

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

June 17, 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; Sue Odenweller, Chief Deputy 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 Heffner, 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, McLean, Kreher, Glenn, Dixon and Nixon. Absent: Thompson and Neeper.

McLean moved, seconded by Gordon, that the agenda be amended by adding Anthony O'Garra to privilege of the floor. Motion carried.

PUBLIC HEARING:

President Nixon called to order the Public Hearing #2 for the CDBG/HOME Funds projects and proposed allocations. Susan Crotty, Dir. of Community Development, presented the 2019-2020 Update to the 2015-2020 Consolidated Plan. She said they have received their allocation in the amount of \$1,031,226 in CDBG funds and \$293,299 in HOME funds. She explained based on what they are projecting for carryover for CDBG, they would have a total beginning balance of \$1,449,732 and for HOME, they would have a total beginning balance of \$699,619. She reviewed the HUD restrictions on distributions of the CDBG/HOME funds. She advised Council that there were 14 proposals for CDBG. They received a proposal for the Spring Street Senior Lofts project which is included in the proposed HOME funding. There is funding in the HOME program to support all of the requests. There are a total of 19 proposals with a total amount requested of \$4,156,493 compared to \$2,149,351 estimated amount available. She reviewed the proposed allocations for 2019-2020. She explained the purpose of the estimated carryover and stated that in order to determine what a reasonable allocation would be out of the new funds, they need to take into account what possible funds will be carried forward from the previous year. She advised Council that they don't know the exact amount but they are in the current year that goes through September 30, 2019 and they will have expenses during the next three months. She explained the invoicing and payment process for vendors. She advised having some carryover is necessary and is a good thing because they will get invoices for expenses throughout the plan year and if they do not carry money over, they cannot pay those invoices. She explained when HUD makes funds available and how carryover is necessary to pay the invoices turned in after June. There will be a third Public Hearing on July 1, 2019.

June 24, 2019

Councilor Glenn expressed his concern that there is no syllabus available showing what is going on to make sure there is no carryover. Ms. Crotty advised that what they are planning is included in the carryover. Councilor Glenn's advised his goal is to not have a carryover and it should be known what is spent each month. Ms. Crotty explained why there is a carryover, which Councilor Glenn understood. Councilor Dixon asked if HUD keeps the carryover that is not used or do they push it out as an allocation. Ms. Crotty said that the funds must be carried over and it will be reprogramed if not used for its original purpose. She also explained the expiration of CDBG funds compared to HOME fund.

President Nixon opened the Public Hearing for comment and reminded everyone that they can make their comments based on the subject and that Council will not engage as this is for council to hear them and they will continue the matter until the third public hearing on July 1st unless there is a committee meeting in between.

Linda Mack, Community Leader, 108 E. High St, expressed the need for a printout that explains the CDBG funds so she can study it and understand it.

Bill Jackson, 1343 Essex Drive, expressed his concern of the dilapidated, boarded up and vacant properties. He gave an example of a dilapidated property next to his home that is not being addressed. He would like to know why Mr. Elstro is only being allocated \$90,000 if the money is supposed to be designated to the targeted area which is the Fifth and Sixth Ward. He would like to see more money from the CDBG Funds come to his area.

Jackie Fox, WOCAP, summarized the two programs being funded from the City, the Home Ownership Program and Fair Housing. She explained they are allocated in the HOME Funds up to \$10,000 per home, but amount received is based on a percentage of their income. She explained the money they receive is specifically allocated for homes purchased within the City of Lima. She reviewed the Fair Housing numbers and explained her thoughts as to why the numbers were down in 2018. She advised they are going to track things differently and report monthly and quarterly to the City of Lima.

Councilor Dixon thanked Jackie and WOCAP for being a great pillar in the community. He expressed his concerns with the carryover amount of \$18,607. Ms. Crotty explained the carryover is an estimate. President Nixon advised expenses are unknown for the next three months and the carryover could be less. Councilor Dixon expressed his concern that they've only spent \$6,000 since October. Ms. Crotty explained it could include carryover from the previous year and they will not know the actual amount until later in the year. Councilor Dixon expressed his concern for approving a budget that is based off of estimations. President Nixon stated all budgets are estimates.

