

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

June 18, 2018

The Council of the City of Lima met in regular session at 7:00 p.m.

Attending were: Mayor David Berger; Tony Geiger, Law Director; John Payne, Deputy Law Director; Randall Bartels, Auditor; Steven Cleaves, Finance Director; Susan Crotty; Dir. Of DCD; Mike Caprella, Dir. of Util.; Saul Allen, Deputy Dir. of Util.; Howard Elstro, Dir. of Public Works; Chief Martin, Chief Black and Dana Addis, Clerk.

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

ROLL CALL showed the following members present: Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon.

McLean moved, seconded by Dixon, that the agenda be amended by removing John Schneider from privilege of the floor at his request. Motion carried.

PUBLIC HEARING:

President Nixon opened the public hearing for the rezoning of 1923 Allentown Road. This was initiated by Donald S. Unruh. President Nixon read the call. There being no one wishing to speak to the change, giving three opportunities to speak, President Nixon closed the public hearing.

President Nixon called to order the Public Hearing #2 for the CDBG/HOME funds projects and proposed allocations. Susan Crotty, Dir. of Comm. Dev., said there have not been any changes to the information she provided Council at the first public hearing. She reminded everyone that we are being allocated from the Federal Government \$1,033,006 in CDBG funds and \$341,442 in HOME funds for the upcoming year. She stated the beginning balance of the HOME funds is less than last year because of the 42 Town Square project and a CHDO project. She advised that they received 14 proposals for CDBG funds. She stated the only new proposal this year was from Urban Impact Ohio. Councilor Dixon stated previously it was talked about each agency's goals being considered when allocating funds but he hasn't seen their allocated amounts go up or down. He asked if there is a reason for that. Ms. Crotty said we are trying to stay consistent with the five year plan because substantial changes to that plan require a substantial amendment process. She stated they do work with applicants throughout the year if they have not met their goals and try to find out why and see if there is anything they can do to help. She stated they look at the overall 5 years for full achievement although they do track it quarterly and annually. Councilor McLean asked Ms. Crotty to explain a little bit about the startup lab. Ms. Crotty stated the startup lab is a new application that was received from Urban Impact Ohio which is working with WOCAP who is the

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fiscal agent. She stated it is a ten week course that will be offered to low-moderate income entrepreneurs. She advised that they did not apply in 2017. Councilor Neeper asked for further information on Urban Impact Ohio. Jermaine Harper, CEO of Urban Impact Ohio, stated they are a 501C3 organization. He reached out to Jackie Fox and talked to her about micro enterprise who advised him that several years ago there was a program offered by WOCAP to assist not just existing business but individuals who had thought about going into business but lacked the necessary skills and training. He stated he has taught entrepreneurship, economics and business today at Chattanooga State for a number of years. He stated they put together a model that was consistent with other national models that are helping to not only add dollars to the tax rolls but recognizing that there are pathways to self-sufficiency. He said in most communities a lot of those resources are focused on workforce development. He said another pathway to self-sufficiency is starting your own business. He explained they will use other entrepreneurs in the community as a trainer model. McLean asked where meetings will be held. Harper stated meeting will be held at a number of places including Philippian Church and the Bradfield Center. He said as they identify trainers, they will identify other community partners that might be willing to host a ten week session. He said they have identified some trainers but not all. Councilor Thompson asked how success would be measured. Mr. Harper responded that the measure of success would be that at the end of the 10 weeks they will hold a pitch night where participants invite family members, etc. and present their pitch. He said there is additional work that needs to be done because one of the major impediments for most small business is access to capital. He said they have had conversations with local banks about community investment to make sure there is money available. Councilor Dixon stated that he felt it was a conflict of interest knowing that Mr. Harper was our current Mayor's campaign manager and also being the spouse of Sharetta Smith, Mayor's Chief of Staff. Ms. Crotty confirmed that Ms. Smith is not a part of the application or decision making process. Tony Geiger, Law Director advised that he initially had the same concern as Dixon, so he spoke with the Mayor, Mr. Harper along with the Staff Attorney at the Ohio Ethics Commission and in his opinion there is no conflict related to that. Tony stated that he was not aware of any relationship between Ms. Smith and Mr. Harper so he is hesitant to speak on that but since Ms. Smith is not the decision maker, he doesn't see a conflict of interest. Councilor Glenn stated Paige Townsend ran the same identical program through WOCAP. He said the big problem has always been that banks will not invest in these businesses. He said it won't work if the banks don't invest. He said if he had a commitment from a bank that they will invest, then he will be on board. Mr. Harper stated that this program is not just geared towards minority business. He said it may not work but we should start off with a positive outlook. McLean asked for the target amount of prospects. Mr. Harper said initially they were reaching for 20-25 prospects to go through a class but those numbers were lowered to 10 per quarter. Councilor Kreher asked Mr. Harper if he did not receive the CDBG money would he continue with this business model. Mr. Harper stated he would, he has always been passionate about this. Councilor Dixon expressed Urban Impact Ohio may be new to Lima but the Bradfield Center was new at one time. He said we shouldn't put the blinders on to something that could be positive. Dixon stated this will help Lima create jobs which is part of the criteria. Councilor Neeper asked who pays for the 10 week program. Mr. Harper said the participants do not pay for the class. Neeper said we are giving a third of the money to existing

