

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

April 9, 2018

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, Assistant 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, and Dana Addis, Clerk.

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

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

McLean moved, seconded by Gordon, to amend the agenda by adding Cleven Jones under Privilege of the Floor, motion carried.

PRIVILEGE OF THE FLOOR:

Dennis Ward, 1965 Jerry Place, President of the Lima Area Black Ministerial Alliance spoke in place of Cleven Jones. He stated they have been focusing on community policing, body cameras and the citizens review board. He asked Mike Hayden to speak on their behalf. Mike Hayden stated that he was approached by the Ministerial Alliance to work to develop something and incorporate some research on what has worked nationally for citizens review efforts. He stated a plan will be presented to Council and to the Mayor in the future. He stated Citizens Review is a needed process and there is no reason we cannot have a process that works.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.
- b. Lima Municipal Court 2017 Annual Report

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 Chief of Police regarding disposal of City equipment through govdeals.com. Moved by Glenn, seconded by Dixon, that the communication be received and filed. Motion carried.

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2. From the Director of Public Works regarding legislation to apply for, accept, and expend a grant from the 2018 Ford Motor Company Fund Capital Grant Program. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

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

4. From the Director of Public Works regarding legislation to enter into contract with Ben's Construction, Inc. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

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

6. From the Law Director regarding legislation to enter into contract with an outside company to attempt to collect past due utility accounts. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

REPORTS OF OFFICIALS:

Officer Patricia Wogerman reported that on January 1st of this year she took over Safety City from Officer Matt Douglas. She stated Matt started the year with the radKIDS program in the Lima City Schools and added one catholic school. They had a total of 282 kids from 7 different schools go through the program. This winter they held the D.A.R.E. program in 9 different schools for a total of 323 students involved. Safety City's summer program registration is under way. There were 360 spots available and all spots have been filled but 50. In April and May they host field trips for area schools, preschools and daycares. Also, they hold several events such as trick or treat which brought approximately 1633 people through. They held a 5k event in November and 50 people participated. Updates to Safety City are being made. Just recently their small garage received a new roof and garage door and the classroom floors were refinished. They have also had a few inquiries from businesses to build new buildings.

REPORTS OF COMMITTEES:

Councilor Glenn reported that the Safety Services Committee met on April 2, 2018 to discuss liquor license renewals. He corrected that the City Law Director was in attendance. He stated that no votes were made but there were a few things that they would like to see with bar owners. He stated they cannot mandate training for bar owners but he recommended they put in place training and also get the bar owners a code for when calling into the police department to identify themselves. Glenn moved, seconded by Dixon, that the report be received, filed and approved. Motion carried.

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

005-18 A Resolution objecting to the renewal of a liquor license issued to Derek Solomon dba Beantown Saloon. Kreher moved, seconded by Thompson, that the Resolution be adopted on the first reading. The following vote was recorded on the motion: Yea, 6; Gordon, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. Abstain, 2; McLean and Glenn. The Chair declared that the motion carried and the Resolution was adopted on the first reading by a 6-0 vote with 2 abstentions.

006-18 A Resolution objecting to the renewal of a liquor license issued to Bisman Investment LLC. Kreher moved, seconded by Thompson, that the Resolution be adopted on the first reading. The following vote was recorded on the motion: Yea, 6; Gordon, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. Abstain, 2; McLean and Glenn. The Chair declared that the motion carried and the Resolution was adopted on the first reading by a 6-0 vote with 2 abstentions.

