

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

Monday November 27, 2017

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday November 27, 2017 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Mayor James D. Kalb 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:

Kevin W. Johnson	1 st Ward
Jo Ann Aeh	2 nd Ward
Kevin E. Johnson	3 rd Ward
Jim Kalb	4 th Ward
Gene Meadows	5 th Ward
Thomas K. Lowe	6 th Ward

Also present was City Manager Derek K. Allen, Solicitor John Haas, Auditor M. Trent Williams and City Clerk Diana Ratliff.

Council dispensed with the reading of the Journal for the regular session of November 13, 2017, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: ayes 6 – nay 0.**

Councilman Kevin W. Johnson motioned to add on the agenda items **7(i)** an Ordinance amending Section 169.10 of the Codified Ordinances of the City of Portsmouth, Ohio – Health Insurance Premiums. Item **7(j)** an Ordinance authorizing a ten percent (10%) raise for non-union employees for the period beginning January 1, 2017 through December 31, 2017 with retroactive pay. Item **7(k)** to amend the Salary Ordinance as amended by Ordinance No. 20 of 2015 to create the position of assistant to the city manager and reflecting wage and longevity increases for non-union employees and wages increases for our Unions. The motion carried viva voce: **VOTE: ayes 6–nays 0.**

Items
added to
the agenda

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.

LEGISLATION

The clerk gave a **third reading**, to an Ordinance authorizing the establishment of the Portsmouth Community Improvement Corporation (the “PCIC”) and the designation of the PCIC as the Agency of the City of Portsmouth for Economic Development Purposes, Appointing Board Members of the PCIC and Authorizing the Execution of an Agreement with the PCIC as Such Agency under Section 1724.10 of the Revised Code of Ohio.

Councilman Kevin E. Johnson motioned that this Ordinance be passed.

Mayor Kalb ask Manager Allen who would be handling this since the Economic Development Director ordinance was tabled. Manager Allen stated that he had no idea. Mayor Kalb said that there were some ongoing items that needed to be kept up to date. He asked Manager Allen if he had had training on Economic Development and Manager Allen responded that he did not know how to transfer land through a CIC. Mayor Kalb responded that that job would belong to the Solicitor and stated that he felt between the Manager and Solicitor these items could be handled and Manager Allen responded that he would do his best to make sure this project does not fail.

Ord. #64-2017
Establishment
of Portsmouth
Community
Improvement
Corporation
PCIC

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **third reading**, to an Ordinance authorizing the transfer of 807 Washington Street, parcel 29-0388.000 for the purpose of redevelopment to the Portsmouth Community Improvement Corporation.

Councilman Kevin E. Johnson motioned that this Ordinance be passed.

Mayor Kalb stated that money had been appropriated for demolition and there was an additional amount appropriated, he asked if the additional monies were still needed. Manager Allen stated that the additional money

Ord. #65-2017
Transfer of 807
Washington
Street Parcel
29-0388.000 to
PCIC

was not needed as Mr. Whitaker had emailed him and stated that he would honor the bid that he had submitted to SOPA. Mr. Allen believed that they were beginning the asbestos remediation.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **second reading**, to an Ordinance authorizing the City Auditor to amend appropriations to reflect actual revenues and expenditures in order to balance and close the City's books for the fiscal year 2017.

Councilman Kevin E. Johnson motioned that this constitute a second reading.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a second reading was declared.**

The clerk gave a **first reading**, to an Ordinance approving and ratifying the recently negotiated collective bargaining agreement between the City of Portsmouth and Fraternal Order of Police/Ohio Labor Council Dispatchers Unit for the period beginning January 1, 2017 through December 31, 2019.

Councilman Kevin E. Johnson motioned that this constitute a first reading.

