

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

September 9, 2019

The Council of the City of Lima met in regular session at 7:00 p.m.

Attending were: Mayor David Berger; Anthony DiPietro, Deputy 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, 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.

McLean moved, seconded by Kreher, that the agenda be amended by adding the Economic and Community Development Committee Report. Motion carried.

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

013-19 A Resolution Congratulating the Lima Locos Baseball Team for winning the Great Lakes Collegiate League Championship. McLean moved, seconded by Dixon, that the Resolution be adopted on the first reading after having been read. The Clerk read the Resolution. Councilor McLean congratulated the team and said the field has progressed from a little of nothing to a pretty nice place to play ball. He expressed his appreciation to the team and said the team brings a lot of element to the City that is needed. He said the baseball games are entertaining and is happy for the team. Councilor Glenn congratulated the team on their win. President Nixon extended his congratulations to the team. 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. A representative of the Lima Locos Baseball team thanked Council and introduced the assistant coaches that were in attendance. He thanked the community for their recognition throughout the season. He thanked RTA for providing safe transportation and thanked their sponsors for supporting their team over the years.

014-19 A Resolution expressing the appreciation of the Lima City Council to Father Michael S. Houston. Neeper moved, seconded by Glenn, 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.

September 9, 2019

015-19 A Resolution expressing the appreciation of the Lima City Council to Father Jim Szobonya. Neeper moved, seconded by Glenn, that the Resolution be adopted on the first reading. Councilor McLean advised that both Father Mike and Father Jim could not be in attendance to accept the Resolutions. He explained both Father Mike and Father Jim spent a lot of their time with kids and they will miss them. He said Father Jim was outside playing with the children and Father Mike was more laid back. Councilor Gordon told a story about Father Jim that showed his personality. He expressed his appreciation for Father Jim and said he had an effect on a lot of people. 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.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.
- b. Board of Building Appeals Minutes of June 20, 2019.
- c. Board of Building Appeals Minutes of July 18, 2019

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Ohio Division of Liquor Control regarding a new Liquor License Permit for J & M Tacketts LLC dba Moe's Dugout. Moved by Thompson, seconded by Kreher, that the communication be received, filed and the Clerk authorized to file with no objections. Motion carried.

2. From the Ohio Division of Liquor Control regarding a new Liquor License Permit for Double Time Foods, LLC dba Sunny's Quick Stop & Deli. Moved by Neeper, seconded by Glenn, that the communication be received, filed and the Clerk authorized to file with no objections. Motion carried.

3. From Mark Mullenhour regarding his resignation from the Local Tax Review Board. Moved by Dixon, seconded by Glenn, that the communication be received and filed. Motion carried.

4. From the Chief of Police regarding legislation to enter into contract with SHI International. Moved by Glenn, seconded by Neeper, that the communication be received and filed. Motion carried.

September 9, 2019

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

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

7. From the Dir. of Community Development regarding a Resolution to accept the Lima/Allen County Analysis of Impediments to Affirmatively Furthering Fair Housing. Moved by Thompson, seconded by Kreher, that the communication be received and filed. Motion carried.

8. From the Auditor regarding legislation to accept the amounts and rates as determined by the Allen County Budget Commission and authorizing the necessary tax levies. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

9. From the Clerk of Court regarding legislation to advertise for bids for credit card processing services for the Lima Municipal Court. Moved by McLean, seconded by Gordon, that the communication be received, filed and the Law Dir. authorized to prepare the necessary legislation. President Nixon advised legislation is already on the agenda for tonight. Motion carried.

10. From the City Engineer regarding legislation to enter into preliminary consent legislation with the Ohio Department of Transportation. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

11. From the Dir. of Utilities regarding legislation to amend a contract with Advanced Utility Systems. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

12. From the Finance Dir. regarding legislation to amend the 2019 Official Budget. Moved by McLean, seconded by Gordon, that the communication be received and filed. Motion carried.

13. From the PACE Administrator regarding legislation to remove the special assessment for the M&M Investing, LLC project. Moved by Thompson, seconded by Kreher, that the communication be received and filed. Motion carried.

PETITIONS:

1. Petition to amend the City Zoning Code 1248.03 – petitioned for by the City of Lima. Moved by Thompson, seconded by Dixon, to amend the wording of the proposed amendment to the City of Lima zoning Code 1248.03 under section (D) to state “correctional institution” instead of “correction institution”. Motion carried. Moved by Thompson, seconded by Kreher, that the petition be received and filed as amended; that the Law Director prepare the necessary legislation; that the Clerk authorized to submit a clean copy and cause publication of the legal ad notifying the public of the Public Hearing to be held on October 21, 2019 at 7:00 p.m. Motion carried.

2. Petition for vacation of a portion of an unnamed east-west alley on S. Main St. – Petitioned for by Russel M. Litke, Rhodes State College. Moved by Thompson, seconded by Kreher, 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 October 21, 2019 at 7:00 p.m. Motion carried.

REPORTS OF COMMITTEES:

Councilor Thompson reported that the Economic & Community Development Committee met on August 26, 2019 to discuss the Property Maintenance Code. She advised that the Committee met on three different occasions to review the Property Maintenance Code. The report summarizes the concerns made by the public, the recommendations made by the Law Department and the Department of Community of Development. All Council members have received a copy. Thompson moved, seconded by Dixon, that the report be received, filed and approved. Motion carried.

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

016-19 A Resolution repealing Resolution No. 012-18. Thompson 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.

017-19 A Resolution accepting the 2019 Substantial re-evaluation and update of the Community’s Analysis of Impediments: Affirmatively Furthering Fair Housing Choice. Thompson moved, seconded by Kreher, 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.