007-18 A Resolution objecting to the renewal of a liquor license issued to Frank Lombardo dba Northside Firehouse. Kreher moved, seconded by Thompson, that the Resolution be adopted on the first reading. Councilor Kreher stated that she did some homework on the Firehouse and from March 1, 2015 to February 28, 2018 there has been a total of 179 calls and 80 were qualifying which she feels is a lot. She will be voting against renewing this license. Councilor Glenn stated that he had an opportunity to speak to Frank and he has been around a long time. He believes some of the things Frank is working on will help cut back on calls therefore he will support Frank. Councilor Thompson stated that she wanted to make it clear that she is not for ruining anybody's living or way of life, but she would like to see effort and proof that bar owners are attempting to maintain a safe establishment. She suggested that bar owners attend the various trainings offered from the Dept. of Liquor Control and Crime Victim Services. Councilor Nixon wanted to clarify because at the last meeting it was a matter of business to authorize legislation to be prepared for consideration tonight. He believes the goal of the committee meeting was to get the discussion done. He stated the liquor license renewals comes up every year in late March and early April. He stated that this establishment has been in business for over 30 years and is a man's life work. He expressed that when you serve liquor, you have the potential to attract people who are less intent of you having a respectable business. The owner can do everything that he can but he has to be careful that it doesn't create more conflict that requires police involvement. He believes some of these calls acted more as a caution but does put a ding on the establishment owner. He has no doubt that Frank Lombardo would like to run his business without having to call the police. He thinks there are folks who are intent on creating problems and wherever they congregate, they congregate. A bar owner cannot discriminate on who comes in the door and are in a handicapped position. The number of calls to a police department for service is only one factor. He believes Frank has cooperated with police. He is going to vote no on this Resolution. The following vote was recorded on the motion: Yea, 4; Thompson, Kreher, Dixon and Neeper. Nay, 3; Gordon, Glenn and Nixon. Abstain, 1; McLean. The Chair declared that the motion did not carry by a 4-3 vote with 1 abstention and will go to a second reading.

THE FOLLOWING ORDINANCES WERE PRESENTED:

069-18 (Second Reading) Authorizing the Mayor to enter into contract with Patrick Staffing for contracted services for the 2018 calendar year. Kreher moved, seconded by Gordon, that the Ordinance be passed on the second reading. The following vote was recorded on the motion. Yea, 3; Gordon, Thompson and Nixon. Nay, 5; McLean, Kreher, Dixon, Glenn and Neeper. The Chair declared the motion did not carry by a 3-5 vote and will go to a third reading.

070-18 (Second Reading) Authorizing the Mayor to enter into contract with Custom Staffing for contracted services for the 2018 calendar year. Kreher moved, seconded by Neeper, that the Ordinance be passed on the second reading. The following vote was recorded on the motion. Yea, 3; Gordon, Thompson and Nixon. Nay, 5; McLean, Kreher, Dixon, Glenn and Neeper. The Chair declared the motion did not carry by a 3-5 vote and will go to a third reading.

075-18 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. 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.

076-18 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. 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.

077-18 Authorizing the Mayor to enter into contract with govdeals.com and to otherwise dispose of non-serviceable police department equipment. 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, 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.

078-18 Authorizing the Mayor to enter into contract with Brenneman Excavating, Inc., LLC. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. Councilor Dixon asked Mr. Elstro when this project be take place. Dixon expressed that he has received many phone calls and emails from angry residents with complaints of flooding basements and flooding in yards. Dixon stated that a gentleman is frustrated over his lot flooding, especially after he has spent a lot of money fixing and maintaining his yard. Mr. Elstro stated that they do have an approximate completion date but the contractor sets the start date after the contract is complete and valid. He advised council that these are not isolated incidents and the north end has been plagued with flooding for decades and did not happened over night. He stated that it will take time to work through all of the problems but they do not have the capital or engineering available

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to tackle all of the problems at once. 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.

079-18 Authorizing the Mayor to enter into contract with Ben's Construction, Inc. for demolition of the Naval Reserve located at 500 Liberty Street. 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.

080-18 Authorizing the Mayor to apply for, accept, and administer funds from the 2018 Ford Motor Company Fund Capital Grant Program. Neeper moved, seconded by Glenn, that the ordinance be passed on the first reading. Councilor Thompson stated that she spoke with Mr. Stolly and she is very excited about this grant. She believes it will help make Lincoln Park accessible and will create a wonderful space for kids with varying disabilities. 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.

081-18 Authorizing the imposition of additional fees for the collection of utility service accounts and authorizing an accounting process related thereto. 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.

