

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

August 6, 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; 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 Gordon followed by the Pledge of Allegiance.

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

McLean moved, seconded by Kreher, that the Agenda be amended by adding Cleven Jones under Privilege of the Floor, motion carried.

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

010-18 Congratulating Abby Conley for Winning Two Gold Medals in the 2018 Special Olympic USA Games. Neeper moved, seconded by Dixon, that the Resolution be adopted 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 resolution was adopted on the first reading by an 8-0 vote.

PRIVILEGE OF THE FLOOR:

Jesse Lowe spoke about an incident that happened at his home and place of business. In the past he has had multiple incidents with patrons of the business next door and has never complained. He called the Lima Police Department regarding patrons of the business next door that were fighting and destroyed his fence. He said he watched four officers drive past him while he tried to wave them down. He then called Lima Police Dept. back and was told they were sending someone. When an officer did show up, the shift supervisor approached Mr. Lowe and asked him "What's your problem?" He said the officer spoke at him and not to him which was the most disrespect he has ever received from an LPD officer. Mr. Lowe stated he was sitting on a bench and never stood up. He stated the officer told him "what do you expect, you know where you live and you know what you live beside, you should accept it". He said the officer kept asking him if he was mad or if he was getting upset like he really wanted Mr. Lowe to say something smart to him. He said he asked the officer for a report number and the officer refused but would give a service number. He said we keep talking about building relationships with LPD, but then you have an officer that felt he could talk the way that he did. He said he wished there was a way that Council could get more officers. He said they are running five officers per shift, who are tired

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and frustrated. He said Council should get them help or sit them down and teach them how to talk to people with respect.

Christopher Banks stated properties in Lima are not being maintained by their owners and he would like to know why. He knows there is a code for properties but it has not been revisited. He said he has maintained the streets in Downtown Lima for a lot of years and half the stuff was out of courtesy by John Beebe. He said we have people coming into Lima and it looks like the ghetto. He said he doesn't want anyone bashing the Street Department or Mayor because it's not their problem. He said Council needs to get up from behind the plaques and talk to these property owners and find out what the problem is. He said don't go blaming the Mayor, everyone wants to pass the buck to the Mayor. He said we have to do things in decency and in order and it starts with Council. He said he isn't making threats, but the same people that put Council in office, are the same people that can get them out of office. He said we need to work together and he will help out. He said we have the resources and if you take \$10,000.00 out of the money allocated to the Streets Department, and get a contracted employee we can get this town back together. He said as of right now, letters need to go out, we need to know who should be penalized and who is not doing the job they are supposed to be doing. He said Howard Elstro returns all of his phone calls but it starts with Council. He said before we lash out at the Mayor or Howard Elstro, clean your front door before you go cleaning up other folk's front door. He said he hopes he keeps Council's respect and love after the meeting is over. He said he loves our downtown and we have good city officials.

Cleven Jones spoke about some comments and remarks that were made by the acting President during the last Council meeting which he believes were ill timed and inappropriate. He stated the reason they were in Council chambers that meeting was to support Ms. Owens who had an issue with law enforcement. He said they asked people to get involved with City Council to be engaged in the process. He said at the end of the meeting, some comments were made out of place. He stated the race card to some extent was played when the 5th and 6th ward were mentioned. He advised the 5th and 6th ward did not elect the Mayor of this city, the city as a whole elected the Mayor. He said we in the black community do not want to be used as political piñatas to support how someone may feel personally. He said the election is over and we need to start moving the city forward. He expressed the City has a lot of issues and it will be hard to remedy these issues with remarks and comments like those that came from the Chair at the last meeting. He hopes that we can move forward with more discretion and more professionalism.

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 Traffic Commission meeting held July 9, 2018

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Director of Utilities regarding legislation to enter into a Professional Services Agreement with PMG Consulting, Inc. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

2. From the Director of Utilities regarding legislation to enter into contract with Tom Ahl Chrysler/Jeep. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

3. From the Director of Utilities regarding legislation to enter into an electric service contract following competitive bidding for the City's electric supply. Moved by Gordon, seconded by Neeper, that the communication be received and filed. Motion carried.

4. From the Chief of Police regarding legislation to allow K9 "Diego" to retire and be sold. Moved by Kreher, seconded by Thompson, that the communication be received and filed. Motion carried.

5. From the Chief of Police regarding disbursement of funds from the Asset Forfeiture Account. Moved by Dixon, seconded by Glenn, that the communication be received and filed. Motion carried.

6. From the Auditor regarding legislation to enter into contract with UMS. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

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

8. From the City Engineer regarding legislation to enter into contract with RA Consultants, LLC. Moved by Dixon, seconded by Glenn, that the communication be received and filed. Motion carried.