June 24, 2019

Councilor Dixon expressed concerns including the possibility of WOCAP's budget starting at \$43,600 if their carryover is \$18,000 and not knowing for sure if the other programs' carryover will be \$0 as stated. Ms. Crotty reiterated the carryover amounts are an estimate and is based on previous experience with the programs. Councilor Dixon explained his reasons for asking. He expressed his concerns with the carryover being an estimated amount and guessing how much will be carried over. President Nixon explained the logic behind estimating the carryover amounts. Discussion was held between Councilor Dixon and Ms. Crotty regarding the concerns over the carryover amount not being used from the previous year and the feasibility of funding at 100% when there is a large carryover. Councilor Dixon said residents have come forth asking for more money to be put into dilapidation. He expressed his concern over the residents not given the opportunity to give input as the allocations are already coming to Council. Additional discussion was held between Councilor Dixon and Ms. Crotty regarding the carryover amounts and the possibility of reprogramming the carryover. Councilor Dixon recommended removing the rollover money from the balance and holding that amount for bills and allocating the new amounts for the current year. Ms. Crotty explained HUD's requirement to include the estimated carryover.

President Nixon explained that CDBG is born out of a Federal Program and that it is initially hard to understand how the program works. He pointed out that the CDBG funds are not only for the Fifth and Sixth Ward but for census tracts that are identified as low to moderate income. Councilor Dixon clarified that the tract census provided at the last meeting showed a majority of the Fifth, Sixth and Third Ward as low to moderate income. Councilor Glenn stressed the need for the grant money in the Sixth Ward. Councilor Dixon expressed the need to know if the agencies have met their goals which would help determine how much money they are allocated in the next year. Ms. Crotty advised that information is included in the CAPER which was presented to Council. Councilor McLean clarified that the carryover changes every year and if requested, the information could be provided by Ms. Crotty. Councilor Dixon added that he has been given the runaround previously when asking Ms. Crotty for information. Ms. Crotty expressed her exception to his statement. President Nixon addressed the challenges of allocating CDBG funds and pointed out that allocating the funds fully towards demolition would be wrong because there are a lot of low to moderate income people that rely on the additional programs that take place.

Amber Basares, 611 E. Vine St., expressed the need to obtain a better understanding of the CDBG Funds. Her first question was when is there an opportunity for low to moderate income people to be able to have a say about funding amounts and the types of programs that are to be funded. She said HUD states that 70% of the funds should be used to benefit low to moderate income people. She asked who is evaluating how low to moderate income people are benefiting from the funds. Her next question was in reference to Ms. Crotty's statement that they are bound by the five year plan. She gave an example of the City of Holland Michigan who proposed substantial changes to its five year plan to address other issues. She asked why agencies are required to jump through hoops to get funded but they know very little about what impacts the money that the City keeps. She asked what low to moderate income persons are on the Committee to come up with the next five-year plan. She advised there is over \$400,000 projected in the

June 24, 2019

carryover money and would like someone to explain why they can't fund the programs that actually need the money. She said the low-to-moderate income people could explain where the money is needed.

Nykel Simpson, said the Start-up Lab was originally proposed to receive \$60,000 and only received \$30,000. She expressed the program has shown to be successful and is doing very well but wonders why it is only being allocated \$30,000. She sees value in the program because she is able to support local businesses.

Pete Schwiegeraht, MVAH Partners, said they have obtained funding for the Spring Street Senior Lofts and are excited about the opportunity to utilize some of the Home Funds for that project. He advised council that he is there to answer any questions and appreciates Council's time and consideration.

Andrea Guice, from Bradfield Community Center, said because of CDBG funds, Bradfield Community Center is able to serve a lot of seniors and youth through their health and wellness program. She said every year they exceed their goal and serve over 100 seniors and usually close to 50 youth through their program. She believes there should be a clear eligibility guideline for the home repairs placed somewhere because some people who apply for funds that don't qualify.

PRIVILEGE OF THE FLOOR:

Bill Mears, 1153 Biscayne Drive, said he had a situation with a house in his neighborhood that had heavy drug trafficking which he and his neighbors chose to address. He said within 6 days the landlord evicted the tenants. He said in the process of that, no one got hurt, and the residents of the neighborhood now feel safe. He wanted to thank everyone who stopped by and supported them during the process and gave a special thanks to his Councilman Sam McLean who stood behind them 110% from making sure they received media coverage to stopping by on his own personal time just to check on the neighborhood.

