

**City of Aurora, Ohio
CITY COUNCIL
MEETING MINUTES
January 11, 2021**

The Council of the City of Aurora, Ohio met via Zoom on Monday, January 11, 2021, to hold a regular public meeting. Council President George Horvat called the meeting to order at 7:09 p.m. with the Pledge to the Flag of the United States of America.

ROLL CALL

Present: Reva Barner
Peter French
Kathi Grandillo
Harold Hatridge
George Horvat
Dennis Kovach
John Kudley, Jr.
James Vaca
Scott Wolf

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

Consideration of Minutes

MOTION: Approval of the December 14, 2020 regular meeting minutes
Ms. Grandillo moved; Mr. Wolf seconded. The motion carried on a 9-0 roll call vote.

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

Executive Session to Discuss Sale of Property

MOTION: Pursuant to Ohio Revised Code 121.22(g) (2), that Council convene to an executive session to discuss the sale of property
Mr. Kudley moved; Mr. Vaca seconded. The motion carried on a 9-0 roll call vote.

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

Council entered into executive session at 7:08 p.m.

MOTION: To return to open session

Mr. Kudley moved; Mr. Vaca seconded. The motion carried on a 9-0 roll call vote.

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

Mayor's Report

(Attached)

Mayor Womer Benjamin said Ordinance-2020-187 is on second reading and asked that those on Council with questions call her. She said that there are red and green signs regarding First Energy to direct the traffic. She said her office is working with the Chamber of Commerce to modify the State of the City that will follow COVID-19 protocols. She said COVID vaccines should be available soon for those 80 and older. She said to continue to check the City's website and the Portage County Department of Health website for further information. She wished everyone a happy 2021 and looks forward to the work ahead. She addressed the event that occurred in Washington on January 6.

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.

Council President's Report

(Attached)

MOTION: To amend the agenda by adding Ordinances 2021-002 thru 2021-4 from the Committee of the Whole and Ordinances 2021-005 thru 2021-007 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 Rd. – Commented on Ordinance-2020-187 – she asked what line item she would find the budget for Recreation budget. She asked if there was a specific line item for the park on East Blvd.

Councilman Remarks – Legislation

Mr. Vaca commented on Ordinance 2020-187 – he asked for consideration to pave half of East Blvd. this year and the other half next year. He asked for additional personnel for the Service Department to keep up with snow plowing. He said the city is getting bigger and suggested another vehicle for plowing as well.

Mr. Kovach said he agrees with Mr. Vaca. He said he would also like money in the budget for work on Winchell Road.

Legislation**Ordinance 2020-171**

AN ORDINANCE ACCEPTING THE APPLICATION OF HERITAGE CAPITAL CORP. TO REZONE APPROXIMATELY 16.4 ACRES OF LAND LOCATED AT 600 NORTH AURORA ROAD FROM I-1: MANUFACTURING, PROCESSING AND WHOLESALING DISTRICT TO M-1: MIXED-USE DEVELOPMENT DISTRICT, AND REFERRING THE SAME TO THE VOTERS OF THE CITY OF AURORA, AS IS REQUIRED BY SECTION 13.04 OF THE CITY OF AURORA CHARTER

To third reading

Ordinance 2020-187

AN ORDINANCE APPROVING AND ADOPTING THE ANNUAL BUDGET AND APPROPRIATIONS FOR CALENDAR YEAR 2021, AS SUBMITTED BY MAYOR ANN WOMER BENJAMIN, AND APPROPRIATING THE FUNDS NECESSITATED BY THE ADOPTION OF THAT BUDGET AND DECLARING AN EMERGENCY

To third reading.

Mr. Clymer stated that for the park on East Blvd. there is no standalone item. He said the Parks and Recreation Department is on pages 180 thru 201. Mr. Clymer said he would send her the information.

Mayor Womer Benjamin said the streets to pave has not be finalized. She said they discussed options roads such as East Blvd. She said they reduced paving budget this year. Mayor Womer Benjamin said there are no plans to add personnel this year.

Mr. Vaca emphasized the need for the road repairs in Geauga Lake and additional staff and asked that they reconsidered adding it in the budget.

Mr. Kudley asked if the funds included in the budget for library flooring includes the lower level, upper lobby and elevator.

Mayor Womer Benjamin said they discussed the lower level but she is not certain what is available for the upper level.

