

MINUTES – REGULAR SESSION**PORTSMOUTH CITY COUNCIL MEETING**

Monday April 9, 2018

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday April 9, 2018 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Acting Mayor Kevin E. Johnson called the meeting to order. A moment of silent prayer was observed followed by The Pledge of Allegiance to the Flag.

Roll Call showed the following members to be present:

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

Also present was Acting City Manager Sam Sutherland, Solicitor John Haas, and City Clerk Diana Ratliff. Auditor M. Trent Williams was absent.

Councilman Meadow's absence was excused on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 5 – nays 0.**

Council dispensed with the reading of the Journal for the Regular Session of March 26, 2018 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 5 – nays 0.**

There was no public hearing scheduled.

Presentation from Bryn Stepp of the Ohio Secretary of State's office awarding the City of Portsmouth a commendation for being ranked 64th Top Micropolitans in the 2017 Site Selection Magazine which is based off the number of major business investments recently made within the city. She said Secretary Husted liked to recognize and commend individuals, businesses and other entities that have a position and direct economic impact on communities.

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA

There was no one present that wished to address Council on items on the agenda.

NO LEGISLATION

Councilwoman Aeh stated that since the City Manager criteria doesn't require legislation, she requested that it be moved to the City Manager's Agenda. The motion carried viva voce: **VOTE: ayes 5 – nays 0.**

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Amy Partlow – 1538 Charles Street Portsmouth, Ohio – She congratulated the City on the award and thanked Derek Allen for his hand in helping to get the award. She also said that hopefully Council will follow the criteria that is currently in place when the new City Manager is chosen.

Billy Spencer – 411 Southwest Street Piketon, Ohio - He is the Mayor of Piketon, he said that from 2012-2014 they had a few public meetings where the D.O.E was supposed to decide whether to ship the material or to put it in an onsite dump. There has been faulty information distributed to the public and if you tour the plant they will give you the same faulty information. The site director for the D.O.E. came to the Village Council meeting in May of 2016 and was asked if the bedrock was fractured and his response was that there were no fractures in the bedrock which was false. They have since apologized for distributing information that wasn't accurate, but continued to lie. The site is fractured and the community doesn't want it and have never wanted it. At the December 20th meeting in which Speaker of the House Cliff Rosenberger was present, the Ohio EPA made a presentation stating that it wouldn't go north but it would go south to Portsmouth. If you check with Fernald or Oakridge both of those have had major problems and are leaking material into the rivers and streams in that area.

Dennis Foreman – 115 5th Street Piketon, Ohio – He was a graduate of Shawnee State University and is now a teacher in Ross County and a Councilman for Piketon. He backed up everything that Mayor Spencer had said and they did said "if there was any problem it's gonna be going towards Portsmouth". He said that most of our young people need hope and hope is not a nuclear waste dump. His Mother passed away from multiple myeloma and if you're from Southern Ohio you know what cancer is and probably everyone in this room had been touched by cancer. There are people that live 1007 feet from the site. He is Chairman of "Future Use" of the Site Specific Advisory Board (SSAB) and the future is not a nuclear dump and he was tired of them threatening the community with jobs. ACP held a carrot above them to threaten them and they've never opened. They can't keep

treating Southern Ohio like we're third class citizens. A nuclear dump is no pathway forward, but at the last meeting of the SSAB, he recommended 18-1 Robotics Laboratory which have National Laboratories in Oakridge Tennessee, but what does Southern Ohio get "nothing" we're offered a dump and he's not O.K. with that and he's worked hard to get the wording in 18-1 for a working Development Center. These plants will be down to half the work force and it's hard to get a job after graduation. He questioned who will reindustrializing the area; the D.O.E. will not do it and he believed no one would because it's a nuclear dump.

