

MINUTES OF LIMA CITY COUNCIL  
LIMA, OHIO

July 25, 2022

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

Attending were: Mayor Sharetta Smith; Tony Geiger, Law Director; Sue Odenweller, Chief Deputy Auditor, Auditor; Steven Cleaves, Finance Director; Susan Crotty; Dir. Of Housing & Neighborhoods; Carmillia Zion, Deputy Dir. of Housing & Neighborhoods; Amber Martin, Workforce & Small Business Dev. Coordinator; Della Bradford, Dir. of Human Resources; Kirk Niemeyer, Dir. of Public Works; Police Chief Angel Cortes, Fire Chief Andy Heffner; and Dana Addis, Clerk.

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

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

Gordon moved, seconded by Glenn, to amend the Agenda by adding Kevin and Sheryl Christlieb to Privilege of the Floor. Motion carried.

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

011-22 A Resolution congratulating Voices of Harmony on celebrating their 30<sup>th</sup> anniversary. Glenn moved, seconded by Thompson, that the Resolution be adopted on the first reading after having been read. The Clerk read the Resolution. Councilor Dixon thanked the group for their songs which has impacted the community with the spirit and love of Jesus Christ. He referenced the many songs the group has created. He wished them a Happy 30<sup>th</sup> Anniversary. Councilor Glenn congratulated the group on their anniversary and expressed the importance of the group being together for so long. Councilor Wilkerson encouraged the group to continue to lead and inspire. Councilor Gordon expressed his appreciation to the group for what they do and what they stand for. 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 resolution was adopted on the first reading by an 8-0 vote. Marty Smith thanked Council and expressed the groups' appreciation for the Resolution. He declared the group will keep going as long as God says so.

012-22 A Resolution Memorializing the late Kyle Lewis, outstanding citizen, and extending condolences to his family on behalf of the Lima City Council. Neeper moved, seconded by Ehora, that the Resolution be adopted on the first reading after having been read. The Clerk read the Resolution. Councilor Neeper commented that he enjoyed spending time with Kyle. He advised the conservative number of haircuts that Kyle Lewis had performed throughout his career was approximately 750,000. He referenced all of the charity haircuts Kyle performed.

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Councilor Gordon advised he met Kyle Lewis at Northland Barbers and later became a friend. He expressed his condolences to the family. Councilor Glenn explained he was on City Council with Kyle Lewis and expressed his appreciation for Kyle Lewis and all of his volunteer work in the community. President Nixon explained he served with Kyle during his tenure on Council. He explained Kyle ran for Council and served on Council with no axe to grind, just simply wanting to serve and do what is best for the community which he did well. He further explained the one thing Kyle always had was a clean joke. The following vote was recorded on the motion: Yea, 8; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, Neepner and Nixon. Nay, none. The Chair declared the motion carried and the resolution was adopted on the first reading by an 8-0 vote. Kyle's wife Sharon explained Kyle was a good man and a good husband. She further explained Kyle was in his place of joy when he could go out and play Barney and make people laugh at car shows, benefits and private parties. She said if there is one thing that Kyle would say is "he loved this City" and "Nip it in the Bud".

**PRIVILEGE OF THE FLOOR:**

Kevin Christlieb, 200 W. Grand Avenue, referenced a shooting that happened over the weekend at Sheryl's and advised of the measures they have taken to upgrade the security and reduce violence within their establishment. He expressed the tragedy happened on their doorstep and they are devastated. He expressed their continued cooperation to make their establishment safer.

**THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:**

- a. Minutes of the previous meeting not read since each received a copy;
- b. Bd. of Health Minutes of June 10, 2022;
- c. Treasurer's Report of May 31, 2022.

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

Gordon moved, seconded by Dixon, to amend the Agenda by adding Communication #8. Motion carried.

**THE FOLLOWING COMMUNICATIONS WERE PRESENTED:**

1. From the Ohio Division of Liquor Control regarding a liquor permit transfer request to AP Investments, 122 E. North Street. Dixon moved, seconded by Glenn, that the communication be received, filed and authorize the Clerk to file with the Ohio Division of Liquor Control with no objections. Councilor Neepner inquired who the owner of AP Investments is. Tony Geiger advised he has met with and discussed the history of the bar extensively with principals of the LLC. He further advised there is no relation to anyone who has previously owned the bar. Motion carried.

