

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

July 6, 2020

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; Randall Bartels, Auditor; Steven Cleaves, Finance Director; Kari Keener, Dir. of Human Resources; Susan Crotty; Dir. Of DCD; Mike Caprella, Dir. of Util.; Howard Elstro, Dir. of Public Works; Sharetta Smith, Chief of Staff; Chief Martin; and Dana Addis, Clerk.

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

ROLL CALL showed the following members present: Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, Neeper and Nixon.

PUBLIC HEARING:

President Nixon called to order the Public Hearing for the 2021 Tax Budget. The Clerk read the call. There being no one wishing to speak to the 2021 Tax Budget, President Nixon closed the Public Hearing.

PRIVILEGE OF THE FLOOR:

The Clerk read the comments as submitted by Curtis Shannon Jr. which included the Black Lives Matter City Reform recommendations to the Lima Police Department. (A complete copy of the presentation is on file in the Council Office.)

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

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

Gordon moved that items "a" of the consent calendar be received, filed, and approved, seconded by Dixon, motion carried.

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Chief of Staff regarding legislation to enter into a Voluntary Retirement Incentive Program. Moved by Neeper, seconded by Thompson, that the communication be received and filed. Councilor Dixon expressed the concern of individuals who are taking the voluntary early retirement would not be able to participate in the retire/rehire program. He said he has had complaints that the retire/rehire program hinders the growth of the youth in the community. He asked if a clause can be included that they do not offer the retire-rehire program. Sharetta Smith advised the legislation only authorizes the administration to enter into a Memorandum of Understanding with the Union with respect to the program. She advised they

July 6, 2020

cannot promise that some positions will not be filled through a contract basis and they are still in discussion with the Union about how that will work. She expressed the legislation before Council today, simply gives the administration authority to enter into the specific agreements with the Unions. She explained administration is aware that retire/rehire is a controversial subject and they have approached those conversations with the Unions in that way and they are very confident that they will be able to work out something that is agreement for all parties. Motion carried.

2. From the Chief of Staff regarding appointments to the Urban Forest Council. Moved by Thompson, seconded by Glenn, that the communication be received, filed and approved. Motion carried.

3. From the Chief of Staff regarding an appointment to the Planning Commission. Moved by Thompson, seconded by Neeper, that the communication be received and filed. Motion carried.

4. From the Chief Building Official regarding legislation to permit the issuance of residential electrical permits to registered electrical contractors. Moved by Glenn, seconded by Gordon, that the communication be received and filed. Councilor Glenn thanked Howard Elstro for answering his questions including notifying the Union and folks about this. He said this is a safety issue because individuals want someone licensed who is pulling permits. Motion carried.

5. From the City Engineer regarding legislation to enter into contract with Bluffton Paving. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried.

6. From the Dir. of Public Works regarding legislation to reimburse Ben's Construction for the emergency demolition of 122 N. Elizabeth Street. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried by a 7-1 vote with Dixon voting No.

7. From the City Engineer regarding legislation to amend Ord. 281-19, contract with Blausey Truck Service & Excavating. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried.

8. From the Dir. of Community Development regarding legislation to place tax assessments for specified parcels. Moved by Thompson, seconded by Wilkerson, that the communication be received and filed. Councilor Dixon advised he will not be voting yes for this because he understands the City of Lima is trying to recoup costs that have already been spent on services provided by doing the property maintenance. He said after riding through his ward, he noticed some of the parcels have not been cut and it is a shame that individuals had to have picnics and gatherings over the holiday weekend surrounded by non-maintained properties. Motion carried 6-2 with Dixon and Glenn opposing.

July 6, 2020

9. From the Dir. of Community Development regarding legislation to place tax assessments. Moved by Thompson, seconded by Wilkerson, that the communication be received and filed. Motion carried 7-1 with Dixon opposing.

