

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

November 5, 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; 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 Neeper 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, to amend the agenda by adding Ordinance 260-18 and 261-18. Motion carried.

THE FOLLOWING RESOLUTION WAS PRESENTED:

013-18 Memorializing and honoring the life of Maleek Leon Nelson. Dixon moved, seconded by Glenn that the Resolution be adopted on the first reading. Councilor Dixon said to know Maleek is to love Maleek and he was a young man that was full of life no matter what life threw at him. He said Maleek may not be here physically, but he will forever live in the hearts and minds of this community. Dixon said he attended the services for Maleek and to see a community of all walks of life come together, was a testament of the life that he lived. He said everyone was able to put their differences aside to celebrate one individual. He extended his condolences on behalf of the Dixons and the Lima City Council and thanked Maleek's parents for allowing him to be a part of the Lima community. 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. President Nixon presented the Resolution to Ricky and Annette Nelson. Ricky Nelson thanked Council for honoring his little guy. He said Maleek was a loveable kid and although he was only 8 years old, he was more advanced in his life than anything. He explained that Councilor Dixon's mother was one of Maleek's girlfriends and made sure to give her a hug every time he saw her. He thanked Council for honoring Maleek.

PRIVILEGE OF THE FLOOR:

Robert Devita, 519 Fairfield Drive, said he wanted to address creating a new high dollar position in the City that as far as he can tell hasn't been completely delineated. He is not interested in paying more taxes, unless it is strictly an IT Department. In his business experience, someone who is not dedicated is not going to make this situation better. He said he has heard the name

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Jermain Harper being used as the person to head the department. He said if he has the skills required then fantastic, if he doesn't, why create the position. He referenced the issue of the Police Chief and stated his opinion is that leadership starts at the top. He believes the best candidate isn't always inside a small department. He said he always has had an interest in living downtown. He inquired about renting a loft apartment downtown in the old bank building and learned the apartments will be Section 8 housing. He thought the purpose of all of this was to revitalize downtown Lima. He expressed that if they can't afford housing without help, how can they support restaurants and entertainment. He believes it is counterproductive. He thanked everyone for the job that they do.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.
- b. Lima Fire Dept. 2017 Annual Report.

McLean moved, seconded by Gordon, that the minutes be amended on page 1 paragraph 3 by striking the name Gordon and adding the name Glenn and authorize the Clerk to provide a clean copy. Motion carried. McLean moved that item "a" of the consent calendar be received, filed and approved, as amended, that item "b" be received and filed, seconded by Gordon, motion carried.

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Executive Director of Visit Greater Lima regarding renewal of annual agreement. Moved by McLean, seconded by Glenn, that the communication be received, filed and the Law Dir. authorized to prepare the necessary legislation. Councilor Thompson said when she reviewed the community brochure, she was concerned with the fact that it looks very pale. She would like the people working within Visit Greater Lima to remember that this is a diverse community and that should be represented moving forward. Motion carried.

2. From the Data Systems Manager regarding disposal of old printers and copiers. Moved by Gordon, seconded by Glenn, that the communication be received, filed and the Law Dir. authorized to prepare the necessary legislation. Motion carried.

3. From the Fire Chief regarding legislation to apply for, accept and administer funds from the 2018 Assistance to Firefighters Grant Program. Moved by Glenn, seconded by McLean, that the communication be received and filed. Motion carried.

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

5. From the Director of Public Works regarding legislation to purchase playground equipment at Lincoln Park. Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

6. From the Deputy Director of Parks, Recreation and Forestry regarding legislation to receive and expend funds from the Johnny Appleseed Cooperative Parks Improvement Grant Program (CPIG). Moved by Neeper, seconded by Glenn, that the communication be received and filed. Motion carried.

7. From the Director of Community Development regarding legislation to provide tax abatements for James & Carline Inc., LLC. Moved by Thompson, seconded by Gordon, that the communication be received and filed. Motion carried.

8. 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.

9. 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.

10. From the Fire Chief regarding legislation to enter into contract with Warren Fire Equipment, Inc. Moved by Glenn, seconded by Dixon, that the communication be received and filed. Motion carried.

11. From the Fire Chief regarding legislation to make a donation to the Crossroads Crisis Center, Inc. Moved by Glenn, seconded by Dixon, that the communication be received and filed. Motion carried.

REPORTS OF COMMITTEES:

Councilor Gordon reported that the Utilities Committee met on October 16, 2018 to discuss the responsibility of water billing and the service level of the current garbage contractor of the City of Lima. All Council members received a copy. Gordon moved, seconded by McLean, that the report be received, filed and approved. Motion carried.