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2. From the Dir. of Utilities regarding legislation to enter into an agreement with Calgon Carbon Corporation.
3. From the Dir. of Utilities regarding an agreement with Fontus Blue.
4. From the Mayor regarding legislation to enter into an energy consulting agreement with Trebel, Inc.
5. From the Dir. of Public Works regarding legislation to transfer funds for the receptionist position at the Lima Municipal Center.
6. From the Finance Dir. regarding legislation to amend the 2022 Budget.
7. From the Dir. of the Dept. of Housing and Neighborhoods regarding the CDBG/HOME 2022-2023 Annual Action Plan.
8. From the City Engineer regarding legislation to amend Ord. 156-21.
9. From the City Engineer regarding legislation to amend the contract with Hohenbrink Excavating, Inc. authorized in Ord. 183-21.
10. From the City Engineer regarding legislation to amend the contract with Degen Excavating, Inc., Ord. 311-21.
11. From the Auditor regarding the City's 2022 Popular Annual Financial Report.
12. From the Auditor regarding the May and June 2022 financial reports.
13. From the Law Dir. regarding the formal designation of the Lima Community Improvement Corporation.
14. From the Chief of Police regarding legislation to apply for, and if awarded, accept and administer an award from the US Department of Justice for the 2022 Edward Byrne Memorial Justice Assistance Grant Program.
15. From the Dir. of the Dept. of Housing and Neighborhoods regarding legislation to dedicate right-of-way along East Market Street.
16. From the Mayor regarding the revised Lima LAND I and Lima LAND II Policies and Procedures.

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Councilor Dixon moved, seconded by Glenn, that Communications No. 2 through 16 be received, filed, approved and authorize the Law Dir. to prepare any necessary legislation. Motion carried.

17. From the Mayor regarding legislation to amend the Citizens Participation Plan of the Community Development Block Grant 2020-2024 5-year Consolidated Plan. Dixon moved, seconded by Glenn, that the communication be received, filed, authorize the Law Dir. to prepare any necessary legislation and authorize the clerk to notify the public of a Public Hearing to be held on August 22, 2022 at 7:00 p.m. Motion carried.

#### PETITIONS:

Petition for the Vacation of an Alley between the 700<sup>th</sup> block of N. Main Street and the 600<sup>th</sup> Block of N. Elizabeth Street – Petitioned for by Michael Bullock with MSB Investments Lima, LLC. Thompson moved, seconded by Dixon, 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 September 12, 2022 at 7:00 p.m. Motion carried.

#### REPORTS OF OFFICIALS:

Susan Crotty, Dir. of Housing and Neighborhoods, provided Council with a draft of Lima's Comprehensive Plan. She advised a copy can be found on the City of Lima's website and there is an email set up ([vision2040@cityhall.lima.oh.us](mailto:vision2040@cityhall.lima.oh.us)) for the public to submit comments. She explained the Allen County Regional Planning Commission worked with the City to put the plan together and they will take it to their committees this week and will have a 30-day public comment period. She advised the public comment period is open through August 26, 2022. She further advised that after the public comment period is closed, the City will take the plan to the Planning Commission and will take it to Council for their consideration after the Planning Commission has determined their recommendation. (A copy of the Comprehensive Plan can be found in the office of the Clerk of Council).

Scott Belcastro, Trebel LLC, advised Council of the mission of Trebel, LLC, which is to help clients lower their energy supply costs, increase site efficiency and leverage state and federal opportunities. He explained they are true consultants and look at everything through the RFP process and have delivered some of the lowest rates repeatedly in the State of Ohio. He provided an explanation as to how energy is distributed and how costs are established. He explained the concept of government/community aggregation. He clarified that residents can leave the aggregation program at any time at no cost to them. He further clarified there is an opt-out program. He advised of the steps that are necessary in order for the city to create an aggregation

program. He provided examples of the lower rates that they have set throughout Ohio. He emphasized this program is just another option that can be offered to residents. He explained the education aspect is important to the company as well as customer service. Discussion was held regarding a timeline if the aggregation is approved by voters. He advised residents who are currently in an existing contract and can't get out of it, will need to wait until the contract is up and enroll in the program at that point. He explained if the market rates drop, customers are free to opt-out as needed. Trebel, LLC currently consults for Columbus, Clark County, Montgomery County, Miami Township and many others. It was noted that individuals who are receiving benefits through P.I.P.P. benefits are not eligible to opt-in to the program by law. He advised the process to opt-out of the program is as simple as a toll-free call. He explained why customers are required to opt-out vs. opt-in. Mayor Smith advised her proposal is for aggregation of electric only.

