

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

Monday April 10, 2017

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday April 10, 2017 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Mayor Jim 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 (Absent)
Thomas K. Lowe	6 th Ward

Also present was City Manager Derek Allen, Solicitor John Haas, and City Clerk Diana Ratliff.

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

Council dispensed with the reading of the Journal for the regular session of March 27, 2017 on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: ayes 5 – nays 0.**

There was no public hearing.

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

There was no legislation.

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Thomas Bailey – 924 ½ Gay Street Portsmouth, Ohio – He spoke regarding the North End Project with a focus on Bannon Park. He said Phase I would be the basketball court and Phase II would be McKinley Swimming Pool specifically the locker room and the swimming pool area. He would introduce this project to be put on the agenda and then a Councilmember could do an updated game plan as far as funding and to get people involved in the project. He said there wasn't much time to get it done because the North End Reunion was on June 29th through July 2nd of 2017.

Chad Ruggles – 830 Eunice Avenue – Sciotoville, Ohio – He ask if any member of Council had spoken with a representative from the State of Ohio regarding medical marijuana dispensaries in the area. He wanted to know how a private citizen such as himself would go about getting a license to operate a dispensary.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She prepared and mailed the Proclamation for Autism Awareness Month.
2. She received an email from Andy Gedeon stating that he had received bids for the following properties:
 - a. \$500 bid from Dick Spencer for the vacant lot located at 1127 10th Street. If accepted, he plans to expand his existing rental property and maintain the vacant property.
 - b. \$250 bid from Dick Spencer for the vacant lot located at 1319 Center Street. If accepted, he plans to expand his existing property and maintain the vacant property and use the parcel for green space.
 - c. \$500 bid from Howard Minton for the vacant lot located at 2911 Gallia Street. If accepted, he intends to build a garage.
3. She received from the Ohio Division of Liquor Control a request for a transfer of ownership for Shree Gopinath, LLC dba Oasis Convenient Mart at 2350 17th Street Portsmouth, OH. There were no objections.

4. She received via email on March 31, 2017 from the Auditor's office, the following summary statements of the Combined MTD/YTD reports for the period ending March 31, 2017: Expense, Revenue and Fund.
5. She received a request from Wendi Waugh of SOMC regarding the biking infrastructure development. She was looking for a member of Council to fill a spot on this ride, they will provide the bike and helmet.

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: 5 ayes – 0 nays.**

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

1. The Manager's written report can be found on the City's website.
2. He brought to Council's attention that ODOT had taken over the inspection of the City's bridges and he was contacted by Fishbeck, Thomas, Carr and Huber, Inc. that they have a three year contract and would be inspecting the bridges in our area. The nine bridges will be inspected by mid-June of 2017.
3. He said that recently they had received preliminary rules from the State on medical marijuana establishments. He added that he would be bringing the item forward on the conference agenda in the near future to discuss if City Council wanted to allow establishments in town. If so, the City would need rules and regulations implemented because there was nothing in the zoning code that could be reference and he wasn't sure of what was required.
4. He said he had met with Mr. Bailey on a couple of occasions about his efforts to make improvements at Bannon Park. He said if there were some things that could be done to the basketball court that wouldn't be a lot of money then the city would be more than willing to help but his understanding was that there would be private fundraising because there was no money in the city's budget allocated for the improvements at Bannon Park and McKinley Pool. He said if there were repairs that need to be made to the pool then the City would make them. He gave Mr. Bailey a letter of support for his efforts to raise funds for the project.

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: 5 ayes – 0 nays.**

Mayor's Report – Mayor Kalb had no report.

City Solicitor – Solicitor Haas reported the following:

1. He attended the Charter Review Committee meeting.
2. He commented about the medical marijuana issue and said there was a stay issued until September and it would take every bit of that time to write the rules and do zoning changes, if Council decided to move forward and permit it. He believed that it would be a complicated process because it was all new.