Mr. Stark replied they have looked at the interior floors and he will see what all can be done with the budgeted amount.

Mr. Kudley stated there are loose tiles in the upper lobby and main entrance. He suggested doing all of the floors. He suggested getting the work done in the early part of the year prior to the traffic coming back in.

Mr. Stark said he hopes to have it done this winter.

Mr. Kudley said he does not see funds allocated for the Mennonite Cemetery and asked if the funds proposed for perpetual care include the Mennonite Cemetery.

Mayor Womer Benjamin said it is her belief the money was primarily for the Aurora Cemetery but she will look into including the Mennonite Cemetery.

Mr. Kudley asked that funds be included in the budget before approval.

Mr. Kudley said regarding the area salaries. He said the Mayor proposed a 2% increase for most employees and indicated that there were a few exceptions. He said the reason for the exceptions would be more appropriate to discuss at the next meeting in executive session. He asked what are the increases proposed for those above the 2%.

Mayor Womer Benjamin said she would prefer discussing the increases in executive session. She asked for guidance from Mr. DePiero.

Mr. DePiero said a personnel matter is more appropriate for an executive session. He said that the salary of an individual, and why they are receiving it, is certainly more appropriate for an executive session.

Mr. Kudley said the budget and the salaries are in the budget was published; and the budget is public record. He said if anyone wanting to know what he or she received, they can find it in the budget. He said he is not asking for the rationale, the issue is with the amount of raises and the increase given before the 2%. He said the public needs to know what those positions are; and the amount that is given; especially now when people are struggling to find income and are unemployed; and the city is turning around and giving out more than what was appropriate for the city employees.

Mayor Womer Benjamin said Mr. Kudley was aware of the raises and that they are justified. She said she would discuss the individual reasons behind them in executive sessions. She said they are by any means exorbitant and justifiable by an employer's perspective.

Mr. Kudley asked Mr. DePiero if he asked the question as a member of the public what how would he answer.

Mr. DePiero said he would give the same answer. He said it is a permissive thing and you are not required to talk about it in executive session.

Mr. Horvat asked Ms. Hawks to include an executive session on the agenda for the next meeting.

Ordinance 2021-001

AN ORDINANCE APPROVING AND ADOPTING THE CURRENT REPLACEMENT PAGES OF THE AURORA CODIFIED ORDINANCES, AS PREPARED BY THE WALTER H. DRANE COMPANY AND VERIFIED BY THE CLERK OF COUNCIL, AND DECLARING AN EMERGENCY IN ORDER TO COMPLY WITH CURRENT STATE LAW

MOTION: To suspend the Council's three reading rule of legislation before taking action

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

MOTION: To adopt Ordinance 2021-001

Mr. Kovach moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

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

NAYS: None

Ordinance 2021-002

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF AN UNCLASSIFIED, NON-UNION, NON-EXEMPT FULL-TIME EXECUTIVE ASSISTANT TO THE CHIEF OF POLICE POSITION WITH A SALARY RANGE OF \$44,949-\$70,000 AND DECLARING AN EMERGENCY IN ORDER TO EXPEDITE THE HIRING PROCESS

MOTION: To suspend the Council's three reading rule of legislation before taking action

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

MOTION: To adopt Ordinance 2021-002

Mr. Kovach moved; Ms. Barner seconded. The motion carried on a 9-0 roll call vote.

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

NAYS: None

Ordinance 2021-003

AN ORDINANCE REQUESTING AN APPROPRIATION OF \$315,000.00 FROM THE GENERAL FUND (01) TO PAY OFF THE OUTSTANDING PROMISSORY NOTE ON THE EAST MENNONITE PROPERTY PURCHASE, AND FURTHER AUTHORIZING THE EXPEDITED PAYMENT TO BE ISSUED TO EMIL HACH IN THE AMOUNT OF \$315,000.00 AND DECLARING AN EMERGENCY TO REMOVE THE OUTSTANDING LIEN FROM THE PROPERTY SO THE CITY CAN RESELL THE PARCELS

MOTION: To suspend the Council's three reading rule of legislation before taking action

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

MOTION: To adopt Ordinance 2021-003

Mr. Kovach moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

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

Ordinance 2021-004

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 (**PALSHA, SMOLEN**)