**REPORTS OF COMMITTEES:**

Carla Thompson reported that the Economic and Community Development Committee met on June 13, 2022 to hold the first Public Hearing for the 2022-2023 Annual Action Plan. All members have received a copy of the committee report. Thompson moved, seconded by Wilkerson, that the report be received, filed and approved. Motion carried.

**THE FOLLOWING ORDINANCES WERE PRESENTED:**

150-22 An Ordinance authorizing the Mayor to amend the contract with Hohenbrink Excavating, Inc., authorized under Ordinance 183-21. 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.

151-22 An Ordinance authorizing the Mayor to amend the contract with Degen Excavating, Inc., authorized under Ordinance 311-21. Ehora moved, seconded by Thompson, 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.

152-22 An Ordinance authorizing the Mayor to amend the contract with Kalida Truck Equipment, Inc., authorized under Ordinance 156-21. Ehora moved, seconded by Thompson, 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.

153-22 An Ordinance authorizing the Mayor to enter into contract with Chemco

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Systems for a slaker for the Utilities Department. Gordon 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.

154-22 Adopting the 2022-2023 Annual Update to the Lima Consolidated Plan (2020-2024), and authorizing the submission thereof to the U.S. Department of Housing and Urban Development (HUD). Thompson moved, seconded by Wilkerson, that the ordinance be passed on the first reading. Councilor Glenn inquired about the third public hearing. Councilor Thompson advised there were three public hearings including the first Public Hearing which was held in the Economic and Community Development Committee. Councilor Thompson clarified this is the process that has been followed since she has been on Council and Ms. Crotty had provided a copy of the applications early on to be reviewed. She explained that if any Council member wanted to make changes, a motion could have been made during the public hearing or during miscellaneous business. She advised that Ms. Crotty reviewed the allocations with her prior to the first public hearing and she did ask for a few changes to be made. She stated she looked at the results, the needs of the community and the ability to document correctly and on time because they could lose federal funding if the reporting is not done correctly. Councilor Dixon clarified the City was audited and there were some agencies that did not have their paperwork completed correctly. He inquired about how the applicants were notified that they were not receiving funding. Crotty advised she reviews the applications, prepares a plan, reviews the plan with the Mayor and the Committee Chair is then contacted. She explained she did contact a few of the applicants who were not receiving as much funding or any funding at all. Councilor Neeper expressed he was under the understanding that there would be not time to act on the Motion to refer the issue back to Committee. He said the motion was intended to address issues of some programs not being funded. He said at the first public hearing, there were concerns raised regarding the funding but no action was taken. He recommended that the allocations be provided to Council earlier. Councilor Thompson explained if they were to get back earlier, they would be taking time away from the applicants to prepare and ask questions. She clarified during the first meeting, if any of the members want to re-refer the issue to the Committee for further discussion, they can do so. She did not have any issues with the numbers, so she did not make that motion. Neeper requested the first public hearing not be held one hour prior to a Council meeting as there were some individuals who were unable to speak. Councilor Glenn referenced the procedure in the past. 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.

155-22 An Ordinance authorizing the Mayor to enter into contract with Calgon Carbon

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Corporation for the Utilities Department. Gordon 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.

156-22 An Ordinance authorizing the Mayor to apply for, accept, and administer grant funds from the U.S. Department of Justice 2022 Edward Byrne Memorial Justice Assistance Grant Program (Local Solicitation), and to enter into an agreement with Allen County for the distribution and administration of such grant funds. Dixon 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.

157-22 An Ordinance designating the Lima Community Improvement Corporation as the agency of the City of Lima for the purposes herein described. Thompson 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.

158-22 An Ordinance amending the 2022 annual budget. Neeper moved, seconded by Thompson, 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.

