

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

May 4, 2020

The Council of the City of Lima met in regular session at 7:00 p.m. via audio/video communication.

Attending were: Mayor David Berger; Tony Geiger, Law Director; Randall Bartels, Auditor; Steven Cleaves, Finance Director; Kari Keener, Dir. of Human Resources; Susan Crotty; Dir. Of DCD; Mike Caprella, Dir. of Util.; Howard Elstro, Dir. of Public Works; Chief Martin, Deputy Fire Chief Heffner; and Dana Addis, Clerk.

The invocation was given by Councilor Neeper followed by the Pledge of Allegiance.

ROLL CALL showed the following members present: Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Absent: Wilkerson.

Gordon moved, seconded by Thompson, to amend the Agenda by adding Nikita Arrick to Privilege of the Floor and by adding Ordinance 088-20, 089-20 and 090-20.

PRIVILEGE OF THE FLOOR:

The Clerk read comments submitted by Nikita Arrick, 1410 Hazel Ave. regarding the Special Use Permit for 1414 Hazel Ave. She explained the issues she has been having with the property owner of 1414 Hazel Road. She said she did not receive proper notice to give input regarding the Special Use Permit and has attempted to contact Susan Crotty and Tony Geiger regarding the issue with no return call. She expressed that some days she cannot park in her own driveway because the neighbors have trucks and machines parked in her yard and driveway. She also explained her yard has been torn up and trees have been torn down and left in her yard without her permission. She expressed that her house is no longer a home and this process has cost her so much of her peace. (A complete copy of the presentation is on file in the Council Office.)

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.

Gordon moved that items "a" of the consent calendar be received, filed, and approved, seconded by Dixon, motion carried.

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Dir. of Community Development regarding a Special Use Permit for 1414 Hazel Road. Moved by Thompson, seconded by Dixon, that the communication be received and filed. Councilor Glenn expressed his concerns and said this issue needs to be put in a Committee. Councilor Neeper said he spoke with Ms. Arrick and also Code Enforcement multiple times who

told Ms. Arrick to take legal action and were unwilling to help with the issues going on. He drove past the residence today and stated there are multiple issues including trees lying on the property line or near the street. He has also spoke with Howard about concerns the neighbors behind this property also have. He said from what he is reading, they aren't seeing the inspections that were originally asked for and this is a much bigger structure than what they originally asked for. He will not be in support of anything to do with this until they can look at this in a Committee because the contractor has gone above and beyond the scope of what they were originally told and have not received approval. Tony Geiger advised Council has 30 days to object to the Special Use Permit. Motion carried.

2. From the Dir. of Community Development regarding legislation place tax assessments. Moved by Thompson, seconded by Glenn, that the communication be received and filed. Motion carried.

3. From the Dir. of Public Works regarding legislation to amend Section 1490 of the City of Lima Codified Ordinances. Moved by Ehora, seconded by Glenn, that the communication be received and filed. Motion carried.

4. From the Dir. of Public Works regarding legislation to enter into contractual service agreements. Moved by Ehora, seconded by Glenn, that the communication be received and filed. Motion carried.

5. From the Deputy Dir. of Parks, Recreation and Forestry regarding legislation to accept a donation from The Basement Doctor. Moved by Ehora, seconded by Dixon, that the communication be received and filed. Motion carried.

6. From the Deputy Dir. of Parks, Recreation and Forestry regarding legislation to apply for, receive and expend grant dollars from the Ohio Elks Association Community Service Grant Fund. Moved by Ehora, seconded by Thompson, that the communication be received and filed. Motion carried.

7. From the City Engineer regarding legislation to amend a contract with Eagle Bridge authorized in Ord. 64-18. Moved by Ehora, seconded by Thompson, that the communication be received and filed. Motion carried.

8. From the Utilities Dir. regarding the installation of a communication antenna on the Paul Street water tower. Moved by Gordon, seconded by Glenn, that the communication be received, filed and authorize the Law Dir. to prepare any necessary legislation. Councilor Dixon said he has received many phone calls from constituents expressing concerns that it is on the South end of town and also near the refinery and asking if there will be any health concerns. Mike Caprella said there will be no adverse effects of any kind and it is no different than a T.V. tower. He said there will be no effects from the refinery and it will boost the signal for the southern part of the community. He advised it will not be noticeable to the public as it will be attached to the bridge at the base of the bowl part of the tank. Motion carried.