REPORTS OF COMMITTEES:

Councilor Glenn advised the Neighborhood Concerns Committee met on June 16th and June 23rd, 2020 to discuss the Special Use Permit for 1105 E. Market St. The Committee recommended that no action be taken against the Permit. All Council members have received a copy. Glenn moved, seconded by Wilkerson, that the report be received, filed and approved. Motion carried 7-1 with Thompson opposing.

THE FOLLOWING ORDINANCES WERE PRESENTED:

110-20 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima. Thompson moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 6; Gordon, Wilkerson, Thompson, Ehora, Neeper and Nixon. Nay, 2; Dixon and Glenn. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-2 vote.

111-20 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima. Thompson moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 6; Gordon, Wilkerson, Thompson, Ehora, Neeper and Nixon. Nay, 2; Dixon and Glenn. The Chair declared the motion carried and the ordinance passes on the first reading by a 6-2 vote.

112-20 An Ordinance Providing the issuance and sale of bonds for the purpose of paying property owners' portion of the costs of constructing sidewalks. Neeper moved, seconded by Wilkerson, that the Fiscal Officer's Certificate be received, filed and approved. Motion carried. 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, Wilkerson, Thompson, Ehora, 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.

113-20 An Ordinance adopting the Tax Budget for the 2021 Fiscal Year for the City of Lima, Ohio. Neeper moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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.

114-20 An Ordinance authorizing the Mayor to enter into a Voluntary Retirement Incentive Program. Neeper moved, seconded by Glenn, that the ordinance be passed on the first reading. Councilor Glenn said he will support this but said we will see the same group of people back to work come April. He said he has never been a big fan of the retire/rehire program and

believes it needs to be stopped. Councilor Gordon thanked Shareta Smith and Kari Keener for the heard work that they put into this program and trying to save employees jobs. He said everyone who works for the City is important to him. He thanked Ms. Smith and Mrs. Keener for helping them understand the program. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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.

115-20 An Ordinance authorizing the Mayor to enter into a contract with Bluffton Paving. Ehora moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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.

116-20 An Ordinance authorizing the Mayor to amend Ordinance 281-19, contract with Blausey Truck Service and Excavating, LLC. 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, Wilkerson, Thompson, Ehora, 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.

117-20 An Ordinance authorizing the Auditor to make a payment to Ben's Construction for the emergency demolition of 122 North Elizabeth St. Ehora moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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.

118-20 An Ordinance amending Section 1458.07 of the Codified Ordinances of Lima, Ohio. Ehora moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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.

119-20 An Ordinance amending Section 1466.02 of the Codified Ordinances of Lima, Ohio. Ehora moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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.

120-20 An Ordinance amending Section 1468.01 of the Codified Ordinances of Lima, Ohio. Ehora moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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 6, 2020

121-20 An Ordinance amending Section 1468.04 of the Codified Ordinances of Lima, Ohio. Ehora moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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.

122-20 An Ordinance enacting Chapter 1469 of the Codified Ordinances of Lima, Ohio. Ehora moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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.

123-20 An Ordinance amending Section 1490.01 of the Codified Ordinances of Lima, Ohio. Ehora moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 8; Gordon, Wilkerson, Thompson, Ehora, 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 Ehora reminded everyone to do their part in keeping their property the way that it needs to be so neighbors don't have to call and complain. She said she received a traffic study report from Kirk Niemeyer for her street and in a five day period, almost 400 vehicles were driving 45 mph or more in a 35 mph zone. She said the top car was going 65-70 mph. She said there are a lot of major streets that run through the City and she asked everyone to remember that people have children and families who live on the streets and to drive responsibly. She sat in the Little Caesars parking lot and couldn't get over how fast the traffic was going from Cable Road to Carolina Avenue.

