

MINUTES OF LIMA CITY COUNCIL

LIMA, OHIO

March 12, 2018

The Council of the City of Lima met in regular session at 7:00 p.m.

Attending were: Tony Geiger, Law Director; John Payne, Deputy Law Director; Randall Bartels, Auditor; Steven Cleaves, Finance Director; Vince Ozier, Dir. of Human Resources; Susan Crotty; Dir. Of DCD; Mike Caprella, Dir. of Util.; Howard Elstro, Dir. of Public Works; Chief Martin, Chief Black and Dana Addis, Clerk.

The invocation was given by Councilor Kreher 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:

Tim Callahan, 710 E. Franklin St., spoke in regards to his liquor license. He stated that he was caught up in a wheel and is dealing with legal actions against him, paying re-application fees and is still working on paying the Court costs. He stated that he intends to continue to run a clean wholesome business. He does believe in helping others and will continue to do so through the income of his bar.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From Artspace Lima regarding Rally in the Square. Moved by McLean, seconded by Neeper, that the communication be received, filed, and the Law Director be authorized to prepare the necessary legislation. Motion carried.

2. From the Director of Utilities regarding legislation to enter into agreement with Power Engineers. Moved by Gordon, seconded by Glenn, that the communication be received and filed. Motion carried.

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3. From the Director of Utilities regarding legislation to hire W.W. Williams Toledo. Moved by Gordon, seconded by Glenn, that the communication be received and filed. Motion carried.

4. From the Director of Utilities regarding legislation to enter into agreement with Cameo Global. Moved by Gordon, seconded by Glenn, that the communication be received and filed. Motion carried.

5. From the Director of Utilities regarding legislation to allow for change order to Ordinance 041-16. Moved by Gordon, seconded by Glenn, that the communication be received and filed. Motion carried.

6. From the Director of Utilities requesting water rate adjustments. Moved by Gordon, seconded by McLean that the communication be received and filed. Councilor Gordon asked Director of Utilities, Mike Caprella to explain the water rate changes. Mr. Caprella stated that the minimum user water rate will increase by \$0.86 and the average user water rate will increase by \$1.51 this year. Mr. Caprella advised that Husky Lima Refinery is going to make a cutback estimating approximately 5 million gallons which would lead to a \$1.3 million reduction in revenue. Councilor Thompson asked where the increase will show up on the bill. Mr. Caprella stated it will show up on the water portion. Councilor Glenn stated he would like to have time to education the 6<sup>th</sup> ward of the reason behind the water increase. Mr. Caprella stated this is not up for vote by council. Councilor McLean stated that the water rates are controlled by the Mayor and that we need big industries to make the difference in what comes in. McLean stated that we do have adequate supply. Motion carried.

7. From the Finance Director regarding legislation for additional appropriations and transfers to and from the 2018 Official Budget. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

8. From the Director of Community Development regarding legislation to provide tax abatement pursuant to Lima's Community Reinvestment Area #2 abatement authority. Moved by Thompson, seconded by Glenn, that the communication be received and filed. Councilor McLean stated that this is on Elizabeth Street and will be a major advancement for that area. Councilor Glenn stated this is a win-win and will move downtown in a good direction. Councilor Nixon stated that this has his support. Motion carried.

9. From the Director of Community Development regarding legislation to place tax assessments. Moved by Thompson, seconded by Glenn, that the communication be received and filed. Motion carried.

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10. From the Director of Public Works regarding legislation to enter into contract with Allen Soil and Water Conservation District. Moved by Neeper, seconded by McLean, that the communication be received and filed. Motion carried.

11. From the Director of Public Works regarding legislation to enter into contract with DLZ. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

12. From the Director of Public Works regarding legislation to enter into contract with Eagle Bridge Company. Moved by Neeper, seconded by Dixon, that the communication be received and filed. Councilor Dixon stated that both communication numbers 11 and 12 are great projects and advised the public to take caution while traveling. Motion carried.

13. From the Director of Public Works regarding legislation to enter into contract with Allen County Public Health Department. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

14. From the Director of Public Works regarding legislation to accept and expend a donation from The Lima Legionnaires Community Charities. Moved by Neeper, seconded by Gordon, that the communication be received and filed. Councilor McLean expressed that Simmons field is going to need parking and that he really appreciates this. Motion carried.

