

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

May 21, 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; Sue Odenweller, Chief Deputy Auditor, Auditor; Steven Cleaves, Finance Director; Susan Crotty; Dir. Of DCD; Mike Caprella, Dir. of Util.; Saul Allen, Deputy Dir. of Util.; Howard Elstro, Dir. of Public Works; Chief Martin, Chief Black and Dana Addis, Clerk.

The invocation was given by Councilor Thompson followed by the Pledge of Allegiance which was led by the Boy Scout Troop No. 103.

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

McLean Moved, seconded by Gordon, to amend the agenda by adding Ordinance 112-18. 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 May 9, 2018.
- c. Treasurer's report for February, 2018.
- d. Allen County Board of Public Health Meeting Minutes.
- e. Board of Building Appeals Minutes from April 19, 2018.

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Division of Liquor Control regarding a new permit to Dolgen Midwest, LLC dba Dollar General Store #11818. Moved by Gordon, seconded by McLean, that the communication be received, filed and the Clerk authorized to file with no objections pending verification of jurisdiction. Councilor Nixon clarified that the Notice came in with an address that is believed to be outside of the City of Lima limits. Motion carried.

2. From the Division of Liquor Control regarding a permit transfer to St. Johns Petroleum LLC dba Marathon Food Mart. Moved by Glenn, seconded by McLean, that the communication be received, filed and the Clerk authorized to file with no objections. Motion carried.

3. From the Division of Liquor Control regarding a permit transfer to Fighter Bees, LLC. Moved by Dixon, seconded by Glenn, that the communication be received, filed and the Clerk authorized to file with no objections. Motion carried.

4. From the Division of Liquor Control regarding a permit transfer to Fighter Bees, LLC. Moved by Dixon, seconded by Glenn, that the communication be received, filed and the Clerk authorized to file with no objections. Motion carried.

5. From the Director of Utilities requesting legislation to amend the existing contract with D&M Painting. Moved by Gordon, seconded by McLean, that the communication be received, filed and the Law Director authorized to prepare the necessary legislation. Motion carried.

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

7. From Chief Black regarding legislation to enter into contract with Alpha Medical Billing Associates of Lima, Ohio. Moved by Glenn, seconded by McLean, that the communication be received and filed. Motion carried.

8. From the Finance Director regarding legislation to amend the 2018 Budget. Moved by McLean, seconded by Dixon, that the communication be received and filed. Motion carried.

9. From the Director of Human Resources regarding seasonal pay rates for 2018. Moved by Kreher, seconded by McLean, that the communication be received and filed. Motion carried.

10. From the Director of Public Works regarding legislation to apply for, accept and expend funds from the Ohio Department of Natural Resources NatureWorks Grant. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

11. From the Director of Public Works regarding legislation to amend Section 802.04 of the Codified Ordinances. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

12. From the Director of Public Works regarding legislation to amend Chapter 1242 of the Codified Ordinances. Moved by Gordon, seconded by Dixon, that the communication be received and filed. Motion carried.

REPORTS OF OFFICIALS:

Sgt. Jason Garlock gave an update on the COP Program. Sgt. Garlock said the two programs that will be highlighted in 2018 are the Citizens Block Patrol and the Senior Care Partnership. He said both programs involve problem solving and relationship building. Sgt. Garlock announced that he has accepted another position within the Lima Police Department in the investigative bureau and announced the new Community Oriented Police Sgt., Sgt. Rob Hillard. Sgt. Hillard is a 23 year veteran with the Lima Police Department. He stated that he looks forward to working with Council and will be in contact with members to discuss any areas of concerns and things they want done in their particular wards. (A complete copy of the report is on file in the Council Office.)

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

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, 1; Kreher. Abstention, 2; McLean and Glenn. The Chair declared the motion did not carry with a 4-1-2 vote and will go to a third 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, 1; Kreher. Abstention, 2; McLean and Glenn. The Chair declared the motion did not carry with a 4-1-2 vote and will go to a third reading.

THE FOLLOWING ORDINANCES WERE PRESENTED:

096-18 (Second reading) Authorizing continuation and amendments to the Enterprise Zone and Community Reinvestment Area Agreements. Thompson moved, seconded by Glenn, that the ordinance be passed on the second reading. The following vote was recorded on the Motion. Yea, 6; Gordon, Thompson, Kreher, Dixon, Glenn, Nixon. Nay, 1; McLean. The Chair declared the motion carried and the ordinance passes on the second reading by a 6-1 vote.

105-18 Levying special assessments for property maintenance code charges. Thompson moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the Motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Nixon. Nay, 0. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

May 21, 2018

106-18 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, 7; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Nixon. Nay, 0. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

107-18 Granting permission to Square Fair Inc. to hold a “Toast to the City” in the Town Square. Kreher moved, seconded by McLean, that the ordinance be passed on the first reading. The following vote was recorded on the Motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Nixon. Nay, 0. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

108-18 Authorizing the appointment of Byron Selden to Lima Civil Service Board. McLean moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the Motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Nixon. Nay, 0. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

109-18 Establishing the positions and classifications and fixing the salary and compensation of such positions and classifications; repealing existing inconsistent ordinances. Kreher moved, seconded by McLean, that the ordinance be passed on the first reading. The following vote was recorded on the Motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Nixon. Nay, 0. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

