

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

July 2, 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, Chief Black, 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, Neeper and Nixon.

PUBLIC HEARING:

President Nixon called to order the Public Hearing #3 for final review of the CDBG/HOME funds allocations.

Carrie Bush from 126 Sunset Drive, Bluffton, Ohio spoke in support of the Startup Lab. She stated she participated in the 2017 Ropp Triplett Business Plan Competition hosted by Bluffton Center for Entrepreneurs. She said the business plan competition has helped revitalize Bluffton's economy and three storefronts have been opened as a result. She believes the Startup Lab will do the same for Lima's economy.

Jackie Fox from WOCAP spoke in support of the Startup Lab. She said WOCAP agreed to be the fiscal agent for the Startup Lab. She stated WOCAP fka LACCA used to have a program similar to the Startup Lab and when the person who was running the program retired, they did not have the expertise in house to continue the program. She looked over the application herself before they agreed to be the fiscal agent and WOCAP believes this is a great idea for the community, it is well written and will be well implemented. She said money will not be spent unless it is an allowable expense.

Josiah Mathews, 1318 Chestnut Street, spoke in support of the Startup Lab. He said has learned that entrepreneurship is a viable and proven pathway out of poverty. He said we do have many jobs available in this community however many of them are not offering sustainable living wages. He stated just four years ago, he had a dream to help patients gain access to medical cannabis. He said has been successful with the help of mentors in the industry that showed him the way and educated him. He believes this Startup Lab is very much needed in our community and also much needed for low to moderate income people who want a hand up, not a hand down.

July 2, 2018

Tim Callahan, 17 E. Franklin Street, spoke in support of the Startup Lab. He owns a small business in downtown Lima and has been looking for avenues to streamline the management aspect of his business over the years and has been unsuccessful. He expressed he is still waiting on a response to his inquiries from the Walter Potts Entrepreneurial Center from a month and a half ago. He said as a small business owner, the Startup Lab is something that he would look into because he thinks it could benefit him as far as streamlining his business practices and help prevent the problems he had in the past.

President Nixon reminded Council that if there are any modifications, they must be made now and Council must vote on those modifications during the public hearing. Councilor McLean stated he is torn on the Startup Lab because he has had several individual speak about the Walter Potts program but no one has spoken about the free program Rhodes State offers. He has had a lot of people talk to him about this and he doesn't see where we have the need for a third program. He said he can't justify spending \$60,000.00 for a third plan, he would much rather see it go towards fixing our streets. McLean moved, seconded by Gordon, that the \$60,000.00 allocation to the Urban Impact Ohio/Startup Lab be moved to Street/curb reconstruction.

Councilor Dixon stated he called Chamber of Commerce regarding allegations that he received that ended up being untrue. He said we have an individual who is willing to come in and serve the low to moderate income population. He said HUD stated this program falls within the guidelines. He said they spent an hour last meeting asking questions to the applicant for the StartUp Lab but have not asked one question to administration who has asked for 70% of the funds. He said the funds requested by the Startup Lab are just a drop in the bucket. Dixon stated that McLean's ward is one of the wards that are not dealing with a lot of poverty. He said the Walter Potts Center has not been active in three years and has two board members, and although they serve low to moderate income people, both board members are caucasian. He said the same thing with Downtown Lima, Inc., no one from the low to moderate income neighborhoods are on that board. He said we say we want to put these entities into place to revitalize, stabilize and rejuvenate downtown, yet we have no one from the low to moderate income neighborhoods at the table and he has a problem with that. He said we haven't seen Rhodes State come to our churches, neighborhoods or businesses and say they have a program available. He said most people don't know that Rhodes State offers a program. Dixon asked administration to provide a historical list of roads paved, parks improved, houses repaired, code inspections and demolitions by ward. He said then we can have the discussion about things not being done. Dixon said when he spoke to the individual at the Chamber, he advised that the Walter Potts Center does not have the funds to do what they want to do, but he believes that Mr. Harper has the heart and the drive to do so. He said there are a lot of people from the south side of Lima who feel like they are not wanted in the downtown area.

