

## MINUTES – REGULAR SESSION

### PORTSMOUTH CITY COUNCIL MEETING

Monday, August 8, 2011

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on, Monday, August 8, 2011 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Acting President of Council, John Haas called the meeting to order. The Pledge of Allegiance to the Flag followed a moment of silent prayer.

Roll Call showed the following members to be present:

Kevin Johnson	1 <sup>st</sup> Ward
Rich Saddler	2 <sup>nd</sup> Ward
Nicholas Basham	3 <sup>rd</sup> Ward
Jerrold Albrecht	4 <sup>th</sup> Ward
John Haas	5 <sup>th</sup> Ward
Richard Noel	6 <sup>th</sup> Ward

Also present were Mayor David A. Malone and City Auditor, M. Trent Williams

On a motion by Councilman Albrecht, Council dispensed with the reading of the Journal for the regular session of July 25, 2011.

Councilman Johnson moved to add to the agenda a resolution, prepared by him, requesting the State of Ohio's Apportionment Board act in the benefit of the voters of the State of Ohio by avoiding any semblance of gerrymandering.

The motion carried viva voce. **VOTE: ayes 6 – nays 0 The resolution was added to the agenda as Item “7g”.**

### REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA

David Thoroughman – SSU's Chief of The Department of Public Safety encouraged Council to adopt the resolution to enter into a Mutual Aid Agreement with Shawnee State University, saying it is not unlike any other agreement between a city and a university.

Tom Carroll – City Manager of Loveland, Ohio advised Council that his presence this evening is on behalf of the Ohio City/Council Management Association (OCMA) because they understand the City has an issue that would refer to the electorate whether or not to return to a Council/Manager form of government. Mr. Carroll, noting that he serves the City of Loveland, acknowledged that they do not look fondly on people coming to their community and telling them, from outside of the community, what they should do. He said he was not here to tell us what to do but was here has a resource to answer any questions Council man have about the Council/Manager form of government and to advocate the advantages of that form of government. Mr. Carroll advised Council that his colleagues and he will be a resource, assuming for the moment that Council passes this ordinance and places the issue before the electorate, to help our Council and our community to understand the pros and cons of changing the form of government. He reiterated the fact that he was not here to tell Council “how to do things” but was here to answer any questions. Mr. Carroll said there are some distinct advantages to going to the Council/Manager form of government in that it creates a strong legislative authority, saying, “ultimately authority is vested with the City Council and the day to day operations are the responsibility of the City Manager, who is hired and ultimately, if necessary, fired by the City Council”. He stated that this combines the response of an elected form of government with the strong day to day professional administration with someone who is hired by the City Council to come to Portsmouth and to help them to tackle the many challenges that Council faces.

Preston Smith – 1115-15<sup>th</sup> Street said he was going to question what Mr. Carroll has said. Mr. Preston, with regard to Mr. Carroll, stated, “evidently he talked to somebody else because I don't know what this City Charter would be”. He asked Council how they would “expect someone to vote on something that they don't know”. He said if Council was “going to ask people to vote then it should be stated very clearly as to what they are voting on”, claiming that Council might know but to him it seems to be secret. He claimed Council to be expecting to do something when they don't know what they are doing. Mr. Preston felt that if this were going to be placed on the ballot it should be worded very clear as to what the people are being asked to vote for “and not just something thrown up there that they can even make a mistake”, saying “they might want to vote for one thing and vote for another”. Mr. Preston said it was beyond him how Mr. Carroll understood what the ordinance was about when he, himself, did not know. He noted Mr. Carroll to be from out of town and knew more about what was going on than he, when he is a resident.