15. From the Director of Public Works regarding legislation to accept real property from The American Legion Building Corporation. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

16. From the Director of Public Works regarding legislation to enter into contract with Wellman Services LLC. Moved by Neeper, seconded by Dixon, that the communication be received and filed. Motion carried.

17. From the Director of Public Works regarding legislation to advertise bids to enter into contract to reconstruct certain sidewalks. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

18. From the Director of Public Works regarding legislation to apply for, accept and expend funds from the 2018 National Recreation and Park Association (NRPA)/Disney Place Space Grant. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

19. From the Law Director regarding legislation for legal services contract with Cory, Meredith, Witter & Smith and Spangenberg, Shibley & Liber. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

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20. From the Fire Chief regarding legislation to amend Chapter 1602.01(A) of the Codified Ordinances. Moved by Glenn, seconded by McLean, that the communication be received and filed. Motion carried.

#### REPORTS OF OFFICIALS:

Howard Elstro, Public Works Director, presented Council with the 2017 Annual Report. He expressed that 2017 was a year for accomplishments and preparation for major projects in 2018. He advised that the full report is posted on the website. Mr. Elstro stated that services provided in 2017 included 610 plans reviewed, 1856 permits issued, 3,599 permit inspections and 631 Certificate of Occupancy/Permits Finals. He introduced Amy Harpster as the fully certified building official as of January 1, 2018. He stated that the average commercial plan review was 9 business days, the average commercial sign/awning review was 8 business days and the average residential plan review was 9 business days.

#### THE FOLLOWING ORDINANCES WERE PRESENTED:

049-18 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson 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, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

050-18 Amending the 2018 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.

051-18 Authorizing the Mayor to enter into a Collective Bargaining Agreement with the F.O.P. Ohio Labor Council, Inc. (Blue Units B, C, D and E). Kreher moved, seconded by Thompson, 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.

052-18 Authorizing the Mayor to enter into contracts with Cory, Meredith, Witter & Smith and Spangenberg, Shibley & Liber. McLean moved, seconded by Dixon, that the ordinance be passed on the first reading. Glenn stated that this was at no cost to the City of Lima. 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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053-18 Amending Ordinance No. 041-16. Gordon moved, seconded by McLean, that the ordinance be passed on the first reading. Glenn stated that this was at no cost to the City of Lima. 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.

054-18 Authorizing the Mayor to enter into an agreement with Cameo Global. Gordon moved, seconded by McLean, that the ordinance be passed on the first reading. McLean stated this will enable everyone to pay their water bill by phone or online and will be a very nice. Nixon stated that of all the issues, the most he hears about is when will we be able to pay online. 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.

055-18 Authorizing the Mayor to enter into an agreement with Power Engineers. 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.

056-18 Authorizing the Mayor to enter into contract with W.W. Williams Toledo. 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.

057-18 Authorizing the Mayor to enter into contract with Allen Soil and Water Conservation District (ASWCD). 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.

058-18 Authorizing the Mayor to accept a donation from the Lima Legionnaires community Charities, Inc. for the acquisition of real property from American Legion Building Corporation. Neeper 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, 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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059-18 Authorizing the Mayor to enter into contract with Allen County Public Health Department. Neepor 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, Neepor and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

060-18 Authorizing the Mayor to apply for, accept, and administer funds from the 2018 National Recreation and Park Association (NRPA)/ Disney Place Space Grant. Neepor 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, Neepor and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

061-18 Authorizing the Mayor to Advertise for bids and enter into a contract for the construction of certain sidewalks for the 2017 combined sidewalk project. Law Director, Tony Geiger advised of an error in the caption of the Ordinance which should state 2018 rather than 2017. Nixon moved, seconded by Gordon, to amend the caption by striking "2017", replacing it with "2018" and authorized the Clerk to submit a clean copy. Motion carried. Neepor moved, seconded by Gordon, that the ordinance be passed on the first reading as amended. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neepor and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

062-18 Authorizing the Mayor to enter into contract with Wellman Services. Neepor 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, Neepor and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

063-18 Authorizing the Mayor to enter into contract with DLZ Ohio, Inc. Neepor 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, Neepor and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by an 8-0 vote.

064-18 Authorizing the Mayor to enter into contract with Eagle Bridge Company. Neepor moved, seconded by Dixon, that the ordinance be passed on the first reading. McLean stated that this project has been on the books for a long time and that area will be a mess. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neepor 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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065-18 Authorizing the Mayor to enter into a CRA Tax Exemption Agreement with Pursuit III, LLC. Thompson 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.

