

CITY OF LIMA
CITY COUNCIL
REGULAR MEETING MINUTES
JULY 08, 2024 @ 7:00 PM
Council Chambers

CALL TO ORDER:

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

INVOCATION AND PLEDGE ALLEGIANCE:

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

ROLL CALL:

The roll call showed the following members present: Todd Gordon, Thomas Jones, Derry Glenn, Jon Neeper, Jamie Dixon Absent: Anthony Wilkerson, Carla Thompson

Others in attendance were: Sharetta Smith, JD, MBA – Mayor, Eric Pheneger – Deputy Law Dir., Randy Bartels – Auditor, Shane Coleman – Chief of Staff, Meri Foster – Finance Dir., Della Bradford – Human Resources Dir., Carmillia Zion – Acting Dir. of Housing and Neighborhoods, Amber Martin – Workforce & Small Business Dev. Coordinator, Mike Caprella – Dir. of Utilities, Sara Weekley – Deputy Dir. of Utilities, Kirk Niemeyer – Dir. of Public Works, Jessica Begonia – Public Information Officer, Angel Cortes – Police Chief, Lee Short – Deputy Fire Chief

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes from the previous meeting not read since all received a copy;
- b. Bd. of Health Minutes of May 10, 2024;
- c. Treasurer's Report for May, 2024.

Jones moved, seconded by Neeper, that the consent calendar item “a” be received, filed and approved, and items “b-c” be received and filed. Motion carried.

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Division of Liquor Control regarding a Liquor Permit transfer for 858 W. North Street.

Neeper moved, seconded by Glenn, that communication number 1 be received, filed, and authorize the Clerk to notify the Ohio Division of Liquor Control of no objections. Motion carried.

2. From the Division of Liquor Control regarding a Liquor Permit Transfer for 325 N. Cole Street.

Neeper moved, seconded by Glenn, that communication number 2 be received, filed, and authorize the Clerk to notify the Ohio Division of Liquor Control of no objections. Motion carried.

3. From the Clerk of Courts regarding a lease agreement with Pitney Bowes.
4. From the Chief of Police regarding legislation to enter into contract with Tyler Technologies, Inc.
5. From the Chief of Police regarding legislation to enter into contract with Statewide Ford.
6. From the Civil Service Dir./Secretary regarding a recommendation for Secretary II Reclassifications.
7. From the Utilities Dir. regarding legislation to enter into an agreement with Frost Roofing, Inc.
8. From the Utilities Dir. regarding legislation to enter into an agreement with Allen Water District.
9. From the Public Works Dir. regarding legislation to review a contract with R.B. Jergens for the Downtown Streetscape Phase I.
10. From the Public Works Dir. regarding legislation to amend a contract with Schimmoeller Construction, Inc.
11. From the Public Works Dir. regarding legislation to grant an easement to American Electric Power.
12. From the Public Works Dir. regarding legislation to apply for, receive, and expend funds from the Allen County Board of Developmental Disabilities ARPA 2024 Community Partner Grant.

13. From the Public Works Dir. regarding legislation to enter into contract with Bluffton Paving, Inc.
14. From the Finance Dir. regarding legislation to amend the 2024 annual budget.
15. From the Finance Dir. regarding legislation for the Lima CIC to act as an agent on behalf of the City of Lima.

Neeper moved, seconded by Jones, that communication numbers 3 through 15 be received, filed, approved and authorize the Law Dir. to prepare the necessary legislation. Motion carried.

PETITIONS:

1. Petition for the Vacation of an alley segment between Elizabeth Street and Main Street.

Gordon moved, seconded by Glenn, that the petition to amend the title of the Petition on the Agenda to read "Petition for the vacation of an alley segment between Elizabeth Street and Main Street". Motion carried.

Gordon moved, seconded by Neeper, 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 August 19, 2024 at 7:00 pm. Motion carried.

REPORTS OF OFFICIALS:

Carmillia Zion, Dir. of Housing and Neighborhoods, presented Council with an update of the 2024 CDBG/HOME Funds allocations. She explained they are currently in year 4 of the 2020-2024 5-Year Consolidated Plan. She advised the HOME allocation for this year is \$278,741 and the CDBG allocation is \$1,053,935 totaling \$1,332,676. She further advised the City has received 15 applications from the Community and 13 applications from the City, 20 of those applications being CDBG and 8 being HOME applications. She provided a breakdown of the applications for 2024 HOME Allocation plan which includes carryover and totals \$785,885. She further provided a breakdown of the applications for 2024 CDBG Allocation plan which includes carryover and totals \$1,643,134. She advised the City has a Citizens Advisory Board that reviews all of the applications. She reviewed the various applications and the amount allocated including Soldiers of Honor, Lima City Schools, Bradfield Center, Trinity UM and, Oheneba Soccer. The program Mother's Helping Mothers was scored too low and was not allocated any funds. Councilor Neeper referenced information provided to Council in the past that included the carryover amounts not used by various recipients and expressed his concerns with money not being used. Ms. Zion explained those funds are all being used. She explained they used the Better Together funds for home repair so

