

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

Monday April 9, 2012

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on, Monday, April 9, 2012 at 6:00 p.m., in the Council Chambers of the Municipal Building.

President of Council, John Haas 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 Johnson	1 st Ward
Rich Saddler	2 nd Ward
Nicholas Basham	3 rd Ward
Jim Kalb	4 th Ward
John Haas	5 th Ward
Steve Sturgill	6 th Ward

Also present were Mayor David A. Malone (arrived at 6:08 p.m.) and Solicitor, Michael L. Jones, and City Auditor, M. Trent Williams

On a motion by Councilman Johnson, Council dispensed with the reading of the Journal for the regular session of March 12, 2012, March 26, 2012 and special meeting March 29, 2012.

LEGISLATION

The Clerk gave a **first reading** to an ordinance authorizing amending Chapter 505 of the Codified Ordinances of the City of Portsmouth, Ohio – Animals and Fowl, Section 505.14 Vicious Dogs.

Councilman Johnson moved this constitute a first reading.

There were no questions or comments. The roll was called. **VOTE: ayes 6 – nays 0 A first reading was declared.**

The Clerk gave a **first reading** of an ordinance authorizing the distribution of \$14,670.14 which is the 33 1/3% of the Hotel/Motel Tax assigned to Cultural Affairs, to various organizations as recommended by the Cultural Affairs Panel.

**ORD #10-12
Hotel Motel
disp.**

Councilman Johnson moved to suspend the rule requiring an ordinance be read on three separate dates,

The roll was called. **VOTE: ayes 6 – nays 0 The rule was suspended.**

Councilman Johnson moved to pass the ordinance.

There were no questions or comments. The roll was called. **VOTE: ayes 6 – nays 0 The Ordinance was passed. ORD #13-12.**

STATEMENT OR REMARKS FROM CITIZENS ON ITEMS NO ON THE AGENDA

Bridget Osborn – 1647 Seventh Street – Mrs. Osborn stated that she has noticed several things in the newspaper: One was that we (Portsmouth) have been declared 87 out of 88, the unhealthiest city in the U.S. She stated that the week of March 18, a boy between the age of 12 and 13 years old by the name of Patrick Garbello, was hit by someone down by Spartan Stadium. Mrs. Osborn questioned if we really want to have this type of situation? Mrs. Osborn stated as a handicapped citizen she wants to be able to go out feel safe and get exercise, get healthier, but the sidewalks and streets are in such bad repair. She stated that even those with perfect legs have a hard time walking down our sidewalks. There are Ordinances that state that persons with sidewalks in front of their house must shovel them in winter, what about the people who do? We have Ordinances that are supposed to be followed for the safety and health of the public, yet our Ordinances are only as good as our law enforcement. She stated it is obvious that it is not working.

Will all the safety and health concerns there are other issues, the rehabs. She stated that there are to may rehabs and we are bringing in way to many drug and alcohol people. They do the time in the rehab, the rehab gets paid \$5000 a month per person and then where do they go? Our streets. If you don't live near a rehab then you are lucky because these persons are not coming in your back yard, stealing your stuff to go buy their drugs. Where else do they have to go? Nowhere, even Shawnee shut down their crisis center. So what are we going to do about the influx of people that have nothing for them to do, no help, no safety and

to many drugs. Where do they end up, our allies? How do we get it to where it is no longer a problem? Lighting would be good, but that would be one home owner, paying for the lighting to be installed for a half a block radius. Why should one home owner be responsible? She thinks it should be divided amongst them, that would be fair. However there is no way to do that.

Mr. Osborn wanted to know why no one knows about the Land Reutilization program. We have these people who want to be rehabbed, to be sober and get their lives back, wouldn't it be nice to have a place to live? We have all these empty homes, yet no one knows how to them back into the hands of people who are willing to rehab themselves, buy them and again pay taxes on them.

Linda Merchant-Masonbrink – Division of Surface Water for Ohio EPA Mr. Noel- Mrs. Merchant-Masonbrink present Sam Southerland with a Certificate of Recognition for the City of Portsmouth, in recognition for completing and endorsable Drinking Water Source Protection Plan. This Plan is an outstanding example of how to address potentials pollutant sources that could threaten the quality of drinking water. The plan will be used as an example and as an inspiration for other public water supplies as they work to complete their own plan. Mrs. Merchant-Masonbrink stated that this is the first plan on the Ohio River, in Ohio, that has been completed and endorsed. She congratulated Portsmouth on their achievement and hopes that we will continue to update and implement the action described in the plan to protect our source of drinking waters.

MISCELLANEOUS BUSINESS AND RPORTS:

City Clerk's Report

The Clerk stated there were several Oaths of Office however her report is currently not available but will ensure available at the next meeting.