Michael Malone – 1731 Robinson Avenue reiterated remarks he made at the July 11<sup>th</sup> Council meeting with regard to placing the issue of a City Manager form of government on the ballot, saying he knows a lot of thought has gone into this decision by the members of Council and felt Council thinks this to be a good thing. Mr. Malone acknowledged it might be a good thing, “somewhere down the road” but felt at this point it was not necessary to go to a City Manager form of government. Mr. Malone stated his main concern to be that “the Mayor, sitting in this chair at this point, is an elected official by the people for the people and if the citizens do

not like the Mayor there are other processes that we can go through to have him or her removed". He further questioned what would happen to a City Manager if, "in stride", the Council would decide to "get rid of him". He wondered what the City would think about where the City was going to go and who is going to take on the City Manager's responsibilities. He noted there to be "at least one member in particular and probably others, who are fiscal watchdogs over the City's money" and noting that he is aware of the amount of money the present Mayor is currently making, Mr. Malone wondered from where the salary of a City Manager would come. He questioned whether or not that salary would be more or less than that of the Mayor. Mr. Malone advised Council that his intentions are to do everything within his power to campaign against the City Manager form of government and acknowledged that may be because he does not fully understand it and that maybe he doesn't like it because he does not understand it but he felt the current situation of having a Mayor is what is best for the City at this time. Mr. Malone noted the Mayor to answer to the citizens and further claimed the Mayor to answer to City Council but stated it to be his understanding that a City Manager would only answer to City Council. He questioned as to where that would leave the citizens, saying the citizens need to continue to have their voices heard.

Austin Leedom – 1521-5<sup>th</sup> Street reiterated his previous remarks opposing a City Manager form of government, noting it would be "nice to have an education" but felt "the biggest education" a City Manager doesn't have is knowing what is going on in your own neighborhoods, saying that getting someone from out of town would, "make it even worse". Mr. Leedom went on to say, "A City Manager form of government is one step closer to a dictatorship taken away from our democracy which is weak now". He continued, saying "That's one less elected official we would have, we need more elected officials". Mr. Leedom also advocated reducing "term limits" to two year terms "so the people will have more voice". He questioned Council as to how often they walked the alleys and talked to people and how many ward meeting they have held. He claimed the Mayor does that. He said an "out-of-town" man might be great but "we cannot afford the loss of democracy". He continued saying, "This is America and people should be ruling".

## LEGISLATION

The Clerk gave a **third reading** to an ordinance to submit to the electors of the City of Portsmouth, Ohio, at the General Election to be held on the 8<sup>th</sup> day of November 2011, proposed amendments of Sections 5, 30 and 31 of the Charter of the City of Portsmouth, Ohio.

Councilman Basham made a motion to amend the ordinance Section 31, noting that the City Clerk had sent Council an e-mail, pointing out the July 25<sup>th</sup> amendment to the ordinance which added directives, one through seven, duplicated items already in the charter. Mr. Basham recommended, to keep everything clear and clean, to strike this previous amendment from the ordinance. Councilman Johnson felt the ordinance as amended at the July 25<sup>th</sup> meeting, "would be easier for the voters to understand when the responsibilities of change are by having these enunciated one through seven because that will show up on the ballot". Mr. Johnson stated that he was not really concerned about whether or not they were duplicated in the charter and felt that the words could be followed with "as further enunciated in the charter". He also felt this made an easy reference as far as identifying the responsibilities of the City Manager or anyone who is interested. Councilman Noel called this "a good example" of confusing the public again". Mr. Noel reiterated previous remarks he made regarding his having lived through both forms of government and agreed with Mr. Leedom and Mr. Preston, saying, "People have had enough rights taken from them now". Mr. Noel stated, "I will be voting and working against this all the way". Councilman Basham asked Councilman Noel if he had a preference on the amendment – did it matter to him whether or not it is duplicated or does he want the duplication removed. Mr. Noel said he did not exactly how he is going to vote on the amendment because he is going to "vote against the whole thing". Councilman Albrecht said he did not know if it is realized or not that the only thing Council is doing is putting the issue before the electors and they will decide whether or not we return to the City Manager form of government. Councilman Noel acknowledged that but felt there were more important things to be done at this time. He felt this issue is just going to confuse the people. Councilman Saddler said he felt the logic of a lot of people in this City is being underestimated. He said he felt the public can see what is happening and that they will be able to read what is on the ballot and come to a conclusion themselves. Mr. Saddler agreed with Mr. Basham with regard to the duplication but also agreed with Mr. Johnson about it being listed on the ballot. He felt it to be a "catch 22" but really thought the ability of the people in this town to make their choice on this issue is underestimated. Councilman Basham stated that his reason for bringing this because the people who have spoken to him have stated that they understand what a City Manager form of government is but it sounds like a lot of things are being changed. Mr. Basham pointed out that even with the amendment nothing was changed and now consideration is being given to remove the duplication. The Acting President stated it to be his understanding that one of the amendments is actually contradictory to another section of the charter. It was noted this amendment deals with signing of contracts and bonds. Mr. Haas noted this could potentially create a problem somewhere down the road. Councilman Saddler noted that, if there is a conflict, that part that conflicts could just be removed and perhaps leave the rest of the items on the ballot. Mr. Saddler noted that all of this is public record and if the gentleman who spoke earlier wants to find it he can do so and felt there should be something explaining it in the newspaper. The Acting President stated that, as a lawyer, he did not like to see all this duplication, saying he would prefer the charter be simple and straightforward. He said if there is a campaign it needs to be done between now and November, should this ordinance pass. He noted that interested parties can advise the public with regard to the matter. Mr. Haas said he was reluctant to have duplication in the charter. The Auditor pointed out the fact that the more places you have something in the charter the more chances there are for errors. He questioned what would happen if it is duplicated this time then somewhere down the road when someone wants to change the charter again, and failed to see the duplication.