159-22 An Ordinance dedicating and accepting right of way for Public Use along East Market Street. Ehora moved, seconded by Thompson, 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 Dixon, on behalf of St. James Church and Pastor Levi Collins, invited residents to a cookout Saturday July 30, 2022 from 12:00 – 4:00 pm located at 800 E. Franklin Street. He commended the Police Chief and Police Dept. for their swift response to the emergency that took place at Sheryl's bar over the weekend. He thanked the owners of Sheryl's for being cooperative and swiftly coming to Council with recommendations and being open and transparent. He emphasized that sometimes picking up a gun is not the right choice and we do not have the right as humans to play the judge, jury and the executor. He asked the citizens of Lima to say something if they see something. He expressed the need to get out of the mentality of "snitches get stitches"

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because too many kids are dying on the streets. He made point that the community needs to do better and to stop being afraid to say something when they see something that is wrong.

Councilor Glenn expressed his appreciation to the Sheryl's bar owners for jumping on it right away. He thanked the Police Chief for the work he did for a constituent. He advised there will be counseling for the individuals who are struggling due to a recent shooting. He explained what Councilor Dixon said is right and the City has to come together. He referenced renters' rights in the City.

Councilor Neeper moved, seconded by Glenn, to authorize the Clerk to prepare a resolution memorializing the late Bob Schulte. Motion carried. He explained you can't just talk about it, you have to be about it. He expressed his appreciation to Kevin and Sheryl Christlieb for the time and effort they are putting into making changes for the safety of their customers.

Councilor Gordon referenced a meeting that was held a few weeks back with all of the bar owners where prevention was a big part of the conversation. He advised Kevin and Sheryl Christlieb were in the meeting and he expressed his heart is with them and the family of the victim. He thanked the Mayor for having the meeting with local bar owners. He thanked Warner Roach for getting some work done in the 1<sup>st</sup> Ward. He reminded people to be good to each other.

Councilor Wilkerson explained he has received phone calls from concerned citizens regarding the City pool and he is concerned about the transparency of the pool committee. He said the process of building the pool is historic. He reminded everyone to be good neighbors.

Councilor Thompson announced the Central Lima Neighborhood Association will be meeting Wednesday, July 28, 2022 from 6:30pm to 8:00pm at the CASA Building. She also announced National Night Out will be on August 2<sup>nd</sup> in Downtown Lima. There will be a back to school celebration on August 9, 2022 at the MLK Park. She thanked Councilor Dixon for his words against the recent violence. She clarified the difference between snitching and reporting an incident. She encouraged those affected by the recent violence to seek help. She thanked the owners of Sheryl's.

Councilor Ehora expressed her love of the new round-a-bout. She thanked Mr. DeVita for his letter. She advised the Pool has been in the Public Works Committee for a little while as she was waiting to see how discussions went. She said there are a lot of things being said on social media and she sometimes asks herself why some people will not have Lima to have anything that is good and positive. Ehora moved, seconded by Dixon, to refer the City Pool to the Public Works Committee. Motion carried. She announced there will be a Public Works Committee on Thursday, Aug. 4, 2022 at 6:30pm to discuss all pending items including the pool. She pointed out that there has been a lot of bad news over the weekend and there are a lot of things happening in the community that if you see something, say something. She commended the owners of Sheryl's for attending the meeting. She encouraged everyone to be the "I" in KIND.



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Mayor Smith expressed her appreciation to Kevin and Sheryl Christlieb as they came to see her personally prior to scheduling the meeting with the bar owners. She pointed out that at 9:00 am Sheryl was at her office expressing the measures they were going to take and how she felt for the loss of the family and how it is on her heart what is going on in the community. She thanked Council for allowing Christliebs' to be added under Privilege of the Floor.

President Nixon thanked Kevin and Sheryl Christlieb for coming forth and recommended they talk with the Police Dept. to determine future safety measures. He expressed the incident happened outside of the establishment and the owners now have to own it and potentially lose business. He announced there is five months until Christmas.

Gordon moved that Council adjourn until August 8, 2022 at 7:00 p.m., seconded by Wilkerson, motion carried.

  
Dana Addis, Clerk

  
John G. Nixon, President