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establishments that are doing similar things. Councilor Nixon clarified that Bradfield Center is a particular project that is funded from CDBG money. He said it is a project specific grant and isn't funding their entire operation. Neeper's concern is if we throw money into a program and the banks will not sustain the participants, it's never going to work. Mr. Harper said he respectfully disagrees. He said most of the similar programs started out the exact same way. He said the role of this program is to train and it shouldn't be a fight to invest money to help people help themselves. Councilor Nixon asked if it was more of a personal job creation not so much employment job creation, Mr. Harper agreed. Nixon asked what are the measurables and how can we look at this a year from now and say it was successful. Mr. Harper said they will keep track of the number of people who opened their own business. Ms. Crotty said for HUD purposes, they will look at the number of people who completed the program. She agrees the measure of success will be people starting a business and that will be reported as well. Nixon asked if the Committee has made any endorsement on the list of proposals. Councilor Thompson stated they did not.

Councilor Nixon stated that we have one more hearing on July 2, 2018. Any of our amendments to the funding proposal will need to take place at that hearing. He understands work needs to be done on the Urban Impact Ohio project, he wanted to know if there are any other objections to the proposal. Councilor Thompson asked Ms. Crotty moving forward, where in our planning process where do we incorporate the community wide dialog as far as planning goes. Ms. Crotty said there have been many opportunities for community input such as media coverage, information added in the newspaper, community meetings, the applicant briefing and public hearings. All of the public is invited and encouraged to attend any meeting or public hearings. She said the proposed allocations are published in the Lima News and at the library. She said when it comes to preparing the next 5-year plan, it will be a more in depth process which the public is also invited to attend. Councilor Thompson asked Howard Elstro if he has a list of buildings that they are looking at and how are those buildings determined? Elstro said the buildings on the demolition list are determined by either complaint or something that the inspector saw that needs attention. As properties come in to them, the building dept. will go out and see if it is a candidate for demolition. If it is, it is merged on to a list. The owners are researched then notified, and if it does meet the test of demolition, they are requested to repair or demolish. If they do not comply, a demolition order is sent later and that is when it falls back on the City to demolish. He said the proposal has been an allocation set aside for commercial and residential housing. There are a number of expectations that is given to HUD. Councilor Dixon asked Elstro if he can provide Council with the list of homes they are watching for demolition. Elstro agreed and said he typically addresses Council 1-2 times per year. He said the demolition list is on their website but he advised that the list is not set in stone because conditions worsen and a building may jump to the top of the list. He said they urge owners to take responsibility for their property. He said they do have owners who cooperate and their property is taken off of the list. Ray Magnus said he thinks Urban Impact Ohio could be a good thing but is concerned how that would overlap the Walter Potts Entrepreneurial Center which basically offers the same things. Tim Callahan said he is very interested in the Urban Impact Ohio program. He said he is interested in streamlining some of his management practices and aspects of a startup business. (A copy of the proposed 2018-2019 Allocations is on file in the Council Office.)

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PRIVILEGE OF THE FLOOR:

Ray Magnus presented a proposal to Council regarding an enterprise drink zone which would go from Spring St. to West Wayne St. from Elizabeth St. to Union St. on certain nights people can walk the area with an open container to go from business to business. He would like this to go to a council committee for further discussion. Councilor Nixon thought at one time there was discussion of an entertainment district. We need to do some research to see what the result of those discussions were.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.
- b. Allen County Board of Public Health Meeting Minutes.
- c. Board of Building Appeals Minutes from May 17, 2018.

McLean moved that item "a" of the consent calendar be received, filed, and approved and that items "b-c" be received and filed, seconded by Dixon, motion carried.

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Auditor requesting legislation to enter into contract with Stolly Insurance Group. Moved by McLean, seconded by Gordon, that the communication be received, filed and authorize the Law Director to prepare the necessary legislation. Motion carried.