Councilor Thompson said it is important for people to understand why we need another program. She said the Walter Potts Center is a good idea in theory; they just can't service the community as they had hoped. She said she knew about Rhodes State because her husband, who

July 2, 2018

works at the school, knew a professor who recommended the program. She said it was very roundabout and difficult to find out about the Rhodes State program. She said it's not a bad program, they just do not offer a cohort model like the Startup Lab will. She said the cohort model of this program is extremely beneficial. She said we need to invest in our people. She said when we talk about revitalizing downtown, we need to make sure we revitalize not gentrify. She believes this is a drop in the bucket that is worth throwing out there. Councilor Glenn stated that he looked through the paperwork and spoke with the Chamber. He said he is here to find out what needs to be done, not talk about a man's past. He said we should have a sellout crowd every time CDBG funds are discussed and advised everyone to put it on their schedule for next year. He said he wanted to make sure the money would be spent right and we don't need to argue about where the money goes, as long as it is helping people. He said we need to talk to the banks to find out how we can get funding for minority business owners. Councilor McLean said he was elected to represent not just his ward but the whole city. When he looks at things, he looks at the whole city as a goal. He said the guy at Rhodes state can't even get people to attend his classes. The gentleman from Rhodes State said they typically get around two to three people to participate in their free program. Councilor McLean said he has been in business for a long time and he has put his hard earned sweat and dollars into it to make it successful. He asked why we are duplicating something that we already have. He said he spoke with the Cincinnati Mortar and they aren't being funded by CDBG money, they are being funded by business people and banks. He said if we get that type of program going, he is all for it, but he is not for funding the program with community money. He said we need to be wise with the funds. He said the administration fees are broken down because they are to help administer these programs. He said it takes a lot of work, a lot of legal work and reports. President Nixon stated that he wanted to clarify a few things. One of them being, we are talking about public tax money not a private investment. We do not have any say in someone's private investment. We do have an obligation to look over the use and expenditures of public tax dollars. He clarified that CDBG funds can be used in low to moderate income areas. Those are defined by census tracts and he believes it is low to moderate income and it is not race based. He also clarified that if you saw the breakdown of where the CDBG eligible tracts of land are, every ward in this city has significant areas that are CDBG eligible. Councilor Dixon said he asked Susan Crotty for a breakdown of the administration costs and she was unable to do so. Susan Crotty, Director of Community Development, clarified that the administration cost of the grant and those funds are under the 20% CDBG administrative costs but that wasn't what Councilor Dixon was asking for. She stated he was asking for the percentage of the grant that goes to salaries, supplies, etc. She said what she tried to explain was that each activity may include salaries. She said people are required to deliver the service and so the salaries are included.

Councilor Dixon recommended we cut the Startup Lab allocation in half to \$30,000.00 and give the Startup Lab a chance to prove itself. If he doesn't, then we won't allocate the funds for him next year. The remaining \$30,000.00 would go to streets. He asked Mr. Harper if he could run his program off of \$30,000.00. Mr. Harper responded that at the scale, no. Dixon stated then we shouldn't change it and give him a chance. Dixon said he has had 17 people who have already reached out to be a part of this program. He said we are serving people and that is what this money

July 2, 2018

is for. He said it seems to him we want to keep the poor, poor and the rich, rich. Councilor McLean stated he doesn't do this for fun, he does this because he wants a better city. He said he doesn't criticize any ward because we are a city as a whole. He said maybe we should ask Rhodes State to do more work in the community so people know about it.