Vina Colley – P.O.Box 136 Portsmouth, Ohio – She hoped that Council listened to what the people from Piketon were saying because for 30 plus years they've been fighting that dump in Piketon. Since 1995 she's been telling them that the bedrock was fractured and she was told that she had nothing to worry about. She said there was a direct pipe from the plant that had been discharging into the Scioto River since the plant started. She was with the EPA when they checked the water and the pipe in the Scioto River and the fish had radioactive material (PCB's) in them which was leaking from the plant. Scioto County has been riddled with cancer and we are the victims; the D.O.E. owed us an apology, they owe us jobs and they need to clean the plant up and we don't need a dump. She said there was also a nickel plant buried on that site of which they were going to uncover and bury it in the waste dump too. She said the 326 Building would be dismantled and they would be bringing in robots to clean out the piping in that facility. She also thanked City Council for the condolences for the loss of her husband.

Joni Fearing – P.O. Box 1917 Portsmouth, Ohio – She said "ditto" to everyone that spoke on the Piketon issue. She added that she hoped that Council passed the Resolution. She understood that they've moved a lot of the radioactive material out west to dry climates where it could be encased in a safer place where there wasn't a water table, but it was unrealistic to think that there's a radioactive waste on a plant site and expect to reindustrialize the area.

Thomas Bailey – 924 ½ Gay Street Portsmouth, Ohio – He was a U.S. retired Veteran and a 11 year cancer survivor. He will be meeting with Tracy Shearer, Sean Dunne and Bill Beaumont on the north-end project to review the requirements of the project. He would like a meeting with 2nd Ward Councilwoman Aeh to find out what her strategic game plan for the 2nd Ward for 2018 and 2019.

Dennis Carr – 327 Oak Street Waverly, Ohio – He is the plant manager at the Portsmouth Gaseous Diffusion Plant. He had spent approximately 35 years in environmental cleanup across the United States and seldom do you come upon a site like Piketon that has the opportunity for reindustrialization. He said the site would be left within the industrialized cleanup standards. He added the infrastructure at the site was magnificent and there was no other site like it in the United States. Triple redundant 49 gallons a day water treatment and pumping capacity at the site. Redundant water loops for both high pressure and sanitary water, and an individual line to the river. He said that he realized that no one would reindustrialize in the future and spend hard earned money and situate a new plant next to an existing sanitary landfill, so they stepped back and factored that into the facility by removing all buildings at the site and excavate the landfills and plumes as part of the consolidation strategy. He said at the site there was high concentration waste, high concentration nuclear material, but over 99% of the total inventory would be shipped off site. He added that what remained behind would be a low concentration, low toxicity, and low risk materials that represent the building materials of a mile and half long facility, it was the largest facility of the Department of Energy with the lowest risk. That material would be consolidated together at the location with the best available geology which will be about a mile and a half away from the industrialized area of the site. This will meet all federal regulations and standards for 1,000 years.

Elizabeth Lamerson– 505 Bogo Road Beaver, Ohio – She is a fence line neighbor to the Piketon Plant, and had a degree in Environmental Biology. She worked for the Ohio EPA for over 6 years, she also had worked at the Piketon facility for over 7 years, but now she works at another facility. She said there was a lot of mixed information regarding the bedrock fractures and when she asked in a public meeting "was the bedrock fractured under the proposed site", the answer was that there were no cracks or fractures in the bedrock below 20 feet. It was very clear in their 4,000 page data report, where it stated that the bedrock was fractured below 20 feet. She's been asked why she continues to live there and her reply has always been because she grew up there and its home.

Jack Williams – Chillicothe, Ohio – He said Portsmouth had always been home to him as he grew up in Scioto County. He currently works at the Portsmouth Plant and has been there for 15 years. He invited everyone to the Open House hosted by the U.S. Department of Energy at the Welcome Center on April 17th from 2:00 p.m. – 7:00 p.m.

