

MINUTES OF LIMA CITY COUNCIL
LIMA, OHIO

November 8, 2021

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; Kari Keener, Dir. of Human Resources; Susan Crotty; Dir. Of DCD; Mike Caprella, Dir. of Util.; Howard Elstro, Dir. of Public Works; Major Holman; Sharetta Smith, Chief of Staff; 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 and Nixon. Absent: Neeper.

Councilor Gordon moved, seconded by Dixon, to amend the Agenda by removing Daniel Carnes from Privilege of the Floor. President Nixon clarified the removal of Mr. Carnes was by his own request and he will speak at the next Council meeting. Motion carried.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy;
- b. Treasurer's Report of September 30, 2021.

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

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Mayor regarding legislation to enter into any necessary agreements with Arctaris Impact Advisors, the Lima Chamber of Commerce's Foundation and other entities for the establishment of an Opportunity Zone equity fund. Moved by Thompson, seconded by Dixon, that the communication be received and filed. Motion carried.
2. From the Auditor regarding the September, 2021 financial reports. Moved by Glenn, seconded by Wilkerson, that the communication be received and filed. Motion carried.
3. From the Auditor regarding the October, 2021 contract labor report. Moved by Thompson, seconded by Glenn, that the communication be received and filed. Motion carried.

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4. From the Utility Operations Manager regarding legislation to award the Permanganate System and Treatment Basin Improvements to Peterson Construction, Co. Moved by Gordon, seconded by Dixon, that the communication be received and filed. Motion carried.

5. From the Utility Operations Manager regarding legislation to make a purchase from Westside Machine and Fab, LLC. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

6. From the Dir. of Utilities regarding legislation to make a purchase from Chemco Systems. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

7. From the Dir. of Utilities regarding legislation to amend a contract with Black and Veatch Engineers as authorized in Ordinance 260-20. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

8. From the Dir. of Public Works regarding legislation to amend a contract with Marimor Industries, Inc. as authorized in Ordinance 029-21. Moved by Ehora, seconded by Thompson, that the communication be received and filed. Motion carried.

9. From the Deputy Dir. of Parks, Recreation and Forestry regarding legislation to apply for, accept and expend funds from the Ohio Department of Natural Resources Division of Wildlife Aquatic Education Stepping Out Grant. Moved by Ehora, seconded by Thompson, that the communication be received and filed. Motion carried.

10. From the City Engineer regarding legislation for the dedication of road right-of-way for the Jackson St. and Findlay Rd. Realignment Project. Moved by Ehora, seconded by Thompson, that the communication be received and filed. Motion carried.

11. From the Dir. of Public Works regarding legislation to enter into contract with Jack Doheny Company to allow for the emergency work on the Street Division's Vactor unit. Moved by Ehora, seconded by Thompson, that the communication be received and filed. Motion carried.

12. From the Utilities Operations Manager regarding legislation to enter into contract with RA Consultants, LLC. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

PETITIONS:

Petition for an alley vacation of an alley off S. Main St. – Petitioned for by Heaphy Harmony Real Estate, LLC and Sacik, LLC. Thompson moved, seconded by Wilkerson, 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 December 20, 2021 at 7:00 p.m. Motion carried.

REPORTS OF OFFICIALS:

Randy Bartels, City of Lima Auditor, presented Council with the Popular Annual Financial Report for the year ended December 31, 2020. He explained the report is a summary of the Annual Comprehensive Report and is designed for the general public. He advised this is the first year of the report and the goal in the future is to have the report published at the same time as the Comprehensive Report. (A complete copy of the presentation is on file in the Council office).

REPORTS OF COMMITTEES:

The Neighborhood Concerns met on October 19, 2021. All members have received a copy of the report. Councilor Glenn moved, seconded by Dixon, that the report be received, filed and approved. Motion carried.

THE FOLLOWING ORDINANCES WERE PRESENTED:

270-21 An Ordinance authorizing the Mayor to enter into contracts for the establishment of an Opportunity Zone Equity Fund. Thompson moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

271-21 An Ordinance authorizing the Mayor to enter into contract with Cotterman and Company, Inc. Glenn moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

272-21 An Ordinance dedicating right of way for public use for the Jackson Street & Findlay Road Realignment Project. Glenn moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

273-21 An Ordinance authorizing the Mayor to apply for, accept and administer funds from the Ohio Department of Natural Resources of Wildlife Aquatic Education Stepping Out Grant Program. Ehora moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

274-21 An Ordinance authorizing the Mayor to enter into contract with Jack Doheny Company. Ehora moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

275-21 An Ordinance authorizing the Mayor to amend the contract with Marimor Industries, Inc. as authorized in Ordinance 029-21. Ehora moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

276-21 An Ordinance authorizing the Mayor to enter into contract with RA Consultants, LLC. Gordon moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

277-21 An Ordinance authorizing the Mayor to enter into contract with Chemco Systems. Gordon moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

278-21 An Ordinance authorizing the Mayor to amend the contract with Black and Veatch Engineers as authorized in Ordinance 260-20. Gordon moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

279-21 An Ordinance authorizing the Mayor to enter into contract with Westside Machine and Fab, LLC. Gordon moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

