

**City of Aurora, Ohio
CITY COUNCIL
Meeting Minutes
January 23, 2023**

The Council of the City of Aurora, Ohio met in Council Chambers Monday, January 23, 2023, to hold a regular public meeting. Council President George C. Horvat called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Present: Reva Barner
Brad Duguay
Peter French
Sarah Grdina Gilmore
Harold Hatridge
George Horvat
Dennis Kovach
John Kudley, Jr.
Scott Wolf

Also Present: Mayor Ann Womer Benjamin
Dean DePiero, Law Director
Karen Pope, Chief of Staff
Denise Januska, Director of Planning, Zoning & Building
Tim Clymer, Finance Director
Laura Holman, Director of Parks & Recreation
Brian Byard, Police Chief
Matthew McBirney, Acting Fire Chief
April Secura, Deputy Clerk of Council
Marie Lawrie, Clerk of Council
Kris Allen, Executive Assistant to the Mayor

Amendment to the Agenda

MOTION: To amend the agenda by adding an Executive Session

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

Consideration of Minutes

MOTION: To adopt the January 9, 2023, meeting minutes

Mr. Kudley moved; Mr. Kovach seconded. The motion carried on an 8-0-1 roll call vote.

AYES: Barner, Duguay, French, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

ABSTENTIONS: Grdina Gilmore

Mayor's Report

(See Attached)

Mayor Womer Benjamin stated that the annual budget was on the agenda for a vote and she would appreciate the support of City Council members. She explained a malfunction of the emergency siren that occurred during a recent storm. She said that the Service Department was establishing a protocol for this type of situation.

Mayor Womer Benjamin gave a summary of the events and meetings she attended. Finally, she stated that she taped her monthly Community Focus report.

Proclamation by Mayor Ann Womer Benjamin to Aurora Resident Darrell McNair

Mayor Ann Womer Benjamin presented a proclamation to resident Darrell McNair. Mr. McNair was the recipient of the 2022 Annual Humanitarian Award from the Diversity Center of Northeast Ohio.

Mr. McNair started his career by working for small to mid-sized fortune 500 companies and is the President and CEO of the MVP Group today. His volunteering and philanthropic accomplishments were stated including

participation on the Board of Medical Mutual of Ohio, Cleveland/Cuyahoga County Port Authority, and Minority Business Financing Advisory Board.

Mr. McNair's involvement with University Hospitals, Northeast Ohio Medical University, Greater Cleveland Sports Commission, Crain's Business Diversity Council, Cleveland Federal Reserve Local Advisory Council, Jumpstart and ECM Chemicals were highlighted.

Mr. McNair stated that he has been a resident for 23 years and he stated that it was special to have his own community recognize him. He introduced his family and thanked everyone for the proclamation.

Executive Session

MOTION: Pursuant to Ohio Revised Code 121.22(G)(2), Council enter into executive session to consider the acquisition of real property

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

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

MOTION: To return to open session

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

Council returned to open session at 7:15 p.m.

Law Director's Report

(See Attached)

Council President's Report

MOTION: To amend the agenda by adding Ordinances 2023-011 through 2023-017 as discussed earlier at the Committee of the Whole

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

MOTION: To amend the agenda to include 2023-018

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

Citizens Comments - Legislation

Deb Conti, S. Chillicothe Road had questions about Ordinance 2023-004 "Prohibited Standing or Parking Places". Ms. Conti asked if any amendments to this legislation could be talked about and whether the Council planned to vote on this ordinance tonight. The answer was that it was still under review and would not be voted on at this meeting.

Councilman Remarks – Legislation

Mr. Duguay stated that Ordinance 2023-004 as currently written is detrimental to the some residents in Ward One and he requested a meeting prior to the third reading to address concerns. Mr. DePiero stated that the intention was not to rush this legislation or produce unintended consequences. He stated that any amendments would be brought forward before a vote, and he would continue to address concerns on the language of this ordinance.

Legislation:

Ordinance 2022-204

AN ORDINANCE APPROVING A CONDITIONAL ZONING CERTIFICATE TO ALLOW AN OUTSIDE EXTENSION OF A PERMITTED USE FOR THE PROPERTY LOCATED AT 239 EAST GARFIELD ROAD, IN A C-1 ZONING DISTRICT

MOTION: To adopt Ordinance 2022-204

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf
NAYS: None

Ordinance 2022-221

AN ORDINANCE APPROVING AND ADOPTING THE ANNUAL BUDGET AND APPROPRIATIONS FOR CALENDAR YEAR 2023, AS SUBMITTED BY MAYOR ANN WOMER BENJAMIN, AND APPROPRIATING THE FUNDS NECESSITATED BY THE ADOPTION OF THAT BUDGET

MOTION: To accept the amended attachment for consideration

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

Mr. Kudley thanked the Mayor, Mr. Clymer and Mr. Horvat for the hard work they did on the budget. He also thanked the Mayor for anticipating his budget questions and providing answers. He said that the budget reflects great consideration and addresses how the raising rate of inflation is impacting employees.