There being no further questions or comments the roll was called on the motion to amend. **VOTE: ayes 4 (Saddler; Basham; Albrecht; Haas) – nays 2 (Johnson; Noel) The motion carried the ordinance**

was amended in Section 31 by returning the language back to what it was prior to the July 25<sup>th</sup> amendment.

Councilman Albrecht made a motion to pass the amended ordinance.

There were no questions or comments. The roll was called. **VOTE: ayes 5 (Saddler; Basham; Albrecht; Haas; Johnson 0 – nays 1 (Noel) The ordinance was passed ORD. #37-11**

The Clerk gave a **first reading** to an ordinance to authorize the appropriation of \$4,289.02 the Portsmouth City Health Department received in funding from the Ohio Department of Health to conduct a Community Needs Assessment, to Health-Miscellaneous Services Line Item No. 101.440.5200 and consider the same an emergency measure.

Councilman Albrecht moved to suspend the rule requiring an ordinance be read on three separate dates.

The roll was called. **VOTE: ayes 6 – nays 0 The rule was suspended.**

Councilman Albrecht made a motion to pass the ordinance.

Councilman Johnson advised these were funds that were provided from the Ohio Department of Health to our City Health Department to conduct this assessment and referred to it as an “in and out”. When seeking confirmation from the Auditor, Mr. Johnson was advised that he was not consulted about the preparation of this ordinance. Mr. Johnson then asked the City’s Health Commissioner who was present, however Mr. Smith did not come to the microphone and his answer was not audible. Mr. Johnson said he wanted to make sure, given our current budgetary problems, that it was understood this money came to the City from the State for this purpose.

There being no further questions or comments the roll was called. **VOTE: ayes 6 – nays 0 The ordinance was passed. ORD. #38-11**

The Clerk gave a **first reading** to an ordinance to retain a consultant for the City to assist with the review of the City’s Long-Term Control Plan (LTCP) and to provide additional assistance if necessary to negotiate any agreement or consent order with the Federal EPA. Said amount shall not exceed \$15,000 and shall be paid from Waste Water Fund No. 621 and consider this action to be an emergency.

Councilman Albrecht moved to suspend the rules requiring an ordinance be read on three separate dates.

The roll was called. **VOTE: ayes 5 (Haas; Johnson; Saddler; Basham; Albrecht) – nays 1 (Noel) The rule was suspended.**

Councilman Albrecht made a motion to pass the ordinance.