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: 5 ayes – 0 nays.**

Auditor Williams – Auditor Williams was absent but had presented Council with a written report. March's General Fund - \$821,747 which was -\$3,492 less than last year in the same month which was \$312,671. The new tax revenue collected was \$-0-. Total collection included in both General and Capital was \$934,165 which was -\$8,072 less than last year and the accumulated total compared to last year was \$304,401.
 Major Fund Balances – General Fund \$2,234,039, Streets \$245,140, Water \$271,625, Sewer -\$1,572,617, Sanitation \$317,153 and Insurance \$1,485,744.

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: 5 ayes – 0 nays.**

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

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

1. He said that we changed our City Charter that eliminated the title "Auditor" from Mr. William's office title and he should be referred to as Treasurer because "Auditor" was removed from the charter. Mayor Kalb said the reports should be updated to reflect Treasurer.
2. He asked Solicitor Haas if the Charter Review Committee had elected a secretary and Mr. Haas said "no" they had not and that he had taken the minutes. Solicitor Haas said he had done the initial meeting and the second meeting because they had not elected one. He asked again if anyone else wanted to do the minutes and no one stepped forward. He added that they were averse to recording it and someone doing minutes from a recording but no one on the committee had agreed to take the minutes. Mr. Johnson said they've had the same issue with the Design

and Review Board and he said that just doesn't cut it. When people participate in these committees, as committee members, it was their responsibility to do the minutes and they shouldn't expect the city to have someone take the minutes. He said that Council was requesting high-level minutes and not asking for anything more.

3. He ask the City Manager when McKinley pool would be open. Manager Allen said that everywhere he's ever worked the pool opened on Memorial Day weekend but that hadn't happened here and it was because we found it hard to get lifeguards. He will try to find out the date they plan on opening.
4. He acknowledged Mr. Bailey and thanked him for coming.

2nd Ward – Councilwoman Aeh had no report.

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

1. He asked Andy Gedeon of the Health Department to relay the message he had for the City Manager. Mr. Gedeon asked Manager Allen to have Mr. Beaumont to get in touch with him at the Health Department as soon as possible because there were certain repairs that need to be made concerning McKinley Pool.

4th Ward – Councilman Kalb had no report.

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

6th Ward – Councilman Lowe reported the following:

1. He said the Rose Street Park in Sciotoville needed a new sign because the Dr. Hartlage sign was all rusted and couldn't be read and they've requested a new sign. They've also requested a dusk to dawn light because there was only one light at night and it's very hard to see. He said they also want some gravel put down.
2. He said there were drainage issues on Bonser, Kiff and Dunlap. Manager Allen said he needed to talk to him regarding Dunlap but thought Kiff Street had been addressed. Mr. Lowe said they were waiting on a pump or motor and Manager Allen said there wasn't anything wrong with the pump. Mr. Lowe said there was an overflow problem somewhere because it was running into a lady's house and coming up through the toilet and bathtub. He said there was the same problem in the 600 block of Bonser behind the Shoe Mart at Marsha Skinner's property, she had to shut down her business every time it rained because of sewage backup.
3. He said that he read in the Manager's report on the Dunlap Road issue. Manager Allen said that we had a heavy rain and a lot of water came down on Dunlap Road and there were pipes that clogged and floated out of the ground. He added that there was a sink hole in one location and in another persons front yard both pipes floated out of the yard and some other places where people had block walls to prevent erosion and there was damage done to those. He said the problem was that there wasn't any easements and they were all on private property but that the citizens shouldn't be responsible for taking care of a creek. He called Rick Duncan and met with a contractor to give suggestions on what could be done to actually move the pipe underneath the roadway like the city had done on North Hill Road. He said the other alternative would be to draw up easements for the creek and have people sign off so that we could go in there and fix them because something had to be done. Mr. Lowe said that his concern was where the bridges cross over the creek were still full of bank run. Mr. Allen said that two years ago we looked at paving that but before that could be done the pipes underneath the roadways needed to be fixed so that it doesn't collapse and then they would be cleaned out, but the problem was that if they clean the culvert pipe out, the creek would be another foot and half taller and it would just fill back up with stone. He said the creek needed to be dipped out and he would get an estimate from a contractor on the amount it would cost to fix it.

The meeting adjourned at approximately 6:25 p.m. on a motion by Councilman Kevin W. Johnson.

City Clerk

Mayor