MOTION: To adopt Ordinance 2022-221

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf
NAYS: None

Ordinance 2023-004

AN ORDINANCE AMENDING SECTION 351.03 "PROHIBITED STANDING OR PARKING PLACES" OF AURORA'S CODIFIED ORDINANCES TO CLARIFY PARKING RESTRICTIONS ON A RESIDENTIAL LOT UNDER ONE (1) ACRE IN SIZE AND DECLARING AN EMERGENCY IN ORDER TO IMPLEMENT THE NEW CODIFIED SECTION AS SOON AS POSSIBLE

To 3rd reading.

Ordinance 2023-008

AN ORDINANCE ACCEPTING THE PROPOSAL OF, AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GPD GROUP IN AN AMOUNT NOT TO EXCEED \$50,000.00 TO PROVIDE CONSULTING SERVICES RELATED TO A RECREATION CENTER FEASIBILITY STUDY, TAKING THE NECESSARY FUNDS FROM THE RECREATION FUND (78) AND DECLARING AN EMERGENCY IN ORDER TO BEGIN THE WORK IN EARLY 2023

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

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

MOTION: To accept the amended legislation

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf
NAYS: None

Mr. Horvat stated that the fund was changed from the Capital Improvement Fund (60) to the Recreation Fund (78).

MOTION: To adopt Ordinance 2023-008, as amended

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf
NAYS: None

Ordinance 2023-009

AN ORDINANCE AUTHORIZING THE ANNUAL RENEWAL OF THE CITY'S MICROSOFT 365 SUBSCRIPTION IN AN AMOUNT NOT TO EXCEED \$30,240.00 TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (60) AND DECLARING AN EMERGENCY AS THE CITY USES MICROSOFT 365 FOR ITS MAIN COMPUTER SOFTWARE PROGRAMS

To 3rd reading.

Ordinance 2023-010

AN ORDINANCE ACCEPTING FOR DEDICATION THE ROADWAY, AND WATER AND SANITARY SEWER LINES LOCATED IN THE RIGHT-OF-WAY FOR BELJON LANE, WILLIAM COURT AND SCARLETT LANE FOR PHASES 2 AND 3 OF THE PRESERVE AT BELJON FARMS SUBDIVISION

To 2nd reading.

Ordinance 2023-011

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 (**Kubrin**)

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

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

MOTION: To adopt Ordinance 2023-011

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

Ordinance 2023-012

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 and part-time employees**)

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

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

MOTION: To adopt Ordinance 2023-012

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

Ordinance 2023-013

AN ORDINANCE APPROVING AN AMENDMENT TO THE CONTRACT FOR THE PROVISION OF LEGAL SERVICES, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, TO REFLECT A 2.5% INCREASE TO THE BASE SALARY OF THE LAW DIRECTOR FOR 2023, 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. Kovach moved; Mr. Wolf seconded. The motion carried on a unanimous voice vote.

MOTION: To adopt Ordinance 2023-013

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

Mr. Horvat noted that the 2.5% increase in place of a 4% increase was at the request of the Law Director.

Ordinance 2023-014

AN ORDINANCE APPROVING AN AMENDMENT TO THE CONTRACT FOR THE ECONOMIC DEVELOPMENT DIRECTOR, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, TO REFLECT A 4.0% INCREASE TO THE BASE SALARY OF THE DIRECTOR FOR 2023, AND DECLARING AN EMERGENCY TO ENSURE THE CONTINUITY OF THE ECONOMIC DEVELOPMENT WITHIN THE CITY

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

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

MOTION: To adopt Ordinance 2023-014

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

Ordinance 2023-015

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2022 CHEVROLET SILVERADO MD CAB AND CHASSIS FROM GANLEY CHEVROLET OF AURORA, LLC FOR USE BY THE SERVICE DEPARTMENT, AT A COST OF \$58,136.00, WHICH IS THROUGH GOVERNMENT PRICING, REPLACING A 2009 FORD F-550 WHICH WILL BE AUCTIONED OFF VIA ONLINE AUCTION TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (60) AND DECLARING AN EMERGENCY TO PLACE THE ORDER AND SECURE VEHICLE FROM CURRENT INVENTORY