Mayor Kalb asked if the Dispatchers were still under the Fire Table of Organization. Manager Allen stated that they were counted as the 44 on the fire side but they are under the Police Department because of L.E.A.D.S. they were required to have a law enforcement officer over them and it cannot be the Fire Department. Mayor Kalb ask if we had enough time and Manager Allen said it can go one more reading to be within the 30 days.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

The clerk gave a **first reading**, to an Ordinance amending Section 169. – Life Insurance of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilman Kevin E. Johnson motioned that this constitute a first reading.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

The clerk gave a **first reading**, to an Ordinance authorizing the transfer of \$3,470.20 from Unclaimed Monies Fund No. 803 to General Fund No. 101 accumulated for year 2013.

Councilman Kevin E. Johnson motioned that this constitute a first reading.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

The clerk gave a **first reading**, to an Ordinance authorizing the establishment of Fund No. 258 Rural Health Opioid Program and further authorizing the acceptance and appropriation of funds as received within this new fund.

Councilman Kevin E. Johnson motioned that this constitute a first reading.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

The clerk gave a **first reading**, to a Resolution authorizing the City Manager of the City of Portsmouth, Ohio, to accept a deed conveying Parcel Nos. 34-1543 and 29-0233 to the City of Portsmouth.

**Res. #19-2017
Accepting
Parcels 34-1543
and 29-0233**

Councilman Kevin W. Johnson asked where these were located and Manager Allen stated that one was up on the hillside of Mabert Road and that it was an empty lot and the other was also an empty lot on Ruhlman west of State Route #23 behind AEP's Power station. Manager Allen asked if the parcel numbers needed to have .000 after them and Solicitor Haas responded that it was not required and the numbers came off of the pleadings in Probate Court. Manager Allen stated that these will be ran through the Land Reutilization Program and hopefully generate some income.

Councilman Kevin E. Johnson motioned that this Resolution be adopted.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, the Resolution was adopted.**

The clerk gave a **first reading**, to an Ordinance amending Section 169.10 of the Codified Ordinances of the City of Portsmouth, Ohio – Health Insurance Premiums.

Councilman Kevin E. Johnson motioned that this constitute a first reading.

Councilman Kevin W. Johnson stated that he understood that the cash payment had been increased from \$3,000 to \$6,000 to encourage employees to take a cash payment instead of insurance. It also mentioned the “Mayor” in the ordinance in Section V, should that be Mayor or City Manager. Solicitor Haas said he wasn’t sure and this may not have been the latest version and he will strike it and Councilwoman Aeh stated that it could be considered a typo. Manager Allen said that Council would need to decide whether to increase the waiver of insurance from \$3,000 to \$6,000. Councilman Kevin W. Johnson stated that Manager Allen had done an analysis of how it would benefit the city should more employees choose not to carry the insurance. Manager Allen explained that the single insurance was \$8,000 and family is \$25,000 so either one will reduce the cost. He said what needed to be addressed were employees on the city’s plan where the Husband and Wife/Father and Son were both city employees and one carried the insurance and the other was receiving the \$3,000. He said the intent was “don’t be on our insurance and you get money”. He said that it needed to be addressed that if an employee was on the city’s insurance in any fashion, they would not be eligible for the waiver. Mr. Johnson said that Mr. Allen would need to draft an Ordinance in order to control that particular loophole so that employees cannot double dip. Mayor Kalb stated that he thought that particular situation had been addressed years ago that if you were on the city’s insurance, you couldn’t receive the waiver. Auditor Williams said he remembered discussion in years past. Manager Allen stated that the proposed ordinance now stated that you cannot be on our plan and receive the waiver. Auditor Williams stated that in the past there had always been a January through December calendar year plan which was intentional so that people wouldn’t be hopping on and off the plan and expecting to get partial payment.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

The clerk gave a **first reading**, to an Ordinance authorizing a ten percent (10%) raise for non-union employees for the period beginning January 1, 2017 through December 31, 2017 with retroactive pay to be paid to the non-union employees by December 15, 2017 future raises to be given to non-union employees each year based upon the largest rate given to any city union, and further, increasing longevity pay to non-union employees to that received by AFSCME Local 1039.