9. From the City Engineer regarding legislation to purchase security equipment from Perry ProTech/Aim 360. Moved by Dixon, seconded by Glenn, that the communication be received and filed. Motion carried.

10. From the City Engineer regarding legislation to enter into contract with the Shelly Company. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

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11. From the City Engineer regarding legislation for the dedication of road right of way for S. Jackson Street and S. Pine Street between Market Street and Elm Street. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

12. From the Deputy Director of Parks, Recreation, and Forestry regarding legislation to accept a donation from the Lima Noon Sertoma Club. Moved by Neeper, seconded by Dixon, that the communication be received and filed. Motion carried.

13. From the Director of Public Works regarding legislation to enter into contract with Oscar W. Larson Company. Neeper moved, seconded by Gordon, that the communication be received and filed. Motion carried.

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

15. From the Director of Human Resources regarding "Zero Tolerance" harassment policy. Moved by Kreher, seconded by Gordon, that the communication be received and filed. Motion carried.

REPORTS OF OFFICIALS:

Sgt. Curtis Hile gave a report on the Star Spangled Spectacular. He stated they partnered with multiple agencies to bring in a significant amount of resources to help alleviate or prevent problems in the park. He said there were no arrests made relating to the park this year. He said it was a good event and everything went well. He acknowledged Ric Stolly who was the co-chair organizing the event this year and he did a good job pulling things together.

THE FOLLOWING ORDINANCES WERE PRESENTED:

154-18 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.

155-18 Dedicating right of way for public use for S. Jackson Street and S. Pine 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.

156-18 Authorizing the Mayor to retire and sell police canine “Diego”. Kreher moved, seconded by McLean, that the ordinance be passed on the first reading. Councilor Kreher said she is happy that we have had such a great dog like Diego. She said the K-9 team is quite a team amongst themselves and she is happy that his handler will be able to keep him and it is always joyous that the two of them get to stick together. 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.

157-18 Authorizing a payment from the Asset Forfeiture Fund. 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.

158-18 Authorizing the Mayor to enter into contract with Perry Protech/AIM 360. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. Councilor McLean explained that this has been a process for the Law Department to move into the RTA Building which we’ve been working on this for a couple months. He said last time they okayed the partition of the building inside walls. He said this will be a little bit more convenient for all the Law Department to be close to the city building and Municipal Court. 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.

159-18 Authorizing the Mayor to enter into contract with UMS Corporation. 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.

160-18 Authorizing the Mayor to enter into contract for the City’s electric supply. Moved by Gordon, 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.

161-18 Authorizing the Mayor to enter into contract with Tom Ahl Chrysler/Jeep for the purchase of a Dodge Durango Utility Vehicle. Moved by Gordon, 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.

162-18 Authorizing the Mayor to enter into a Professional Service Agreement with PMG Consulting, Inc. Moved by Gordon, 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.

163-18 Authorizing the Mayor to accept a donation from the Lima Noon Sertoma Club. Moved by Neeper, 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.

164-18 Authorizing the Mayor to enter into a contract with the Shelly Company. Moved by Neeper, 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.

165-18 Authorizing the Mayor to enter into contract with RA Consultants, LLC. Moved by Neeper, 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.

166-18 Authorizing the Mayor to enter into contract with Oscar W. Larson Company. Moved by Neeper, 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.

167-18 Authorizing the Mayor to enter into contract with Lebanon Ford. Moved by Neeper, 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.

168-18 Authorizing the Mayor to enter contract with Ohio CAT. Moved by Neeper, second 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.

MISCELLANEOUS BUSINESS:

Councilor Gordon expressed how much of a joy Abby Conley and her family are. He encouraged everyone to chip in and help if you have a neighbor struggling to mow or maintain their property. He said sometimes people have problems and they can't afford a lawn mower and a little help from someone would't hurt. He reminded everyone that National Night Out is Tuesday from 6-9pm. He said he plans on bringing his grandchildren and encouraged everyone to come out. He said it is a great event and a good way to get everyone together from every ward and to see that we aren't all that different. He reminded everyone to be good to each other.

Councilor McLean announced a Finance Committee Meeting regarding a semi-annual budget review for Monday, August 27, 2018 at 5:30 p.m. He said he isn't sure that people understand what Council's job is. He said Council's job is legislative, not administrative. He said they do not make the rules, they follow them, okay the money, but they cannot go out and tell administration to do anything. He said we can try to change things when they come out and make suggestions. He guarantees that Council is out and about, walking the neighborhoods doing safety patrol. He said to get involved. That is when you will see your neighbors and find out if they need help. He said he was a little offended about whether or not the 5th or 6th ward reflected on their race. He said he doesn't feel that way and that was not in his book. He said we are here to represent our ward but help the whole city.

