

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

September 14, 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; Anthony DiPietro, Deputy Law Director; Randall Bartels, Auditor; Kari Keener, Dir. of Human Resources; Susan Crotty; Dir. Of DCD; Mike Caprella, Dir. of Util.; Howard Elstro, Dir. of Public Works; Sharetta Smith, Chief of Staff; 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, Wilkerson, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon.

PRIVILEGE OF THE FLOOR:

James Dillard was not present to speak.

Gina Guagenti was not present to speak.

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, July 10, 2020.

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. 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.

2. From the Auditor regarding the Contract Labor Reports for July and August, 2020. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

3. From the Auditor regarding the Financial Reports for May, 2020. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

4. From the Auditor regarding legislation to accept the amounts and rates as determined by the Allen County Budget Commission and authorizing necessary tax levies. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

5. From the Chief of Police regarding legislation to disburse funds from the Asset Forfeiture Account. Moved by Dixon, seconded by Neeper, that the communication be received and filed. Motion carried.

6. From the Chief Technology Officer regarding legislation to purchase equipment for hybrid style meetings. Moved by Gordon, seconded by Neeper, that the communication be received and filed. Motion carried.

7. From the Dir. of Public Works regarding legislation to enter into contract with Wellman Services, LLC. Moved by Ehora, seconded by Thompson, that the communication be received and filed. Motion carried.

8. From the City Engineer regarding legislation for the dedication of road right-of-way for the Hospital Intersection Improvement Project. Moved by Ehora, seconded by Dixon, that the communication be received and filed. Motion carried.

9. From the Dir. of Public Works regarding legislation to enter into contract with the Lima Astronomical Society. Moved by Ehora, seconded by Glenn, that the communication be received and filed. Motion carried.

10. From the City Engineer regarding legislation to submit applications to the Ohio Public Works Commission requesting State Issue I Funds. Moved by Ehora, seconded by Gordon, that the communication be received and filed. Motion carried.

11. From the Finance Dir. regarding legislation to amend the 2020 Official Budget. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

12. From the St. Mary Development Corporation regarding Shawnee Lofts Development. Moved by Thompson, seconded by Wilkerson, that the communication be received and filed. Councilor Glenn asked if this project has already been voted on. President Nixon explained Council previously objected to the project, and his understanding is the Mayor also strongly encouraged against the project going forward. He said it appears St. Mary Development received the state funding over the City's objections and are proceeding with the project. Mayor Berger explained Council voted to support Administrations' objection to the project because of its location and because of the State criteria that established that location as preferential to other locations within the City and the Lima City School District. He advised the project has received its funding commitments and Council is now receiving a letter of notification that they are

September 14, 2020

proceeding. He explained he sent a second letter reiterating the objection that was previously filed so he doesn't know that there is any further action needed by Council. Motion carried.

13. From the Court Administrator regarding Court Probation Officer position. Moved by Dixon, seconded by Glenn, that the communication be received, file and authorize the Law Dir. to prepare the necessary legislation. Motion carried.

REPORTS OF OFFICIALS:

Tammie Colon, Director of the Mental Health and Recovery Services Board provided Council with an update of the Opioid Action Commission. She reviewed the original goals of the Commission and how the goals have been met or are in the process of being met. She explained additional programs of the Commission including the Embrace Program, Minority and Faith Based Outreach Navigator, Development of specialty courts for both Common Pleas and Municipal Court and Family stabilization outreach navigator. She provided the CDC drug overdose data. She provided Council with statistics associated to Ohio Emergency Department suspected drug overdoses. She provided a summary of Commissions' the future work. Councilor Dixon thanked Tammie and the Commission for what they do because he knows this work has not been easy on drug counselors during the pandemic. President Nixon thanked Tammie for the presentation. (A complete copy of the presentation is on file in the Council Office.)

Howard Elstro, Dr. Fan Ye, Trevor Bert and Jenna Fuller presented Council with a presentation regarding Lima's Drive Ohio Project concerning trains and vehicle conflicts and congestion. Howard Elstro explained in the Summer of 2019, the City of Lima and ODOT's Drive Ohio started a conversation around railroad crossings focusing on two questions including what challenges does the community currently face and how can smart mobility technology be used to solve the challenges? He explained Ohio Northern University was interested in a Capstone project and became involved through Dr. Fan Ye, Professor of Civil Engineering. Jenna Fuller gave a background of the Smart Rail Crossings Project and provided Council with the goals. She explained Lima has a high number of blocked rail crossings which is the reason the smart mobility program is under discussion. She provided the findings of the literature review and provided a list of similar systems that are currently being implemented including the India Railway Solution and the Fort Collins Couple. She provided the findings of the surveys conducted with both residents and EMS/Fire Safety Departments. Trevor Bert gave additional details of the survey including percentages of individuals who have been stuck or delayed due to train crossings and whether the individuals would be willing to change applications for giving directions to avoid delays. He explained the preliminary study on the required data and availability of that data in order to create a system to track and report when an intersection should be avoided. He presented the data of the initial study conducted by the group and explained the challenges and difficulties they had while gathering information. The final recommendations are to place cameras near the tracks, push notification for app users, a program predicts closures and have the data sent to dispatchers so they can notify Fire and EMS. Anthony DiPietro thanked the students for their tremendous research and