Councilman Meadows motioned to suspend the three reading rule.

The role was called. VOTE: 5 ayes – 1 nays (J. Kalb), the rule was suspended.

Auditor Williams stated that he did not know of any other ordinance that had ever given him a deadline on how quick he does his work and ask that it be stricken from the ordinance. He understood the intent and thought that he could get that done this year and he wasn’t sure why a deadline of the 15th was given. He stated that he understood that Councilman Meadows made that request and he questioned why and Councilman Meadows said that it just came out. Auditor Williams said “that’s not going to happen, just to let you know, it’s just not going to happen.” Councilman Meadows ask if it would be by the end of the year and Mr. Williams said he would hope and told him he would do everything that he could to make it happen. Mr. Meadows ask what would happen if it wasn’t paid by the end of the year. Mr. Williams said he didn’t know yet but he would try to find out, but it was the pension that was the hold up. Mr. Williams said that he might have to bring someone in on a temporary basis, if it was an issue to get it done by the end of the year.

Councilman Kevin W. Johnson motioned to amend the ordinance to reflect the retroactive pay to be paid to the non-union employees by December 31, 2017.

Auditor Williams said that he still had issues with that because he couldn’t predict the future but he would do everything he could to make it happen. Councilman Kevin E. Johnson said he didn’t mind if Auditor Williams brought someone in on a temporary basis but Council had seen everyone else get raises and this was non-union employees who haven’t had a raise in a long time. He would like it to remain December 15th because if he understood it correctly the retro portion could be paid to the employees prior to the Holidays and he would like to see that done by December 15th. Auditor Williams said “if you’re saying for Christmas it’s not going to

happen I'm telling you that the 15th is not going to be paid and Christmas is the 25th and the next payroll wouldn't be until after Christmas. Mr. Johnson said "if we pass it tonight let's get started on it tomorrow." Mr. Williams said that they were already working on it but that wasn't the issue; Mr. Johnson said let's bring someone in tomorrow and get these folks their raises. Mayor Kalb ask how pension played in on it, Mr. Williams stated that they've never had to deal with this in the past and he wasn't real sure about every little detail. He added that there were other things that had to be dealt with which were the three payrolls in December and that made it tough, as well as year ending procedures, budgetary ending procedures for this year and working on next year's budget already. He also had the Dispatcher's contract and he wasn't sure what other contracts that may be passed this year and it would also be retro to January 1, 2017. Manager Allen stated that the Firefighters contract would be next and Mr. Williams said that one he could almost guarantee would not happen if it's not passed. He said that he would do everything he could to get it done. Councilwoman Aeh ask what would happen if it wasn't passed and if we could legally make it a 2017 retro payment in 2018. Mr. Williams said that was a good question and they would do their best. Mayor Kalb stated that was the only reason he voted against suspending the rules and Councilman Kevin W. Johnson stated that one way or the other all Union contracts will be passed at the next meeting because of the 30 day time restraint. Councilman Meadows reminded everyone that it's been since 2009 since these employees have gotten a raise, they have waited patiently and if we do it now these employees should be rewarded for their patience.

The role was called. VOTE: 4 ayes – 2 nays (G. Meadows, K. E. Johnson), the Ordinance was amended to strike 12-15-17 to 12-31-17.

**Ord. #66-2017
 Non-Union
 Employee 10%
 raise**

Councilman Kevin W. Johnson motioned that the Ordinance be passed. **VOTE: 6 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **first reading**, to an Ordinance to amend the Salary Ordinance as amended by Ordinance No. 20 of 2015 to create the position of assistant to the city manager with an associated salary range of \$23,251 - \$38,829 per annum, to reflect wage and longevity increases for non-union employees, to reflect wages increases for FOP Lodge 33, FOP/Ohio Labor Council Dispatchers Unit, AFSCME 1039C and AFSCME 1039 as a result of recent negotiated contracts to be effective January 1, 2017 and to repeal Ordinance No. 20 of 2015.