Jennifer Chandler – 105 West Street Piketon, Ohio – She is a Councilwoman for Piketon, Ohio. She went over some of the numbers that had come out of the Department of Energy's documents. She felt that Southern Ohio deserved a full cleanup which means all of the buildings get torn down, all the waste shipped out of Southern Ohio and out west to an area where the ground water is 770 feet deep. The resident's would be 10's of miles away where they only get 4 inches of rain each year and would be more than 1,007 feet away.

Mark Hunter – 1551 Beechwood Heights Portsmouth, Ohio – He voiced his concerns for hiring a new City Manager and urged Council to make every effort to set a professional criteria in hiring a new City Manager and hoped they would hire an outside service to assist in the process of hiring. The City needs talent that probably does not exist in our area, we need qualifications of a Manager who has had experience operating a city of our size and one who has no preconceived issues about what has been happening in our city but would look at the facts. We need someone to bring us out of financial peril where we have been for so many years. He would like to see the public involved and not have Council do this privately, but possibly through a committee. He stressed that the

whole point of the City Manager form of government was that we needed a professional City Manager with professional education qualifications to help our city.

MISCELLANEOUS BUSINESS AND REPORTS:

City Clerk's Report – City Clerk Ratliff reported the following:

1. She received via email on April 4, 2018 from the Auditor's office, the following summary statements of the Combined MTD/YTD reports for the period ending March 31, 2018: Expense, Revenue and Fund.

The City Clerk's report was received, filed and made part of the record, on a motion by Councilwoman Aeh's. The motion carried viva voce: **VOTE: 5 ayes – 0 nays.**

Acting City Manager's Report – Manager Sutherland reported the following:

1. His written report can be found on the city's website www.portsmouthoh.org.
2. He said that they have a pre-construction meeting Wednesday about replacing the Sunrise water line project, however he was still waiting on some numbers from Auditor Williams that are needed for the final application for the last stages of funding.

The Acting City Manager's report was received, filed and made part of the record, on a motion by Councilwoman Aeh's. The motion carried viva voce: **VOTE: 5 ayes – 0 nays.**

Acting Mayor's Report – Mayor Johnson reported the following:

1. He contacted Manager Sutherland regarding paint or substance that was on Ruhlman Avenue and that was immediately cleaned up.
2. He and Clerk Ratliff attended the retirement party for WNXT's Roger Gray. He dedicated 39 years of broadcasting our kid's games on the radio. He stated that on behalf of Council he wished Roger the best.
3. He chaired the Board of Health monthly meeting and asked that if anyone had any questions to let him know.
4. He met with Larry Mullins the director of ASC and Commissioner Bryan Davis regarding the financial future of ASC and he was pleased to announce that Mr. Mullins advised him that through the joint effort of the city and county and the delay of the Ohio funding cuts, their financial future is secured through 2019.
5. He advised that he resigned his position on the Shade Tree Commission and ask if there was anyone on Council that would like to be on the committee. He said that if there were no other volunteers from Council, the City Clerk currently volunteered on this committee and he would like to change the ordinance to make it either a Councilmember or an appointee.
6. He confirmed the appointment of Zack A. Sims to the Land Reutilization. His address is: 1716 5th Street Portsmouth – 740-285-1895.
7. He reappointed Carol Caudill to the Traffic Committee.
8. He advised Council that he planned to appoint Chad Garringer from Sciotoville, Ohio to the Zoning Board and Dave Stone to the Design and Review Board.
9. He said that he's been serving on Council for 5 years and one of the largest complaints was panhandling in the City. He realized that it had been discussed in Council Chambers before, but he's getting complaints from business owners and citizens that are being harassed by panhandlers. He would like the issue to be put on the next City Manager's conference agenda so that it could be addressed. He requested that the Chief of Police and Solicitor Haas be present.

The Acting Mayor's report was received, filed and made part of the record, on a motion by Councilwoman Aeh's. The motion carried viva voce: **VOTE: 5 ayes – 0 nays.**

City Solicitor – Solicitor Haas had no report.

Auditor Williams – Auditor Williams was absence but a written report was given to Council.

