

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

July 22, 2019

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; Anthony DiPietro, Deputy 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; Sharetta Smith, Chief of Staff; Chief Martin, Chief Black, and Dana Addis, Clerk.

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

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

PRIVILEGE OF THE FLOOR:

Ada Mason, 1808 Oakland Pkwy, spoke regarding her concerns that the issue of animal abuse has not been referred to a Committee since she last spoke to Council. She expressed concerns that there is no help for animals and law enforcement should be employed. She also advised Council that there is a serious overpopulation of cats and funding is needed.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.
- b. Minutes of the Special Council Meeting held June 24, 2019.
- c. Board of Building Appeals Minutes of May 16, 2019.
- d. Amended Treasurer's Report for April 2019.
- e. Board of Public Health Minutes of June 14, 2019.

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From Dave & Marsha Smith regarding Notice of filing a Petition for Annexation. Moved by Gordon, seconded by Glenn, that the communication be received and filed. Motion carried.

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2. From Wallick-Hendy Development Company, LLC regarding the Lima Apartments Project. Moved by Dixon, seconded by Thompson, that the communication be received and filed. Motion carried.
3. From the Division of Liquor Control regarding a liquor permit transfer to Double Time Foods, LLC, 1434 Allentown Road. Moved by Neeper, seconded by Glenn, that the communication be received, filed and the Clerk authorized to file with no objections. Motion carried.
4. From the Finance Dir. regarding legislation to amend the 2019 Budget. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.
5. From the Chief of Staff regarding appointments to the Board of Adjustment. Moved by Glenn, seconded by Dixon, that the communication be received, filed and approved. Motion carried.
6. From the Chief of Staff regarding legislation to enter into an agreement with JNK Properties, LLC. Moved by McLean, seconded by Gordon, that the communication be received, filed and the Law Dir. authorized to prepare the necessary legislation. Motion carried.
7. From the Chief of Staff regarding legislation to enter into an agreement with Ben H. Larick. Moved by Thompson, seconded by Dixon, that the communication be received, filed and the Law Dir. authorized to prepare the necessary legislation. Motion carried.
8. From the Dir. of Utilities regarding legislation to add Utilities Operations Manager to the Strength Ordinance. Moved by Kreher, seconded by Dixon, that the communication be received and filed. Motion carried.
9. From the Dir. of Utilities regarding legislation to assign Wright's interest in the City's garbage and refuse contract to Rumpke Waste & Recycling. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.
10. From the Dir. of Utilities regarding legislation to bid and award a contract for the diesel fuel tank replacement at the Water Treatment Plant. Moved by Gordon, seconded by Dixon, that the communication be received and filed. Motion carried.
11. From the Dir. of Utilities regarding legislation to purchase a Bomford Flailbot Slope Mower. Moved by Gordon, seconded by Thompson, that the communication be received and filed. Motion carried.
12. From the Dir. of Utilities regarding legislation to enter into an agreement with Ohio CAT. Moved by Gordon, seconded by McLean, that the communication be received and filed.

Motion carried.

13. From the City Engineer requesting legislation to enter into contract with Technicon Design Group, Inc. Moved by Neeper, seconded by Gordon, that the communication be received and filed. Motion carried.

14. From the Dir. of Public Works regarding eth storm water drainage concern and street consideration deadline. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

15. From the Chief of Police regarding legislation to enter into an agreement for contract labor to cover the duties of Records Clerk. Moved by Glenn, seconded by Dixon, that the communication be received and filed. Motion carried.

16. From the Dir. of Comm. Dev. regarding legislation to enter into contract with Harsany & Associates. Moved by Thompson, seconded by Dixon, that the communication be received and filed. Motion carried.

17. From the Dir. of Comm. Dev. regarding legislation to provide tax abatement for T-K Sarno LLC. Moved by Thompson, seconded by Gordon, that the communication be received and filed. Motion carried.

18. From the Dir. of Comm. Dev. regarding legislation to place tax assessments. Moved by Thompson, seconded by Gordon, that the communication be received and filed. Motion carried.

19. From the Civil Service Board regarding the creation of the Utilities Operation Manager within the Dept. of Utilities. Moved by Kreher, seconded by Thompson, that the communication be received, filed and approved. Motion carried.

20. From the Law Dir. regarding legislation to enter into contract with Crime Victim Services. Moved by Kreher, seconded by Thompson, that the communication be received and filed. Motion carried.

