

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

June 22, 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; and Dana Addis, Clerk.

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

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

PRIVILEGE OF THE FLOOR:

Ryn Farmer, Crime Victim Services, submitted comments in support of the Resolution Declaring Racism a Public Health Crisis. The Clerk read the comments provided. (A complete copy of the comments 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.
- b. Board of Health Minutes, May 8, 2020.

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Auditor regarding legislation to enter into contract with Cintas. Moved by Neeper, seconded by Wilkerson, that the communication be received and filed. Motion carried.
2. From the Dir. of Community Development regarding legislation to place tax assessments. Moved by Thompson, seconded by Glenn, that the communication be received and filed. Motion carried.
3. From the Finance Director regarding legislation to amend the 2020 Official Budget. Moved by Neeper, seconded by Thompson, that the communication be received and filed. Motion carried.
4. From the Finance Dir. regarding a public hearing date for the 2021 Tax Budget. Neeper moved, seconded by Thompson, that the communication be received, filed, authorize the Law Dir.

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to prepare any necessary legislation and to set a Public Hearing for July 6, 2020 at 7:00 p.m. Motion carried.

PETITIONS:

1. Alley Vacation – 15' unnamed alley adjacent to 407 & 415 West Spring St. – Petitioned for by Jason Cleaves of American Heating & Air Conditioning. Thompson moved, seconded by Neeper, that the petition be received and filed; that the Law Director prepare the necessary legislation; that the Clerk cause publication of the legal ad and notify abutting property owners of the Public Hearing to be held on August 3, 2020 at 7:00 p.m. President Nixon clarified the manner of the Public Hearing will need to be determined. He asked the Clerk to request those wishing to speak submit their comments in writing so that they can be read into the record. Motion Carried.

REPORTS OF OFFICIALS:

Aaron Rode, Lima Police Department gave Council an update on what the Lima Police Department has been doing during the COVID-19 Pandemic, primarily with community oriented policing. He explained their biggest contribution to the community was the Good Friday Easter Event. He advised they put in close to 40 hours in three days to get ready for the event and they served over 2,500 children. He said they held a Luncheon giveaway for any graduating seniors which they initially started with City Schools and expanded it to the public. He set up a coloring contest which had a great turnout and all photos are posted on their Facebook page. He said he has tried to get a photo with all who donate to the officers in the Community and post on LPD's social media to show that although things are a little different, there is still some normalcy. He is proud of their School Resource Officers and can't say enough about them. He explained the officers read to their students as part of their curriculum and he knows they brought comfort to the kids. He said moving forward the COP team have been re-assigned back to their shifts temporarily. He explained they will still have events but they will be scaled down. Councilor Neeper said he had an opportunity to be involved in both events and the officers did a phenomenal job. Councilor Wilkerson thanked Rode for what they are doing and said it is important to our community to have these relationships and asked Rode to please continue to do so, especially during these times. He expressed the importance of letting young people know that police officers are our friends.

REPORTS OF COMMITTEES:

Councilor Thompson advised the Economic & Community Development Committee met on June 15, 2020 to continue the discussion of diversity on City Boards and Commissions, more specifically to discuss the Human Relations Commission. She advised they were able to come up with a few different changes and the Board will continue to be comprised as 18 people and they will be acting in connection with administration to ensure it is active again. She advised the Council is an anti-discriminatory Board which is meant to help alleviate and remedy discrimination complaints along with anti-discrimination initiatives. She explained they amended the language of the Human Relations Commission description to include sexual identity and

sexual orientation. The Committee also recommended the language of the anti-discrimination ordinance include public accommodations, housing and employment and was referred back to Council. All Council members have received a copy. Thompson moved, seconded by Glenn, that the Economic & Community Development Committee report be received, filed and approved. Motion carried.