Anthony O'Garra, 1010 N. Woodlawn Avenue, said he is back again about his basement flooding. He said he has heard every excuse under the sun. He said his basement had 84,000 gallons of water in it the last time it flooded. He asked Council if they do field trips because evidently someone is not explaining what is going on in his house. He said the water backs up on Woodlawn then it backs up on Latham and then backs up into his yard and basement. He said he's been told it's on the homeowner but there is nothing that he can do. He said Mr. Caprella came to the house and Dave Schnipke came out and was the only one who told him that the City will not change the pipes. He said he doesn't have a house because his basement is going to continue to flood. He said he will bring video footage because he doesn't feel like he has a home. President Nixon said there is nothing else Council can do legislatively in his situation. He said if it were the City's responsibility, the Utilities Department would address it. Mr. O'Garra said he has been getting the runaround and it's been going on for ten years.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.
- b. Treasurer's Report for March 2019.

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Ohio Division of Liquor Control regarding a liquor permit transfer to Keysors Pit Stop, 635 W. Vine St. Moved by Glenn, seconded by Dixon, that the communication be received, filed and the Clerk authorized to file with no objections. Motion carried.

2. From the Ohio Division of Liquor Control regarding a new liquor permit application for Teasers Diner, 312 N. Main St. Moved by Kreher, seconded by Dixon, that the communication be received, filed and the Clerk authorized to file with no objections. Motion carried.

3. From the Dir. of Community Development regarding legislation to place tax assessments. Moved by Kreher, seconded by Gordon, that the communication be received and filed. Motion carried.

4. From the Auditor regarding March and April 2019 Financial Reports. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

5. From the Auditor regarding contract labor reports for March and April of 2019. Moved by McLean, seconded by Dixon, that the communication be received and filed. Motion carried.

6. From the Auditor regarding legislation to enter into contract with Charter Communications Operating, LLC. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

7. From the Finance Dir. regarding legislation to amend the 2019 Budget. Moved by McLean, seconded by Dixon, that the communication be received and filed. Motion carried.

8. From the Finance Dir. requesting a hearing date for the 2020 Tax Budget. Moved by McLean, seconded by Dixon, that the communication be received, filed, the Law Dir. authorized to prepare the necessary legislation and the Public Hearing date be set for July 1, 2019 at 7:00 pm. Motion carried.

June 24, 2019

9. From the Dir. of Public Works regarding legislation to enter into contract with Downtown Lima, Inc. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

10. From the City Engineer regarding legislation to enter into contract with US Utility. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

11. From the Chief of Police regarding legislation to dispose of equipment through govdeals.com. Moved by Glenn, seconded by Dixon, that the communication be received and filed. Motion carried.

12. From the Civil Service Board Secretary regarding the creation and classification of Chief Technology Officer position. Moved by Gordon, seconded by Kreher, that the communication be received, filed and the Law Director authorized to prepare the necessary legislation. Motion carried.

REPORTS OF OFFICIALS:

Sgt. Engelman, Senior Bomb Technician for Allen County Regional Bomb Squad, said the Bomb Squad was started through the Lima Police Department in 1971 because of civil unrest. The Squad moved to the County in 2008 for better regional coverage. He said they serve 13 counties as a primary response but up to 17 if needed. They are currently under the Allen County EMA Administration. They are made up of 6 Bomb Techs, two from the City, two from LFD and two Sheriff's Deputies. Bomb Techs receive training at FBI's hazardous device school in Huntsville Indiana and are under the direction of the FBI and the United States Army. Basic Bomb Tech training is six weeks long. Bomb Tech's recertify every three years. The Squad has two trucks and is able to respond to two incidents at the same time. In addition to responding to the non-hazardous devices, the bomb squad also responds to suspicious packages, military ordinance, fireworks, explosive substances and may assist with bomb threats. The bomb squad averages 40 calls per year. In 2018, they had 11 callouts however, that doesn't include agency to agency communication with ammunition disposal.

REPORTS OF COMMITTEES:

Councilor Dixon moved, seconded by Glenn, that the Neighborhood Concerns Committee Report for May 15, 2019 regarding discussion of LPD reporting of compliancy of qualifying calls by bar owners be received, filed and approved. Motion carried.

Councilor Kreher moved, seconded by McLean, that the Economic & Community Development Committee Report for June 10, 2019 submitted by Carla Thompson, be received, filed and approved. Motion carried.

THE FOLLOWING ORDINANCES WERE PRESENTED:

125-19 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Kreher moved, seconded by McLean, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Kreher, Dixon, Glenn and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-0 vote.

126-19 Amending the 2019 Annual Budget. McLean moved, seconded by Dixon, that the ordinance Exhibit A be amended, in the transfer to portion, to change the total from \$5,541.00 instead of \$5,451.00 and the Clerk authorized to provide a clean copy. Motion carried. McLean moved, seconded by Dixon, that the ordinance be passed on the first reading, as amended. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Kreher, Dixon, Glenn and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-0 vote.

