

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

May 7, 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; John Payne, Deputy Law Director; Steven Cleaves, Finance Director; 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 McLean followed by the Pledge of Allegiance.

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

PUBLIC HEARING:

President Nixon called to order the Public Hearing for the alley vacation of a portion of an unnamed, dead-end alley running parallel to Bellefontaine Ave. between Lima Stadium Park and Family of Faith United Methodist Church. The Clerk read the call. There being no one wishing to speak to the alley vacation, President Nixon closed the hearing.

McLean moved, seconded by Dixon, to amend the agenda by adding the Minutes of the May 3, 2018 Special Council Meeting to the Consent Calendar and Human Resource Committee Report to Committee Reports. Motion carried.

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 April 30, 2018.
- c. Minute of the Special Council Meeting held May 3, 2018.

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Square Fair Inc. regarding permission to hold "Swinging on the Square" a Square Fair "Toast to the City" 2018. Moved by McLean, seconded by Neeper, that the communication be received, filed and approved. Motion carried.
2. From the Division of Liquor Control regarding a liquor permit application. Moved by Thompson, seconded by Kreher, that the communication be received and filed, and that the Clerk is authorized to notify the Department of Liquor Control that there is no objection, Motion carried with a vote of 6-0 and 1 abstention by McLean.

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3. From Chief Black regarding legislation to apply for, accept, and administer, an Ohio Bureau of Workers' Compensation Safety Intervention Grant. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

4. From the Director of Community Development regarding legislation to accept the minutes of the 2018 Tax Incentive Review Council and to accept/modify the recommendations of the TIRC. Moved by Thompson, seconded by Kreher, that the communication be received and filed. Motion carried with a 6-1 vote with McLean voting no.

5. From the Director of Community Development regarding the Housing Loan Originator position. Moved by Thompson, seconded by Dixon, that the communication be received, filed and authorize the Law Director to prepare the necessary legislation. Motion carried.

6. From the Director of Community Development regarding legislation to place property maintenance assessments. Moved by Thompson, seconded by McLean, that the communication be received and filed. Motion carried.

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

8. From the Director of Community Development regarding the CDBG/Home Action Plan update. Moved by Thompson, seconded by McLean, that the communication be received, filed and referred to the Economic/Community Development Community. Motion carried.

9. From the Auditor regarding legislation to enter into an agreement with Perry Protech. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

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

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

12. From the Director of Public Works regarding legislation to enter into contract for purchase of vehicles and equipment. Moved by Neeper, seconded by McLean, that the communication be received and filed. Motion carried.

13. From the Law Director regarding legislation to recodify Lima City Code Parts Four and Six. Moved by Dixon, seconded by Thompson, that the communication be received and filed. Motion carried.

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14. From the Law Director regarding legislation to grant an easement to Dominion. Moved by Dixon, seconded by Neeper, that the communication be received and filed. Motion carried.

PETITIONS:

Re-zoning of 23' portion of 1923 Allentown Rd. – petitioned for by Donald S. Unruh. Moved by Neeper, seconded by Dixon, that the petition be received and filed; that the Law Director prepare the necessary legislation; that the Clerk cause publication of the legal ad and notify abutting property owners of the Public Hearing to be held on June 18, 2018 at 7:00 p.m. Motion carried.

REPORTS OF OFFICIALS:

Mike Caprella, Director of Utilities, gave a PowerPoint presentation regarding the Combined Sewer Overflow (CSO) Simmons Field Project. (A complete copy of his presentation is located in the Council office.) Councilor Kreher asked Mr. Caprella how long the bike path would be closed. Caprella advised that it will be closed for the whole duration of the project. Kreher asked Mr. Caprella if he could contact the council representatives for that area on the days that the rock would be imploded. Caprella stated he would speak to the contractor. Councilor McLean stated that we have been working on this for a number of years and people don't realize the magnitude of this \$40 million tank. Caprella stated that this is the largest financial project he thinks the City has undertaken. Councilor Nixon stated that council reached an agreement in late 2006 to acquire the land for this project.

REPORTS OF COMMITTEES:

Councilor Kreher reported that the Human Resources Committee met on May 3, 2018. All Council members have received a copy. Kreher moved, seconded by Gordon, that the report be received, filed and approved. Motion carried.

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

007-18 (Third Reading) 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 defeated on the third reading. The following vote was recorded on the Motion: Yea, 4; Gordon, Kreher, Neeper and Nixon. Nay, 2; Thompson and Dixon. Abstention, 1; McLean. The Chair declared the motion did not carry and the Resolution does not pass on the third reading.

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008-18 A Resolution rescinding Resolution #005-18 to withdraw an objection to the renewal of a liquor license issued to Derek Solomon, DBA Beantown Saloon. Thompson moved, seconded by Gordon, that the Resolution be adopted on its first reading. The following vote was recorded on the motion: Yea, 4; Gordon, Thompson, Dixon and Nixon. Nay, 2; Kreher and Neeper. Abstention, 1; McLean. The Chair declared the motion did not carry with a 4-2-1 vote and will go to a second reading.

009-18 A Resolution rescinding Resolution #006-18 to withdraw an objection to the renewal of a liquor license issued to Bisman Investments, LLC. Thompson moved, seconded by Dixon, that the Resolution be adopted on its first reading. The following vote was recorded on the motion: Yea, 4; Gordon, Thompson, Dixon and Nixon. Nay, 2; Kreher and Neeper. Abstention, 1; McLean. The Chair declared the motion did not carry with a 4-2-1 vote and will go to a second reading.