THE FOLLOWING ORDINANCES WERE PRESENTED:

240-18 (Third Reading) Enacting Chapter 243 of the Codified Ordinances establishing the Dept. of Technology and Innovation and to appoint a Chief Technology Officer. Kreher moved, seconded by Gordon, that the ordinance be passed on the third reading. Councilor Glenn said he has received calls about him wanting this position to be Civil Service to give his kid a job. He said his kids are educators who do not live in Lima. He asked this to be Civil Service due to there being a lot of young minority kids that go to college who need jobs. He will not support this unless it goes to the Civil Service Board. Randy Bartels, Auditor, stated the document he handed out in pre-council shows 2019 budget estimates. He said it shows the current state which is the current staffing approved positions, not necessarily filled positions. He said of the 8 personnel listed, 7 are filled. He said the unfilled position is the GIS Technician which they have been trying to fill without success but it is budgeted. He said the proposed state shows 9 personnel which includes the GIS Tech and the CTO position. He said Council should expect to see a presentation similar to this when the Mayor presents his estimate in December. Councilor Thompson asked Mr. Bartels if he foresees this putting a burden on the City's budget. Mr. Bartels said at the current time, no, but it's impossible to predict what is going to happen years down the road but that is the same with any position or hiring that is done. He said if the economy changes, decisions have to be made. The following vote was recorded on the motion. Yea, 4; Gordon, Thompson, Dixon, and Nixon. Nay 4; McLean, Kreher, Glenn and Neeper. The Chair declared the motion did not carry and the ordinance is defeated on the third reading by a 4-4 vote.

243-18 (Third Reading) Amending Section 1402.02 of the Codified Ordinances concerning Application to Zoning Code. Thompson moved, seconded by Dixon, that the ordinance be defeated on the third 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 is defeated on the third reading by an 8-0 vote.

253-18 Levying special assessments for property maintenance code charges on premises in the City of Lima. 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.

254-18 Levying special assessments for property maintenance code charges on premises in the City of Lima. 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.

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255-18 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.

256-18 Accept and administer funds from the Johnny Appleseed Cooperative Parks Improvement Grant Program. Neeper 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.

257-18 Make a donation to Crossroads Crisis Center, 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.

258-18 Enter into a CRA Tax Exemption Agreement with James & Carline Inc., LLC. 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.

259-18 Amending Section 434.04 of the Codified Ordinances of Lima, Ohio. 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.

260-18 Apply for, accept, receive and administer an Assistance to Firefighters Grant. Glenn 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.

261-18 Enter into contract with Warren Fire Equipment, Inc. 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.

MISCELLANEOUS BUSINESS:

Councilor Neeper said he had the privilege of attending the Dominion ribbon cutting for their new facility. He said it is a fantastic facility. He attended the Sertoma Pancake Day which was another great event. He also attended a program at Safety City which they were awarded for work place safety through Budweiser. He said they should be commended for what they are teaching our young people about safety.

Councilor Gordon reminded everyone to be good to each other.

Councilor Neeper reminded everyone to get out and vote tomorrow. He said if you don't vote, you don't have a voice. He doesn't care who you vote for, just vote for who you feel is the right person. He said he saw something on the Today show about a Utah Mayor who was in army reserves and was killed in Afghanistan. He said he lived by three things; 1st God 2nd Family and 3rd Freedom which are the most important things to live by. He reminded everyone that Veterans Day is on the 11th and encouraged everyone to take a vet to lunch.

Councilor Thompson said she participated in the last block patrol and said it was a good first run for her. She urged everyone to contact Autumn Swanson to get on board for the next season. She thanked the COP officers in addition to Autumn Swanson for putting the training together and being a part of the community. She reminded everyone that the next Central Lima Neighborhood Association meeting will be on November 21st at 6:30 pm at 875 West Market Street. She said if anyone needs help getting to the polls tomorrow, she is willing to help out. Councilor Thompson moved, seconded by Dixon, to authorize a Resolution in support of the Ohio Fairness Act, House Bill 160. Motion carried.

Councilor Kreher said she had a great turnout for trick or treat. She thanked the police officers that took photos with the children. She said it was fun and the kids liked it. She attended the Sertoma Pancake breakfast and thanked everyone who made pancakes.


Councilor Dixon thanked the Nelson Family for coming tonight. He thanked Chief Martin, Lima Police Department and Shawnee Township Police Department for doing a wonderful job during the services for Maleek and also the transport from the church to the cemetery. He said it was mind blowing. He announced that RTA will be giving free rides to the election polls. He encouraged everyone to get out and vote. He said he saw a lot of posts about trick or treat in the 5th and 6th Ward and it was a sight to see Mr. Horton passing out candy. He said they usually don't see many children trick or treating because they go to other neighborhoods but just seeing the number of kids they did have walking the neighborhood was great. He said he has received several calls from individuals offering him money to run for a position. He said he is not interested in it and he cannot be purchased. He believes he is a man of good stature, respect and dignity. He didn't run for this position for money or power but ran to be a voice for his community.

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Councilor Glenn thanked everyone for helping out with Trunk or Treat at the VFW Post. He said it was safe fun and he loved it. He reminded everyone about the fundraiser for Kylie Richardson on November 10th from 12-8 at Fairgrounds Pizza. He said he appreciates Mr. Dillard and his wife who are painting the Furl Williams house. He said he wanted to let everyone know that they moved the poll location from St. Gerard's to the FOP Lodge. He said if you have problems voting, get with someone and do not walk away. He said God is stronger than any words that are spelled out on Facebook about him. He said he can see now, how we can divide the city over a job. He said people can come at him all day long, but keep his family out of it. He said our City is in bad shape if it can be divided because of a job.

McLean moved that Council adjourn until November 19, 2018 at 7:00 p.m., seconded by Kreher, motion carried.


Dana Addis, Clerk


John G. Nixon, President