

**City of Aurora, Ohio**  
**CITY COUNCIL**  
**MEETING MINUTES**  
**February 12, 2018**

The Council of the City of Aurora, Ohio met in Council Chambers at City Hall on Monday, February 12, 2018 for the purpose of holding a regular public meeting. Council Vice President Dennis Kovach 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  
                  Dennis Kovach  
                  John Kudley, Jr.  
                  Amy McDougald  
                  James Vaca  
                  Scott Wolf

Absent:           George Horvat

Also Present:   Ann Womer Benjamin, Mayor  
                  Dean DePiero, Law Director  
                  Denise Januska, Director of Planning, Zoning and Building  
                  Kris Allen, Executive Assistant to the Mayor  
                  Laura Holman, Director of Parks 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 22, 2018, meeting minutes**

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

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

**MOTION:       Pursuant to Ohio Revised Code 121.22(G)(1) that Aurora City Council adjourn to executive session to discuss the appointment of public employees**

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

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

**MOTION:       Pursuant to Ohio Revised Code 121.22(G)(3) that Aurora City Council adjourn to executive session to discuss imminent litigation.**

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

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

**MOTION:       Pursuant to Ohio Revised Code 121.22(G)(4) that Aurora City Council adjourn to**

**executive session to discuss union negotiations with fire, service and clerical unions.**

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

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

Council entered into executive session at 7:04 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, Kovach, Kudley, McDougald, Vaca, Wolf  
NAYS: None

Council returned to open session at 7:39 p.m.

**Mayor's Report**

(Attached)

Mayor Womer Benjamin thanked Mr. Frisbee, Ms. Aldredge and the Service Department for doing a great job keeping the roads cleared this winter. She explained depending on when the snow begins and the rate of accumulation, clearing the roads can be difficult in time for the morning commute. She said last week the city experienced a salt shortage, but 430 tons will be delivered on Friday. She reminded everyone the State of the City Luncheon is Wednesday, February 28, at 11:30 p.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 he would be happy to answer any question regarding his Law Director's Report and his Annual Report that was distributed.

**Council President's Report**

(Attached)

**MOTION: To amend the agenda by adding Ordinances 2018-024 thru 2018-032 from Committee of the Whole and Ordinances 2018-033 and 2018-034 from the Executive Session**

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. 2018-024 – she said she always likes to know the age of the equipment that is being replaced. Ord. 2018-025 – she said the Fire Department is great in Aurora and she is glad they are asking for the cot loading system. Ord. 2018-028 – 2018-030 – she said Ms. Holman was wonderful to explain to her the replacement program.

**Councilman Remarks - Legislation**

There were none.

**Legislation****Ordinance 2017-179**

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

Remain on third reading

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

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

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

NAYS: None

**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

**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 2018-016**

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

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

NAYS: None

**Ordinance 2018-022**

AN ORDINANCE AMENDING THE 2018 ANNUAL BUDGET BY ADOPTING THE PROPOSED BUDGET CHANGES AS INDICATED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN, AND DECLARING AN EMERGENCY

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

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

Mr. Kudley explained years ago an entire Saturday was spent going through the budget and it was unbearable. He said the Mayor has done a good job with her summary and proposing the budget. He said he and Mr. Horvat received a lot of questions from fellow Councilmen about parts of the budget that were approved. He suggested next year the process begins at the Committee of the Whole to review the budget like what was done with the Master Plan and spend at least one meeting where the Department Heads share the highlights of their part of the budget along with the Mayor. He said then Council will have an opportunity to ask questions and get a good feel for what is actually in the budget.