there is a larger amount left in the HOME Funds. She offered to provide Council with more information if needed. Neeper referred to the CDBG carryover amount which is what he is concerned about. Mayor Smith explained there are times when administration will come back and ask for an amendment to the plan to allocate funds for additional programs. She referred to the amendment in 2023 when funds were not being used for the parks programs. She explained the carryover amount is not just from the year prior, but rather accumulative of all of the years prior. She explained her administration has tried to ensure they use all of the carryover when they can. She further explained there is more carryover in HOME funds because there was not a project for the CHDO and HOME rules do require that funding is set aside for the CHDO. She advised the 15% cap for public services has already been assigned so the additional money cannot go towards public service programs but they can go to internal programs. She further advised they have elected primarily for this year that they will allow the unused funds to stay there because the next planning is for their 5-year plan. (A complete copy of the presentation can be found in the Council Office).

Kirk Niemeyer, Public Works Director, presented the Cable Road Safety Improvements Alternative 5. He provided a recap of the proceedings that have happened to date regarding a public meeting and the public comment period. He advised since April 20th they have been working on revisions, addressing questions and determining what the right of way impacts would be if they took the suggestions and comments and incorporated them into the project as well as environmental impacts. Ian Kohli, City Engineer, pointed out some of the major concerns that were raised during the public comment period including worsening traffic congestion, impair traffic flow and negatively impact businesses. He advised the major change made to the plan includes installing a road diet from Windsor Drive to College Park West to include one center two-way left turn lane and one southbound lane. He reviewed the comparison of alternate plans including no build, alternate 2 and alternate 5. He provided an aerial view of Alternate 5 plan and explained the various changes that were made. President Dixon explained he works on Cable Road and advised he witnessed traffic being backed up when lanes were reduced to 1 during construction and along with a still train traffic was backed up even worse. He referenced the potential issues that could arise for emergency responders when the lanes are reduced. Ian referenced the travel lane width which would give emergency responders enough room to travel freely. President Dixon referenced the comments that were received and out of the many comments that were received, only one stated the project was a good idea which is alarming to him. Councilor Neeper advised there were 218 comments and 217 of them were negative. He referenced the requests made by Clock Tower Plaza that were disregarded and inquired if anyone has spoken with Fifth Third Bank. He advised he can't get behind the project as he is still getting negative comments regarding the project. Kirk Niemeyer reiterated, the Alternate 5 plan is in response to the comments received and he feels they have addressed the capacity concerns. He explained the median is an attempt to reduce crashes within the corridor and make

it safer corridor for the residents and businesses. (A complete copy of the presentation can be found in the Council Office).

Randy Bartels, Auditor, presented Council with the Popular Annual Finance Report for the year ended December 31, 2023. He advised this is the third official PAFR that the City has published and is comprised of information that was taken from the Annual Comprehensive Finance Report. He advised the Annual Comprehensive Report and Audit for 2023 has been finalized, filed with the State and everything was good. He advised the PAFR will be published on the City Website this week. Councilor Neeper inquired as to the reason it is called the Popular Annual Finance Report. Bartels advised it is a document that started with the Government Finance Officers Association in an attempt to publish something the average citizen would be interested in and would be able to understand. Councilor Glenn bragged about all of the awards the City Auditor has received and expressed his appreciation to Bartels for a great job. Randy Bartels explained the awards do come with the City Auditor's name on it, none of those awards would be possible without the work of the entire administration. (A complete copy of the presentation can be found in the Council Office).

THE FOLLOWING ORDINANCES WERE PRESENTED:

121-24 (Third Reading) An Ordinance adopting the Tax Budget for the 2025 Fiscal Year for the City of Lima, Ohio.

Neeper moved, seconded by Glenn, that the ordinance be passed on the third reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

141-24 An Ordinance vacating an alley segment between East Wayne Street & North Street.

Glenn moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

142-24 An Ordinance authorizing the Mayor to enter into contract with govdeals.com and to otherwise dispose of desks, tables, and countertops for the Lima Municipal Court.

Jones moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 143-24 An Ordinance authorizing the Auditor to pay Tyler Technologies for the Municipal Court Software System.

Jones moved, seconded by Gordon, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 144-24 An Ordinance amending the City Zoning Map to Class I Business District for parcels located in the Commercial Corridors, in the City of Lima, as herein described.

Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 145-24 An Ordinance authorizing the Mayor to enter into contract with Allen Water District to extend a 12” waterline along Diller Road.

Gordon moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 146-24 An Ordinance authorizing the Mayor to enter into contract with Frost Roofing, Inc. for emergency roof repairs to the Utilities Maintenance Building for the Utilities Department.