PETITIONS:

1. Special Use Permit at 315 & 317 S. Cole St. allowing rooming houses in Class-I Residential District. Moved by Kreher, seconded by Glenn, that the communication be received, filed and approved. Motion carried.

REPORTS OF OFFICIALS:

Sgt. Hile gave a report on the Star Spangled Spectacular. He explained they bring many resources together from other agencies and departments to help with different aspects of the event. He said they had to adapt to some changes due to the weather leading up to the event. He said the City spent somewhere around \$10,500 on security for the event this year. He advised there were no injuries and no missing children.

Sharetta Smith, Chief of Staff, gave a brief overview of the Abandoned Gas Station Cleanup Program. She advised Council that the funding from this program comes from a Cleanup Ohio fund that was established in 2016. She explained the eligibility and criteria to qualify for funds. She acknowledged two properties that are identified as Class C sites in the City of Lima being 124 W. Wayne Street and 519 N. Jackson Street which City has reached out to the property owners and are working to get through the process. She advised if a property does not have Class C determination, they can still be available for funding through the Ohio EPA. She provided a list of likely prospects within the City of Lima. She explained the complicated process for applying for funding. (A copy of the report is available in the Council Office).

REPORTS OF COMMITTEES:

Councilor Gordon stated the Utilities Committee met on June 26, 2019 to discuss the upcoming Utilities projects. All members have received a copy. Gordon moved, seconded by Kreher, that the report be received, filed and approved. Motion carried.

THE FOLLOWING ORDINANCES WERE PRESENTED:

156-19 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson moved, seconded by Kreher, 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.

157-19 Amending the 2019 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.

158-19 Establishing the positions and classifications hereinafter set forth and fixing the salary and compensation of such positions and classifications. Kreher 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.

159-19 Authorizing the Mayor to enter into a CRA Tax Exemption Agreement with T-K Sarno, LLC. Thompson moved, seconded by Kreher, 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.

160-19 Authorizing the Mayor to enter into contract with Technicon Design Group, Inc. Thompson moved, seconded by Kreher, 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.

161-19 Authorizing the Mayor to assign the City's refuse and garbage collection contract to Rumpke of Ohio, Inc. Gordon moved, seconded by McLean, that the ordinance be passed on the first reading. Councilor Dixon asked the representative from Rumpke of Ohio if the employees already employed by Wright Refuse will automatically become employed, or if they will need to re-apply for their positions. The representative stated all current employees will be brought on board. Councilor Neeper expressed his hope that the current operations will be the same with the new contract holder and that communication will continue to be open. 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.

162-19 Amending Ordinance No. 147-19. 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.

163-19 Authorizing the Mayor to advertise for bids and enter into contract for the purchase of a diesel fuel tank replacement. 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, 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.

164-19 Authorizing the Mayor to enter into contract for the purchase of a flailbot slop mower. 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.

165-19 Authorizing the Mayor to enter into contract with Ohio CAT. 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, 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.

166-19 Authorizing the Mayor to enter into contract with Harsany and Associates, LLC. Thompson moved, seconded by Dixon, that the ordinance be passed on the first reading. Councilor Neeper asked Susan Crotty to give a brief overview of the program and how it differs from what the Greater Lima Region performed. Susan Crotty explained Greater Lima Region did a study on the future need for new housing construction in Lima. She explained Lima is looking at an overall assessment of the housing conditions in the City, substandard housing, what type of blight exists in the neighborhoods and to come up with a strategy to address those issues. She explained they are also looking at ways to improve substandard housing, rehabilitation opportunities in addition to how they can find additional resources to perform demolitions. Councilor Thompson expressed she is hoping our community partners, key stakeholders start to look at how we can come together and put together a plan with a vision to remove blight and revitalize the neighborhoods. 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.

167-19 Authorizing the Mayor to enter into contract with Crime Victim Services, Inc. Kreher moved, seconded by Dixon, that the ordinance be passed on the first reading. Councilor Dixon announced he will be supporting this Ordinance because so many people who seek out to get these services to get help. He said he referred about three people to this program just last week and he heard how it was successful for them. He believes this is a great help and benefit to our community. Councilor Thompson advised that although she agrees with everything Councilor Dixon said but will be abstaining because it is her place of employment. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Kreher, Dixon, Glenn, Neeper and Nixon. Nay, none. Abstain, 1; Thompson. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote with 1 abstention.

