

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

September 24, 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; Randall Bartels, Auditor; Steven Cleaves, Finance Director; 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 Kreher followed by the Pledge of Allegiance.

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

McLean moved, seconded by Gordon, to amend the Agenda by adding Patricia Burg and Jack Alexander under Privilege of the Floor. Motion carried.

THE FOLLOWING RESOLUTION WAS PRESENTED:

011-18 Memorializing the late Pastor Edward Louis Tibbs. Glenn moved, seconded by Kreher that the Resolution be adopted on the first reading. Councilor Glenn thanked the family for attending tonight. He stated that Pastor Tibbs meant a lot to him. He said Pastor Tibbs told him he was something special and that god would bless him. He told Damien Tibbs that he appreciates him for taking over the church for his father and he has big shoes to fill, but he is doing a great job. The following vote was recorded on the motion: Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the resolution was adopted on the first reading by a 7-0 vote. President Nixon presented the Resolution to Damien Tibbs. Mr. Tibbs thanked Council and stated he receives the Resolution with great honor on behalf of not only his father's immediate family but his church family as well. He said they are dedicated to serve this community, spread the gospel and bring light and hope to this City.

PRIVILEGE OF THE FLOOR:

Patricia Burg, 753 Brice Ave, spoke in favor of a landlord registry in Lima. She said over the last two years or so, resident home owners have watched rental properties on their block, be allowed to deteriorate impacting the value of their homes. Several of these rental properties in the 700 block of Brice have virtually no oversight, upkeep or responsibility shown by the landlords or the investment companies. She stated specifically the property located at 728 Brice has been abandoned since before Memorial Day and was left full of trash, furnishings, clothing and food which was attracted roaches. She said lack of routine yard maintenance, trash removal and monitoring by the property owner has resulted in a nightmare for over half of the block. They are spending hundreds of dollars to get rid of the roaches and it could take months, possibly years, for

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this problem to go away. She said nothing was done until after multiple calls to the Health Department. She said negligent landlords are why a registry is a need in this community. She said the property at 728 Brice is an eye sore, a danger to the neighborhood and needs to be torn down. She said they have called code enforcement which she understands they are limited to what they can do but it shouldn't have resulted in a phone call to the Health Department.

Jack Alexander was not present to speak.

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 Public Health Minutes of August 10, 2018.
- c. Traffic Commission Minutes of September 10, 2018.

McLean moved that item "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 Division of Liquor control regarding a permit transfer to PDMF Inc., dba Mulligans, 702 W. North Street. Moved by Thompson, seconded by Glenn, that the communication be received, filed, and the Clerk authorized to file with no objections.

2. From the Director of Utilities regarding legislation to purchase properties in the vicinity of the Lima Water Treatment Plant. 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 agreement with Black & Veatch Corporation. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

4. From the Director of Utilities regarding legislation to enter into contract with Deere & Company and Tri-Tech Manufacturing. Moved by Gordon, seconded by Glenn, that the communication be received and filed. Motion carried.

5. From the Director of Utilities regarding legislation to enter into an agreement with Kohli & Kahiler Associates of Lima, Ohio. Moved by Gordon, seconded by McLean, that the communication be received and filed. Motion carried.

6. 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.

7. 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.

8. From the City Engineer regarding legislation to submit five applications to the Ohio Public Works Commission requesting State Issue I Funds. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

9. From the City Engineer regarding legislation to amend the contract with Master Maintenance to clean Hall of Justice. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

10. From the Auditor regarding the contract labor report for August 2018. Moved by McLean, seconded by Thompson, that the communication be received and filed. Motion carried.

11. From Major Baker regarding the number of calls for businesses with liquor permits. Moved by Glenn, seconded by Neeper, that the communication be received and filed. Motion carried.

12. From the Chief of Police regarding legislation to enter into contract with Lebanon Ford. Moved by Glenn, seconded by Neeper, that the communication be received and filed.

13. From the Fire Chief regarding legislation to make changes to Chapter 840 of the Codified Ordinances. Moved by Glenn, seconded by Neeper, that the communication be received and filed. Motion carried.

REPORTS OF OFFICIALS:

Major Pat Coon presented Council with the Lima Police Department 2017 Annual Update. He reviewed the report with Council. (A complete copy of the report is on file in the Council office).

Susan Crotty, Dir. of Comm. Dev. gave an update on the Land Bank program. As of September 1st, the dept. has received a total of eleven new applications for foreclosure actions. They have transferred fourteen parcels and have sold four city-owned properties and have two pending. She encouraged everyone to check out www.limalandbank.com. She said they have added a mapping tool that identifies the city owned Land Bank properties. They will be sending out approximately one hundred letters to potential buyers of tax delinquent properties. They have put some properties on a commercial realty website and have had views but no calls yet. The consultant is working on a developer application and a purchase agreement for development projects. Laurel McGee was hired as the Housing Loan Originator for DCD and she has started

training on land bank administrative duties. Councilor Thompson asked how potential buyers are identified. Ms. Crotty stated they identify properties that are eligible for foreclosure and then look at adjacent properties. Councilor Glenn asked if there were guidelines for how long it will take to work on the house after it's purchased. Ms. Crotty stated they are only looking at vacant properties. She expressed that the County Land Bank is a completely separate entity and the reason it was created was to apply for a grant that was awarded to demolish blighted structures.

REPORTS OF COMMITTEES:

Councilor McLean stated the Finance Committee met on August 27, 2018 for a mid-year review of expenses to make sure we were still in line. There wasn't anything that stood out. He said labor is our biggest cost and they do not know to what extent the police department body cameras will have on employment. He appreciates the work of Steve Cleaves. All members have received a copy. McLean moved, seconded by Kreher, that the report be received, filed and approved. Motion carried.

