

City of Aurora, Ohio
CITY COUNCIL
MEETING MINUTES
April 8, 2019

The Council of the City of Aurora, Ohio met in Council Chambers at City Hall on Monday, April 8, 2019 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
John Kudley, Jr.
Amy McDougald Eckard
James Vaca
Scott Wolf

Absent: Dennis Kovach

Also Present: Ann Womer Benjamin, Mayor
Dean DePiero, Law Director
Tim Clymer, Finance Director
Kris Allen, Executive Assistant to the Mayor
Laura Holman, Director of Parks and Recreation
Jack Burge, Director of Economic and Entrepreneurial Development
Brian Byard, Police Chief
Denise Januska, Director of Planning, Zoning and Building
Harry Stark, Director of Public Services
Brian Byard, Police Chief
Colleen Martin, Deputy Clerk of Council
April Secura, Deputy Clerk of Council

Consideration of Minutes

MOTION: Approval of the March 25, 2019 meeting minutes

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

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

Executive Session for Imminent Litigation

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, Horvat, Hatridge, Kudley, Eckard, Vaca, Wolf
NAYS: None

Council entered into executive session at 7:02 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, Horvat, Hatridge, Kudley, Eckard, Vaca, Wolf

NAYS: None

Council returned to open session at 7:10 p.m.

Mayor's Report

(Attached)

Mayor Womer Benjamin said Aurora is celebrating its 2020 Birthday this year. She said there was an article in the Plain Dealer yesterday. She said there are custom banners hanging in the Historic District. She said she is working with the Aurora Historical Society, Rotary Club and the Chamber of Commerce to help with celebrating this milestone. She said ideas for the celebration, can be provided to her or to the Parks and Recreation Department. She said the Service Department is preparing the area for the Chelmsford Road Culvert Project. She said the Treat Road traffic signal might take a while yet. She said the City has been trying to obtain an easement for one of the poles from Anna Maria. She said the Federal Government is involved. She said both HUD and Anna Maria are in favor of the project. She said it would go out for bid once the City gets the easement. She said Fill a Bag Feed a Family is the week of April 13 – April 20. She said it is Aurora's fifth year for the event. She said volunteers drop off bags on Saturday, April 13 and collect them on Saturday, April 20. She said to fill bags with nonperishable non-expired food items, paper products, and detergents; also, you can donate cash to the Food Pantry at the Aurora Volunteers of America location.

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

Mr. Vaca asked if there is a way to let people know what is happening in the Geauga Lake Area.

Mayor Womer Benjamin said an appropriate answer would be the City does not own the property. She said they are working closely with the owner of the property regarding marketing and selling options. She said the InSite consultant is actively connect the Administration with people and is always in contact with Cedar Fair about options. She said the Bainbridge Trustees have not gotten back with the City since May of 2017 when the City thought they had a JED deal. She said she would not let that stop them and will protect Aurora and do what we can for Aurora. She said there is potential for something on the Aurora side that is in discussion stages. She said the City negotiated to provide water and sewer with the new business that have gone in, in Bainbridge.

Mr. Vaca asked if Bainbridge has adopted multi-use zoning.

Mayor Womer Benjamin said yes they adopted a mixed-use type of zoning.

Ms. Barner thanked the Mayor for addressing the traffic signal at Treat Road. She said she has received complaints about dirt on the road.

Ms. Eckard asked the Mayor which homes she visited.

Mayor Womer Benjamin said she visited Ray Harmon house; it is in need of repairs before renting. She said they went through the Margaret Harmon house. She said Parks and Rec. is currently using the house but, there are thing there she would like to see happen. She said she went the Springhill house, the exterior issues to address.

Mr. Kudley asked that in absence of the JED, could Cedar Fair sell the property to individuals and negotiate for water.

Mayor Womer Benjamin said the City has offered to do that, but there are now issues beyond just that. She said the City has made it clear they would work with individual businesses interested in going in on the Bainbridge side.

Mr. Kudley said it is his understanding that any income tax derived on the City's part that would have been from the JED is not that significant compared to what it would be if the City sold sewer and water directly to anyone that would be the property.

