

MINUTES OF LIMA CITY COUNCIL  
LIMA, OHIO

January 25, 2021

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; Anthony DiPietro, Deputy Law Director; Randall Bartels, Auditor; Steven Cleaves, Finance Director; Kari Keener, Dir. of Human Resources; Susan Crotty; Dir. Of DCD; Howard Elstro, Dir. of Public Works; Sharetta Smith, Chief of Staff; Chief Martin; and Dana Addis, Clerk.

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

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

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 of November 13, 2020.

Gordon moved that items "a" of the consent calendar be received, filed, and approved and that items "b" be received and filed, seconded by Dixon, 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 Gordon, that the communication be received and filed. Motion carried.
2. From the Auditor regarding legislation to permit a cash transfer from the General Fund to the Debt Service fund. Moved by Neeper, seconded by Gordon, that the communication be received and filed. Motion carried.
3. From the Auditor regarding the contract labor report for December, 2020. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.
4. From the Dir. of Public Works regarding legislation to establish a moratorium for the use of shared mobility devices. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried.

5. From the Dir. of Public Works regarding legislation to enter into contract with the Allen County Commissioners. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried.

6. From the Dir. of Public Works regarding legislation to enter into agreements with Health Partners of Western Ohio. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried.

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

8. From the City Engineer regarding legislation to apply for funding through ODOT's Municipal Bridge Program. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried.

9. From the Dir. of Utilities regarding legislation to add 2 Computer Operator/Programmer positions to the Data System Group. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

10. From the Dir. of Utilities regarding legislation to enter into contract with Buckeye Pumps, Inc. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

#### REPORTS OF COMMITTEES:

President Nixon moved, seconded by Glenn, that the Council of the Whole Committee Meeting Report of Monday, January 11, 2021 be received, filed and approved. Motion carried.

President Nixon moved, seconded by Glenn, that the Council of the Whole Committee Report of Tuesday, January 12, 2021 be received, filed and approved. Motion carried.

#### THE FOLLOWING ORDINANCES WERE PRESENTED:

240-20 (Third Reading) An Ordinance approving a substantial plan amendment to the 2020-2021 CDBG/HOME Annual Action Plan and authorizing submission to HUD. Thompson moved, seconded by Wilkerson, that the ordinance be passed on the third reading. The following vote was recorded on the motion. Yea, 5; Gordon, Wilkerson, Thompson, Ehora and Dixon. Nay, 2; Neepner and Nixon. Abstention, 1; Glenn. The Chair declared the motion carried and the ordinance passes on the third reading by a 5-2 vote with one abstention.

008-21 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson moved, seconded by Wilkerson, that the ordinance be passed on the third 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.

009-21 An Ordinance authorizing the transfer of cash from the General Fund to the Debt Service Fund. Neeper moved, seconded by Glenn, that the ordinance be passed on the third 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.

010-21 An Ordinance authorizing the Mayor to enter into an agreement with Downtown Lima, Inc. Thompson moved, seconded by Neeper, that the ordinance be passed on the third 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.

011-21 An Ordinance authorizing the Mayor to enter into contract with Spring & Main LLC. Ehora moved, seconded by Wilkerson, that the ordinance be passed on the third reading. Councilor Ehora expressed her appreciation for Mr. Heaphy's investments in Lima. John Heaphy expressed his excitement to be able to have a vision for the downtown area which includes culture, night life and fun things to do to complement the existing downtown businesses. He believes what is happening downtown is a great example of the private sector and public sector coming together to make things happen. He explained to Council the second phase of his investment downtown which includes the purchase of the building located at 131 S. Union Street which is an eyesore coming into the City. Mr. Heaphy recommended Council consider changing the zoning around the area he is revitalizing. President Nixon expressed his appreciation for the perseverance to bring the project to fruition. Councilor Thompson inquired about Mr. Heaphy's vision and how it is working in conjunction with the other investors in Lima. Mr. Heaphy explained he has met with the other investors and developers and discussed their vision for downtown. He believes the current investors and developers are pursuing this more for the community and the buildings that he has purchased or is purchasing tie in the current development that is taking place. He gave a brief example of how the downtown developments tie together. Councilor Dixon asked what Mr. Heaphy's vision for the parking lot. Heaphy explained his plans for outside dining, landscaping and leaving approximately 30 parking spaces along with the vision of developing additional parking in another lot that was acquired. Councilor Dixon asked how much revenue would be earned if the City were to keep the parking lot. He also asked if any other individuals were allowed to bid on this process. Mayor Berger explained there is no revenue currently on that City lot and there has been no attempt to try to forecast what revenue might be. He advised Mr. Heaphy approached the City about his use of the lot and the City expressed to him the City's need for parking spaces for employees and others in the public. He believes what was negotiated is a fair