Councilor Kreher stated just because she represents the 4th ward right now, doesn't mean she hasn't lived or rented an apartment in the 1st, 3rd and 6th ward. She said there are answers and solutions right now. She didn't know about Rhodes State until she called them and got answers. She already has people who are ready to go to Rhodes State, who are ready to make a difference. She said their responsibility on Council is to watch the tax dollars and be efficient and effective. She said Mr. Harper stated during the last hearing that he could fund this program another way if he did not receive the CDBG money. She said based on the response she has received, she will not be voting to give this money to the Startup Lab. Councilor Thompson said she believes everybody on Council has our best interest at heart and it's hard to see the disconnect. She would like Council to understand that it's not just white privilege, there is upper class and middle class privilege, there is who you know, what you know and what you were brought up with and what you have experienced. She said there are some people that cannot call and ask a question, if they do not know they should have that question. She said this allocation is not funding business, it is funding education. She said it is easier when you have a network and we need to work with those people. Councilor Gordon asked the difference between Rhodes State, Walter Potts and the Startup Lab. Councilor Thompson explained that the Walter Potts Center isn't available. Rhodes state is a one on one program and lacks the cohort part which includes mentoring and networking. Mr. Harper said there are two board members for the Walter Potts Center. One being the President and CEO of the Chamber and the other is the Director of Rhodes State Small Business Development Center. Councilor McLean stated Howard Elstro, Director of Public Works, and his staff have a good way to stretch the money allocated by at least 3 times, which is the reason he asked that money be put into streets. President Nixon stated he doesn't believe there is enough to receive 6 affirmative votes at the \$60,000.00 level. He said we are at the point where we need to come to a compromise tonight in order to submit the allocations to HUD by the deadline. President Nixon went around the table and received a number from each member that they would be comfortable voting on. He said he understands everyone's concerns but we need to come to a compromise. The motion on the floor is to move \$60,000.00 from Urban Impact Ohio to Streets/Curb Reconstruction. The motion did not carry with a 3-5 vote with Glenn, Nixon, Gordon, Thompson and Dixon voting no.

Councilor Glenn asked Mr. Harper how much money he would need to take care of the base of his program. Mr. Harper stated his original request was for \$69,000.00 and he understood why it was reduced to \$60,000.00. He said \$30,000.00 would not work with the current model. They would need at least \$45,000-\$50,000.00 but would need to reduce the goals that have been set. Ms. Crotty stated they could amend the goals. Councilor Glenn said he thought the remaining money should come out of the general fund. Councilor Dixon asked out of all of the years that we have had CDBG funds, how many program allocations have been amended. President Nixon stated nearly every one, particularly every one that would be considered a new program or not

July 2, 2018

pre-existing. He stated every time there has been an issue like this, the ultimate outcome has been some sort of compromise. He asked Mr. Harper if his program would be able to have tangible results at \$40,000 or \$30,000. Mr. Harper stated no, he doesn't want to get into the nickel and dime thing, but the program could exist on \$40,000. President Nixon moved, seconded by Gordon, to reduce the allocation to Urban Impact Ohio to \$40,000 and move \$20,000 to Streets/Curb Reconstruction. The motion did not carry with a 4-4 vote with McLean, Kreher, Glenn and Neeper voting no.

President Nixon moved, seconded by Kreher, that Council adjourn for a 10 minute break. Motion carried. Council reconvened following a 10 min. break and President Nixon called the Public Hearing to order.

Councilor Nixon moved, seconded by Gordon, to amend the proposed allocations by reducing Urban Impact Ohio/WOCAP to \$30,000 and moving \$30,000 to Street/Curb Reconstruction as an increase. This would make the allocation for Urban Impact Ohio/WOCAP \$30,000 and Street/Curb Reconstruction \$180,000. Motion carried with a 7-1 vote with Neeper voting no.

There being no one else wishing to speak, President Nixon closed the Public Hearing.

President Nixon opened the Public Hearing for the 2019 Tax Budget. The Clerk read the call. There being no one wishing to speak, President Nixon closed the Public Hearing.

PRIVILEGE OF THE FLOOR:

John Schneider requested to postpone his comments until the July 23, 2017 Council meeting.