MISCELLANEOUS BUSINESS:

Councilor Glenn spoke of Denise Talbert who was unable to attend tonight's meeting, but is a student from Lima Senior, averages a 4.0 and is majoring in pre-med at the University of Kentucky. He recognized Ms. Petaway of the Lima Junior City Council, who performed in Cleveland last Saturday. He said she did a great job and won \$500.00. He thanked Vickie Shurelds for working with Ms. Petaway. He stated they already have 10 applications for paint and they have a good donor but will need more volunteers. They would like to start painting in April. He stated that next week they will start the help a kid go to college program, which will help students fill out their college paperwork. Glenn made a motion, seconded by Dixon, to refer the issue of allowing city council members to speak at city sponsored events into the Safety Services Committee. Motion carried. He spoke about code enforcement and that alleys need cleaned up. He stated there are a lot of people willing to help clean up.

Councilor Neeper encouraged everyone to check out the plans for the new facility at the Lima Convalescent Home. He stated it is a new concept of independent living for the residents. On April 15th there will be a Westgate Neighborhood Association meeting where Tom Berger from Emergency Management will be speaking. On April 18th the Central Lima Neighborhood

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Association will be going on along with the Lima Community Enrichment Dinner. He stated April 18th is the Block Patrol Kickoff at the LACNIP building and the training program will be held on April 21st. He encouraged everyone to sign up and stated he is looking forward to getting that program started.

Councilor Gordon reminded people to be good to one another.

Councilor McLean thanked the first responders for everything that they do in the community. He addressed the Black Ministerial Alliance and said that we have had many meetings on the Citizens Review Board issue and asked for them to attend and bring their ideas.

Councilor Thompson asked the Black Ministerial Alliance to speak to their congregation about the Block Patrol training and encourage them to sign up. She stated the Central Lima Neighborhood Association meeting will be on April 18th at 6:30 pm and held at Heritage Elementary.

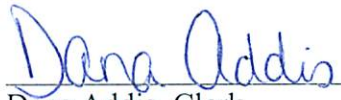
Councilor Kreher stated the Citizens Block Patrol kickoff will be at 6pm. She encouraged everyone to come out and get more information even if they have not signed up yet. She thanked the Lima Teens for Christ for putting together Converge. She said it brought people together from all over the world. She stated they came together in the middle of town and prayed for our city. She congratulated the Lima Firefighters for holding a great event that raised over \$5,000.00 to give back to local organizations. She welcomed back the Boulevard Neighborhood Association who will be meeting April 19th at 7:00 pm at the Community Resource Center. She advised that anyone can attend, not just residents of the boulevard. She stated the Ottawa River Cleanup is on April 28th and will be meeting at 9:00 am at the Red Cross. She stated that City Wide Pride will be held three weekends, May 5th, 12th and 19th and encouraged everyone to call the Community Development Dept. if they have not already reserved a dumpster.

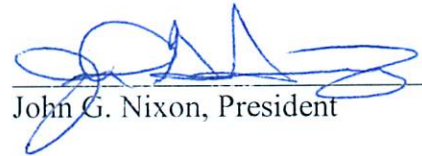
Councilor Dixon thanked everyone who came out at the Lima City Schools Open House. He said it was a great turnout. He stated that they will be holding a Fifth Ward Forum on April 19th at 7:00pm at the New Life Assembly located at 1003 Kibby Street, which will offer education and also help revitalize their Neighborhood Association. He stated they will be having a Unite our community laser tag event on April 28th. The cost is \$5.00 which includes playing time, pizza, drink and chips. He has been receiving a lot of calls regarding busted trash cans. He encouraged residents to call 419-224-3636 for replacements or repairs. He referenced an article in the Lima News regarding dumping in the South end of town. He encouraged everyone to take part of City Wide Pride and to dump in the dumpsters rather than in someone's yard or property. He has been getting a lot of complaints about noise from diesel fuel engines on the Dingedine and Dana Avenue area. He set a Neighborhood Concerns Committee meeting for Monday April 16th at 5:00 pm in council chambers regarding Class I Residential Areas.

Councilor Nixon reminded everyone that Lima City council is taking resumes for the Civil Service Board until 3:00 p.m. on April 13, 2018.

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McLean moved that Council adjourn until April 23, 2018 at 7:00 p.m., seconded by Dixon, motion carried.


Dana Addis, Clerk


John G. Nixon, President