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280-21 An Ordinance authorizing the Mayor to enter into contract with Peterson Construction, Co. Gordon moved, seconded by Wilkerson, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

281-21 An Ordinance enacting Section 618.12 of the Codified Ordinances concerning animal welfare. Dixon moved, seconded by Gordon, that the ordinance be passed on the first reading. Councilor Dixon thanked Debs Dogs and everyone who was a part of putting this tethering legislation together. He specifically commended Ada Mason's diligence and for her passion about animals in the City. Councilor Ehora explained the animal welfare in our community is poor and this legislation is the least the City can do to put the legislation on the books to say they will not tolerate certain behavior. Councilor Gordon thanked the Committee and the Law Department and everyone who put the work into this legislation. He expressed he is an animal lover and it's important to treat animals with kindness. Councilor Glenn thanked Anthony DiPietro for doing a great job putting the legislation together. He thanked the Committee members and former Committee Chair Councilor Dixon. Councilor Wilkerson said it tears your heart to see animals that you know have been tethered so early in the morning and he thanks the Committee and the Law Department for putting legislation together. President Nixon expressed his appreciation for those who contributed to the language of the Ordinance along with the Law Dept. for putting the legislation together. He inquired about enforcing the surrender of animals from the owner. Tony Geiger advised they can look into that but there are considerations they would need to address. Councilor Ehora explained the City does not have a facility and they have work to do with the County and their Dog Warden. Nixon stated it is good legislation and he wished it could be more, but he will take what he can get. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

282-21 An Ordinance amending section 618.99 of the Codified Ordinances. Thompson moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

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MISCELLANEOUS BUSINESS:

Councilor Dixon thanked those who are attending the Council meetings regularly. He clarified the reason for the giggles in the room. He invited the residents of the 5th Ward to the Peace Makers Neighborhood Association on November 17, 2021 at 6:00 pm at St. James Church. He thanked Mayor Berger for his years and dedication to the community. He congratulated Sharetta Smith on her accomplishment in becoming the Mayor-Elect and he wished her much success and offered prayers to her. He thanked everyone who was a part of the Mayoral race for stepping up and wanting to lead the City of Lima because he applauds any one who steps up and running a race to be a leader in the community. He reminded everyone to be good to each other.

Councilor Glenn congratulated Sharetta Smith and said his mom is smiling down right now and expressed that she is good for the job. He explained he is working with a group from Fort Wayne Indiana to take water down to Louisiana and they will be accepting donations. He thanked the organization who helped with the Neighbors helping Neighbors project. He explained Chelsea Clark is from Lima and is running for Secretary of State and she will be speaking locally.

Councilor Gordon thanked Sharetta Smith for all of her hard work for running in the election and winning. He expressed it is a big job and she has big shoes to fill. He advised she will be the first black Mayor and first female Mayor of the City. He added that he voted for Ms. Smith because of her heart, kindness, and her love for the City and its people. He believes the City will be in good hands. He reminded everyone that Veterans Day is coming up and expressed the importance of remembering Veterans by attending ceremonies and just letting them know you appreciate them. He reminded everyone to be good to each other.

Councilor Wilkerson congratulated Sharetta Smith and expressed his appreciation for the residents of the City of Lima for making a decision based on who is best for the job solely. He thanked all of the Veterans who have sacrificed their lives. He also expressed the importance of thanking the families of veterans also. He recalled his mother's strength when he was leaving for overseas and the relief she had when he returned.


Councilor Thompson thanked the Neighborhood Concerns Committee Law Dept. for their work putting tougher the tethering legislation. She reminded dog owners to leash their dogs as there are too many dogs loose. She also reminded owners to spay and neuter their pets. She advised recently rescued a cat and reminded people to not get a pet if you are not in a position to take care of the pet. She announced the Central Lima Neighborhood Association will be in recess until January of 2022. She had the opportunity to attend Political Bootcamp at Rhodes State where she learned about the old school bipartisanship and that we belong here. She told Sharetta Smith that she belongs here and she proved it and won so she should never let anyone question whether she belongs. She congratulated Sharetta Smith.

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Councilor Ehora explained she is troubled the most by the animals posted on the re-homing sites that are 7-8 years old. She expressed the importance of having protection for the animals while outside as it gets colder. She advised there is help for straw and some rescue agencies can help with outdoor animals. She congratulated Sharetta Smith and explained it is historic for a lot of different reasons but seeing a woman be elected is a very big deal for her. She expressed her support for Sharetta and that she looks forward to working with her.

President Nixon moved, seconded by Wilkerson, to approve the absence and salary of Councilor Neeper. Motion carried. He encouraged the public to take time to pay tribute to, pray for and honor vets during this Veterans Day. He congratulated Sharetta Smith and expressed he looks forward to working with her going forward. He also congratulated Councilor Gordon, Councilor Dixon, Councilor Neeper, Law Director Tony Geiger and Auditor Randy Bartels. He called a Council of the Whole Meeting for November 29, 2021 at 6:30 p.m. Nixon moved, seconded by Gordon, to refer the non-election issue to discuss how council wishes to proceed with appointment/re-appointment for the 3rd Ward. Motion carried.

Gordon moved that Council adjourn until November 22, 2021 at 7:00 p.m., seconded by Thompson, motion carried.


Dana Addis, Clerk


John G. Nixon, President

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