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, and approved, seconded by Gordon, motion carried.

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Auditor regarding the contract labor report for April and May 2018. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

July 2, 2018

2. From the Auditor regarding legislation to enter into contract for Purchase Manager. Moved by McLean, seconded by Glenn, that the communication be received and filed. Motion carried.

3. From the Auditor regarding February 2018 financial reports. Moved by McLean, seconded by Neeper, that the communication be received and filed. Motion carried.

4. From the Dir. of Utilities regarding legislation to amend Section 1040.16 and 1040.17 of the Codified Ordinances. Moved by Gordon, seconded by Thompson, that the communication be received and filed. Motion carried.

5. From the Finance Director regarding legislation to amend the 2018 official budget. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

6. From Chief Black regarding legislation to enter into contract with Burgess Ambulance Sales, Inc. Moved by Glenn, seconded by Dixon, that the communication be received and filed. Councilor Dixon asked Chief Black what the life expectancy was on an ambulance. Chief Black said they have only been in the ambulance business in the last eight years. He said they are looking at around twelve years. He said this ambulance is expanding the fleet. He said because the ambulances see a lot of wear and tear, it is not unusual to have one or two of them down at a time. He stated this will be their fourth ambulance. He has noticed recently that their numbers are starting to go up and they are not the only ones expanding their ambulance fleet. Chief Black stated for the last few years or so they have brought exemption requests from Lima Allen County Paramedics and they are currently in the process of remedying that situation. Motion carried.

7. From Chief Black regarding legislation to enter into contract with Physio-Control, Inc. Moved by Glenn, seconded by Gordon, that the communication be received and filed. Motion carried.

8. From the Director of Community Development regarding appointment to City Planning Commission. Moved by Thompson, seconded by McLean, that the communication be received, filed and approved. Motion carried.

9. From the Director of Community Development regarding legislation for the adoption of the 2018-2019 Annual Action Plan to HUD. Moved by Thompson, seconded by Gordon, that the communication be received and filed. Motion carried.

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

July 2, 2018

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

12. From the Director of Public Works regarding legislation to grant an easement to 43 Town Square Limited Partnership. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

13. From the Director of Public Works regarding legislation to amend the contract with Brenneman Excavating, Inc. 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 grant an easement to American Electric Power. Moved by Neeper, seconded by Dixon, that the communication be received and filed. Councilor McLean asked if this was the reason we don't have any sidewalks out there? Councilor Neeper stated he spoke to Howard Elstro, Director of Public Works, about that. He said that project as far as the grade separation had not been approved, completely funded, so the sidewalks were required to be put in and now they must be taken out. Mayor Berger stated essentially there were elevations for he believes the traffic circle and for the grade separation which affected all of that entrance way and will all be rebuilt. Motion carried.

REPORTS OF OFFICIALS:

Councilor Nixon moved, seconded by Glenn, that the Reports of Officials be postponed to the next Council meeting or to a date determined by the administration. Motion carried.

REPORTS OF COMMITTEES:

Councilor Neeper reported that the Public Works Committee met on June 13, 2018 with all members present. All Council members have received a copy. Neeper moved, seconded by Glenn, that the report be received, filed and approved. Motion carried.

Councilor Gordon reported that the Utilities committee met on June 18, 2018 with all members present. All Council members have received a copy. Gordon moved, seconded by Dixon, that the report be received, filed and approved. Motion carried.

Councilor Kreher reported that the Human Resource Committee met on June 13, 2018 with all members present. All Council members have received a copy. Kreher moved, seconded by Dixon, that the report be received, filed and approved. Motion carried.

THE FOLLOWING ORDINANCES WERE PRESENTED:

129-18 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson 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.

130-18 Levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson 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.

131-18 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.

132-18 Adopting the Tax Budget for the 2019 fiscal year for the City of Lima, Ohio. McLean moved, seconded by Neeper, 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.