MOTION: To suspend the Council's three reading rule of legislation before taking action

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

MOTION: To adopt Ordinance 2021-004

Mr. Wolf moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

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

Ordinance 2021-005

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH SUMIT DAVRE AND SHILPA CHAUDHARY, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR THE SALE OF VACANT LOT B ON MENNONITE ROAD, CONSISTING OF 3.790 ACRES, IN THE AMOUNT OF \$129,000.00

MOTION: To suspend the Council's three reading rule of legislation before taking action

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

MOTION: To adopt Ordinance 2021-005

Mr. Kovach moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

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

Ordinance 2021-006

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH KENNETH J. AND BETTY L. DEEB, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR THE SALE OF VACANT LOT C, CONSISTING OF 4.809 ACRES, IN THE AMOUNT OF \$153,500.00

MOTION: To suspend the Council's three reading rule of legislation before taking action

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

MOTION: To adopt Ordinance 2021-006

Mr. Kovach moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

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

Ordinance 2021-007

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH SEAN T. DEVINS, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR THE SALE OF VACANT LOT A ON MENNONITE ROAD CONSISTING OF 3.791 ACRES, IN THE AMOUNT OF \$129,000.00 AND CONFIRMING THE SALE OF VACANT LOT A ON MENNONITE ROAD

MOTION: To suspend the Council's three reading rule of legislation before taking action

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

MOTION: To adopt Ordinance 2021-007

Mr. Wolf moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

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

NAYS: None

Citizens Comments

Ms. Deb Conti, S. Chillicothe Road – said asked for more information on Ohio Artisan Collective LLC.

Mr. Richard Duncan, East Blvd. – said he sent a letter to Ms. Hawks and wondered if she has received it.

Ms. Hawks said because of the manner in which he sent the letter she has to piece it together.

Mr. Duncan said he would like the names of individuals who objects to the First Energy situation. He said that because of how things changed quickly, he would like to conduct an investigation.

Mr. Horvat said that it was not quickly and it has been a process over two years.

Mayor Womer Benjamin said this did not happen overnight. She said that she and the Law Director have been engaged in a legal dispute in the court and as well as lengthy discussions with members of First Energy for years. She said there were a series of public hearings with the Planning Commission.

Mr. Duncan asked for another copy of the package of documents that she had previously sent to him.

Mr. Duncan said the residents in his area do not get fair treatment with the roads. He said this is a political process and hopes for consideration of Mr. Vaca's request.

Mayor Womer Benjamin said the city has paved a number of roads in the Geauga Lake area since she became mayor. She said to state in a public forum, that the roads in Geauga Lake are not handled well is a gross misstatement.

Mr. Stark indicated several projects that were been done in the Geauga Lake area and he does not feel the area has been neglected.

Mr. Duncan said he was referring to all of the services in the Geauga Lake area.

Mr. Stark said he takes exception to the comment. He said feels he gives good service to all of the community and not just a section.

Mayor Womer Benjamin commended Mr. Stark and his staff for all of their work. She also commended Mr. Vaca who is a tireless representative in the Geauga Lake area.

Council member and Committee Remarks

Mr. Vaca thanked the mayor for the accolades. He said he tries to do what he can for Hawthorn, Geauga

Lake and Reminderville. He said he sees Mr. Stark in the area often. He said the services have improved 100%. He also takes exception to some of the things said by the residents.

Ms. Barner thanked the schools for sending the kids back to school. Ms. Barner said Mr. Stark has done a tremendous job as the city's Service Director.

Mr. Kovach said he got his vaccination and encouraged everyone to get one. He asked also to remind people to wear a mask.

Ms. Grandillo said the responsiveness of the Service Department has improved 200% since Mr. Stark came on-board. She said she would be sending council a flyer for the Rotary Club 50/50 raffle.

Miscellaneous

Liquor Notice –Ohio Artisan Collective LLC

Chief Byard said it is a consignment shop located in the outlets. He said they are not serving alcohol they are selling homemade wines.

There are no objections.

Adjournment

MOTION: To adjourn

Mr. Hatridge moved; Ms. Grandillo seconded. The motion carried on a 9-0 roll call vote.

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

NAYS: None

The meeting adjourned at 8:09 p.m.

George Horvat, Council President

Donna Hawks, Clerk of Council