Councilman Kevin E. Johnson motioned that this constitute a first reading.

Auditor Williams questioned Ordinance #20 of 2015, he believed that a more recent Salary Ordinance was done in 2016 and referred to the copies he had given to Mayor Kalb. Councilman Kevin W. Johnson addressed Solicitor Haas and requested that he research what the last salary ordinance was dated and advise Council which Ordinance they should be repealing. (*Solicitor Haas was speaking but his microphone was off*). Manager Allen stated that the new Assistant to the City Manager (Scott Leeth) will not be receiving a raise as that would not be fair for someone to have just gotten hired to get a raise. Mayor Kalb ask about the Executive Department section and the fact that the new Assistant to the City Manager isn't listed and should be listed under that department.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Sam McKibbon – 2907 Cypress Street Portsmouth, OH – He thanked everyone for the signs on Coles Boulevard. The neighbors of Coles Boulevard were appreciative and the signs seem to be working in slowing people down.

Billy Spencer – Mayor of Piketon – Thanked Council for their time and spoke about the conflict that the Village of Piketon had with the Department of Energy and them wanting to build an onsite waste disposal cell which will be stored in the ground. The Village of Piketon opposes that issue and have since 2014 as the Department of Energy has consistently made false statements to the public and the Village of Piketon exposed many of those false statements. The Department of Energy finally had to admit that they had put out false information to the public concerning the onsite waste disposal cell. The Village of Piketon had asked the Ohio EPA to open up the decision so that an honest discussion could be held. In 2016 an independent party to do a third party assessment (Carl Calbacher of Washington D.C.) was hired to look over the information that's out there and if there's anything there, they will do what they have to do and if there isn't then they will be done. Mr. Calbacher found that the bedrock was deeply fractured underneath the cell and in public meetings back to 2014 the Department of Energy claimed that there no fractures in the bedrock, however they buried this fact in a 4,000 page report. This also violated another federal and state regulation with regard to the Toxic Substance Control Act which stated that the bottom of the cell had to be at least 50 feet from the high water mark and there were places within 20-21 feet of the high water mark. The D.O.E. had been trying to change the definition of high water mark which

was their new argument. Mr. Spencer said that it's been like "David vs. Goliath"; he had a letter of what they were asking for and population wise Portsmouth was the largest city in the area and that they had been joined by Waverly, Scioto Township, Pike County Health Department and every elected County Official except the County Commissioners in Pike and Scioto, Ross and Jackson County. He recalled a very public battle with a Scioto County Commissioner, where the Commissioner had verbally attacked Mr. Spencer and Jennifer Chandler who was on Village Council but what they ask for was for the City of Portsmouth to pass a resolution in support of the Village of Piketon and it would add some weight to their fight.

Vina Colley – 740-357-8916 – She gave her credentials and said that she wondered about the \$300,000 that was going to the brownfield sites and would like to find out who to speak with, the EPA, the City Manager or who was going to be over that money. The citizens group that found jobs for the community had broken up and she still would like to see some of that money go up on Charles Street where they believe that Piketon and Paducah had dumped some of their waste. She reiterated what Mayor Spencer had spoken about.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She received an Oath of Office for the following:
Special Deputy Clerk Sgt. Conrad Nagel
2. She prepared a Proclamation for the Revolutionary Soldiers Memorial rededication day.
3. She received on November 15, 2017 from the Ohio Division of Liquor Control a request for a new license for Family Dollar Stores of Ohio Inc. dba Family Dollar at 1430 11th Street Portsmouth, OH. There were no objections.
4. She had an appointment with Dave Lucas Communications for the Live Streaming Council meetings last Tuesday however he cancelled the appointment but was able to communicate via telephone. Mr. Lucas currently handles Lawrence County's services and they have 2,000 followers. The cost is \$500 per month with a contract for one year and it would be for City Council meetings only. He would set up and monitor the facebook page for the city. There are a set of rules in place so that there's no bullying, foul language etc. He would have the power to block or delete anyone who post something not within the rules. He would need a WIFI connection and we could also be able to link the city's website to the facebook page and it would not take up a lot of space on the city's server as we just increased the server to accommodate the audio from the Council meetings. A YouTube link of his services was emailed. She also spoke with Bob Cooper from S.O.S and he was supposed to get us some figures for live streaming the meetings.
5. She proposed moving the December 25, 2017 meeting to December 18, 2017 due to the Holiday.