Councilor Dixon asked residents to please slow down. He said a vehicle almost took out a kid chasing a ball because the driver was speeding in a residential zone. He said this is not the Indianapolis 500 or the Daytona Speedway and asked everyone to slow down. He thanked the Streets Dept. for grading and stoning the alleys. He said the 4th of July has come to an end and asked everyone to cease with the fireworks and asked everyone to clean up the debris. He drove through the 5th and 6th Ward and noticed there was a lot of debris left and looked like a war zone. He said there are Veterans who live in the area who may suffer from PTSD or other mental illnesses and can be triggered by fireworks. He said to be good to each other.

Councilor Glenn asked everyone to please stop shooting fireworks. He said cable wires were shot down and people are complaining of dogs barking. He said he will be meeting with Kirk Niemeyer to discuss parking on one side of Chestnut Street. Glenn explained he agrees with offering the incentives for early retirement but he doesn't want the same people back working. He wants to see some opportunities for the young kids who are looking for a job. He thanked Mr. Lawson for the air conditioners that were donated. He asked for additional air conditioner

July 6, 2020

donations and thanked others for donating. He reminded everyone to be good to each other.

Councilor Neeper reiterated that we are not out of the COVID-19 crisis and said there were a lot of parties over the weekend where he did not see masks or social distancing. He reminded people to pay attention to what they have been told so things can get back on track. He said if numbers keep going up we can see more drastic measures in the fall. Neeper moved, seconded by Ehora, to refer the issue of speeding within City limits to the Safety Services Committee. Motion carried. He said he knows the speeding problem and it needs to be addressed now. He said he doesn't know what the solution is as he has discussed the issue with the Majors and UNOH, but UNOH seems to not want to do anything about it.

Councilor Gordon said loud vehicles are an issue in addition to the speeding problem. He would like to see the fireworks stop. He acknowledged Councilor Glenn's air conditioning program and told a story of him helping others, in his Ward or not. He expressed his appreciation for Mr. Glenn. He reminded everyone to be good each other.

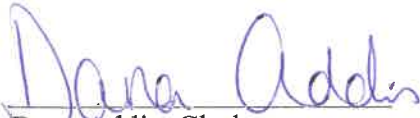
Councilor Wilkerson encouraged everyone to continue to wear their masks. He expressed the importance of completing the 2020 Census and reminded everyone to get it in.

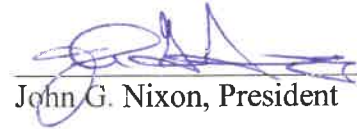
Councilor Thompson reiterated the importance of wearing a mask and expressed COVID is not a hoax. She agreed that speeding is an issue. She said they held a productive meeting regarding CDBG/HOME Funds and thanked Ms. Crotty and the Consultant for their hard work. She expressed her belief that the community's voice is being listened to. She thanked her fellow council members for asking good questions during the meeting and also thanked the applicants for applying for these funds. She reminded everyone that the pandemic of systemic racism and oppression is also not over and she feels they hear the term thrown out there and people do not understand what it is. She read the definition of institutional or systemic racism. She explained when you see that minorities are not represented statistically in different fields like they are in society, then you are probably dealing with systemic racism. She said we as a society cannot help but have that embedded when our society was created by and built for wealthy white men. She doesn't believe anyone should feel guilty she is saying it exists. She only needs people to acknowledge there is a problem and then they can work on the problem. She explained there is a notion that black people are dangerous and in return officers routinely pull over more black people or stop the black youth. She said statistically you see that more black people are arrested or stopped by police which plays out when looking at the statistics. She is asking the community to acknowledge that systemic racism does exist. She said Allen County Juvenile Detention Center is estimated around 95% incarcerated by black males. She said the work is not over and no one needs to feel guilty, everyone needs to work towards a more united community.

President Nixon explained an accident that occurred at the intersection of Grand and Metcalf about 7:45 a.m. where a person hit a car and ran off. He relayed the message that he hopes the person is caught. He asked anyone who had knowledge of the accident to contact the Lima Police Department.

July 6, 2020

Gordon moved that Council adjourn until July 20, 2020 at 7:00 p.m., seconded by Thompson, motion carried.


Dana Addis, Clerk


John G. Nixon, President