Councilman Johnson stated that when this was discussed by Council in executive session it was noted that this was for legal assistance not technical assistance and pointed out that it was not noted “in this resolution”. Mr. Johnson express his concern on how the legislation was written, saying it is open ended with regard to how the money is to be used and for what purpose. The Acting President stated it to be his understanding that this was for technical assistance to hire someone who is familiar with this type of project. Mr. Johnson stated it to be, “the legal side as far as the cost”. Mr. Johnson claimed this to be what we received from Strand, saying “we’re not going back”. Mr. Haas stated “no”, and stating his understanding to be that the plan that was submitted may not be something the City can afford and there may be else that the City can do to meet the EPA’s requirements, short of the plan that was submitted. Mr. Haas said that is why there has been a request for this. Mr. Johnson asked that he be allowed to come back to that, and saying that with the original plan the City received a certified mail from the EPA on January 2010 indicating that our plan had been rejected and that we had to resubmit it, asked if that resubmission been done. The mayor advised Mr. Johnson that the plan has been resubmitted, noting that the plan submitted in 2010 was rejected because the paperwork had not been correctly completed and that the resubmission has been accepted. Mr. Haas stated it to be his understanding that the EPA is going to submit some type of ruling or agreement before the City enters into any type of agreement with the EPA and the City wants to make sure that we do what we can, noting that the plan that was submitted seems to be out of reach giving our financial restrictions on bonding issues. Mr. Johnson said he understood and that it is not that he is opposed to this legislation, noting this to be a process the City has been going through for a long time and stating it to be “highly misunderstood by many”. He stated his chief complaint in going through this documentation is the funding for this whole project has been limited saying “we haven’t looked at other sources”, which he says are built into other cities’ plans and would offset cost to our residents. Mr. Johnson expressed his hope that if we are going to spend \$15,000 then we cannot only be advised on how we can better deal with the EPA visa the cost but how those cost can be spread out of what different types of avenues we would be looking at as far as funding that thirty-year obligation that will be needed for this type of project. The Mayor advised that this particular ordinance will address the City’s ability to renegotiate to bring the cost down and at the same time to be able to actually implement the long-term control based on verbal consent to the City, noting that we just don’t have the paperwork but in the interim of the paperwork being received, Mr. Duncan is actually working on another plan that will address the long-term plan and basement flooding, which will not be as costly to the City. The Mayor advised these to be the components the City is attempting to resubmit. Councilman Noel advised the Mayor that he cannot hear half of what he is saying and questioned whether or not anyone else could hear him. The response to the Mayor asking is anyone else could not hear him was not audible. Mr. Noel said he did not want duplication here with regard to anything that has

already been done, stating it to be his understanding that the plan was “pretty well a done deal that we’ve got to apply to the EPA” and he did “not want to duplicate as bad as we need the money”. The Mayor advised that the long-term control plan that was submitted last year was not actually approved by Council last year, which, he said is also another issue that will be addressed. He expressed his hope that this will allow the City to negotiate a more feasible plan for our City. Councilman Johnson said he did not see this as an implication and that he has talked with a lot of people, including Jane Murray, who have an interest in this. He reported that some of the people are opposed to what the City is doing but having looked at it seriously, especially the estimate of the percentage of meeting the household income that this will impact upon us, if we accept the package as is, will put the City in the 3 to 3.15 percent, which, he claimed to be “well above the old standing of 2%. He acknowledged this would impact New Boston even worse. Mr. Johnson further acknowledged that neither our City nor New Boston can afford it and reiterated his earlier remarks with regard to spreading out the cost. Mr. Johnson was of the opinion that this ordinance would be a waste of time or money.

There being no further questions or comments the roll was called on the motion for passage. **VOTE: ayes 6 – nays 0 The ordinance was passed. ORD. #39-11**

The Clerk gave a **first reading** to a resolution authorizing the Mayor of the City of Portsmouth to enter into a Mutual Aid Agreement with Shawnee State University, which will enhance the City’s police services and foster cooperation between the parties for the mutual benefit of the City and University.

Councilman Albrecht made a motion to adopt the resolution.