The City Clerk's report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

City Manager's Report – City Manager Allen reported the following:

1. His report can be found on the city's website: www.portsmouthoh.org
2. He noted that he had forwarded his report from the annual ICMA conference.
3. He was not reappointed to the Southern Ohio Port Authority.
4. He forwarded the letter to Scioto County Commissioners which stated that the City of Portsmouth was terminating their financial support to the Southern Ohio Port Authority.
5. He said the Munns Run cleaning was coming to a conclusion, and that there were some trees left on a piece of property that they have not been able to access.
6. Strand continues to work on Sheridan Road and Orchard Drive to figure out the drainage issues.
7. He noted that he had forwarded in the packet a report of where the City of Portsmouth was financially with the minimum fund balances. He said that we were in good shape; we haven't met all of our goals but we were close. The sewer fund was still in a deficit and the City had not received payment for the last three months from the County for three areas and those bills total over \$100,000 and it was contributing to the deficit.
8. He said the 2018 budget was submitted to Council by November 15th as required by Charter.
9. He said advertisements were placed in both local newspapers and on facebook and he had thirteen resumes submitted, interviewed the top three and offered the position to Scott Leeth who had been working since November 1st.
10. They reached an agreement with the Dispatchers and the agreement was ratified.
11. There were two employees that had resigned in good standing and within less than a year they decided to come back. Civil Service met today and reinstated both of those employees. One was a Police Department employee and the other was a Water Department employee.
12. He said they had promotions in the Police Department. Jason Hedrick was promoted to Captain and Josh Justice promoted to Lieutenant and Conrad Nagel was promoted to Sergeant.
13. They've had several new Police Officers sworn in and they were going through the training and were one officer away from being at full staff.
14. Leaf pickup is ongoing and the trucks have been prepared for winter.
15. The Pershing Avenue road improvements has been bid and are currently being reviewed. There will also be a public meeting sometime mid-December at Scioto East Schools to go over with the residents what they can expect.

16. Friend of Greenlawn Cemetery put on a Lamplight Tour and they will be holding a Christmas event and the city is coordinating with them to install four security lights in the cemetery.
17. The 25mph speed limit signs have been installed on Coles Boulevard and there will also be additional warning signs installed around the curve.

Councilman Kevin E. Johnson questioned the \$100,000 from the County and what areas it covered. Manager Allen stated that it was for the sewers in Rigrish Addition, Rosemount Addition and Eden Park and this was for a 3 month period. Mr. Johnson asked Manager Allen what would happen if he went three months without paying and Manager Allen replied that it would be shut off. Mr. Johnson asked if the County had given a reason why they were not paying. Solicitor Haas stated that they had complained about the rate increase. He said that currently there were three contracts one for Eden Park, one for Rigrish Addition, and one for Rosemount and the Rosemount contract had expired. He said that the contracts were some of the worst written contracts because they were decades long and they restrict the city. He gave his reason for what was wrong with them as: “if there’s a rate increase in the city, we have to prove to Rigrish, Rosemount or Eden Park why the rate increase was necessary and what benefits they get out of it.” He said that none of these entities paid to build the sewer plant, or infrastructure but they were capped at the same rate as the city. The contract stated that if they don’t agree with the rate increase, they can pay their money into escrow but they’re just not paying it. They’re not paying the increase into escrow, they’re not paying anything and haven’t paid anything since July or August. He said that he would go over it more in his report on whether the city wanted to file a lawsuit. He was inclined to think the following:

- a. The two contracts which haven’t expired could be voided.
- b. Negotiate new agreements.
- c. Discuss issues with respect to where these properties are located and if maybe these properties should be a part of Portsmouth.
- d. Allow the city to raise their rates above what the city pays because the citizens of Portsmouth paid for the treatment facility to be built, and they pay to maintain the facility. The residents that were located in the areas listed didn’t pay for any of that.