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

010-20 A Resolution Declaring Racism a Public Health Crisis in the City of Lima, Ohio. Dixon moved, seconded by Thompson, that the Resolution be adopted on the first reading after having been read. The Clerk read the Resolution. Councilor Glenn thanked Ryn Farmer for supporting the Resolution. He said a lot of things have changed with the Floyd situation. Councilor Dixon thanked Ryn Farmer and Crime Victim Services for supporting the Resolution. He also thanked his co-Councilors for seeing this is an issue after seeing what has happened in Missouri but is now having a ripple affect across our nation. He said even in the midst of a pandemic, we have to remember that we are having another form of a pandemic, which is racism. He asked everyone to remember to be good to each other. Councilor Thompson thanked Dixon for calling for the Resolution. He said it is hard to read without crying. She works at Crime Victim Services and at a conference last week, where they were asked to imagine their workplace or community without the racial barriers or if there were no discrimination. She said she didn't know how to imagine it because her whole life has been accepting the fact they live in this type of society and knowing that she had to work harder and be better. She is excited that we are acknowledging these issues and she knows it's not easy for everyone and not everyone is acknowledging them, but they are there. She is proud that this Council and Administration is willing to start the difficult work and this Resolution is part of that. Councilor Wilkerson said the word "dialogue" is key and he knows that the key is our ability to communicate. He said sometimes we have to tell people it hurts. He encouraged everyone to continue to support any dialogue that is going to bring the gap closer. President Nixon said he is not ready to support the Resolution but he doesn't necessarily want to vote no on the Resolution. He explained the Resolution states "clear data" which has not been provided for Lima. He explained the Resolution states in Whereas #12 "limited access to clean water" which is not factual in Lima and at the very least sounds like an indictment to the City of Lima Water Department. He said the Resolution has a tone of the indictment of the Allen County Public Health Department, Lima Memorial Hospital and St. Rita's Hospital and the entire medical provider community of Lima and Allen County which he won't be a party to. He understands how racism, inequality and discrimination can result in disparate access to healthcare and understands that some may perceive the issue as a crisis. He also understands the concept that perception is reality. He is not comfortable declaring that racism is singularly the root cause with no recognition of other factors that contribute to healthcare and public health concerns including personal decisions and choices. He has no issue with Section 2, committing to frank and open discussion s of racism and racial inequalities. He questions the significance of a non-binding Resolution which defines no plan of action other than to talk about it. He asked if it is realistic to think that the Lima City Council and local government can pass legislation that supersedes State and Federal Laws to compel, investigate and force fair and equitable non-discriminatory availability and provisions of healthcare services and impose them on healthcare providers. He asked if the passage of

Resolution 10-20 merely a feel good vote. He said it's easy to vote yes and everyone is happy for the moment, but the Resolution does very little to resolve the issues that needs addressed and therefore he can't support it tonight. The following vote was recorded on the motion: Yea, 6; Wilkerson, Thompson, Ehora, Dixon, Glenn and Neeper. Nay, 1; Nixon. The Chair declared the motion carried and the resolution was adopted on the first reading by a 6-1 vote.

011-20 A Resolution affirming that funds from the County Coronavirus Relief Distribution Fund will be expended only to cover costs of the City of Lima, Ohio. Neeper moved, seconded by Thompson, that the Resolution be adopted on the first reading. Councilor Glenn thanked Sharetta Smith for the email. Mayor Berger advised there are many questions and concerns regarding to these funds. The City Auditor and Finance Director have been participating in briefings and the Ohio Mayor's Alliance continue to engage with the State and are saying very clearly that the Treasury guidance on this money is not helpful and that the resources provided truly will not be of significant assistance to us because of the strings that are attached to the money. He explained it is absolutely essential that Council adopt this Resolution because it's a requirement of a condition of the City receiving the money. He said we should not be fooled into believing that that this money is going to be of particular assistance to us. He said the City will receive roughly \$1.2 Million and he expects most of that money will not be able to be spent because of the rules that tie it up. He said if they have \$100,000 of qualified expenditures by years end, they will be fortunate which means they will be returning over a Million Dollars that cannot be spent due to the rules that are given. He explained it is a very frustrating circumstance to be in as they are gearing up to cut Human Resources as well as services knowing that cash is there that could be spent. The following vote was recorded on the motion: Yea, 7; Wilkerson, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon. Nay, None. The Chair declared the motion carried and the resolution was adopted on the first reading by a 7-0 vote.