2. From the Director of Utilities regarding legislation to pay All Terra, Inc. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

3. From the Director of Utilities regarding legislation to pay Xylem Dewatering Solutions. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

4. From the Director of Utilities requesting legislation to purchase items for the Water Supply and Treatment Division. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

5. From the Deputy Dir. II, Public Works Dept. regarding legislation to advertise for bids and enter into contract to sell scrap iron, steel, copper and brass. Moved by Neeper, seconded by Dixon, that the communication be received and filed. Motion carried.

6. From the Finance Director regarding legislation and hearing date for the 2019 Tax Budget. Moved by McLean, seconded by Thompson, that the communication be received, filed, authorize the Law Director to prepare the necessary legislation and the hearing date be set for July 2, 2018 at 7:00 p.m. Motion carried.

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7. From the Finance Director regarding legislation to amend the 2018 Budget. Moved by McLean, seconded by Dixon, that the communication be received and filed. Motion carried.

8. From the Director of Community Development regarding legislation to place property assessments. Moved by Thompson, seconded by Neeper, that the communication be received and filed. Motion carried.

9. From the Law Director regarding legislation to enter into contract with Crime Victim Services, Inc. Moved by Dixon, seconded by Glenn, that the communication be received and filed. Motion carried.

REPORTS OF OFFICIALS:

LPD Identification Officer Greg Adkins gave an update on the Allen County Regional Bomb Squad. He stated they are made up of six bomb techs, two police officers, two fire fighters and 2 Allen County Deputies. He stated they all attend the same training in Huntsville Alabama, where the basic course is six weeks long. Once they pass the basic training, they must re-certify every three years. He stated they are also required to attend various training throughout the year. Some of the things they respond to include bombs, bomb threats, suspicious packages and military ordinance. They are administrated under the Allen County Sheriff's Office under the EMA Director. Councilor McLean thanked him for his service.

THE FOLLOWING ORDINANCES WERE PRESENTED:

112-18 (Third Reading) Authorizing the Mayor to enter into contract with Ben's Construction for the Demolition of 215 E. North Street. Neeper moved, seconded by Glenn, that the ordinance be passed on the third reading. Councilor Kreher asked how we can put the money back into the CDBG account. Howard Elstro stated with all Block Grant demolitions, the owners are invoiced and if no payment is received in thirty days, it is assessed through taxes. He said there was previous discussion with Council that the person who owns this we believe does not have means and would be assessed. However he also told Council there was at least one interested party that has been trying to acquire this property as well as the building next to it. At the point where there is a transition of title, the City would be able to collect it's lien against the property and any proceeds collected will go back to the Block Grant account with the City. Councilor McLean asked Elstro if he had an idea of what it is going to cost with the EPA assessments. Elstro said he did not have an idea on the asbestos. He said it has been analyzed and they now know there are certain materials in the pile that will need to be segregated and placed in a landfill and he is taking steps to make sure that cost is minimized. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Thompson, Kreher, Neeper and Nixon. Nay, 2; Dixon and Glenn. The Chair declared the motion carried and the ordinance passes on the third reading by a 6-2 vote.

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117-18 (Second Reading) Amending Section 802.02 of the Codified Ordinances of Lima, Ohio concerning licenses application and issuance. Neeper moved, seconded by McLean, that the ordinance be defeated on the second reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance is defeated on the second reading by an 8-0 vote.

118-18 (Second Reading) Amending Section 802.07 of the Codified Ordinances of Lima, Ohio concerning licenses application and issuance. Neeper moved, seconded by McLean, that the ordinance be defeated on the second reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance is defeated on the second reading by an 8-0 vote.

119-18 (Second Reading) Amending Section 824.02 of the Codified Ordinances of Lima, Ohio concerning licenses required. Neeper moved, seconded by McLean, that the ordinance be defeated on the second reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance is defeated on the second reading by an 8-0 vote.

120-18 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

121-18 Amending the 2018 Annual Budget. McLean moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

122-18 Providing for the issuance and sale of bonds in the maximum principal amount of \$46,500 for the purpose of paying the property owners' portion, in anticipation of collection of special assessments, of the costs of constructing sidewalks. Kreher moved, seconded by McLean, that the Fiscal Officer's Certificate be received, filed and approved. Motion carried. Kreher moved, seconded by Thompson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

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123-18 Amending the City Zoning Map to Class I Business District for 1923 Allentown Road, in the City of Lima. Neeper moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

124-18 Authorizing the Mayor to enter into contract with Crime Victim Services. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

125-18 Authorizing the Mayor to enter into contract with Lima Memorial Health System Occupational Health. Dixon moved, seconded by Thompson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

126-18 Authorizing the Mayor to advertise for bids and enter into contract to sell scrap iron, steel, copper and brass. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

