MANAGER'S CONFERENCE MINUTES
Portsmouth City Council Meeting on
June 10, 2019 – 7:45 p.m.

Members present:

Sean Dunne	1st Ward
Jo Ann Aeh	2nd Ward
Kevin E. Johnson	3rd Ward
Jerrold Albrecht	4th Ward
Gene Meadows	5th Ward
Thomas K. Lowe	6th Ward

Also present was City Manager Sam Sutherland, Solicitor Haas and City Clerk Ratliff.

1. **Fire Department Radio Equipment Emergency**   **CM-19-48**

Manager Sutherland said that funds need to be appropriated to replace damaged Fire Department Communication equipment.

Councilman Lowe moved to adopt alternative #1.

Councilman Meadows asked Fire Chief Raison is this was an emergency and his reply was "yes".

Councilman Lowe withdrew his motion for alternative #1 and motioned to adopt Alternative #2 modifying the request with emergency language.

There were no further questions or comments: **VOTE: 6 Ayes – 0 Nays**

2. **Branch Rickey Park Fence Repairs**   **CM-19-49**

Manager Sutherland stated that this was for fence repairs and that Councilman Dunne had forwarded a quote on fence repairs to be done at Branch Rickey Park and in a discussion with Auditor Williams the quote was around $6,100, however he bumped it up to $7,000 just in case something came up that wasn't budgeted. This would be yet another step in securing that facility.

Councilwoman Aeh moved to accept alternative #1.

There were no further questions or comments: **VOTE: 6 Ayes – 0 Nays**

3. **Police Fingerprint Scanner**   **CM-19-50**

Manager Sutherland stated that the older equipment had reached the end of its useful life and needed to be replaced.

Councilwoman Aeh moved to accept alternative #1

Councilman Lowe asked where the scanner would be located and Chief Ware stated that it would be in the Police Department as part of the booking and processing area. He said that this would help with someone trying to conceal their identity, the fingerprinting process would help eliminate any concealment.

There were no further questions or comments: **VOTE: 6 Ayes – 0 Nays**

Discussion

Zoning – Acting Mayor Johnson said he had spoken with all of Council and Solicitor Haas and they all seem to be in agreement but have yet to make any moves on the issue. He said the zoning was World War II Zoning within the city and he believed it was time to look into re-zoning so that we can't have certain

businesses popping up in residential zones and vice versa. He asked Solicitor Haas about a moratorium on health care facilities. Solicitor Haas said right now these facilities fit within the guidelines (microphone was off - not audible) He said he would like to see the city hire a firm that specialized in zoning law. Mr. Johnson agreed but, in the meantime, what could be done to stop these from popping up. Mr. Haas said currently these homes fit within the city's guidelines. Councilwoman Aeh said that right now there was an ordinance that stated that Council was to discourage spot zoning, so if it was residential, the city doesn't have to allow it. Councilman Dunne said that an outside firm could take 6 months to a year to re-zone the city, could we put a moratorium on health services for the next 6 months? Mr. Haas stated he would need to research the issue. Acting Mayor Johnson asked Council if they would like Solicitor Haas to look into finding a legal firm that specializes in this area and to set aside money to rezone. Councilman Dunne said to: 1. Look at estimates from an outside firm for rezoning 2. Look at the legality for a moratorium.

Fire Chief Raison was recognized to add to the conversation. He said that it was getting out of hand and he had just had a conversation with one of his inspectors who had 4-5 different facilities that were already operating but were not code compliant. They have been coming up so quickly and now these places were being forced to get a fire inspection because of whatever regulatory agency that they're dealing with and when the city inspects them, they're not code compliant. He said it was out of control. Acting Mayor Johnson asked if they could be shut down because they're not code compliant, Chief Raison said that "yes" they could do that but to shut them down, they would have to show distinct hazards. He gave several different scenarios of situations that were happening.

Chief Ware stated that one of the problems was that residential drug treatment was the most successful, but what complicated the matter for our city was that the amount of need that we have within our own community and the lack of availability in other communities. He added that because we've had successes and knew what worked, the city had become a magnet for the communities that do not have treatment facilities. He said this was pushed to the State as part of recovery Ohio and recommendations before the state budget hearings for the future. He explained that the city needed to be careful when talking about zoning because there were a lot of Federal and State laws that say what you can and can't do in relation to people with disabilities. He recommended that we explore zoning with zoning professionals who will be able to tell us what we can and can't do as a city, but we need to be very careful in how we proceed.

4. **Cat Problems**   **CM-19-51**

Manager Sutherland stated that Health Commissioner Chris Smith requested legislation to reinstate the cat program. Mr. Smith said that he would make sure that he had a Council Letter sent to Council outlining the options as well as the cost to run the program. One of the options was to put a trap out, capture the cat then take it to the Vets office, they hold it for 3 days which gives the owner a chance to pick their pet up and if it's not picked up, they either adopt it out or euthanize it. The other program which wasn't as popular, was a catch and release program; they catch the cat, spay or neuter and then release it back into the neighborhood.

Councilwoman Aeh moved to accept alternative #1.

There were no further questions or comments: **VOTE: 6 Ayes – 0 Nays.**

The meeting adjourned at 8:21 p.m. on a motion by Councilwoman Aeh.

Submitted by: *Diana Ratliff* – City Clerk