Councilman Johnson acknowledged the Mayor to have provided Council with two mutual aid agreements that are currently in force, saying that was just his comment and he had no objection to the resolution. The Mayor stated that at the last meeting he had misspoke when he stated that the Police Department had a written mutual agreement with the County but after speaking with the chiefs of the Fire Department and the Police Department, along with the Sheriff’s Office, he learned the mutual aid agreement is, in fact, a verbal agreement that exists throughout the state. He said he did, however, get a copy of a written agreement with the Fire Department from the Fire Fighter’s Association. Councilman Saddler said he was not against the resolution, however he did have some concerns. Mr. Saddler asked if the university’s security would have enforcement rights on all the roads in between the campus and other locations that belong to the university. He was also concerned about the university’s campus security not being, at this point in time, a legitimate police force, such as the City’s police force. Mr. Saddler said he did not mean any disrespect but his concern arouse out of the last Mayor’s conference meeting when it was stated that the university’s security would be equal with the City’s police officers. Mr. Thoroughman advised that this resolution will give the Mayor the authority to enter into a mutual aid agreement with the university once they are fully operational, noting they are not so at this particular time. With regard to Mr. Saddler’s concerns with streets and boundaries, Mr. Thoroughman advised that they will basically be what you see in the area that is identified as Shawnee State University,. He acknowledged the President of the University does have a residence off campus that is patrolled by the university security and further advised that the agreement would not allow the security officers to crisscross around the community. Acknowledging the President’s residence to be off campus, Mr. Thoroughman said if on the way to patrol this residence they should observe something this agreement would give them the authority to act. In response to the Acting President, Mr. Thoroughman said the university security would respond and answer any calls coming from university property on Chillicothe Street.

There being no further questions or comments the roll was called on the motion to adopt the resolution. **VOTE: ayes 6 – nays 0 The resolution was adopted. RES. #12-11**

The Clerk gave a **first reading** to a resolution requesting that the United States Congress immediately pass H.R. 1489, the Return to Prudent Banking Act of 2011, and identical legislation in the Senate as the indispensable first measure to save the nation from irrevocable economic harm.

Councilman Albrecht made a motion to adopt the resolution

Councilman Johnson, acknowledging that he provided Council with a copy of proposed amendments to this resolution, made a motion to amend the resolution accordingly.

Mr. Johnson said this amendment would strengthen the resolution and add certain language regarding concurrent and supportive legislation in the Senate and in the House (*additional remarks were not discernible*). Councilman Albrecht felt everything that is necessary is in the resolution prepared by the Solicitor. He said he did not know if Mr. Johnson ever had any “dealings” with the Federal Government but he has learned that anytime you write to them they respond with a form letter, and noted that will basically be what will happen with this resolution, noting that at least it will be in the “aye” pile. Mr. Albrecht did not see any reason to do all the work that would be entailed in virtually retyping the resolution. He felt that basically, it would be saying the same thing. Councilman Johnson, with regard to additional work, stated that he provided the format to the Clerk and claimed it would only require copying and pasting. With regard to how Congress works, Mr. Johnson said he knows where that stack is and acknowledged that this type of request receives a check mark but felt what Council is attempting to do is “to educate the public. Most of the public doesn’t know what Glass-Steagall Laws are, in the first place and what they did for the country when they were in force from 1933 to 1999. Mr. Johnson continued by reciting the effects of the enactment of this law and later the rescinding of it has had on our economy.

There being no further questions or comments the roll was called on the motion to amend. **VOTE: ayes 4(Saddler; Haas; Noel; Johnson) – nays 2 (Basham; Albrecht) The ordinance was amended.**

There being no Questions or comments on Councilman Albrecht's motion to adopt this ordinance the roll was called. **VOTE: ayes 6 – nays 0 The resolution was adopted. RES. #13-11**

The Clerk gave a **first reading** to a resolution authorizing, for ceremonial purposes only, the co-naming of Front Street from the Grant Bridge heading west as "Branch Rickey Way".

Councilman Albrecht made a motion to adopt the resolution.

In response to Councilman Johnson asking if there had been any follow-up at the post office with regard to whether or not this will affect the addresses of those living in that area, the Acting President advised him that it was decided, when this was being discussed, that the Solicitor would draft the resolution in such a way that the addresses would not be affected and the change would be only for ceremonial purposes.

There being no further questions or comments the roll was called. **VOTE: ayes 6 – nays 0 The resolution was adopted. RES. #14-11**

The Clerk gave a **first reading** to a resolution requesting that the State of Ohio's Apportionment Board, comprised of the Governor, Secretary of State, Auditor and two members each from the Ohio House and Senate, act in the benefit of the voters of the State of Ohio by avoiding any semblance of gerrymandering.