**MOTION: To adopt Ordinance 2018-022**

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

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

NAYS: None

**Ordinance 2018-023**

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF MS. LILA WEBSTER TO AURORA'S BOARD OF BUILDING CODE APPEALS FOR THE TERM ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY, AS COUNCIL DESIRES TO CONFIRM THIS APPOINTMENT AT THE EARLIEST POSSIBLE OPPORTUNITY TO ENSURE THE CONTINUITY OF THE BOARD OF BUILDING CODE APPEALS IN ACCORDANCE WITH CHAPTER 173 OF THE CODIFIED ORDINANCES OF THE CITY OF AURORA

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

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

**MOTION: To adopt Ordinance 2018-023**

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

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

NAYS: None

**Ordinance 2018-024**

AN ORDINANCE AUTHORIZING THE PURCHASE OF (3) 2018 FORD EXPLORER POLICE INTERCEPTORS FROM LEBANON FORD, AT A COST OF \$86,232.00, LESS THE TRADE IN ALLOWANCE OF \$14,000.00 FOR (1) 2009 CROWN VICTORIA, (1) 2013 FORD POLICE INTERCEPTOR SEDAN, AND (1) 2014 FORD POLICE INTERCEPTOR SEDAN CURRENTLY OWNED BY THE CITY, FOR A NET COST OF \$72,322.00, TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (#60) AND DECLARING AN EMERGENCY IN ORDER TO HOLD PRICING

To second reading

**Ordinance 2018-025**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A COT LOADING SYSTEM FROM STRYKER EMS EQUIPMENT IN THE AMOUNT OF \$26,282.00, TAKING THE NECESSARY FUNDS FROM THE FIRE PARAMEDIC LEVY FUND (#39) AND DECLARING AN EMERGENCY IN ORDER TO EXPEDITE THE PURCHASE OF EMERGENCY EQUIPMENT TO INSTALL IN THE NEW AMBULANCE THAT IS CURRENTLY BEING MANUFACTURED

To second reading

**Ordinance 2018-026**

AN ORDINANCE APPROVING THE DONATION OF (27) USED 2003 SELF-CONTAINED BREATHING APPARATUS ("SCBA") TO THE FOLLOWING AGENCIES: (8) TO EDINBURG TOWNSHIP FIRE DEPARTMENT, (4) TO PALMYRA TOWNSHIP FIRE DEPARTMENT, AND (15) TO THE UNIVERSITY OF AKRON FIREFIGHTER TRAINING PROGRAM AND DECLARING AN EMERGENCY TO PERMIT A TIMELY TRANSFER OF SAFETY EQUIPMENT

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

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

**MOTION: To adopt Ordinance 2018-026**

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

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

NAYS: None

**Ordinance 2018-027**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH JEFFERY SKAPIN, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, TO PROVIDE PLAN REVIEW SERVICES TO THE DIVISION OF PLANNING, ZONING AND BUILDING, TAKING THE NECESSARY FUNDS FROM THE GENERAL FUND (#01) AND DECLARING AN EMERGENCY TO ENSURE THE CONTINUITY OF COMMERCIAL PLAN REVIEW FOR THE CITY

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

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

**MOTION: To adopt Ordinance 2018-027**

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

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

**Ordinance 2018-028**

AN ORDINANCE ACCEPTING THE PROPOSAL OF, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH, CHAGRIN PET, AARDEN & POWER EQUIPMENT SUPPLY INC. IN THE AMOUNT OF \$11,999.00 FOR THE PURCHASE OF A DEERE AND COMPANY 625I GATOR UTILITY VEHICLE, TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (#60), AND DECLARING AN EMERGENCY SO THE EQUIPMENT CAN BE READY TO USE BY THE SUMMER SEASON

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

**MOTION: To adopt Ordinance 2018-028**

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

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

**Ordinance 2018-029**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2018 DODGE 3500 CREW TRADESMAN TRUCK FROM GANLEY CHRYSLER AURORA FOR USE BY THE DIVISION OF PARKS AND RECREATION, AT A COST OF \$31,800.50 THROUGH THE STATE BID LIST, TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (#60) AND DECLARING AN EMERGENCY IN ORDER TO TAKE POSSESSION OF THE TRUCK PRIOR TO THE SUMMER SEASON