9. From the Chief of Police regarding legislation to apply for, accept and administer an award from the Bureau of Justice Assistance. Moved by Dixon, seconded by Glenn, that the communication be received and filed. Motion carried.

10. From the Auditor regarding the contract labor report for January, February and March of 2020. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

REPORTS OF COMMITTEES:

Councilor Thompson reported that the Economic & Community Development Committee met on April 21, 2020 to discuss a letter from the African American Chamber of Commerce Board of Directors and the Millennial Action Project regarding the lack of diversity on City and Community Boards and Commissions. All Council members have received a copy. Thompson moved, seconded by Glenn, that the report be received, filed and approved. Motion carried.

Councilor Gordon reported that the Utilities Committee met on April 28, 2020 to discuss Ordinance 072-20, amending the existing Strength Ordinance to modify the salary of the position of Chief Technology Officer. All Council members have received a copy. Gordon moved, seconded by Dixon, that the report be received, filed and approved. Motion carried.

THE FOLLOWING ORDINANCES WERE PRESENTED:

072-20 (Third Reading) An Ordinance establishing the positions and classifications hereinafter set forth and fixing the salary and compensation of such positions and classifications. Gordon moved, seconded by Thompson, that the ordinance be passed on the third reading. The following vote was recorded on the motion. Yea, 5; Gordon, Thompson, Ehora, Neeper and Nixon. Nay, 2; Dixon and Glenn. The Chair declared the motion carried and the ordinance passes on the third reading by a 5-2 vote.

076-20 (Second Reading) An Ordinance approving appointments to the Design Review Board for the City of Lima. Gordon moved, seconded by Thompson, that the ordinance be passed on the second reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the second reading by a 7-0 vote.

077-20 (Second Reading) An Ordinance approving appointments to the Urban Forest Council for the City of Lima. Gordon moved, seconded by Thompson, that the ordinance be passed on the second reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the second reading by a 7-0 vote.

May 4, 2020

084-20 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

085-20 Authorizing the Mayor to accept a donation from The Basement Doctor. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

086-20 Authorizing the Mayor to apply for and administer a grant from the Ohio Elks Association Community Service Grant Fund. Thompson moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

087-20 Authorizing the Mayor to amend the Contract with Eagle Bridge as authorized in Ordinance 064-18. Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

088-20 Authorizing the Mayor to enter into contract with JP Management. Dixon moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

089-20 Authorizing the Mayor to apply for and administer grant funds from the Bureau of Justice Assistance. Dixon moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

090-20 Amending Section 1490.01, Fee Schedule, of the Codified Ordinances of Lima, Ohio. Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

MISCELLANEOUS BUSINESS:

President Nixon moved, seconded by Dixon, to approve the absence and salary of Councilor Wilkerson. Motion carried.

Councilor Neeper read a quote from Martin Luther King Junior to all of the young graduates in our community who have a big challenge ahead of them.

Councilor Gordon thanked Chief Martin for putting extra patrol out on Grand Ave. He said may the 4th be with you and reminded everyone to be good to each other.

Councilor Thompson moved, seconded by Dixon, to refer Communication No. 1, Special Use Permit for 1414 Hazel Ave. to the Economic and Community Development Committee. Motion carried. Councilor Thompson announced there will be a Community and Economic Development Committee Meeting on Monday, May 11th at 6:00 p.m. to continue the discussion regarding diversity in City boards and commissions and to also discuss Communication No. 1, Special Use Permit for 1414 Hazel Ave. Councilor Thompson announced there will be a Central Lima Neighborhood Association meeting on Wednesday, May 27th at 6:30 p.m. virtually and the link can be found on the Neighborhood Association's Facebook page. She wished all of the Moms a Happy Mother's Day including hers and encouraged everyone to give their moms all the love that they can.