THE FOLLOWING ORDINANCES WERE PRESENTED:

207-18 Levying special assessments for property maintenance code charges on premises in the City of Lima. Thompson moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

208-18 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

209-18 Authorizing the issuance and sale of sanitary sewer system refunding revenue bonds in the amount of \$7,705,000. Moved by Gordon, 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

210-18 Authorizing the Mayor to enter into contract with Lebanon Ford. Glenn moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

211-18 Authorizing the Mayor to submit applications to the Ohio Public Works Commission requesting State Issue I Funds. Moved by Neeper, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

212-18 Amending Ordinance No. 119-17. Neeper moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

213-18 Authorizing the Mayor to enter into contract with Black and Veatch Corporation. Neeper moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

214-18 Authorizing the Mayor to enter into contract for the purchase of up to 8 parcels of land. 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

215-18 Authorizing the Mayor to enter into a Professional Services Agreement with Kohli & Kaliher Associates. 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

216-18 Authorizing the Mayor to enter into contract with Deere & Company. 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

217-18 Authorizing the Mayor to enter into contract with Tri-Tech Manufacturing. 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

218-18 Amending Section 840.03 of the Codified Ordinances.

219-18 Amending Section 840.04 of the Codified Ordinances. Glenn moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

220-18 Amending Section 840.10 of the Codified Ordinances. Glenn moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

221-18 Amending Section 1242.01 of the Codified Ordinances. 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

222-18 Amending Section 1244.02 of the Codified Ordinances. 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

223-18 Amending Section 1244.06 of the Codified Ordinances. 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

224-18 Amending Section 1248.10 of the Codified Ordinances. Thompson moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

225-18 Amending Section 1252.03 of the Codified Ordinances. Glenn moved, seconded by Thompson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

a 7-0 vote.

226-18 Amending Section 1252.04 of the Codified Ordinances. Glenn 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, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

227-18 Amending Section 1254.04 of the Codified Ordinances. Glenn moved, seconded by Thompson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, McLean, Thompson, Kreher, Glenn, Neeper and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

MISCELLANEOUS BUSINESS:

Councilor Kreher welcomed everyone to fall. She reminded everyone to be mindful while mowing their grass and not blow grass clippings into the road for the safety of motorcyclist. She requested that the Mayor release to Council of the Whole, the police officer's name that was omitted from his letter submitted to the Human Resources Committee on September 17, 2018.

Councilor Glenn congratulated Chris Banks on his new job at Allen County Correctional and gave him credit because he has come a long way. He said they are getting ready for Make A Difference Day. They have three projects in the sixth ward which consist of painting a house, roofing and cleaning up in the area. He said they are still taking volunteers. He thanked Code Enforcement Officer Mr. Wall for giving a resident education on how to get help for the issue she was being cited for. He announced the hire a kid program will be working on leaves during the weekend from 8-12pm.

Councilor Neeper said he attended a block party on the 16th and he encouraged other areas of the City to have block parties. He said it's a good way to get your neighbors involved and meet your neighbors. He attended the Discover Your Region event at the Civic Center which was a nice event and well attended. He announced the Boulevard Neighborhood Association will be having a meeting on September 27th at 7pm in the LACNIP building.

Councilor Gordon moved, seconded by McLean, to refer the issue of service level of the current garbage contractor of the City of Lima to the Utilities Committee. Councilor Gordon said this issue is the number one thing he gets calls about and the purpose is to improve the service. Motion carried. He announced a Utilities Committee meeting will be held on October 16, 2018 at 6p.m. to discuss the issue of water billing responsibility and service levels of the current garbage contractor. He reminded people to be good to each other.


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

Councilor Thompson thanked Ms. Burg for coming and discussing some of the problems that the 700 block of Brice Ave. have been dealing with. She said Ms. Burg attended the City Focus Meeting where she had a chance to have her voice heard. As a result, Ms. Crotty has provided Thompson with documentation about the extermination that the owners have done and has offered to have Code Enforcement present at their next Neighborhood Association meeting. She campaigned on the issue of Landlord Registry and will soon be referring the issue to a Committee. She said it is the largest business in Lima and is unregulated which is unacceptable. She said there are such things as registries that are beneficial to tenants and landlords and it won't hurt to look into those models. She announced a Central Lima Neighborhood Association meeting on October 17th at 6:30 pm at 875 W. Market Street. She said they will be hosting a fall neighborhood cleanup on November 3rd in conjunction with LACNIP. She said they are challenging the other wards and neighborhood associations to also clean up on that day. She noticed in the communication received by the Lima Police Dept. regarding police calls that the Firehouse and Blarney Stone both had high numbers. She stated they both promised that they would take measures to improve the safety of their locations and that has not happened. She said four sexual assaults at one bar are not acceptable. The liquor licenses will come up for renewal again and they will be watching.

President Nixon moved, seconded by Glenn, to refer the issue of traffic control devises at the intersection of North Union and McKibben and consideration for a four-way stop to the Traffic Commission. Motion carried. President Nixon moved, seconded by Gordon, to refer the issue of looking into methods we have for speed control at the intersection of Main and Grand to the Traffic Commission and for the Police Dept. to look at enforcement of excessive speeding in that area. Motion carried.

McLean moved that Council adjourn until October 8, 2018 at 7:00 p.m., seconded by Kreher, motion carried.


Dana Addis, Clerk


John G. Nixon, President