127-19 Granting permission to Square Fair, Inc. to hold a “Toast to the City” in Town Square. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Kreher, Dixon, Glenn and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-0 vote.

128-19 Authorizing the Mayor to enter into contract with Downtown Lima, In. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. Councilor Dixon thanked Downtown Lima, Inc. as well as Aubree. He said he knows the legislation was before them once before and he did not totally feel comfortable with funding the full project, but he is glad that she came back with new numbers with some additional participants that are willing to contribute. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Kreher, Dixon, Glenn and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-0 vote.

129-19 Authorizing the Mayor to enter into contract with US Utility. Gordon moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Kreher, Dixon, Glenn and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-0 vote.

130-19 Authorizing the Mayor to enter into contract with govdeals.com and to otherwise dispose of Police Department Equipment. Gordon moved, seconded by McLean, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Kreher, Dixon, Glenn and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-0 vote.

June 24, 2019

131-19 Authorizing the Mayor to enter into a contract with Charter Communications Operating, LLC. McLean moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Kreher, Dixon, Glenn and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-0 vote.

MISCELLANEOUS BUSINESS:

Councilor Gordon moved, seconded by McLean, to refer the upcoming Utilities projects to the Utilities Committee. Motion carried. He reminded everyone to be good to each other.

Councilor McLean announced the Northside Neighborhood Association meets at St. Mark's Church on June 18th, 2019 at 7 pm in the basement. He said that comprises of the First, Second and Third Ward. He said it is still a very good neighborhood association and have started a new project of planting fruit trees, berries and planters. They are looking for volunteers to help.

Councilor Kreher announced Faurot West and Boulevard Neighborhood Association will be meeting at the LACNIP Center on June 27th at 5:30 and 7:00 pm. She thanked everyone who came out to Coffee with a Cop. She thought it was a good event despite the dreary weather and that dogs were not brought to work that day. She thanked Jerry Lewis from McDonalds, who has done great things in our community and she is grateful for the things that they have given back to Lima. She announced The Greatest Showman will be playing at Faurot Park at dusk this Friday for Movies in the Park. She said it is free and to bring a chair, blanket and bug repellent. She announced Lima Cleanup will be held on June 30, 2019 at Simmons Field from 1-4pm. She said there will be snacks, trash bags and things to be picked up. She said this is a great project. The first one was held downtown and the amount of trash that was picked up was excellent. She reminded everyone that this Saturday is June 22 and is the day the City of Lima will honor Juneteenth. She invited everyone to attend Juneteenth from 12-7.

Councilor Glenn said he feels bad for the man with the basement flooding. He keeps thinking of what he can do to help and it bothers him that his hands are tied. He is going to pray about it and hope we can come up with something. He is hurt with the passing of Christian Laws who goes to church with him. He thanked the folks who came out to mow lawns although they didn't get them all done. He said they are going to meet at Martin Luther King Park and will do everything to get the lawns mowed. He said they can't ask the City to waive their fees. Councilor Glenn moved, seconded by Dixon, to refer the issue of New Home Lima housing on Chestnut Avenue to the Neighborhood Concerns Committee. Motion carried. He said young kids are now selling lemonade and chips. It's exciting. He said they are going to continue to work hard in the community to keep it safe. He said there are a lot of vacation bible schools going on and encouraged everyone to get their kids involved. He said the rain is coming and he is getting a lot of calls. His hands are tied. He asked everyone to come together and pray.

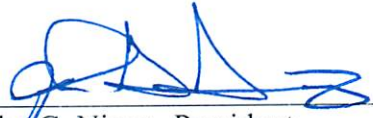
June 24, 2019

President Nixon moved, seconded by McLean, to approve the absence and salary for Councilor Neeper. Motion carried.

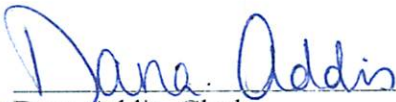
President Nixon moved, seconded by Kreher, to approve the absence and salary for Councilor Thompson. Motion carried.

Councilor McLean moved, seconded by Dixon, that Council adjourn into executive session to consider the investigation of complaints against and the discipline of a public employee. The following vote was recorded on the motion. Yea, 6; Gordon, McLean, Kreher, Dixon, Glenn, and Nixon. Nay, none. Council adjourned into Executive Session.

Council reconvened from Executive Session and McLean moved that Council adjourn until July 1, 2019 at 7:00 p.m., seconded by Gordon. Motion carried



John G. Nixon, President



Dana Addis, Clerk