The Clerk's report was received, filed and made a part of the record, on a motion by Councilman Saddler.

Mayor's Report –

Mayor Malone apologized for being late as he was trying to catch up on a few items.

1. Mayor Malone wanted to respond to Councilman Johnson's inquiry on the Task Force that was put together in August of 2011 and appointed five members of the community. The Task Force is to provide a workable strategic plan for the City of Portsmouth. Mr. Malone stated that he has met with one of the individuals for a status report. This report showed that for the last several months they have been dedicating to researching data, interviews for what will become a workable document for the City of Portsmouth. Up to this point there has been research of cities comparable to our size, progressive communities that have done work such as this on areas of development and implementing a future plan for the City. Mr. Malone stated that we are very fortunate that we have interviewed and worked with individuals that have participated or were once natives of Portsmouth and committed to help us and assist us with our five year plan. They have indicated that it will take 18 to 24 months and the Mayor is hoping to reduce this time line. It is the hope that during this prior the efforts of the community and other effected entities in the community along with our citizens will be able to develop a workable five year plan for the City of Portsmouth.

The Task Force is anticipating moving forward with this objective and he hopes there will be a complete outline of the project by the end of summer 2012. There is a commitment from these profession individuals that they will be in town in May and work feverishly to put together an outline, once all the data has been reviewed and be able to present a general outline.

2. Mayor Malone wanted to congratulate Sam Sutherland on the work that he has done to receive this commendation from the EPA

The Mayor's report was received, filed and made a part of the record, on a motion by Councilman Saddler.

Presidents Report

1. President Haas advised questioned the City Clerk about an announcement that was sent to him but he did not have it with him. The Clerk advised that she had not sent him anything recently.

Note: After Executive Session Mr. Haas was able to locate the document and announced the Shawnee Labor Council will be hosting the "Photographing the Desires of the 99%" on April 24th through the 27th with a discussion and activism to take place on Thursday April 26th from 6 to 8 pm.

2. Mr. Haas wanted to thank the Ohio EPA and the efforts by Sam (Sutherland) on the project.

The President's report was received, filed and made a part of the record, on a motion by Councilman Saddler.

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward Councilman Johnson stated that his report is more of a question for the President. Mr. Johnsons stated that the President had set a March deadline for the nomination for the Shade Tree Committee and wanted to know where this committee stands.

Mr. Johnson stated that he would be introducing something at the Mayor's Agenda but that he wanted to correct something. Mr. Johnson stated that his messages to Council regarding Gay and 11th Street intersection, that it has come to his attention that ODOT is not responsible for the signage or taking care of it, it is our (City of Portsmouth) responsibility to take care of. He stated that if there was a concern about the entirety of that strip, then it would be a concern for ODOT, but has it is not, this is something that we can address.

2nd Ward Vice President Saddler wanted to remind everyone that on April 19th, there will be a Building Committee Meeting in Council Chambers starting at 5:30 pm.

Mr. Saddler wanted to commend Mr. Sutherland, who is being interviewed at the moment, for his hard work and receiving this award. He also extended his thanks to all the department heads for all the work that they do.

Mr. Saddler has not heard anything from his constituents.

3rd Ward Councilman Basham addressed the Mayor regarding emails regarding concerns of his constituents about the MOU, as it is understood with Shawnee State. Mr. Basham stated it looks like we are paying to dispatch Shawnee State's Police force and if that is the way that it working out, he is requesting that there be an adjustment to the Memorandum of Understanding: Stating that in the budgetary times that we are in he finds it odd that we are paying to dispatch officers that are not ever ours. Mr. Basham requested correction if he is wrong.

Mayor Malone stated that is somewhat the way it reads. However he has talked with Dr. Morris and they are working on new language for that.

Mr. Basham thanked the Mayor and requested to be kept informed.

4th Ward Councilman Kalb did not have a report at this time.

Mr. Kalb wanted to extend his appreciation to the Water Department, Sam Sutherland-Director, for being proactive, noting that the EPA stated that we were first on the river with a plan.

5th Ward President Haas did not have a report at this time.

6th Ward Councilman Sturgill did not have a report at this time.

Councilman Basham made a motion to recess into an executive session to discuss personnel and that the Solicitor would be joining them.

Roll was called. There **VOTE: ayes 6 – nays 0 The motion carried. Council recessed into Executive Session at approximately 6:20 p.m.**

Executive Session

President Haas advised that this session would be held in Solicitor Jones office.

Council reconvened at 6:45 p.m. The roll call showed all those previously in attendance were still present.

The meeting adjourned at approximately 6:46 p.m., on a motion by Councilman Basham.

City Clerk

President of Council