Councilor Ehora thanked Mike Caprella for getting communication to the residents that live near the High Street project. She explained the intention was to have a town hall meeting but it changed, so they are sending a letter to those residents with an explanation regarding street repairs. She said some things concern her including people doing what they want to do because they have always done it. She gave an example of a call she received from a resident who was concerned that his neighbors were not able to do regular property maintenance, and it turned out to be a rental owned by an affluent person in Lima that has let it sit. She wants people to understand that they value their neighborhoods just like any other area regardless of what suburb you live in and the expectations are the same. She put people on notice that this is going to be an issue and it disappoints her and will be addressed. She announced she is in the process of converting her campaign Facebook page to a 4th Ward Facebook Page to be able to communicate with residents. She wished everyone a Happy Mother's Day and expressed her support for this year's seniors.

Councilor Dixon thanked Krista Sprouse and Sean O'Connor from Code Enforcement who is handling North of Kibby Street and South of Kibby Street. He has noticed they have been doing a great job of riding around and getting people to know them and advocating the rules and regulations set forth in our City Code. He thanked them because the residents are becoming more receptive of the issues in the 5th Ward. He announced the Lima City Schools meal distribution will be taking place on Mondays and Wednesdays from 11:00 a.m. to 12:30 p.m. at each school in the district except South and West Middle School. He gave a shout out to everyone involved in the Food Drive Giveaway at Divine Hair Salon and thanked Councilor Glenn for attending and donating. He encouraged residents to continue to take the necessary steps to stay safe. He


May 4, 2020

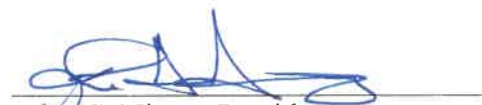
congratulated all High School graduates as well as College graduates. He quoted his 9th grade teacher Ms. Rose and said “remember to set the bar high and live above the line”. He wished everyone a Happy Mother’s Day and a Happy Cinco De Mayo.

Councilor Glenn thanked Mike Caprella for taking care of residents in his ward. He asked everyone to say a prayer for his brother and three cousins who have COVID-19. He said we need to look into a motorcycle group who is getting a lot of complaints because of noise. He said there are a lot of people grouping up and he encouraged everyone to wear a mask. He said it is suicide because there is no cure. He said there are many elders that are low income in the 6th Ward and they are trying to work on their houses. He appreciates the donations. He said we need to keep the neighborhoods looking good. He announced Central State has a \$500,000 scholarship available for students with an agriculture major and encouraged seniors to apply. He wished everyone a Happy Mother’s Day and said he misses his mother so much.

Mayor David Berger explained the recent budget impacts due to COVID-19. He said the administration has been studying the finances. He said State and Federal resources have not been made available to localities and there is a major question mark about if and when such resources will be made available. He explained business have been closed or reduced in size, the City’s main revenue stream which is the income tax is going to be severely diminished. He is anticipating a 20% reduction in City resources which will affect not only the general fund but the proprietary fund. He said the problem is that the question marks aren’t going to be resolved anytime soon as the income tax filing deadline was pushed back to July 15th so they won’t know exactly what the numbers will look like for several months. He said they must begin now to dig into a variety of ways to reduce spending. He explained they are examining all departments including all appointing authorities for the City looking at budgets, studying ways to reduce spending. He explained they are beginning to look at voluntary furloughs, encouraging folks that are eligible for retirement to make that decision and beginning to prioritize City services as well as capital projects. They do expect to make announcements about things that will be cancelled or reduced and they are trying to act in a way that is responsible but doesn’t over-react. He said they are trying to pull together data, but it won’t be until August until they can quantify the severity of the impact. Councilor Dixon thanked the Mayor and his administration for coming forth with the information. The Mayor explained the projects that have already been contracted for are all expected to be finished. Councilor Glenn asked how safety services will be protected. Mayor Berger advised he has always prioritized safety services and that doesn’t mean they are held harmless, but they do not have a map of where cuts will be needed yet.

Gordon moved that Council adjourn until May 18, 2020 at 7:00 p.m., seconded by Dixon, motion carried.


Dana Addis, Clerk


John G. Nixon, President