He added that in other localities a lot of the contracts have different terms that allow people outside the city limits to be charged 150% of what the residents of the city were charged. He stated that they were welcomed to build their own treatment facility if that’s what they want to do. He may come back to Council with some Executive Session type things to discuss such as whether we want to file suit over the issue. Councilman Kevin E. Johnson ask if the two contracts still in effect were binding contracts and Solicitor Haas replied that he would argue “no” because they have been breached. Councilman Kevin E. Johnson ask to have this on the record “What he is being told tonight is they (County) are not paying anything and disputing the increase and not even paying what the fees were before the increase”. Solicitor Haas replied that was correct the County bills their customers and then submits payment to the city, but he wasn’t sure if they had billed their customers and just sitting on the money that they’ve collected.

The City Manager’s report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

Mayor’s Report – Mayor Kalb reported the following:

1. He attended and read the Proclamation for the Daughters of the American Revolution for the rededication of the memorial in Tracy Park.
2. He announced per Council rules that he reappointed Will Burke to another term on the Shade Tree Commission and also reappointed Ann Sydnor to the City Planning Commission.
3. He ask Councilmembers if the 18th was alright for the second meeting of December and the response was “yes”.
4. He said that the Grandview widening project wasn’t addressed this year but he would like the appropriated monies to be carried over to 2018. Manager Allen said that he and Mayor Kalb have an appointment to meet with the Engineers to come up with an acceptable answer to some of the issues.

The Mayor’s report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

City Solicitor – Solicitor Haas reported the following:

1. He referred to the Salary Ordinance and said it was a work in progress as there would be another change should the firefighter’s contract be adopted.
2. He said when it was determined that SOPA would only be a bonding agency and would no longer be involved in Economic Development in the County, he discussed with the then acting Chairman of SOPA about transferring city owned property back to the City. He reviewed what had taken place. The City of Portsmouth had transferred property over to SOPA to hold and was banking land to do some development projects. The purpose of that was that SOPA was holding them for the city, and once the determination was made that it wasn’t going to be an Economic Development entity any longer, the need for them to hold city property evaporated. There was a vote at a SOPA board meeting that he had attended, that authorized the transfer of all the city owned property back to the city. It was his understanding that there had been another meeting with a new SOPA Board that had rescinded that vote and decided that they were not going to transfer back the property to the city. This will be another item that would need to be discussed in Executive Session. He would also like Council to consider asking for their money back

**Reappointed
 Will Burke -
 Shade Tree and
 Ann Sydnor
 City Planning**

because they're not doing what we contracted them to do since the County decided mid-way through the year that they weren't going to do Economic Development any longer.

Mayor Kalb asked for these meetings to be sooner rather than later because they're holding our money and we're not able to use it. Solicitor Haas stated that he had made some calls but none of the calls had been returned but he was hopeful to have these resolved.

The Solicitor's report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

Auditor Williams – Auditor Williams had no report.

1. He stated that he had a couple of items to be added to the City Managers agenda.

The Auditor's report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Kevin W. Johnson reported the following:

