AN ORDINANCE ENACTING A NEW CHAPTER 1319 "RENTAL REGISTRATION" OF AURORA'S CODIFIED ORDINANCES

MOTION: To postpone Ordinance 2019-191

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

Ordinance 2019-192

AN ORDINANCE AMENDING CHAPTER 1321 "ARCHITECTURAL BOARD OF REVIEW" OF AURORA'S CODIFIED ORDINANCES

MOTION: To Suspend Council's rule of not taking action on the same night as the public hearing

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

MOTION: To adopt Ordinance 2019-192

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

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

NAYS: None

Ordinance 2019-193

AN ORDINANCE AMENDING SECTION 1329.01 "PERMITS AND FEES - FEE SCHEDULE" OF AURORA'S CODIFIED ORDINANCES

MOTION: To Suspend Council's rule of not taking action on the same night as the public hearing

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

MOTION: To adopt Ordinance 2019-193

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

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

NAYS: None

Ordinance 2019-194

AN ORDINANCE AMENDING CHAPTER 1305 "OHIO BUILDING CODE" AND CHAPTER 1325 "INSPECTION PROCEDURES" IN THE BUILDING CODE OF AURORA'S CODIFIED ORDINANCES

MOTION: To Suspend Council's rule of not taking action on the same night as the public hearing

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

MOTION: To adopt Ordinance 2019-194

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

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

Ordinance 2019-214

AN ORDINANCE APPROVING AND ADOPTING THE ANNUAL BUDGET AND APPROPRIATIONS FOR CALENDAR YEAR 2020, AS SUBMITTED BY MAYOR ANN WOMER BENJAMIN, AND APPROPRIATING THE FUNDS NECESSITATED BY THE ADOPTION OF THAT BUDGET AND DECLARING AN EMERGENCY

Mr. Kudley stated for the record he is not opposed to the overall 2020 budget and appropriations. He said he is philosophical opposed to several items and would like to reiterate those. He said he does not believe charitable organizations like the Volunteers of America food bank should receive public funds. He said there are other organizations that may like to have public money to help them that are just as worthy. Therefore, he does not believe in spending public funds in that manor. He said he is opposed to the additional \$2,500 for fireworks and in-fact he is opposed to the \$17,500 for fireworks. He said he does not believe that public taxpayer money and blow it into the air. He believes that the city should go the route of public and private donations for them. He said city workers should not be plowing sidewalks I violation of our own city ordinances. He said in addition, the plowing that is taking place is selective in that the only the new sidewalks that are part of the connectivity program are being plowed while other neighborhood sidewalks remain the responsibility of the property owner.

Mr. Vaca said he is not happy with the city putting in sidewalks when they are already there. He said the homeowner should repair them. He said he agrees about the plowing. He said if the city is going to plow on SR 82 then they should plow SR 43 in Geauga Lake.

Mr. Wolf said he does not have a problem with the overall budget. He said he does have an issue with the charitable donation from the standpoint of the new director openly said in a newspaper article that they are looking to serve a wider population than Aurora. He said if the city is donating to an organization, they should be able to ensure that the people that are hungry in Aurora receive the help.

Mr. Horvat asked that the Mayor meet with the VOA to figure out a way to make sure the money stay in Aurora.

Mayor Womer Benjamin said that she would.

MOTION: To adopt Ordinance 2019-214

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

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

Ordinance 2020-004

AN ORDINANCE GRANTING A TAX ABATEMENT TO AUBURN LAND CO., LTD (ROBECK FLUID POWER CO.) FOR A 100%, 15 YEAR ABATEMENT OF REAL PROPERTY TAXES, IN ACCORDANCE WITH THE PROVISIONS OF THE CITY'S COMMUNITY REINVESTMENT AREA KNOWN AS CRA I AND DECLARING AN EMERGENCY IN ORDER TO FACILITATE THE CONSTRUCTION AS EARLY AS POSSIBLE

To third reading.

Ordinance 2020-005

AN ORDINANCE ACCEPTING FOR DEDICATION THE WATER LINES, SANITARY SEWER LINES, AND THE ROADWAY FOR BELJON LANE AND CARA COURT, WHICH ARE PART OF THE BELJON PHASE 1 SUBDIVISION AND DECLARING AN EMERGENCY IN ORDER FOR THE CITY TO BEGIN MAINTAINING THE

LINES AND THE ROADWAY

To second reading.

Ordinance 2020-006

AN ORDINANCE GRANTING A CONDITIONAL ZONING CERTIFICATE FOR A COMPARABLE USE TO PNRS, LLC/RAY SEUFFERT FOR A WINERY AND SPA, LOCATED AT 585 NORTH AURORA ROAD, IN THE PD PLANNED DEVELOPMENT DISTRICT

MOTION: To suspend the rule that requires an ordinance read on three separate occasions.

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

MOTION: To adopt Ordinance 2020-006

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

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

NAYS: None

Ordinance 2020-007

AN ORDINANCE APPROVING AN AMENDMENT TO THE CONTRACT FOR THE PROVISION OF LEGAL SERVICES, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, TO REFLECT A 1.25% INCREASE TO THE BASE SALARY OF THE LAW DIRECTOR FOR 2020, AND DECLARING AN EMERGENCY TO ENSURE THE CONTINUITY OF THE LAW DEPARTMENT PURSUANT TO ARTICLE VII OF THE CITY CHARTER

MOTION: To suspend the rule that requires an ordinance read on three separate occasions.

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

MOTION: To adopt Ordinance 2020-007

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

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

NAYS: None

Ordinance-2020-008

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 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 that requires an ordinance read on three separate occasions.

Mr. Hatridge moved; Ms. Grandillo seconded. The motion carried on a 6-0-2 roll call vote. Mr. Kudley and Mr. Vaca abstained.

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

NAYS: None

ABSTAIN: Kudley, Vaca

MOTION: To adopt Ordinance 2020-006

Ms. Grandillo moved; Mr. Wolf seconded. The motion carried on a 6-0-2 roll call vote. Mr. Kudley and Mr. Vaca abstained.

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

NAYS: None

ABSTAIN: Kudley, Vaca

Citizens Comments

Ms. Deb Conti, S. Chillicothe Road, thanked Council for postponing and following the rules on two pieces of legislation. She said she appreciates the response to the budget, but there is not a line item in the General Fund for the maintenance of other properties.

Council member and Committee Remarks

Mr. Vaca thanked the Service Director for his comments on Squires Road. He said he would appreciate the chip and seal. He said he thinks the Mayor is doing the right thing paving Pioneer Trail.

Ms. Barner said the Heinen's parking lot is in terrible condition; and that she understands that it is private property but it needs repair.

Mr. Horvat reminded Council if they wish to make amendments to the Council Rules, please submit them to Ms. Hawks before the next meeting.

Liquor License Notice – Erawan Thai Kitchen, Inc.

There were no concerns.

Adjournment

MOTION: To adjourn

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

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

NAYS: None

The meeting adjourned at 8:23 p.m.

George Horvat, Council President

Donna Hawks, Clerk of Council