

Village of Aurora Board of Trustees May 30, 2023 Special Meeting Minutes

The meeting was held at the Aurora Firehouse Meeting Room at 4:00 p.m.

Present: Mayor James Orman, Trustees Matt Bianconi (via Zoom), L. John Miller, Janet Murphy, and Frank Zimdahl

Others Present: Village Clerk Ann Balloni and Attorney Tom Blair

See attached list

Call to Order: Mayor Orman called the special meeting to order at 4:12 p.m. and all rose for the Pledge of Allegiance.

Wells College Lakefront Property

Village Attorney, Tom Blair, gave a brief history of a potential “public/private partnership” between the Village, Wells College, and a local donor regarding the southern lakefront property across from Wells College, under consideration as a future public park.

Aurora Route 90 Group, LLC has submitted a purchase offer to Wells College that includes a portion of the lakefront for the park consideration. Under an agreement between the Village and Pleasant Rowland, LLC, the Village has a Right of First Refusal on the lakefront property, though Wells College was not included in the transfer and questions the legality of the Right of First Refusal transfer from Pleasant Rowland, LLC to the Village.

A Memorandum of Understanding (MOU) between the Aurora Route 90 Group, LLC, Wells College, and the Village was drafted and submitted to the Village Board for their consideration. Mr. Blair described the MOU as a “non-binding” start to work out an agreement with the parties with the goal of having a public park at the southwest end of the village.

Mr. Blair confirmed with the trustees that the MOU simply begins the process of negotiations with all parties.

Due to the large number of attendees, Mayor Orman allowed a limit of one minute for the public to speak.

Earl Thurston, attorney for the donor, complained that the public has not seen the MOU and, therefore, it is premature for the Board to consider it tonight. Mr. Blair countered that the Village Board is the voice for the people and the MOU is the first step towards beginning the negotiations with the parties.

Kevin Fitzgerald, Aurora Route 90 Group, complained that the meeting was not noticed as a public hearing and noted that the Village and the donor are represented by council and, had he been notified, he would have brought his attorney.

Trustee Zimdahl suggested that the section in the MOU referring to the donor should be removed as the MOU is between the Village, Wells College, and Aurora Route 90 Group, LLC. The mayor and trustees agreed.

Members of the public voiced concern that the land will be taken over by developers and accused the Board of favoring developers over the public interest, though one citizen recommended listening to the village attorney so the village can begin the discussion process.

John Wendler submitted a letter (attached) signed by himself, Laurie Roberts, and Ken Larson regarding parkland State regulations. They also voiced concerns with the MOU and the Village potentially waiving their Right of First Refusal.

Mr. Blair responded that the MOU does not include the Right of First Refusal.

Mayor Orman read a letter from Chris MacCormick (attached) concerned with transparency on plans for the south end, noting that the interest of the public should take precedence.

Mayor Orman read a letter from Wells College President, Jonathan Gibraltar, (attached) who praises the generosity of the donor, Grace Bates, clarifies Wells College position on the Right of First Refusal, and confirms all party's commitment to having a public park.

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to accept the MOU as written, with the donor clause deleted, and with Exhibits A & B attached, as a starting point to negotiations for a public park.

AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl

NAYS: None

Motion carried unanimously.

Hire DPW Employee: On motion by Trustee Miller, seconded by Trustee Murphy, the Village Board voted to authorize Mayor Orman to offer the DPW position to Aaron VanArnum at a rate of \$18/hour, open to renegotiation once he receives his certifications.

AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl

NAYS: None

Motion carried unanimously.

Adjournment: On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to adjourn the meeting at 5:05 p.m.

AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni
Village Clerk