Mayor Womer Benjamin said that is not necessarily true. She said the Administration worked out what they thought to be a reasonable split on the income taxes. She said it thought that a variety of businesses would generate taxes. She said it worked out what the City expected regarding utilities and there was provision to charge a premium to non-Aurora customers. She said it was a favorable agreement to both sides.

Mr. Kudley said it is important that the citizens understand that the holdup is on the side of the Bainbridge trustees and not the City.

Mayor Womer Benjamin said she thinks it is fair at some point in the explanation to blame Bainbridge; but it is very important to her to protect Aurora's interest notwithstanding Bainbridge; and that is what she has been seeking to do.

Mr. Vaca said he believes that the City of Aurora is the sole proprietor of all of the water and the sewer in that area.

Mayor Womer Benjamin said she believes Solon provides water to the very northern section. She said there is a JED they have with Solon. She said it is her understanding that Bainbridge looked to Solon to do a JED and they were not interested in working with Bainbridge.

He said the only reason they had a JED with Solon, is because that particular development did not have enough greenspace. He said it is his understanding that Aurora had all of the utilities.

Mayor Womer Benjamin said the City might have the infrastructure and the ability to provide the infrastructure for utilities to Bainbridge as businesses develop there; but are not providing them gratuitously. She said the City is negotiating with each business and the Law Director draws up an agreement telling them what is expected.

Law Director's Report

(Attached)

Mr. DePiero did not read his report.

Mr. Horvat asked the status of the Service Union negotiations.

Mr. DePiero said things are status quo and there was further discussions with the mediator that he met with back in February. He said he hopes to have an update at the next meeting.

Council President's Report

(Attached)

MOTION: To amend the agenda by adding Ordinance 2019-049 and 2019-050

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

Citizens Comments – Legislation

Ms. Deb Conti, S. Chillicothe Road, commented on Ord. 2019-050 – she asked for more detail.

Councilman Remarks – Legislation

Mr. Vaca said he would abstain on Ord. 2019-049.

Legislation**Ordinance 2019-028**

AN ORDINANCE ACCEPTING AN EASEMENT, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FROM PROGRESSIVE AURORA REAL ESTATE, LLC FOR THE PURPOSE OF CONSTRUCTING A PORTION OF A SIDEWALK IN ACCORDANCE WITH THE CITY'S CONNECTIVITY PLAN

MOTION: To adopt Ordinance 2019-028

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

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

NAYS: None

Ordinance 2019-029

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2019 FORD F-150 FROM LIBERTY FORD FOR USE BY THE SERVICE DEPARTMENT, AT A COST OF \$31,773.62, LESS THE TRADE IN ALLOWANCE OF \$2,500.00 FOR (1) 2008 TRUCK CURRENTLY OWNED BY THE CITY, FOR A NET COST OF \$29,273.62, TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (#60) AND DECLARING AN EMERGENCY IN ORDER TO PURCHASE THE VEHICLE AS SOON AS POSSIBLE AS DELIVERY USUALLY TAKES 6 WEEKS

MOTION: To adopt Ordinance 2019-029

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

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

NAYS: None

Ordinance 2019-030

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2019 FORD F-350 FROM LIBERTY FORD FOR USE BY THE SERVICE DEPARTMENT, AT A COST OF \$35,271.74, LESS THE TRADE IN ALLOWANCE OF \$2,500.00 FOR (1) TRUCK CURRENTLY OWNED BY THE CITY, FOR A NET COST OF \$32,771.74, TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (#72) AND DECLARING AN EMERGENCY IN ORDER TO PURCHASE THE VEHICLE AS SOON AS POSSIBLE AS DELIVERY USUALLY TAKES 6 WEEKS

MOTION: To adopt Ordinance 2019-030

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

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

NAYS: None

Ordinance 2019-033

AN ORDINANCE ACCEPTING THE PROPOSAL OF, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH AMERICAN FIREWORKS IN THE AMOUNT OF \$20,000.00 TO PERFORM THE CITY'S JULY 4TH FIREWORKS PROGRAM, TAKING THE NECESSARY FUNDS FROM THE RECREATION FUND (#78)

MOTION: To adopt Ordinance 2019-033

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

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

Resolution 2019-046

A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF MR. FRANK VITALE AS A MEMBER OF THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY "PARTA" BOARD OF TRUSTEES FOR THE TERM ENDING JUNE 30, 2022

To second reading.