**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 2018-029**

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

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

**Ordinance 2018-030**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 9' GALION 103U DUMP BODY FROM CENWELD CORP., IN THE AMOUNT OF \$10,895.00, WHICH IS THROUGH THE STATE TERM SCHEDULE, TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (#60) AND DECLARING AN EMERGENCY IN ORDER TO HAVE THE EQUIPMENT AVAILABLE FOR USE IN THE SPRING

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

**MOTION: To adopt Ordinance 2018-030**

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

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

**Ordinance 2018-031**

AN ORDINANCE AUTHORIZING THE MAYOR TO RETAIN THE LEGAL SERVICES OF FISHER & PHILLIPS LLP PURSUANT TO THE TERMS SET FORTH IN THE ATTACHED ENGAGEMENT LETTER AND DECLARING

AN EMERGENCY TO ENSURE THERE IS NO DELAY IN LEGAL REPRESENTATION

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

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

**MOTION: To adopt Ordinance 2018-031**

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

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

NAYS: None

**Ordinance 2018-032**

AN ORDINANCE APPROVING AN EMPLOYMENT CONTRACT, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, WITH JACK BURGE, DIRECTOR OF ECONOMIC DEVELOPMENT AND ENTREPRENEUR IN RESIDENCE FOR THE CITY OF AURORA AND DECLARING AN EMERGENCY TO ENSURE THE CONTINUED ECONOMIC DEVELOPMENT IN THE CITY OF AURORA

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

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

**MOTION: To adopt Ordinance 2018-032**

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

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

NAYS: None

**Ordinance 2018-033**

AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF MR. HARRY STARK AS DIRECTOR OF PUBLIC SERVICES, WITH AN ANNUAL SALARY OF \$110,000.00, EFFECTIVE FEBRUARY 26, 2018 FOR A TERM ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY TO ENSURE THE CONTINUITY OF THE DEPARTMENT OF PUBLIC SERVICES PURSUANT TO ARTICLE IX OF THE CHARTER OF THE CITY OF AURORA

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

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

**MOTION: To adopt Ordinance 2018-033**

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

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

NAYS: None

**Ordinance 2018-034**

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 (**STARK**)

**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 2018-034**

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

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

### **Citizens Comments**

There were none.

### **Councilman and Committee Remarks**

Mr. Hatridge commended Mr. Burge on doing a fantastic job. He welcomed Mr. Stark to the City. He said he is very impressed with Mr. Stark's credentials, professionalism and knowledge.

Mr. Vaca said he received a call from a resident in reference to the water system. He said if a house is vacant, there is no water coming into it, no sewer coming out of it and it is shut off at the street there should be a cost to the owner. He said he does not like the current policy the City has. He said he does not object to a cutoff fee or a turn on fee; but when a house is vacant he does not see why they should be charged water and sewer. He would like the Administration to consider what he has said. Mr. Vaca commented on the bright lights from Liberty Ford. He said he hopes there will not be any complaints from the residents living closer to them.

Mayor Womer Benjamin stated there is a minimum cost Council has set in the ordinances for water and sewer because of the fact equipment is still there; infrastructure is still there and personnel are there and it all entails expense on the part of the City. She said with the new Service Director we can revisit the issue. She said it is more complicated than someone being absent from their home or a property being vacant for some time.

Mr. Wolf said if a home is in foreclosure the bank has the water shut off they are still incurring that cost. He said if the city does not enforce it across the board the banks will come back and say they do not want to pay those fees as well. He said Council set that; that is the minimum and the workers are in place processing the water regardless if it is being used or not.

Mr. Vaca stated he would prefer a fee being charged to shut the water off and to turn it back on. He said he cannot see charging a person when they are not getting anything out of it. He said he hopes the Mayor will revisit the matter as he feels it is necessary.

**MOTION: Aurora City Council authorize the Law Director to join in an appropriate class action law suit as a class member in connection with what is known as the Opiate crisis in Portage County in the State of Ohio**

Mr. Kudley moved; Mr. Wolf seconded. The motion carried on a majority voice vote. Ms. Barner abstained.

### **Adjournment**

**MOTION: To adjourn**

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

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

The meeting was adjourned at 8:11 p.m.