THE FOLLOWING ORDINANCES WERE PRESENTED:

069-18 (Third 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 its third reading. Councilor McLean stated that the Human Resource Committee Meeting was very lively and we got a lot of information. He stated that there are some issues that need to be overcome but we also found out that there aren't a lot of changes that can be made at this moment that's going to be effective without being cost in-effective. He said he is going to support this but we need to find a resolution to be able to hire part time workers. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the third reading with a 7-0 vote.

093-18 Levying special assessments for property maintenance code charges on premises in the City of Lima. Thompson moved, seconded by Gordon, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

094-18 Levying special assessments for property maintenance code charges on premises in the City of Lima. Thompson moved, seconded by Gordon, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

095-18 Amending the 2018 annual budget. McLean moved, seconded by Gordon, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

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096-18 Authorizing continuation and amendments to the enterprise Zone and Community Reinvestment Area Agreements. Thompson moved, seconded by McLean, that the Ordinance be placed on a second reading. Motion carried.

097-18 Authorizing the Mayor to enter into contract with Perry Protech. McLean moved, seconded by Gordon, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

098-18 Authorizing the Mayor to enter into contract with the Ohio Department of Transportation for the purchase of sodium Chloride (rock salt). Neeper moved, seconded by McLean, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

099-18 Authorizing the Mayor to enter into contract for the purchase of vehicles and equipment for the Public Works Department. Neeper moved, seconded by McLean, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

100-18 Authorizing the Mayor to apply for, accept and administer funds from the Ohio Administer Funds from the Ohio Bureau of Workers' Compensation Safety Intervention Grant for Firefighters Exposure to Environmental Elements. Gordon moved, seconded by Dixon, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

101-18 Establishing the positions and classifications hereinafter set forth and fixing the salary and compensation of such positions and classifications. Dixon moved, seconded by McLean, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

102-18 To recodify parts Four and Six of the Codified Ordinances of Lima, Ohio. Dixon moved, seconded by Neeper, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

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103-18 Vacating a portion of an unnamed alley running parallel to Bellefontaine Ave. and is adjacent to the Lima Stadium property. Neeper moved, seconded by Dixon, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

104-18 Authorizing the Mayor to grant an easement to the East Ohio Gas Company d/b/a Dominion Energy Ohio. Dixon moved, seconded by Neeper, that the Ordinance be passed on its first reading. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading with a 7-0 vote.

MISCELLANEOUS BUSINESS:

Councilor McLean reminded everyone about the Citizens Block Patrol. He said they still need people. If you have time to spend a few hours a week to walk around your neighborhood, the police department will train you and help you understand the program. He believes that overall this will give them strength in their neighborhoods again and also will give you a chance to meet your neighbors. He stated to call Autumn Swanson at 419-221-5177 for more information. He said we are going into the second weekend of City Wide Pride. If you have trash lying around your property, this is a great time to get rid of it. He said the Northside Neighborhood Association will have a dumpster located on Metcalf Street. He said you can also take tires to 900 S. Collett Street and Omni Source will also be there taking water heaters, metals and items of that nature. The hours for that are from 9:00am to noon. McLean moved, seconded by Dixon, to approve the absence and salary for Councilor Glenn, motion carried. McLean said without our mothers not one of us would be there and spend time with them this Sunday.

Councilor Thompson said that this is the first year for Central Lima Neighborhood Association to be involved in the Ottawa River Cleanup. She said they had a ball. She encouraged everyone to spend time volunteering. It was awesome to spend time during the cleanup. She encouraged everyone to look up Amber Rose, Dancing in Lima. She announced that on May 20th the Meeting Place will have a Community of Writers Reading followed by open mic.

Councilor Kreher encouraged everyone to help a neighbor cleanup their yard and offer to take a load to a dumpster. She thanked everyone who came out to the Ottawa River Cleanup. She said there was more than 400 people that showed up to help. She said last week the Chamber had their annual awards banquet. She gave a special thanks to Autumn Swanson who helped represent Lima at the banquet. She wished all the mothers a Happy Mother's Day.

Councilor Dixon reminded everyone that the Fifth Ward Forum will take place at 7pm on May 17th at 1003 E. Kibby Street. He thanked everyone who came out for the laser tag tournament. He thanked the volunteers that came out for the City Wide Pride over the weekend. He said it was an awesome event. It was a way to get out and meet new people and get to know your neighbors. He wished all the mothers out there a Happy Mother's Day. He asked for everyone to keep the Glenn family in their prayers. He stated that Dr. Glenn lost his father this past weekend who was

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the patriarch of their family.


Councilor Neeper stated that he attended the blessing of the bikes over the weekend. He reminded everyone to take a second look while driving and watch for motorcycles in their blind spots. He stated May 18th is the first Rally in the Square and May 20th the Westgate Neighborhood Association will have their monthly meeting. He stated that all mothers deserved to be recognized and wished them a Happy Mother's Day.

Councilor Gordon stated that his mother is the one person on this planet that he is afraid of therefore he will mentioned mother's day also. He stated he has known Derry since they were both little boys and to keep his family in their prayers. He said be good to each other.

Councilor Nixon reminded the Councilors that there is a special Council meeting Wednesday at 6:00 p.m. and advised the public that they intend to move into executive session for the purposes of discussion of the appointment of a public official.

McLean moved that Council adjourn until May 21st at 7:00 p.m., seconded by Gordon, motion carried.


Dana Addis, Clerk


John G. Nixon, President