Councilor Thompson announced the Central Lima Neighborhood Association will be meeting Wednesday August 15, 2018 at 6:30pm at the LACNIP Resource Center, 1440 West Spring Street. She said she agrees with Mr. Banks that things need to look different and she would love it if he could join them as far as being a part of their Neighborhood Association. She likes the idea of being out and talking to people but she is running out of hours in her days. She reminded everyone that the Bradfield Center is having their 80th Anniversary Fundraiser on August 16th at UNOH Event Center and to contact the Bradfield Center for tickets which are \$25.00. She announced the Beantown Poetry Slam on August 18th at the Unitarian Universalist Fellowship of Lima and there will be cash prizes. She thanked everyone for being at the meeting even though there are no hot button topics on the agenda. She said it is important to stay informed. She said the dockets for Council meetings are uploaded to the City's website before the meeting and encouraged everyone to look it up. She said she appreciates Mr. Lowe coming and thinks he is highlighting something that is going on. She said she is not sure how to resolve it but there is a disconnect between our community and the Police Department and we all have to work on it. She said when you are a victim in a situation, you don't need to be approached and victimized again by the person who is supposed to be helping you. She said she knows this is a desire of the Chief of Police and we need to figure out how to spread that desire. She doesn't have all of the answers at this moment but something needs to happen. She would love to hear suggestions.

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Councilor Kreher thanked the COP Officers and the Lima Police Department because they hosted an event at the east side COP Officer's office where they served over 200 hot dogs and put many police officers in a dunk tank. She is grateful for officers and community leaders who can come together and do things that are fun even though there are conversations that need to happen. Balling with Badges is Councilor Glenn's idea and Councilor Thompson and her were brought in as part of the team. She encouraged everyone to put the event in their calendar for next year. She said the main contributors for this year were Superior Federal Credit Union, Orthodontic Association, Fresh N Faded, Sielschott Financial Services and the Bradfield Center.

Councilor Dixon reminded everyone that there is a Human Resources Committee meeting regarding a zero tolerance policy regarding racial slurs at 5:00 pm on Tuesday in Council Chambers. He encouraged everyone to attend and bring a friend because this is a conversation that needs to be had with Council and Administration. He apologized to Mr. Lowe for the disrespect he experienced from a Lima Police Officer because he experienced the same disrespect on the morning of July 5, 2018. He said being disrespected at a time of grief was very hard to deal with but you must keep your composure because you are a pillar of the community. He does take his hat off to the Chief of Police because once he learned of what happened, he called Mr. Dixon and apologized from his position. He said moving forward, we have to build that relationship by having open lines of communication. He said we need to learn to respect each other. He asked everyone to live by the golden rule, "do unto others as you want them to do unto you".

Councilor Glenn stated August 6th is always a tough day as it is the anniversary of the murder of Lima Corrections Officer, Bonita Haynes who was a friend and a colleague of his. Councilor Glenn moved, seconded by Dixon, that a Resolution be prepared honoring the late Pastor Edward Tibbs. Motion carried. He stated that Shades of Blue will be recruiting more kids this school year. He said they closed out the air conditioning program. They had a grand total of 350 air conditioners donated. He thanked Lowes and Dunkin Diamonds and a couple doctors for helping make the program successful. He said they are closing out the rent-a-kid program. They had 90 kids and 25 parents participate. He appreciates whoever donated the gas cards to help the parents get the kids to where they needed to go. He said they have one more house and half of a garage that needs to be painted before the fall and will need volunteers. He said the Balling with Badges program will be police officers playing basketball with kids, which is so great. He thanked Councilors Kreher, Thompson and Dixon for all of the work they put into the program. He said if anyone wants to put anything in the 6th Ward Chronical, to contact the neighborhood association by August 27th.

Councilor Neeper congratulated Abby Conley whose family he has known for years. He reminded everyone that National Night Out is tomorrow night.

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President Nixon thanked Council for authorizing his absence and salary for the last meeting and thanked Councilor Glenn for acting as President. President Nixon moved, seconded by Dixon, to appoint Dana Addis to the Lima Allen County Convention and Visitors Bureau Board. Motion carried.

McLean moved, seconded by Glenn, that council adjourn to Executive Session for discussion of real estate matters. The following vote was recorded on the motion. Yea, 8; Gordon, McLean, Thompson, Kreher, Dixon, Glenn, Neep, and Nixon. Nay, none. The Chair declared the motion carried and the Council adjourned to Executive Session.

Council reconvened from executive session. McLean moved, seconded by Gordon, that the meeting be adjourned until August 20, 2018 at 7:00 p.m. Motion carried.


Dana Addis, Clerk


John G. Nixon, President