Councilman Johnson made a motion to adopt the resolution.

Councilman Johnson acknowledged that everyone probably knows a decision has already been made, even a week before a decision is due, however, on the outside chance that they might listening to us, he was presenting this resolution. He further acknowledged there to be a problem in our county with gerrymandering, noting our county to have been split for no good reason, Mr. Johnson explained that this resolution enunciates the arguments against gerrymandering and is simply asking that the legislature look at us as a community that needs to be recognized as a community and not split into two districts for political purposes.

There being no further questions or comments the roll was called. **VOTE: ayes 6 – nays 0 The resolution was adopted. RES. #15-11**

#### **STATEMENTS FROM CITIZENS ON ITEMS NOT ON THE AGENDA**

Ed Myers – an Americore Volunteer with the Potters House advised Council of their interest in sponsoring a "Make A Difference Day" on October 22<sup>nd</sup> from 9am – 1 pm. He expressed the organization's hope of getting 300 to 400 volunteers to do a litter sweep in the City of Portsmouth. He said this would cover the streets and sidewalks of the City. He said October 22<sup>nd</sup> is "Make a Difference Day" nationally and is sponsored by U.S.A. Weekend Magazine and its 800 carrier newspapers. Mr. Myers advised everyone that following the litter sweep there will be a celebration in Tracy Park from 12 -1:00, where a hotdog, hamburger and chips will be served, with perhaps a band providing about an hour of entertainment.

Mike Malone – 1731 Robinson Avenue expressed concern over, what he described as, "the crumbling" wall on the Sunrise Reservoir.

#### **Miscellaneous business and reports:**

The City Clerk had nothing to report.

#### Mayor's Report

1. In response to the concern that was expressed with regard to the "crumbling" wall on the Sunrise Reservoir, the Mayor reported the Director of Water Works, Sam Sutherland, is in the process of checking the structure. The Mayor further advised that everything is okay, noting there to be some cosmetic work that had to be done.
2. The Mayor welcomed Chris Smith as the City's new Commissioner of Health.
3. The Mayor announced the upcoming 60<sup>th</sup> Anniversary of the Hometown Broadcasting Company's AM1260, noting that he will present them with a proclamation on that day.
4. Mayor Malone reported his having attended the boat races that took place on the Ohio River this past Saturday. He expressed his appreciation to all those who worked to bring this about and congratulated everyone for a "job well done". He estimated there to be at least 300 people in attendance.
5. He announced the Roy Rogers celebration that was held last weekend at the Holiday Inn and expressed his appreciation to all those who make this happen.
6. Requested Council to consider a minimum discussion regarding the CIP during the conference session.

The Mayor's report was received, filed and made a part of the record, on a motion by Councilman Albrecht.

The Acting President had nothing to report.

#### Miscellaneous business from City Council

##### 1<sup>st</sup> ward

Councilman Johnson reported having an issue with downtown with regard to trash pickup, which was addressed by the Mayor and his staff.

Reminding the Mayor about a conversation four weeks ago regarding AMERESCO's report that he found to be substandard and that the Mayor indicated he was going to invite them to a meeting, Mr. Johnson said he would like to hear something back on that.

Mr. Johnson claimed there to recently have been an issue with a member on one of Council's boards that was being replaced but was not notified. He felt a process should be put in place that would thank the outgoing member and advise him that he is being replaced. He described the incident as "very embarrassing".

With regard to the boat races, Mr. Johnson claimed there to be people who actually walked away because of the security requirements. He also stated that anyone walking up with a soft drink or a cup of coffee was not allowed to enter unless they disposed of any refreshments they had with them. He said he understands the promoters of the race wanting attendees to purchase their refreshments at the riverfront but felt people who are there all day are going to buy there regardless of whether or not they walk in with refreshment. He felt the event lost a lot of business and encouraged using common sense.