clarified there are Federal Statutes and case law from Federal District Court including controlling the jurisdiction of Lima that states Federal Laws pre-empt the state laws regarding railroads obstructing traffic that are not enforced. Councilor Ehora thanked the students and professor for their work. She asked if the technology would be implemented, who would manage it? She explained that the railroad obstruction is bad again but she would love to know how all of it would work if it came to fruition. Howard Elstro explained details of the ODOT “Drive Ohio” initiative. He advised the management of the initiative would be a combination of private sector and government working together to design, implement and maintain the proposed systems. Councilor Dixon asked if other cities have taken on the initiative. Elstro explained there is not current technology being implemented. Mayor Berger explained this is a new set of challenges and the partners that have been identified by ODOT are Spectrum and a company called Ignite. He said it will be a long term endeavor and the problem issue is intended to be a model for what gets implemented across the state. (A complete copy of the presentation is on file in the Council Office.)

REPORTS OF COMMITTEES:

Councilor Thompson advised the Economic & Community Development Committee met on July 6, 2020 for the first Public Hearing for the 2020-2024 Consolidated Plan and the 2020-2021 Annual Action Plan. All Council members have received a copy. Thompson moved, seconded by Ehora, that the Economic & Community Development Meeting Report of July 6, 2020 be received, filed and approved. Motion carried.

Councilor Thompson advised the Economic & Community Development Committee met on July 27, 2020 to continue the discussion of the proposed landlord registration and licensing system. All Council members have received a copy. Thompson moved, seconded by Ehora, that the Economic & Community Development Meeting Report of July 27, 2020 be received, filed and approved. Motion carried.

Councilor Thompson advised the Economic & Community Development Committee met on July 30, 2020 to discuss the proposed 2020-2024 Consolidated Plan and the 2020-2021 Annual Action Plan. All Council members have received a copy. Thompson moved, seconded by Ehora, that the Economic & Community Development Meeting Report of July 30, 2020 be received, filed and approved. Motion carried.

THE FOLLOWING ORDINANCES WERE PRESENTED:

152-20 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima. Thompson moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, Neepner and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

153-20 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima. Thompson moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

154-20 An Ordinance amending the 2020 Annual Budget. Neeper moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

155-20 An Ordinance accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies and certifying them to the County Auditor. Neeper moved, seconded by Thompson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

156-20 An Ordinance authorizing a payment from the Asset Forfeiture Fund. 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, 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 an 8-0 vote.

157-20 An ordinance dedicating right of way for public for the Hospital Intersection Improvement Project. Ehora moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

158-20 An Ordinance authorizing the Mayor to submit applications to the Ohio Public Works Commission requesting State Issue I Funds. Ehora moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

159-20 An Ordinance authorizing the Mayor to enter into contract(s) to purchase equipment for hybrid style meetings. Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

September 14, 2020

160-20 An Ordinance authorizing the Mayor to enter into a Memorandum of Understanding with the Lima Astronomical Society. Ehora moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

161-20 An Ordinance authorizing the Mayor to enter into contract with Wellman Services, LLC. Ehora moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

162-20 An Ordinance establishing positions and classifications hereinafter set forth and fixing the salary and compensation of such positions. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. Councilor Dixon clarified that the new position being created in this Ordinance is not a new hire but rather an in house promotion whose current position will not be back filled and will not cost any additional money other than a \$1.50 increase in he employees salary. The following vote was recorded on the motion. Yea, 8; Gordon, 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 an 8-0 vote.

163-20 An Ordinance amending Section 1248.11 of the Codified Ordinances 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, 8; Gordon, 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 an 8-0 vote.

MISCELLANEOUS BUSINESS:

Councilor Neeper moved, seconded by Glenn, to authorize a Resolution be prepared memorializing the late Ruth Kreher. Motion carried. He thanked the various police for cracking down on the speeding as well as distracted driving for the last two weeks. He hopes people start getting the message that they need to pay attention in all areas of the City. He asked residents to watch their speed in the school zones and watch for kids walking before and after school.