110-18 Enter into a 3 (three) year contract with Alpha Medical Billing Associates of Lima. Glenn moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the Motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Nixon. Nay, 0. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

111-18 Apply for, accept, and administer funds from the Ohio Dept. of Natural Resources NatureWorks Grant. Gordon moved, seconded by McLean, that the ordinance be passed on the first reading. The following vote was recorded on the Motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Nixon. Nay, 0. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

112-18 Enter into contract with Ben’s Construction for the demolition of 215 E. North Street. Gordon moved, seconded by McLean, that the ordinance be passed on the first reading. Councilor McLean mentioned that he did not see a dollar amount. Howard Elstro advised that they received two estimates, one for \$40,000.00 and the other for \$80,000.00 and some change so they went with the \$40,000.00 estimate. He cautioned Council that they were advised by the EPA that there is something they wanted them to do to be in compliance with Neshap requirements. They do not know exactly how much additional over the \$40,000.00 it will cost but will advise Council of

May 21, 2018

that amount. Elstro explained that Neshap has to do with asbestos removal from the building. Elstro advised that this building was in a state of eminent collapse and was on their demolition list for years. They were forced to take action when they saw a change in the structure last week which would cause eminent collapse. The asbestos inspector could safely get into the first floor but could not get into the basement or the second floor. They sent the information to the EPA last Friday as required and were notified that we were to do some additional filings and possibly take the asbestos to an approved landfill. He is unsure of the cost of that yet, but will advise council. Councilor Glenn asked Elstro if they were using CDBG funding or do we have time to use the Brown Field Grant money. Elstro stated that Brown Field Grant funds were available many years ago but there is nothing there now. Had there been funds, it would have taken too long to file the paperwork and appropriately and safely abate the hazard to the general public. The following vote was recorded on the Motion. Yea, 5; Gordon, McLean, Thompson, Kreher and Nixon. Nay, 2; Dixon and Glenn. The Chair declared the motion did not carry with a 5-2 vote and will go to a second reading.

MISCELLANEOUS BUSINESS:

Councilor Thompson reminded everyone that the Central Lima Neighborhood Association will be meeting June 20th from 6:30-8 at LACNIP. She thanked Sgt. Garlock and stated that she has been nothing but impressed with him and his COP officers. Each one of them is incredibly generous and amazing to work with. She said it is beautiful to see them work with the citizens and our children. She hopes that as the program moves forward, that their attitude and their philosophy permeates the whole Police Department.

Councilor Kreher announced the Faurot Neighborhood Association will be meeting this Thursday at 5:30 p.m. at the Lima Public Library and the Boulevard Neighborhood Association will be meeting at 7:00 p.m. at the Community Resource Center. She encouraged everyone to get involved in a neighborhood association. Kreher moved, seconded by Glenn, to refer the issue of the Auditor's office staffing to the Human Resource Committee. Motion carried. Kreher thanked Sgt. Garlock for his years of dedication to the COP Program and welcomed Sgt. Hillard to that position. She also thanked Justin Wireman for being a part of the COP Program. She went through a list of all of the things that they supplied and the activities the COP Program has done and all of those programs are designed for kids and for people who do not yet know our officers.

Councilor Dixon reminded all residents that the Fifth Ward Forum will be at 7:00 p.m. on June 21st at 103 E. Kibby Street. He thanked everyone who came out to the bike rodeo this past weekend that was put on by Activate Allen County. He thanked Howard Elstro and his department for getting the project between 2nd Street and Holmes started and just about completed. Those residents are very thankful. He told everyone to be safe and enjoy their Memorial Day weekend.

Councilor Glenn stated that he is excited about the Hoover Park and Southside Neighborhood Association being put back together and should be ready next month. He has had complaints about covers being on roofs for an excessive amount of time. He is going to work on

May 21, 2018

that before putting it into a Committee. He believes that there is something in the books but he is going to check with the Law Director. He thanked the folks who took over the KIDS program while he was out. Glenn stated that the Paint Program is going excellent. He will pick that up this week and they will need more volunteers. He asked anyone who has extra scrap metal to please help out the Spartans and donate at the 311 Building. He thanked everyone who called after his father passed away. He stated his mother is off of the ventilator but still needs prayers. He received a phone call from an elderly man and they are going to work to help him out and get an extension. He stated we are going to beautify our neighborhood. He said Code Enforcement is doing their job.

Councilor Gordon moved, seconded by McLean, to refer the issue of sanitary sewer rates to the Utilities Committee. Motion carried. He said to "be good to each other".

Councilor McLean stated that the City Wide Pride was successful. He said the workers and volunteers worked hard and he couldn't imagine how much ton of stuff was removed from the city. He appreciates the volunteers that did the work and the people that brought the trash. He reminded everyone to keep an eye out for kids. Schools are starting to let out for the summer. He said to spend a few minutes on Memorial Day and remember the people you have lost personally and for the people who have lost their lives fighting for your freedom. He said that we just had the St. Rose festival and that St. Gerard's Festival is in two weeks. There are a lot of things coming up in our community. He welcomed Byron Seldon to the Civil Service Board.

Councilor Nixon said to take some time to memorialize those who have passed away especially those who have given their life in service of our country. He asked the scouts from Troop 103 what their ranks are and encouraged them to stick with it, it's worth it.

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

McLean moved that Council adjourn until June 4, 2018 at 7:00 p.m., seconded by Dixon, motion carried.


Dana Addis, Clerk


John G. Nixon, President