

**MANAGER’S CONFERENCE MINUTES**  
**Portsmouth City Council Meeting on**  
**August 27, 2018 – 6:45 p.m.**

Councilwoman Aeh motioned to add two items to the Manager’s agenda. The first one was from Auditor Williams “Accepting Amounts & Rates” and the second one for the use of the BRL fund for Mound Park.

There were no questions or comments: **VOTE: 5 Ayes – 0 Nays**

**1. Change to Codified Ordinance 549.08 Discharging Weapons CM-18-43**

Acting Manager Sutherland stated that Shawnee State University plans to implement an Archery program and they need a change to the codified ordinance basically for discharging a firearm and said Chief Ware was present to answer any questions. Acting Mayor Johnson asked why they were requesting that the three reading rule be waved, Mr. Sutherland replied that it was more in line with the fall semester which was about to begin. Councilman Lowe asked if this would change the residential law, Chief Ware explained that when they began the program they discovered there was an ordinance that prohibits projectiles and in order to not subject themselves to a law violation they inquired the Solicitor as to what the appropriate action would be to proceed. Councilwoman Aeh said that the firing range for the Police was within the city limits and that didn’t create a problem, Chief Ware stated that it was different for law enforcement. Solicitor Haas explained that this would exempt Shawnee State University for the purpose of an outdoor Archery Range and would not change the residential laws in anyway, and whatever changes were made, the Chief of Police would have to approve. Councilman Albrecht asked if there was an accident would the city be held liable and Solicitor Haas stated that the liability would be on Shawnee State University. Mr. Johnson stated he was not crazy about waiving the three reading rule.

Councilwoman Aeh motioned to accept Alternative #1

**There were no questions or comments: VOTE: 5 Ayes – 0 Nays**

**2. Resolution for Applying for OPWC Grant CM-18-44**

Acting Manager Sutherland stated that this requested the adoption of a resolution for the city to apply for an OPWC grant. The grant money was intended for the Orchard Drive/Sheridan Road drainage project.

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: **VOTE: 5 Ayes – 0 Nays**

**3. Accepting Amounts & Rates CM-18-45**

Auditor Williams said that Council adopted the tax budget for 2019 about a month ago and this was the resolution that would accept the rates that was set by the Budget Commission.

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: **VOTE: 5 Ayes – 0 Nays**

**4. Use of Building Revolving Loan Fund for CDBG project Mound Park CM-18-46**

Acting Manager Sutherland said that an ordinance was needed to be in place in order to be able to transfer the \$53,000 from the Building Revolving Loan Fund into the CDBG funds which would keep the project going. Auditor Williams stated his understanding was that it was purposed in the grant that the city would be utilizing this as well for this project.

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: **VOTE: 5 Ayes – 0 Nays**

## **Discussion items**

### **Legislation to ban grass clippings & debris from being discharged into the street and alleys.**

He had been approach by several citizens and some folks on Council about adopting legislation to ban people from blowing grass out into the street when they were mowing their grass. Councilwoman Aeh stated that at the corner of Charles and Offnere Street, the Electrical Union blows their grass out into the street. Mr. Sutherland explained that it was dangerous for motorcycle riders and it directly impacts our sewer system. That stuff ends up in the sewers and raises the costs of treating sewage and it causes clogs which was a big problem. Councilman Albrecht asked who would enforce the ordinance, Mr. Sutherland stated that it would depend on what approach the city took. He hoped that the city could inform the public and they would basically quit doing it or at least try it and tell the people to stop doing it. Councilwoman Aeh stated that if it was a law, the Police could enforce it when they are cruising the area. Acting Mayor Johnson said it was tough to legislate common sense and what's to keep people from saying that the grass blew there, Solicitor Haas said that if citations were issued, he would hear all kinds of excuses. Councilman Dunne asked how effective would a public announcement be, he's had some issues with people taking a while to cut the grass and they constantly get letters but they keep doing it because they don't care and other cities have this as an ordinance. He suggested starting with a warning letter at the beginning which could come from Code Enforcement or the Police Department. Mrs. Aeh said that people complain about their sewer bills going up, this should help them be aware not to put their grass in the street. Mr. Johnson said there were a lot of city properties that were overgrown, shouldn't the city start cleaning up their own grass issues before we mandate that others live by this ordinance. Councilman Lowe agreed that we would be setting a good example if we could get them cleaned up. (Several people were speaking at the same time). Mr. Johnson stated that the city knew this was a problem and if someone were to get hurt as a result of grass in the street and the city had done nothing to prevent it, but would support it either way. Mrs. Aeh said that enforcement was an issue because recently we did away with the 24 hour notice of parking in the front yard and yet the house on the corner of her street has a car parked in their front yard quite often and cruisers go by there all the time and nothing was done. Councilman Lowe suggested adding a note in the water bill explaining that this was expected out of the residents. Mr. Dunne said that a lot of the people simply don't care and they would need to be made to care one way or the other. Mr. Sutherland said there had been over 300 letters sent out for people to cut their grass. Mr. Lowe asked how long was it before the letters were actually sent once a complaint was received, Mr. Sutherland said that once the letter was sent they have 10 days to comply. Mr. Johnson asked Mr. Sutherland to include that in the water bill not once but twice and let's wait and see what 2019 looked like. Mr. Albrecht suggested to also send letters out to the grass cutting company's. Mr. Sutherland said that the city doesn't have the manpower to keep up with 300 lots, however a lawn service did approach Mr. Beaumont about cutting all of the lots for \$50.00 a lot, but some of the lots don't warrant \$50.00 because it only takes 15 minutes to mow, however the larger lots would make up for the smaller ones. Mr. Dunne suggested increasing the fines. Mr. Sutherland asked Council if they wanted to do legislation or try the public awareness route. Mrs. Aeh said if we start seeing in the spring people not cutting their grass, we could implement the ordinance at that point.

### **Skate Park at Madison Street**

Councilman Dunne stated that they were just currently wanting permission to use the Madison Street Park and permission to move the playground equipment to the 14<sup>th</sup> Street Community Center. Councilwoman Aeh asked if they wanted the Park given to them or would the city still be responsible for it. Mr. Dunne said that the city would still own it and the State of Ohio had what was called "Ride at your own Risk" policy so if someone was skating there and fell and broke a wrist, that person could not sue the city. Mr. Dunne stated that this would be an all concrete skate park and it would last a lot longer. Mrs. Aeh stated that the city would have nothing in this except letting them use the ground, Mr. Dunne replied that the city would still be responsible for maintaining the park and there were three trees that would need to come down. The benefit would be great for people going to this park and when applying for the grant we would like to show on the application that we have the city's support. Mr. Johnson asked if the playground equipment would come out before they applied for the money and Mr. Dunne said that currently they were not being used and every time he's gone by there were older people at the park and no children. Solicitor

Haas stated he would have to look at how other cities implement their ordinances. Council requested that if the money was raised that rules be required such as helmets, pads etc.

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: **VOTE: 5 Ayes – 0 Nays**

The meeting adjourned at 7:25 p.m. on a motion by Councilwoman Aeh.

Submitted by: *Diana Ratliff* – City Clerk