168-19 Providing for the issuance and sale of \$47,000 of bonds, in anticipations of the collection of special assessments, of the costs of constructing sidewalks at various locations in the City, together with all necessary appurtenances thereto and in the manner provided in Resolution No. 006-17 and Ordinance No. 061-18. Neeper moved, seconded by Glenn, that the Fiscal Officer's Certificate be received, filed and approved. Motion carried. Neeper 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.

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169-19 Authorizing the Mayor to enter into an agreement for contract labor for the Police Department Records Clerk position. Glenn 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, Neepner 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 Thompson thanked Ada Mason for continuing to express her concerns over animal welfare and agrees that her concerns are valid. She isn't sure the answers moving forward but believes they will try to work on some of her concerns. She urged everyone to not get a pet unless they know how to take care of it and can afford it. She announced the Central Lima Neighborhood Association will be meeting July 24th, 2019 at the Elks from 6:30-8:00 pm and encouraged everyone to attend. She said she has had some phone calls from citizens at 43 Town Square and she wanted to let the residents know that she is working with WODA and they are communicating and are interested in resolving some of the issues. She is doing something and encouraged residents to contact her via email or phone number.

Councilor Kreher announced the Faurot West Neighborhood Association will be meeting on Thursday, July 25, 2019 at LACNIP from 5:30-6:30pm. She announced the Boulevard Neighborhood Association is taking a summer break and will be back in September. She thanked Mike Caprella, Howard Elstro and Kennedy Miller for cleaning up when a refuse truck broke down. She expressed her thanks to the Street's Department for their hard work after the big storm last week.

Councilor Dixon wished the Council Clerk a Happy Birthday. He thanked the City's Street Dept., AEP and Century Link for helping residents who had issues after the storm. He said he was able to hear from employees that they enjoyed coming to work and were happy to work for a City that appreciates them. He thanked administration for creating an environment that is not only welcoming but exciting for employees to be a part of. He announced there will be a School Supply Giveaway on August 11, 2019 at Fresh-N-Faded from 12-4pm. He asked that only people who are not able to afford supplies attend but also encouraged those who can afford supplies to donate. He announced Philipian Baptist Church will be having a small carnival this weekend from 12-3 pm where they will be giving away 200 book bags full of supplies. He said his goal has always been to help and to serve people.

Councilor Glenn announced they will be taking uniforms and shoe donations. He announced they are still working on alleys. He said the Hire-a-Kid program ends on August 5th. He appreciates all the volunteers and gas cards. He said the paint program ends on August 15th and they have a lot of paint left over. He was happy to see everyone helping each other out after the storm last week and he expressed his appreciation for the Street Dept. He is happy to meet with some banks about the Chestnut St. housing. He asked everyone to adopt a family for back to school.

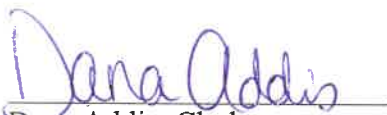
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Councilor Neeper moved, seconded by Kreher, to refer the issue of animal welfare to the Neighborhood Concerns Committee. Motion carried. He expressed his thanks to Howard Elstro, Streets Dept., AEP, Century Link and other organizations that helped after the storm. He reminded everyone that things are behind because of everything going on. He reminded everyone on July 23, 2019, the last of the Neighborhood Leadership Program will be at LACNIP from 6-8 pm and encouraged everyone to attend. He is looking forward to National Night Out on August 6, 2019 from 6-9 in the Square. He announced on August 7, 2019 at Martin Luther King Park there will be a back to school party. Councilor Neeper moved, seconded by Dixon, to authorize the Law Dir. to prepare a Resolution of appreciation for Father Jim Szobonya and Father Mike Houston. Motion carried.

Councilor Gordon said the common theme tonight has been people coming together and that is important in this day and age. He reminded everyone to be good to each other.

Councilor McLean said the storm was a hit and miss but is certainly glad the City took care of residents. He said the Street's Dept. worked their butts off every day. He said we have a fantastic Fire Dept. and Police Dept. and we are lucky to have what we have. He expressed appreciation to Mr. Wright and hopes they will have the same relationship with the new contract holders.

McLean moved that Council adjourn until August 5, 2019 at 7:00 p.m., seconded by Dixon, motion carried.


Dana Addis, Clerk


John G. Nixon, President