THE FOLLOWING ORDINANCES WERE PRESENTED:

107-20 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Wilkerson, 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.

108-20 An Ordinance amending the 2020 Annual Budget. Neeper moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Wilkerson, 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.

109-20 An Ordinance authorizing the Mayor to enter into a 3-year contract with Cintas. Neeper moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Wilkerson, 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 Wilkerson to approve the absence and salary of Councilor Neeper from the June 8th meeting. Motion carried. Nixon moved, seconded by Glenn, to approve the absence and salary of Councilor Gordon.

Councilor Thompson announced the Central Lima Neighborhood Association will be meeting in person and via Zoom on Wednesday, June 24th at 6:30 p.m. at 875 w. Market Street. The Zoom link will be provided via the Associations Facebook page. She expressed her disappointment in the response from some people namely our County Commissioners and Sheriff Treglia when it comes to these discussions about anti-racism, the Human Relations Council and anti-oppression efforts. She doesn't know what the politics are behind various things because she is newer to the area, but dialogue needs to happen. She is disappointed that after several days of actively requesting meetings with the Commissioners to dialogue, that those calls were never returned and instead shut down in the media. She said she would still like dialogue. She encouraged everyone to look up Kimberle Crenshaw and her talk about intersectionality where she says that if you cannot see a problem and you cannot name a problem, then you cannot admit that there is a problem. She said obviously, talking about systemic and institutionalized racism, there is a problem and it is a crisis. She said when you have people in power who think black people get sick because they don't wash their hands, that is the type of internalized, institutionalized systemic racism and oppressive ideology that they are talking about. She said it might not be a big deal that one guy thinks that, but when you make that one guy her physician or in charge of passing legislation, then you multiply that with all the other people who refuse to dialogue and refuse to learn, we have a problem. She said acting like there isn't a problem or telling people they shouldn't think that there is a problem, does not make the problem go away and will only deepen the problem. She said Racism is a public health crisis and is one that will trickle down, up and out because when we let one human suffer, we are hurting all of us. She said it is not true that the County and the City are not related as the City is the County seat. She has had complaints from constituents that have been pulled over and detained that don't know why except they were out walking while black. She explained an instance where constituents were afraid to file a Complaint in fear of retaliation. She said god-bless those who haven't experienced that problem but a lot of them have.

Councilor Ehora said civility in government comes to her mind. She referenced a quote from the Institute for Civility in Government. She said that is all we are asking for. She looked back in the Minutes and they only asked to have dialogue and bring everyone to the table that needs to be there. She said their point was to not get bogged down, but at least have a broad conversation about the wants and needs of our community. She agrees there is a place at the table for everyone who wants to be there. She said this past week she had three class-mates die so that is an awakening and reminder that life is far too short for all of the discourse in the world. She talked to the City about speed and she understands that we do not have the resources to patrol everything that needs to be patrolled, so she can only appeal to those who drive down the streets. She said there is not light on Market Street between Cable Road and Woodlawn and people drive insanely fast down Market Street. She explained her neighbor said you should drive the streets like your

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children live there and she feels that way. She said it is just one person backing out of driveway short of something terrible happening. She appealed to everyone to slow down and treat the neighborhoods like you live in them. She said in a world where you can be anything, be kind.