Gordon moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 147-24 An Ordinance authorizing the Mayor to enter into contract with Tyler Technologies, Inc. for the Lima Police Department.

Glenn moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 148-24 An Ordinance authorizing the Mayor to enter into contract with Statewide Ford to purchase six police cruisers for the Lima Police Department.

Glenn moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 149-24 An Ordinance amending Section 246.11 of the Codified Ordinances of the City of Lima, Police Department Authorized Employment Positions.

Glenn moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 150-24 An Ordinance amending Section 246.12 of the Codified Ordinances of the City of Lima, Fire Department authorized Employment Positions.

Glenn moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 151-24 An Ordinance authorizing the Mayor to apply for, receive, and administer funds from Allen County Board of Developmental Disabilities ARPA 2024 Community Partner Grant for the Collett Street Tennis Court.

Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 152-24 An Ordinance authorizing the Mayor to grant an easement to American Electric Power to extend services for the Lima Community Aquatic Park.

Gordon moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 153-24 An Ordinance authorizing the Mayor to amend the contract with RB Jergens Contractors, Inc., as authorized under Ordinance 038-23.

Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 154-24 An Ordinance authorizing the Mayor to amend the contract with Schimmoeller Construction, Inc., as authorized under Ordinance 234-23.

Gordon moved, seconded by Jones, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 155-24 An Ordinance authorizing the Mayor to enter into contract with Bluffton Paving, Inc.

Gordon moved, seconded by Neeper, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 156-24 An Ordinance amending the 2024 annual budget.

Neeper moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

- 157-24 An Ordinance authorizing the Mayor to enter into an agreement with the Lima Community Improvement Corporation to act as an agent on behalf of the City of Lima relating to the Welcome Home Ohio Grant.

Jones moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion: Yea, 5; Gordon, Jones, Glenn, Neeper, Dixon. Nay, none. The Chair declared the ordinance passed on the first reading by a 5–0 vote.

I. MISCELLANEOUS BUSINESS:

Councilor Jones acknowledged Sumarion Doughty, who he met at Dr. Glenn's Juneteenth event and was very impressed by. He referenced the event, Unity in the Community, in which \$200 was raised to support the youth. In collaboration with Dr. Glenn's event, they were able to come up with \$500 to award Sumarion Doughty. He congratulated Sumarion Doughty and advised Mr. Doughty will also be a recipient of an NAACP scholarship and encouraged everyone to attend the NAACP banquet held July 20th at 6:00 pm at the Mercy Health Higher Education Building. Jones expressed the importance of supporting our youth and thanked Dr. Glenn for his contribution.

Councilor Glenn thanked Councilor Jones and acknowledged the parents of Sumarion Doughty who are raising him well. He was impressed with the children who passed the test regarding Juneteenth. Glenn referenced the Neighborhood Concerns Committee where they talked about nuisance dogs. He advised he will be getting with the Mayor about some things and loves to hear good changes are going to be made. He applauded Carmillia Zion on her CDBG/HOME presentation as it was her first time presenting. He advised he will be meeting with all three roll calls at the Police Department to get to know the officers in September.

Councilor Neeper advised he attended the Lima Symphony Orchestra at the Pangle Pavilion which was a free concert. He explained free concerts are happening at the Pavilion all summer long and encouraged everyone to visit the Civic Center website to find additional information. He reminded everyone to be mindful of the children outside playing.

Gordon moved, seconded by Glenn, to excuse the absence and salary of Councilor Wilkerson and Councilor Thompson. Motion carried.

Councilor Gordon acknowledged Police Chief Cortes and inquired about the Quality of Officer Life program. Cortes advised it is currently called the Proactive Crime Enforcement Unit (PACE) which is deployed once or twice a week depending on the needs of the community. Gordon referenced the recent accident that happened at his home involving an ATV which he is starting to see more of in the community. He further referenced the fireworks and asked for education on the fireworks laws in the City. Cortes advised he will forward the information regarding fireworks laws. He reminded Councilor Gordon that Council passed an Ordinance last year regarding ATVs and mini bikes which is still new to the officers and most of the time by the time an officer responds to a call regarding ATVs, they are long gone. He advised there is a very low tolerance of ATV offenders and it will take some time before the effects of the Ordinance can be seen across the City. Cortes further advised the City does not have a fireworks ordinance and fireworks laws are governed by Ohio Revised Code. He reminded people to be good to each other.

President Dixon thanked Chief Cortes for his leadership for the Department. He advised Cortes will be retiring at the end of the month. He thanked Cortes for his leadership, stewardship and his ability to be effective in the community.

ADJOURNMENT:

Gordon moved, seconded by Neeper, that Council adjourn until July 22, 2024. Motion carried.

Dana Addis, Council Clerk

Jamie Dixon, Council President