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deal for all parties and should be seen as an economic development of downtown. Councilor Wilkerson expressed appreciation to Mr. Heaphy for his vision and call to action. Councilor Neeper explained this is a win-win situation and believes this can be a small example of what can happen downtown. Heaphy advised Council of additional investments he is doing to clean up eye sores downtown. 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.

012-21 An Ordinance authorizing the Mayor to enter into contract with the Allen County Commissioners for the provision of services for the enforcement of the State Building Code. Ehora moved, seconded by Dixon, that the ordinance be passed on the third reading. Councilor Dixon congratulated our Building and Coding Dept. especially after having issues in the past. He thanked Howard Elstro and Amy Harpster for their work and keeping a good relationship with the County. 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.

013-21 An Ordinance authorizing the Mayor to enter into agreements with Health Partners of Western Ohio. Ehora moved, seconded by Dixon, that the ordinance be passed on the third 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.

014-21 An Ordinance authorizing the Mayor to apply for, accept and administer funds through the Ohio Department of Transportation Municipal Bridge Program. Ehora moved, seconded by Neeper, that the ordinance be passed on the third 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.

015-21 An Ordinance authorizing the Mayor to enter into contract with Buckeye Pumps, Inc. Moved by Gordon, seconded by Neeper, that the ordinance be passed on the third 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.

016-21 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 Neeper, that the ordinance be passed on the third 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.

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017-21 An Ordinance approving and issuing a Certificate of Appropriateness for Application No. 202011 to the Design Review Board. Thompson moved, seconded by Gordon, that the ordinance be passed on the third 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.

018-21 An Ordinance establishing a 180 day moratorium upon the placing and use of shared mobility devices upon public property or public right-of-way in the City of Lima. Wilkerson moved, seconded by Glenn, that the ordinance be passed on the third 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 Gordon expressed his appreciation to John Heaphy. He reminded everyone to be good to each other.

Councilor Wilkerson reminded everyone to wear masks and COVID is still out there. He reminded everyone to be nice to each other and treat each other well.

Councilor Thompson announced there will be a Central Lima Neighborhood Association meeting Wednesday at 6:30 pm via Zoom.

Councilor Ehora explained the concerns of her employer is implementing double layer masks, prohibit travel and the expediency of the vaccine. She asked everyone to remain diligent and aware. She reminded everyone to be kind.

Councilor Dixon reminded everyone to continue to take precautions while out. He reminded everyone we are under a weather advisory and asked everyone to allow extra time while traveling. He reminded everyone to be kind to each other.

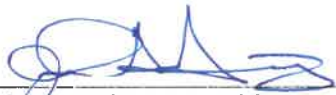
Councilor Glenn thanked fellow Councilors for walking. He said it makes him proud to hear about other Council Members doing good work.

Councilor Neeper moved, seconded by Glenn, to authorize a Resolution memorializing the late Daryl Styer. Motion carried. Neeper thanked everyone that was involved in the Budget Hearings which were held last week and went extremely well. Neeper moved, seconded by Dixon, to refer the issue of an Entertainment District to the Economic & Community Development Committee.

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Gordon moved that Council adjourn until February 8, 2021 at 7:00 p.m., seconded by Dixon, motion carried.

  
Dana Addis, Clerk

  
John G. Nixon, President