

MANAGER'S CONFERENCE MINUTES
Portsmouth City Council Meeting on
September 11, 2017 8:10 p.m.

1. ODOT Agreement Multi Use Path

CM-17-71

Manager Allen stated this was an agreement with ODOT for the multi-use path and was not the same project that SOPA was working on, this would be from Alexandria Point down Front Street behind Shawnee State University and to Offnere Street. After t3 years of trying to get the grant, we did receive \$622,725 which was a 95% to 5% match. This is the preliminary agreement stating that we want to participate. Mayor Kalb asked if it would be on the river side of the floodwall and Manager Allen replied that it would be on both sides of the floodwall between their parking lot and the levee. It will go behind their soccer field to Offnere then over Offnere to the river side which was not part of this project but there would be signs for people to run, jog and bike.

Councilman Kevin W. Johnson motioned to accept Alternative #1.

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

2. Medical Marijuana

CM-17-72

Manager Allen said the State passed substitute House Bill 523 which allowed for dispensing of medical marijuana in the State of Ohio and at that time there were no rules issued. The City of Portsmouth like many others cities were waiting on rules and regulations and thus implemented two 6 month moratoriums and the last one expired on August 22, 2017. The State issued rules and the dispensaries have been allotted which consists of one dispensary for the counties of Scioto, Jackson, Lawrence and Gallia. The State of Ohio decides which District will be given the dispensary, but the city needed to decide whether to permit in certain zoning classifications or prohibit the dispensaries and only one will be licensed within the four counties mentioned with regard to our District. There were regulations from the State that prohibit the dispensary from within 500 feet of churches and schools. Solicitor Haas was commenting but could not be heard clearly. Ms. Shuman said the decision of where this will be located will be within the next 30 days and this could possibly generate around 300 jobs. She commented on other things but could not be heard.

Councilman Kevin W. Johnson motioned to accept Alternative #2 to permit within a certain zoning classification.

Councilman Kevin W. Johnson said that this simply communicates to the States that Portsmouth would allow it, but we were one of many counties that could possibly get this but that doesn't mean we're going to get it. Ms. Shuman told Solicitor Haas she has copies of legislation that she would share. The State will decide based rules and regulations, patient populations, existing compliant resources with the State Board of Pharmacy and accessibility to major Ohio roadways.

Councilman Meadows stated a point to remember was that it was still a federal crime and if you cross the bridge to Kentucky you've violated a federal law. The Supreme Court of Ohio issued a mandate to attorneys stating that they're not supposed to have anything to do with it and would be subject to disciplinary actions if they help set them up, if they have ownership or anything like that because it was a violation of the Federal Law. He used the example of soboxine which was supposed to be controlled and only given to people that needed it and now for \$300 you can get whatever you want and two people start injecting it and a 7 year autistic boy gets malnourished to death because they're whacked out on soboxine and warned to be careful where we go with the issue. He's not in favor of it because the citizens voted it down a couple of years ago and the Governor side stepped that, and if the citizens wanted it they could vote it in then the federal legislature and law could be changed, that's

how the system worked. He agreed that there were people that it helped, but too often it was known as a gateway drug and too many abuse it and were headed to prison.

Councilman Kevin E. Johnson stated that he supported it and the key being “medical” and he believed what Mr. Meadows spoke of was a monopoly. He believed this was a no brainer because if you could alleviate pain, sickness, and promote healing why would we vote against it. He said that it needed to be watch dogged.

Councilman Lowe said that he agreed with Mr. Johnson, but he was looking at it from a revenue stand point and something this city could use, it would be like a cash cow for us but understood Mr. Meadow’s concerns about it being a gateway drug. He’s not ashamed to say it “he’s smoked it and smoked it half his life and it hadn’t hurt him as a matter of fact, he’s found a lot of medicinal purpose in it.” He went on to say he was pro-marijuana and believed that it needed removed from the Federal Government’s schedule one list and until that happened there was always going to be conflicts like Mr. Meadows referenced. He sees it as a boom for this city and could help us down the road especially the revenue generated. He asked Council how they could deny something that would help a little child or your grandchild or whomever, and knows of no one that would deny a child if it would help.

Manager Allen said the only money that would be generated would be income tax and if there’s sales tax that would go to the County. Ms. Shuman was commenting about how the city could benefit but could not be heard. Manager Allen said Colorado has an excise tax that municipalities keep but Ohio doesn’t have that option.

There were no further questions or comments: **VOTE: 5 Ayes – 1 Nays (G. Meadows)**

3. Munn’s Run Cleaning

CM-17-73

Manager Allen said that they had petitioned the local National Guard unit to help us as a training exercise but couldn’t get them to commit. He said that he received a quote from the company that removed the trees from the riverbank and he would like to appropriate \$32,000 to have Southern Ohio Wood Grinding get in there with chainsaws and remove the trees from the creek which will be labor intensive and after it is cleaned the walls will be evaluated. He said that on social media people were asking why it cost so much and it’s because they can’t get the equipment in the creek. He believed 1997 was the last time it was cleaned which was 20 years ago. Mayor Kalb asked if there was anything we could do to prevent the growth from coming back, Manager Allen replied that he would have to look into putting something in there to retard the growth.

Councilman Kevin E. Johnson asked if there was anyway the National Guard could do this without us spending all that money. Manager Allen said it would’ve been next year and they didn’t really want to clean the creek, they wanted to tear houses down. He said they’ve all left to help with disaster relief in Florida from Hurricane Irma.

Councilman Lowe motioned to accept Alternative #1.

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

4. Portsmouth Economic Development – Manager Allen withdrew CM-17-74

The meeting adjourned at 8:35 p.m. on a motion by Councilman Kevin W. Johnson

Ms. Shuman gave me her cell number as: 310-779-4797 in case anyone has questions.

Submitted by: Diana Ratliff – City Clerk