127-18 Authorizing the Auditor to make a payment to All Terra, Inc. Gordon moved, seconded by Thompson, that the ordinance be passed on the first reading. Councilor McLean stated this has to do with the sewer collapse on Grand Avenue which is complete. He thanked all of the property owners who were very generous. He thanked the Utility Department for the great work that they did and keeping the owners informed. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

128-18 Authorizing the Auditor to make a payment to Xylem Dewatering Solutions. Gordon moved, seconded by McLean, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

MISCELLANEOUS BUSINESS:

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Councilor Dixon stated the fifth ward forum will take place this Thursday at 7pm at New Life Assembly Church located at 1003 E. Kibby St. He would like to hear everyone's concerns and complaints. He said he read an article that said the southeast quarter of the city was a mess. He believes that it is not the best, but we can make it the best by getting residents involved in an association and advised the public to say something, if you see something. Dixon moved, seconded by Glenn, to refer the issue of an Entertainment District to the Neighborhood Concerns Committee. Motion carried. Dixon believes the entertainment area will bring Lima into the 21st century. Dixon said he would like to take his hat off to not only the Lima Police Dept. but to the entire West Central Ohio Crime Task Force including Allen County Sheriffs, Allen County Prosecutor, Lima Police Dept., Delphos Police Dept., Ohio State Highway Patrol, FBI and Van Wert County Sheriff for a major drug bust that took place in different areas of the city. He said there were three houses in his ward that were taken out of commission. He thanked the various law enforcement departments for cleaning up our neighborhoods.

Councilor Glenn thanked the Police Chief. He said we need more air conditioners. He thanked Dunkin Diamonds and Lowes. He said they plan on distributing them on Thursday. He advised every one of the Sixth Ward Chronical and encouraged everyone to obtain a copy.

Councilor Neeper said he attended the soap box derby this weekend. He commended the Parks and Recreation Dept. and said it is the best he's seen the parks look. He said three local young ladies took the three divisions this year and they will be representing Lima at the World Championships at the end of July. He said this is a great event for young kids.

Councilor Gordon congratulated the Chief on a 6.5 mile run. He reminded everyone to be good to each other.

Councilor McLean said one of the houses previously busted for drugs was located next to his office. He said he is glad that he is off the streets. He said it took a lot of effort and a lot of time and he appreciates that. He said the entertainment zone may work hand in hand with the cameras and lighting downtown that was referred to Public Works. He said the Northside Neighborhood Association will be meeting this Tuesday at 7pm at St. Marks Church. He said they will also be having their first neighborhood block patrol watch on June 21st.

Councilor Thompson said the Central Lima Neighborhood will be meeting this Wednesday at 6:30 pm at the LACNIP Resource Center. They will have guest speaker, Mr. Major from the Regional Planning Commission. She thanked her fellow Waterford patrollers for being a part of the block patrol. She encouraged everyone to join block patrol. She thanked Josh Ellerbrock for his story that reintroduced rental registry to the public. She said she is not going to let a rental registry die.

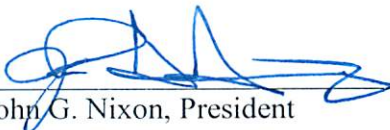
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Councilor Kreher said she appreciates tonight's open discussion with Mr. Harper. She said the allocations tonight are going to established programs with the exception of Mr. Harper's program. She said we should be able to walk into their business and see where the tax dollars are going. She thanked Lima Young Professionals for putting together I Love Lima Week. She said it was a fantastic week and thanked all of the participants. She encouraged everyone to get an I Love Lima shirt. She encouraged everyone to pay attention to people riding bikes and motorcycles. She announced the Faurot Neighborhood Association will meet at 5:30 pm and the Boulevard Neighborhood Association will meet at 7:30 pm both on June 28th at the LACNIP Resource Center.

Councilor Nixon clarified that the CDBG grants and funding does not go to businesses. It goes to non-profits and organizations. He wants to make sure that everyone is careful in their words so the public doesn't think that this money is going to private for profit businesses. He thanked everyone for their involvement in the drug bust last week. He said after the court cases are complete, he thinks it would be interesting for council to have an idea how long these properties had been under observation or investigation. He said often times council members get calls from people with complaints stating that no one is doing anything about the drugs. He said it takes time to build a case and the police must go through a lot of documentation in order to make an arrest that will sustain itself through the Court process and lead to a conviction. He believes this would be beneficial information for Council and the public to understand the process.

McLean moved that Council adjourn until July 2, 2018 at 7:00 p.m., seconded by Gordon, motion carried.


Dana Addis, Clerk


John G. Nixon, President