##### 2<sup>nd</sup> Ward

Councilman Saddler advised the Mayor that a section of pavement is "torn up" in the 900 block of 10<sup>th</sup> Street. He also reported a section of pavement to have "popped up", in the 1500 block of Jackson Avenue creating a trip hazard and a sink hole on Brown Street between 7<sup>th</sup> and 8<sup>th</sup> Streets.

He inquired of the Mayor as to whether or not a contract for use of Tracy Park contained anything in it with regard to cleaning the area after an event. Mr. Saddler reported the people who last used the park did not clean up after their event.

Mr. Saddler extended his thanks to everyone who participated in the Boat Races, saying "It was a great weekend". He commended the employees for doing such a good job on cleaning the riverfront and acknowledged that a part of the riverfront is in his ward.

##### 3<sup>rd</sup> Ward

Councilman Basham stated that the one reason he ran for this office was to do good things for and promote the City and to read the article about the boat races in the newspaper and to see the riverfront cleaned up made him feel good to see the cooperation that existed between the City and the citizens.

Reported a problem in Sciotoville that was reported to him. Neighbors complained about property that was unkempt and overgrown with weeds being cleaned up after being cited to do so. However, the owner simply dumped the trash into the alley.

Thanked Mr. Carroll for taking his time to speak with Council about the City Manager form of government. Mr. Basham stated that as a member of Council and a resident he is not happy with our present system. He pointed out the fact that there have been two Mayoral recalls since adopting that form of government. In response to Mr. Leedom's remark regarding "dictatorship", Mr. Basham noted that right now the Mayor is elected by the majority of the citizens of the City while a member of Council is elected by the majority of 1/6<sup>th</sup> of the electors, however, in the case of a recall this system is allowing someone who was elected by 1/6<sup>th</sup> of the electors to actually run the City until the next Mayoral election. He assured the Mayor that he was not attacking him personally but he felt this system that allows someone elected by 1/6<sup>th</sup> of the electors to actually run the City or put us in a holding pattern, from his perspective, is why the system is broken. He agreed with Mr. Saddler's remarks that there are way of handling the situation if the citizens are not happy with a City Manager. Mr. Basham felt our system has not worked properly and he would like to, at least, offer the voters a different approach.

##### 4<sup>th</sup> Ward

Councilman Albrecht reported receiving complaints throughout the City regarding individuals parking in front yards. He also reported complaints about people parking in side yard, on curbs, on the median and on the wrong side of the street and nothing being done about it. He further reported complaints about renters moving and leaving junk on sidewalks.

##### 5<sup>th</sup> Ward

Acting President Haas had nothing to report from his ward.

6th Ward

Councilman Noel congratulated Chris Smith on his promotion to Health Commissioner. He commended the former Health Commissioner, saying she did a good job.

Mr. Noel reported sidewalks covered with brush and grass in the 6<sup>th</sup> Ward, saying people are having to walk in the streets. He acknowledged the City did not have enough workers. He felt it would take a crew of several people to get the area in shape, saying it is terrible in his neighborhood. He also reported the streets to be in "bad shape". He said he tries to explain to citizens about the amount of people it would take to do this work. He further reported brush and weeds that need to be cleared along the wall at the New Boston/Portsmouth line. He suggested court workers put in some time in that area.

The Auditor agreed with Councilman Noel, noting that the creek in North Moreland that use to be filled with water and was cleaned with heavy equipment is now filled with growth. He also congratulated Buckeye Association for the entertainment they provided on the river, saying he was glad to see the boat races were back, noting it was now without its problems but acknowledged holding events on the river is not easy. Mr. Williams felt river events to be very important to our area and advised there to be some problems on the riverfront that need to be resolved, saying "Events can't happen without facilities".

On a motion by Councilman Basham, Council recessed into an executive session to discuss personnel issues at 7:22 p.m. At the request of Council, the City Clerk attended the session.

Council reconvened at 7:41 p.m. All who were previously in attendance were still present. The Acting President advised everyone that the ad for the City Clerk's position will be placed in the newspaper again for three consecutive days beginning Friday, August 12<sup>th</sup>.

The meeting adjourned at 7:43 pm, on as motion by Councilman Johnson.

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City Clerk

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Acting President of Council