Ordinance 2019-047

AN ORDINANCE DECLARING AS SURPLUS AND UNNECESSARY CERTAIN PROPERTY, LISTED ON THE ATTACHED EXHIBIT, WHICH IS NOT REQUIRED FOR THE OPERATION OF THE CITY, AUTHORIZING THE MAYOR TO ADVERTISE THESE ITEMS OF PROPERTY FOR SALE VIA ONLINE AUCTION ON THE GROUNDS THAT THEY ARE SURPLUS, OBSOLETE, UNNECESSARY, AND OTHERWISE NOT REQUIRED FOR THE OPERATION OF THE CITY AND DECLARING AN EMERGENCY

To second reading.

Ordinance 2019-048

AN ORDINANCE APPROVING THE RENEWAL APPLICATION FOR THE PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT FILED BY EMILIO M. AND FRANCES L. CARBONE FOR THEIR PROPERTY LOCATED AT 930 EGGLESTON ROAD

To second reading.

MOTION: To schedule a public hearing for Monday, April 22, 2019 at 7:00 p.m.

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

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

Ordinance 2019-049

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 **(SEASONAL PARKS AND REPLACEMENT BUS DRIVER)**

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

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

MOTION: To adopt Ordinance 2019-049

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

AYES: Barner, Grandillo, Horvat, Hatridge, Kudley, Eckard, Vaca
NAYS: None
ABSTAIN: Vaca

Ordinance 2019-050

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MUTUAL SETTLEMENT AND RELEASE, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, WITH MERITECH, APPROPRIATING \$15,000.00 FROM THE GENERAL FUND (#01) AND DECLARING AN EMERGENCY TO FINALIZE THIS MATTER AND AVOID LITIGATION

MOTION: To suspend the rule that requires an ordinance be read on three separate occasions
Ms. Grandillo moved; Ms. Barner seconded. The motion carried on a unanimous voice vote.

Mr. DePiero explained this the result of the hiring a former consultant of the City. He said the IT needs have increased significantly and Council at the request of the Mayor has made a major investment to move the City in that direction. He said the City negotiated with Meritech to hire the individual and this is merely a buyout of the no hire clause that was in the contract.

MOTION: To adopt Ordinance 2019-050
Ms. Grandillo moved; Ms. Barner seconded. The motion carried on an 8-0 roll call vote.

AYES: Barner, Grandillo, Horvat, Hatridge, Kudley, Eckard, Vaca

NAYS: None

Citizens Comments

Ms. Deb Conti, S. Chillicothe Road, said she is seeing wacky situations with drivers in front of City Hall. She described a recent situation she witnessed. She said she sees at least two near misses a week. She said the signage is a little confusing, and she asked, that, that looked at. She wished everyone a Happy Easter.

Council member and Committee Remarks

Mr. Vaca asked when the widening project would start at Pioneer intersection.

Mr. Stark said June 1. He said they wanted to wait until school was out. He said included in the contract the completion date is by July 4.

Ms. Eckard wished everyone a happy Easter.

Ms. Barner said reminded residents of the leash law. She asked if there are any updates on the old location at Starbucks.

Mayor Womer Benjamin said the owner of the plaza is actively working to fill the vacancies. She said regarding to DiCiello's, the owner of the shopping center might divide the space.

Mr. Wolf commented on the sports complex on Townline Road. He thanked Ms. Holman for getting it up and running. He said he has received compliments for many residents.

Mr. Hatridge asked if there are plans for additional paths at Spring Hill.

Ms. Holman said at this time they are in the evaluation process of all the parks and properties. She said she would keep Council posted.

He asked if you need a license to fish on the Spring Hill property.

Ms. Holman said she said under 12 does not need a license. She said the forms are available in her department.

Ms. Grandillo wished everyone a happy Easter.

Adjournment

MOTION: To adjourn

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

AYES: Barner, Grandillo, Hatridge, Horvat, Kudley, McDougald Eckard, Vaca

NAYS: None

The meeting adjourned at 7:429 p.m.

George Horvat, Council President

Donna Hawks, Clerk of Council