THE FOLLOWING ORDINANCES WERE PRESENTED:

205-19 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson 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.

206-19 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson moved, seconded by Kreher, 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.

207-19 An Ordinance amending the 2019 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.

208-19 An Ordinance accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies and certifying them to the County Auditor. 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.

209-19 An Ordinance authorizing the Mayor to advertise for bids and enter into contract for credit card processing services for Lima Municipal Court. 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.

210-19 An Ordinance authorizing the Mayor to enter into contract with SHI International. Glenn 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.

September 9, 2019

211-19 An Ordinance authorizing the Mayor to transfer the City's interest in the Amano McGann Parking Control Gates and Controls to the Allen County Commissioners. 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.

212-19 An Ordinance authorizing preliminary legislation and authorizing the Mayor to enter into agreement with the Ohio Department of Transportation for the ALL SR 65/81/117/ VAR., PID 105527 Project. 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.

213-19 An Ordinance authorizing the Mayor to amend the contract with Advanced Utility Systems authorized in Ordinance 063-16. Gordon moved, 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.

214-19 An Ordinance repealing Ordinances 247-18 and 248-18 to cancel the special assessments for the M&M Investing Improvement Project. Thompson moved, seconded by Kreher, 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 Glenn thanked everyone who helped out in Dayton after the tornado and acknowledged Fresh-N-Faded for doing a good job and donating. He announced all programs have ended this past weekend. He thanked everyone for volunteering and donating. He thanked John Beebe for taking care of the alleys. He announced they will start a petition for curbs starting tomorrow.

Councilor Neeper gave kudos to everyone involved with the new Juvenile Detention Center. He attended the dedication and had an opportunity to see the facility and said it is wonderful. He hopes and prays the kids can get out of the crime and get them on the straight and narrow and be productive individuals. He announced Sunday, September 15th will be Picnic in the Park with Lima Police Department from 4-6:00 p.m. at Faurot Park. He announced Westgate Neighborhood Association will be holding their annual picnic on September 15th from 6-7:30 p.m.

September 9, 2019

Councilor Gordon reminded everyone to be good to each other.

Councilor McLean reminded everyone that the African American Chamber of Commerce is holding a debate on September 19th at Old City Prime starting at 6:00 p.m. He announced there will be another debate on October 15th at St. Marks Church. He encouraged everyone to attend the debates and meet their Council members and ask questions.

Councilor Thompson thanked the folks at JDC including the Court Administrator and Judge Derryberry. She explained she was able to do poetry workshops with the students. She hopes the goal is to help kids reform as opposed to punishing them. She thanked the Parks, Safety Services and Permits Departments for helping make the Color Run for Crime Victim Services happen over the weekend. She encouraged everyone to attend the Empower Your Voice Forum at the Bradfield Center from 11-1 p.m. on Saturday, September 14th where Dr. Tyffani Monford Dent will be speaking on sexual assault. She announced the Central Lima Neighborhood Association will be meeting on September 25th at 6:30 p.m. located at the Elks. She announced there will be a Resolving Neighborhood Conflict Seminar on October 22, 2019 at 6:00 p.m. located at LACNIP.

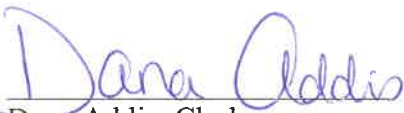
Councilor Kreher advised the Lima Police Community Picnic will be located at the shelter located closed to Cole and Lakewood at the top of the hill from 4-6:00 p.m. She said the Ottawa River Cleanup that had a pretty good turnout and thanked everyone who attended. She said they had Coffee with a Cop over the weekend and encouraged everyone to attend in the future. She said you can attend the Lima Police Department's webpage or Facebook page and find out what events they have going on. Kreher moved, seconded by Dixon, to authorize a Resolution congratulating Diane and Brandon French on winning second place at the National Grass Court Tennis Championship. Motion carried.

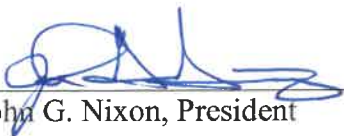
Councilor Dixon moved, seconded by Glenn, to refer the issue of a sign blocking the vision of oncoming traffic on the corner of Vine Street and Reese Ave. President Nixon asked that the Public Works Department to look at the issue ahead of time to expedite if possible. Motion carried. He welcomed all residents of the City to attend the S. Jackson Garden Block Party on Friday, September 27th from 4-6:00 p.m. He encouraged everyone to take a ride past Memorial Hospital and see the improvements made to Lincoln Park and also to see the Grade Separation project. He said there are many great things happening on the East side. He thanked the residents of the fifth and third ward for being patient while the railroad tracks on Bellefontaine were closed for several days. He asked everyone to be patient while 309 opens back up and the traffic starts to move where it's supposed to be. He reminded landlords that it is their responsibility to ensure that they or their tenants are mowing their grass and clean up the trash by bagging it. He asked everyone to be mindful or they will get a fine from Code Enforcement.

September 9, 2019

President Nixon said 18 years ago on a Monday night, they had a Council meeting which went as all meetings do. He said the next day, our world changed. He asked that everyone remember not only the tragedy that took place on September 11th but that we remember and teach our children about the tragedy and about the way our world was on September 12th. He said half of the things that are on the news today weren't an issue and when you put it into perspective, are insignificant if we choose to put it in its proper priority and start renewing the togetherness and the oneness. He remembers the Friday night game was postponed and the stadium was packed the next day. He believes we need more to impart the importance of these days on our youth so they truly understand the benefits and greatness they have living in America.

McLean moved that Council adjourn until September 23, 2019 at 7:00 p.m., seconded by Dixon, motion carried.


Dana Addis, Clerk


John G. Nixon, President