1. He said that Mr. Wallace had called again about the alley that had been blocked. Manager Allen said it was on the list.
2. He thanked the Mayor of Piketon for attending. He said that since Ms. Colley had been coming to the meeting, he had been collecting items on the Piketon project. He had copies beginning in 2013 of the recommendation of Portsmouth EM (Environmental Management) specifically the advisory board recommended moving forward and then two years later they recommended Portsmouth EM withdrew their support for lack of commitment required by the community to complete the project in a manner that would foster future development. The community expected the regulatory deficiencies to be address before any waste placement occurs. He has everything from letters to media reports, to the independent contractor's report that was sent via email which he had read through all of it and was concerned. He added that there was a claim about a lining that would last for 1,000 years and he couldn't imagine something that we as humans create that would last 1,000 years. He gave the example of the \$31.5 million dollar project at Lake White because they had to build a new dam in 2004 and it had leaked ever since and they still can't use the lake. He said in the report they spoke of Economic Development in the area that they're cleaning up and he hasn't found any documentation of where Economic Development occurred around a nuclear waste dump. He said it was also documented that they would be shipping out 99.7% of all the nuclear waste and the dump represents .3% left behind and he questioned why they weren't shipping off the .3% as well. He was looking forward to meeting with Jason Lovins.
3. He advised that he could not attend the December 11th meeting because his best friend in California didn't survive his last surgery and he would be attending his mass and celebration of life on December 9th. He said this would be his last trip to California as it was nice living there but Portsmouth is his home. He ask Council to put off the Resolution for the Village of Piketon until he returned for the December 18th meeting because he would love to participate.
4. He confirmed that he would be attending the D.O.E. visitation on Wednesday November 29th.

2nd Ward – Councilwoman Aeh reported the following:

1. She asked Auditor Williams if he would provide her an abbreviated budget that she could look at and understand. Auditor Williams said that he made abbreviated copies and would also make her a copy. Mayor Kalb said that he would like one too.
2. She confirmed that she would be attending the D.O.E. visitation on Wednesday November 29th

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

1. He participated in the Jaycees Christmas Parade, he thanked all the folks that came out, everyone enjoyed themselves and had a good time.
2. He wasn't sure about the D.O.E. visitation and ask if he could give Mayor Kalb his answer at a later date and Mayor Kalb said that it would be best to directly contact Mr. Lovins.
3. He reiterated to Auditor Williams that if there's anything that we could do on the raises for this year, there would be a whole lot of happy people. Auditor Williams said "do it in July", but that they would go as fast as they could.
4. He requested that the new assistant to the City Manager be introduced at a City Council meeting.

4th Ward – Councilman Kalb reported the following:

1. He thanked everyone involved not only in the 4th Ward but city wide for the cleanup in the alleys, it was great for a week or two and hated to report it but it was right back in the same shape as it was before the cleanup. He said perhaps next year we could look at making the property owners more responsible.
2. He planned on attending the D.O.E. visitation on Wednesday November 29th.

5th Ward – Councilman Meadows reported the following:

1. He said that he would be at the meeting with the D.O.E. as long as he gets out of court in time.

- 2. He was shocked to hear in the Solicitor’s report that he now believed that we need to get some of our fees back from SOPA. Mr. Meadows had been saying we should ask for our money back since it happened.
- 3. He attended the Community Watch meeting with Jo Ann Aeh, Jim Kalb, Kevin E. Johnson, along with the City Manager and Chief Ware. He thought that it went very well and hoped that it was successful to be a model for other parts of the city.

6th Ward – Councilman Lowe reported the following:

- 1. He thanked Cooper’s Shake Shop and Grill for locating their business in Sciotoville as it was direly needed. It is located a block away from Allard Park.

Councilman Gene Meadows moved to go into Executive Session to continue the discussion of Personnel matters that were started at the last meeting concerning possible discipline of a city employee.

**Executive
Session**

The role was called and the motion carried: **VOTE: 5 ayes – 1 nays (K. W. Johnson), Council recessed into Executive Session at 7:20 p.m.**

Councilman Kevin E. Johnson moved that Council reconvene from Executive Session.

The roll was called and the motion carried. **VOTE: ayes 6 – nays 0, Council reconvened with all still in attendance at 8:04 p.m.**

The meeting adjourned at approximately 8:05 p.m. on a motion by Councilman Kevin E. Johnson.

City Clerk

Mayor