133-18 Authorizing the Mayor to enter into contract with Stolly Insurance Group. McLean 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.

134-18 Authorizing the Mayor to enter into contract for Purchasing Manager. McLean 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.

135-18 Authorizing the Mayor to enter into contract with Physio-Control, Inc. 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.

136-18 Authorizing the Mayor to enter into contract with Burgess Ambulance Sales, Inc. Glenn 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.

137-18 Amending Ordinance No. 078-18. 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.

138-18 Adopting the 2018-2019 Annual Update to the Lima Consolidated Plan (2015-2020), and authorizing submission thereof to the U.S. Department of Housing and Urban Development (HUD). Thompson moved, seconded by Dixon, that the Ordinance be passed on the first reading as amended during the Public Hearing held July 2, 2018 and authorize the Clerk to submit a revised copy of Exhibit 1. 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.

139-18 Authorizing the Mayor to enter into an easement agreement with 43 Town Square Limited Partnership. 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.

140-18 Authorizing the Mayor to grant an easement to American Electric Power. 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.

141-18 Establishing the positions and classifications hereinafter set forth and fixing the salary and compensation of such positions and classifications; repealing existing inconsistent ordinances as herein described. 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.

July 2, 2018

MISCELLANEOUS BUSINESS:

Councilor Glenn wished everyone a happy 4th of July. Glenn moved to refer the issue of the use of tarps as a substitution for roofing to the Neighborhood Concerns Committee, seconded by Dixon. Motion carried.

Councilor Neeper said he attended the Faurot West and Boulevard Neighborhood Association meetings. He said it is very good to see how organized they were for just starting out. He said it is very encouraging to see some of the neighborhood associations come back and getting some things done. Have a happy 4th of July.

Councilor Gordon reminded people to be good to each other.

Councilor McLean wished everyone a happy 4th of July and reminded everyone to look out for the kids. He encouraged everyone to come to the park and enjoy themselves. He said the 4th of July event is a dime in the community that we have, that most communities can't say that they have. He appreciates the audience attending but said he wished they would be here for more than just one issue. He said to be out there with us and help us.

Councilor Thompson thanked Central Lima Neighborhood Association Vice President, Nicolas Wheeler, for staying the whole Council meeting. Next meeting will be at LACNIP on July 18th at 6:30 pm. She wished everyone a happy 4th of July. She thanked Bart Mills and Omar Zeheri, who invited her and her husband to perform at this month's Late to the Party event on Thursday, July 19th at 7p.m. at the Dance School where there will be poetry and storytelling.

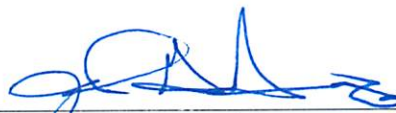
Councilor Kreher encouraged everyone to attend the fishing derby on the 4th of July at Faurot Park. She said there are a lot of things going on and you could receive a free fishing pole. She said it was nice to have Councilor Neeper at the two neighborhood association meetings in the fourth ward. She reminded everyone that letting fireworks off in the City is illegal. She wished everyone a happy 4th of July.

Councilor Dixon announced there will be no summer lunch on Weds and Thursday this week and will resume on July 9th from 11-12:30 pm at Heritage, Liberty, Independence, South Middle and Unity Elementary School. He said the Lima City Schools Back to School Celebration will be on August 14th from 4-6pm at Martin Luther King Park where they will be giving away free school supplies, food, Spartan gear, games and activities. He announced the Neighborhood Concerns Committee Meeting will be held July 9, 2018 at 4:30 pm in Council Chambers regarding the entertainment district and tarp issues. He wished everyone a happy 4th of July.

President Nixon wished everyone a happy 4th of July and encouraged everyone to come to the park and enjoy the celebration. He also wished Councilor Thompson a happy birthday.

July 2, 2018

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



John G. Nixon, President



Dana Addis, Clerk