Councilor Dixon thanked the Mayor for his letter to Council the last meeting, addressing certain issues within our City limits. He said we have never seen a Mayor who has stood ten toes down and stated what they believed in to be just or unjust. He also applauded the Mayor for stating that he has not always done everything right in regards to race relations, but that doesn't mean in the long run we can't turn around and get things right. He also applauded the Mayor because last week he stood ten toes down again and said we have cancelled a lot of events though the Pandemic and Juneteenth will not be treated any differently than any other events that were cancelled. He said he believes what the Mayor said was not wrong, he believes the timing was off. He understands the Lima News has a job to do and that is to sell papers so they use a great headline of an article to sell papers and he believes that to be dishonest. He expressed his concerns with that journalist from the Lima News. He asked the Mayor to remember as he moves forward that he will be challenged that as long as he stands on the right side of right, he will never have to worry about what anyone has to say. He thanked Ryn and Crime Victim Services for supporting the Resolution because we see it is a problem and hear the call of action. He said if Council is going to be the leaders of the community, they must set forth a precedent, and that they are willing to stand strongly, boldly and face this thing hand in hand. Dixon moved, seconded by Glenn, to refer the Lima Police Department's policies regarding use of force to the Safety Services Committee. Motion carried. Dixon moved, seconded by Thompson, to refer the issue of allowing Chickens to be raised within the City of Lima to the Neighborhood Concerns Committee. He said price of chicken is starting to skyrocket and residents are seeing an increase in their grocery bill. President Nixon advised he has been through this issue at nauseam about four years ago and will not vote for it to go to Committee because he will not support legislation approving it. Motion carried by a 6-1 vote, with Nixon voting no. He reminded everyone to be good to each other.


Councilor Glenn said when the Citizens Review Board was established, there was a Commissioner on the board. He said this is so important and we need to get to 10,000 voters here in Lima. He said he is not going to use this for a feel good, this is going to be really good until he leaves this earth. He said we have to put the pedal to the medal and this is urgent. He said the only thing he likes about Sneary is he says how he feels. He doesn't want the County to forget the City of Lima is the Chair of the County. He said they think they can't be touched but they can be. He said they need to work hard to have their voices heard. He said they can't pick and choose what they want to do. He said June 27th they want everyone to purchase a Bubba Wallace shirt who is going through a lot for being a minority. He said racism is getting real bad and we will still see it. He said they have to be ready and stick together. He said they want to create an outreach in the neighborhoods because bars are packed and COVID-19 is real. He asked everyone to make a phone call to see what we can do about establishments doing what they are doing. He said he is tired of houses having problems owned by MET Housing. Glenn moved, seconded by Thompson, to refer unruly neighbors and discuss the issue with MET Housing and other agencies to the Neighborhood Concerns Committee. Motion carried. He said a lot of kids are getting ready to go back to school and he is asking parents to help kids get ready and immunize the kids.

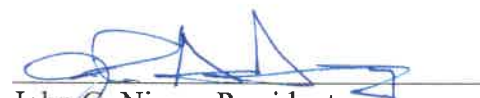
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Councilor Neeper applauds everyone for taking this to heart as far as what is going on in the world today both regarding the institutionalized racism and COVID-19 crisis. He mentioned the world resiliency and said if we can go back to that; these problems can all be solved. He said in today's day in age, it is asinine that we have to have this discussion that there is a problem and that we have to be told these things. He applauds everyone who has been on the forefront of these things and stated we need to work hard. He explained this is not an "us vs. them" mentality, it should be a "we" mentality. He said it should be we as a community, we as people. He said this needs to be a community effort and a combined effort between all parties involved. He said the dialogue has to be there and has to start now. He said unfortunately it has to take a gentleman being killed in order for the dialogue to start and that is ridiculous. He said we are not always going to agree on every point, but we have to agree that this has to be solved so it is fair and equitable for everyone involved and that all of the rules and laws apply to everyone.

Wilkerson moved, seconded by Neeper, to refer the corner of N. Baxter Street and Marian Ave. to the Traffic Commission to review the intersection for potential site distance and removal of street parking. Motion carried. Wilkerson explained the importance of gun safety. He said he has an issue with the lack of responsible gun owners. He referenced the loss of a child the night prior due to a gun incident. He said innocent lives should not be lost because of careless thinking and careless actions. He asked everyone to put their pistols away. He referenced a phone call that he received from a resident about a neighbor's cat that could have been prevented or resolved if the neighbors would have communicated. He said it reminds him of what is going on in society now where we don't have the dialogue that we should have with each other, just to have a decent relationship. He asked everyone to be conscious of their neighbors and asked them to talk to each other.

Dixon moved that Council adjourn until July 6, 2020 at 7:00 p.m., seconded by Thompson, motion carried.


Dana Addis, Clerk


John G. Nixon, President