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

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

MOTION: To adopt Ordinance 2023-015

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

Ordinance 2023-016

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2022 CHEVROLET SILVERADO 2500HD FROM GANLEY CHEVROLET OF AURORA, LLC FOR USE BY THE SERVICE DEPARTMENT, AT A COST OF \$59,349.00, WHICH IS THROUGH GOVERNMENT PRICING, REPLACING A 2009 FORD F-250 WHICH WILL BE AUCTIONED OFF VIA ONLINE AUCTION TAKING THE NECESSARY FUNDS FROM THE CAPITAL IMPROVEMENT FUND (60) WITH AN ADDITIONAL APPROPRIATION OF \$7,583.27 FROM THE CAPITAL IMPROVEMENT FUND (60) AND DECLARING AN EMERGENCY TO PLACE THE ORDER AND SECURE VEHICLE FROM CURRENT INVENTORY

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

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

MOTION: To adopt Ordinance 2023-016

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

Ordinance 2023-017

AN ORDINANCE APPROVING FIVE-YEAR DEPOSITORY AGREEMENTS WITH BMO HARRIS BANK, FIFTH THIRD BANK, FIRST NATIONAL BANK OF PENNSYLVANIA, HUNTINGTON NATIONAL BANK, JP MORGAN CHASE BANK, TRISTATE CAPITAL BANK, US BANK, AND WESTFIELD BANK AS AUTHORIZED RECEIPIENTS OF PUBLIC DEPOSITS BY THE CITY OF AURORA FOR THE PERIOD OF JANUARY 1, 2023 THROUGH DECEMBER 31, 2027 AND DECLARING AN EMERGENCY TO ENSURE THE CITY'S BANKING NEEDS ARE PROMPTLY HANDLED

To 2nd reading.

Ordinance 2023-018

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH SHELENE V. STUDZINSKI, SUBSTANTIALLY IN THE FORM ATTACHED HERETO, FOR THE PURCHASE OF 1053 AND 1057 AURORA ROAD, IN THE AMOUNT OF \$347,500.00 APPROPRIATING THE NECESSARY FUNDS FROM THE CITY OPERATIONS FUND (52)

Mayor Womer Benjamin explained that these properties are adjacent to Fire Station #2. She explained that they were being purchased for a possible future expansion of the fire station. She said that the property was appraised and the Law Director was able to secure a favorable price.

Mr. Horvat asked how the property would be financed. The answer was that it would be a cash deal.

Mr. DePiero then stated that the legislation would be amended to include a fund for the transaction.

MOTION: To accept the amended legislation

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

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

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

Mr. Horvat asked if there were any questions from the public.

Deb Conti, S. Chillicothe Road asked for the purchase price to be repeated. She then asked what sits on the two properties currently. The answer was that there are two buildings in existence on the properties.

MOTION: To adopt Ordinance 2023-018, as amended

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

AYES: Barner, Duguay, French, Grdina Gilmore, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

Miscellaneous

None.

Citizens Comments – General

Debbie Rudy-Lack, Chatham Drive asked about the concerns pertaining to Ordinance 2022-204. Mr. Horvat stated that a meeting to discuss concerns would be scheduled and the results of that meeting would be shared at a later date.

Ms. Rudy-Lack stated that there are concerns about the traffic light at the intersection of State Route 43 and the entrance to both Four Seasons subdivision and Chatham Estates. She stated that there are complaints about the timing of the signal. Mr. Horvat stated that he received complaints as well. He said he spent 45 minutes reviewing the traffic and the signal operation. He further stated that he has been in contact with the Mayor and the City Engineer about the issue and would send her the responses he received.

Mayor Womer Benjamin stated that she too had received complaints. She said that the city has been in contact with the contractor about the issue. She explained the importance of stopping in the correct location to actuate the signal. She said she would investigate further.

Deb Conti, S. Chillicothe Road asked that signage be installed to show the way to the handicap accessible door to city hall.

Council Member and Committee Remarks

None.

Adjournment**MOTION: To adjourn**

Mr. Hatridge moved; Mr. French seconded. The motion carried on an 9-0 roll call vote.

AYES: Barner, Duguay, French, Hatridge, Horvat, Kovach, Kudley, Wolf

NAYS: None

The meeting was adjourned at 7:45 p.m.

George C. Horvat, Council President

Marie Lawrie, Clerk of Council