1. March's General Fund Income Tax Revenue \$753,343 which was -\$67,403 less than the previous year. The total tax revenue collected was \$857,217, which was less by -\$76,947. Major Fund Balances – General Fund \$3,379,559, Streets \$363,775, Water \$96,527, Sewer -\$1,187,232, Sanitation \$396,759 and Insurance \$1,824,493.

The Auditor's report was received, filed and made part of the record, on a motion by Councilwoman Aeh's. The motion carried viva voce: **VOTE: 5 ayes – 0 nays.**

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Sean Dunne reported the following:

1. He met with a resident on Sunrise to discuss issues in their neighborhood and was also contacted about issues relating to Ritchie Street. He thanked Sam Sutherland for working on both of those.
2. He thanked Mike Winters and Scott Leeth for help with an alley in the First Ward.
3. He thanked Sam Sutherland and Scott Leeth who are looking at the light display on the river side of the flood wall.
4. He met again with volunteers working to improve Greenlawn Cemetery.

5. He recently received updated designs for a proposed dog park that he hoped to share with others.
6. He worked with others to submit two grants, one for Spartan Municipal Stadium and the other for McKinley Pool. He thanked Tracy Shearer in the Community Development Office for going to the office over a weekend to help with the grant applications.
7. He thanked the librarians of the Portsmouth Library, who have been helping with research on Spartan Municipal Stadium.
8. He continued to gather information about an AARP grant application that he thought would be very helpful for Portsmouth.
9. Thank you to Dennis Foreman of Piketon whom he met in Piketon and was given a tour of the area. He discussed the community's efforts opposing the nuclear waste dump.
10. He attended and spoke at the 41st Annual Conference of the Appalachian Studies Conference held in Cincinnati last weekend. His presentation focused upon the development of the relationship between Shawnee State University and the City of Portsmouth.
11. He thanked the students of Thomas Bunting's National Government class for attending tonight's council meeting. With the recent anniversary of Martin Luther King's death, it is important to point out the political thought of King. He would have opposed plans to make Piketon a site of nuclear weaponry, and he would have stood alongside the Piketon community in its opposition to the Department of Energy's plans.
12. He concluded by stating that it was recently reported that police in Depew, New York have placed winter under arrest for loitering. He publicly encourage our police department to open a similar investigation. (laughter)

2nd Ward – Councilwoman Aeh reported the following:

1. She had received phone calls from residents who were being disturbed by the music coming from the Columbia Music Hall. She said they apparently put a roof on the building but evidently it wasn't sound proof. The residents had called Dispatch but hadn't gotten any response, so she called and they said they had gotten more complaints and were sending an officer. The music was turned down but within 45 minutes she received another call that the music had been cranked back up, she called Dispatch again and they sent another officer. She hadn't received any further calls.

3rd Ward – Councilman Kevin E. Johnson reported the following:

1. He contacted Manager Sutherland regarding some residential complaints about stagnant water on Garfield Street. Director Duncan was contacted and the issue was cleaned up and the residents were happy.
2. He reminded everyone that the City Manager's hiring criteria had been moved to the Conference Agenda as well as the Piketon issue.
3. He thanked everyone for coming as well as the students that were in attendance.

4th Ward – Councilman Albrecht reported the following:

1. He welcomed a new business to Portsmouth and the 4th Ward, called the Grocery Store Outlet located at 11th & Lawson Street.

5th Ward – Councilman Meadows had no report due to absence.

6th Ward – Councilman Lowe reported the following:

1. He said that Ms. Jackie Craig was in attendance tonight and had brought to his attention the Munn's Run drainage issue. She explained to him that there had been nothing done to the walls that were in disrepair. It had been cleaned out but some of the walls were caving in.
2. He sent out get well wishes to Councilman Gene Meadows.
3. He wished a heavenly birthday to his little brother who died in 2004.

The meeting adjourned at approximately 7:05 p.m. on a motion by Councilwoman Aeh.

City Clerk

Acting Mayor