066-18 Amending Section 1602.01 of the Codified Ordinances of Lima, Ohio, to adopt the 2017 Fire Code. 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, 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 Kreher thanked everyone for coming to the Irish Day Parade on Saturday. It was a great day and fun. She stated that she is extremely excited for the City of Lima Tree Rebate program which runs from March 1<sup>st</sup> through November 20<sup>th</sup>. Kreher advised that there is a 50% rebate payable towards eligible trees. Kreher stated that April 28<sup>th</sup> is the Ottawa River Cleanup. She expressed that everyone should sign up and that it is a fun day.

Councilor Dixon reminded everyone that council meetings are moving from GTV2 to Spectrum channel 1021. He stated that Debs and Gents is March 17<sup>th</sup> at the Civic Center. He took part in the program approximately 10 years ago and it is great for teens. Dixon referenced an article from March 4<sup>th</sup> in the Lima News regarding salaries of city officials. Dixon stated that he didn't understand how an employee can make more than his or her boss. Dixon moved, seconded by Glenn, that the Human Resources Dept. prepare a salary comparison for classified and non-classified city employees. Motion carried.

Councilor Glenn thanked a gentleman, whose name was unknown, for coming out last Sunday at 9 am and helping put siding on a garage for an eighty-one year old lady that lives in his ward. Glenn stated that he went to a Dayton Think Tank organization meeting and they said we should be grateful that we are getting a college downtown. He stated people are watching and are happy. Glenn advised that the 2018 Community Enrichment Dinner was on April 18<sup>th</sup> and the cost is \$60.00. He asked that everyone support this. Glenn stated there were a lot of complaints about the railroad track in the 5<sup>th</sup> ward and thanked Councilor Dixon for getting it done. Glenn asked everyone to support groups within our city. He stated that he hopes we can get Memorial Hall going.

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Councilor Neeper reminded everyone of the Community Enrichment dinner on April 18<sup>th</sup> and expressed there was a great speaker attending. He announced the Westgate Neighborhood Association on Sunday the 18<sup>th</sup> from 6-7pm and stated that they are looking to get new and younger individuals to join. Neeper stated that the Central Lima Neighborhood Association is meeting on Wednesday, March 21<sup>st</sup> at 6:30 pm at Heritage Elementary. Neeper also advised that the Lima City Schools will be having an open house on March 27<sup>th</sup> from 5-7pm at Lima Senior.

Councilor Gordon said "Be good to each other".

Councilor McLean stated that the Irish Parade is a great community event and that his kids all come back to Lima for the parade. He announced the Northside Neighborhood Association is meeting on Monday, March 19<sup>th</sup> at 7pm at St. Mark's Church. He stated that it would be nice to have the Northside Neighborhood Association change the days of the meetings.

Councilor Thompson stated that Central Lima Neighborhood Association will be meeting on the 21<sup>st</sup> and the Westgate Neighborhood Association will be meeting on the 18<sup>th</sup>. Thompson advised that there could possibly be another block patrol training meeting if they get enough people signed up. She advised everyone to contact Autumn Swanson to sign up. Thompson thanked Mr. Curtis at North Middle School for allowing her to work with the students. Thompson moved, seconded by Dixon, to withdraw the objection to the issuance of the liquor license permit for Timothy Callahan and authorize the Clerk to notify the Ohio Division of Liquor Control of the withdrawal. Glenn expressed that he had the opportunity to talk to Mr. Callahan and that Mr. Callahan was honest and apologetic. Glenn stated that we should give him the opportunity to do right. The following vote was recorded on the motion. Yea, 5; Gordon, Thompson, Dixon, Glenn, and Nixon. Nay, 2; Kreher and Neeper. Abstention, 1; McLean. Motion carried.

Councilor Nixon announced the Lima Police Dept. vs. Lima Fire Dept. basketball game was on March 23<sup>rd</sup> at Lima Senior.

Councilor Nixon moved, seconded by McLean, that council adjourn into executive session to discuss the matter of appointing a public official. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Dixon, Glenn, Neeper and Nixon. Nay, 1; Kreher. Council adjourned into executive session.

Council McLean moved that Council adjourn until March 26, 2018 at 7:00 p.m., seconded by Gordon, motion carried.

  
Dana Addis, Clerk

  
John G. Nixon, President