Councilor Gordon expressed his appreciation to Sharetta Smith for her work on the Mask on Lima campaign. He reminded everyone to be good to each other.

Councilor Wilkerson reminded everyone to wear their masks and to complete the 2020 Census. He reminded everyone to register to vote. He explained we are truly living in divided times and we need to stop letting issues outside of the community affect us inside of our City. He encouraged everyone to focus on sticking together and moving forward as a united Lima.

September 14, 2020

Councilor Thompson said she had the pleasure of canvassing with Every Vote Counts Lima over the weekend and they will be finishing up sections of Ward 3 throughout the week. She thanked Derry Glenn, Amy Bucher and Dr. Higgins of Heir Force Academy for their help organizing the program. She announced there will be a drive through voter registration from 10-1 p.m. on September 19th located at 875 West Market Street. She announced the voter registration deadline is on October 5th. She said if it wasn't important to vote, so many people wouldn't try to keep you from voting. She explained so many have struggled for the basic right to vote for our representation. She announced the Central Lima Neighborhood Association will meeting Wednesday the 23rd at 6:30 p.m. both in person at 875 W. Market Street and virtually via Zoom. She explained the neighborhood association will also be hosting a dumpster for City Wide Pride at 875 W. Market St. on September 26th from 8 a.m. until Noon. She announced there will be an Economic & Community Development Committee meeting on September 21, 2020 at 7:30 p.m. to discuss the Housing Study and the Landlord Licensing Program. She expressed the work is not over and explained we are letting things divide us that aren't really important or things that are just differences in opinion and values that don't make another person worse or better than another. She gave an example of how her step-father came into contact with someone who belittled him and she said she doesn't think everyone understands how even the little interactions affect them and stay with them. She said yes in reality all lives matter, but we must say black lives matter until people start believing in it. She believes the City must all get on the same page. She thanked Council for their individual hard work.

Councilor Ehora said she agrees with and appreciates everyone on Council. She thanked Chief Martin and all Law Enforcement Agencies for stepping it up because she has noticed a difference in her neighborhood. She said they are still having issues with accidents on Glenwood and Market Street. She said she is taking this opportunity to learn things about what options they have for houses that have been vacant for a long time. She had a conversation with Mrs. Smith regarding the See Click Fix application being able to address these problems. She said we have to find a way to address housing and she looks forward to working on that. She said civility goes a long way and you don't always have to say what you think. She believes everyone feels the need to voice their opinions and everything that used to be normal has become a political piece and she doesn't like it. She asked everyone to be good to one another, be kind, civil and we are all Americans who are in this together.

Councilor Dixon announced the Safety Services and Neighborhood Concerns Joint Committee will meet on Monday, September 21, 2020 at 6:15 p.m. to discuss large private parties held in unspecified locations and chronic commercial properties Nuisance programs. Councilor Dixon made a recommendation to the Utilities Dept. or Public Works Dept. to review the drainage issues of the storm water basin east of the railroad on East Fourth Street. He said it has been a pleasure to get out with his co-counselors over the last few weeks and said even though there are precautions to be made; you can still go out and enjoy different events and getting to know neighbors. He announced he will be handing out masks for the Masks on Lima initiative on Saturday at the South Middle School parking lot. He recognized September 11th and reflected that

September 14, 2020


morning and how America was united on September 12th. He asked everyone to stand united just as we did on September 12th and be good to one another, show respect, dignity and pride.

Councilor Glenn thanked Council for their kind words. He thanked Mike Caprella and Mr. Beebe and appreciates all of their hard work. He said they will be working on a new neighborhood association coming back to Hoover Park. He said Martin Luther King has elected a new president. He said they will be working on a fourth house and are obtaining building permits to put a shower in. He announced there will be a Town Hall Meeting on September 22nd at 4:00 p.m. at the Health Partners on 8th Street where they will be discussing things going on. He asked everyone to keep their spirit and to continue to work together.

President Nixon offered congratulations to Randy Bartels and the rest of the City of Lima Finance Team for their recent recognition from the Auditor of State with the Award of Distinction for excellent record keeping and book keeping. He said he can remember a time when we had problems and Randy has made improvements ever since.

Councilor Ehora extended her sympathies and condolences to the family of Peg Griffith who was the Council Clerk and City Employee for many years. President Nixon agreed and thanked Ehora for the acknowledgement.

Gordon moved that Council adjourn until September 28, 2020 at 7:00 p.m., seconded by Neeper, motion carried.


Dana Addis, Clerk


John G. Nixon, President