

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING

Monday July 25, 2016

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday July 25, 2016 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
Thomas K. Lowe	6 th Ward

Also present was City Manager Derek K. Allen, City 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 July 11, 2016 on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: ayes 6 – 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

The clerk gave a **third reading**, to an Ordinance to submit to the electors of the City of Portsmouth, Ohio, at the General Election to be held on the 8th day of November, 2016, proposed amendments of Sections 49 and 50 of the Charter of the City of Portsmouth, Ohio.

**Ord. #52-16
Amendment
of Section 49
and 50 of the
Charter**

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

There were no 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 adoption of the Procurement and Credit Card Policy for the City of Portsmouth, Ohio (Exhibit A attached).

**Ord. #53-16
Procurement
and Credit
card policy**

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

There were no 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 amending Section 929.01 Director of Public Utilities-Water; General Duties of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh motioned to amend the Ordinance to strike through “strong” where it reads strong Mayor form of government as this City never had a strong Mayor form of government.

**Ord. #54-16
Amended
Section
929.01
Director of
Public Utilities
Water**

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

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

There were no 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 amending Section 929.02 Permit Required to Use Water of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

Ord. #55-16
Amended
Section
929.02
Permit
required to
use water

The clerk gave a **third reading**, to an Ordinance amending Section 929.03 Water Connections Generally of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

Ord. #56-16
Amended
Section
929.03
Water
Connections

The clerk gave a **third reading**, to an Ordinance amending Section 929.05 Adjustment of Claims for Leakage of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh motioned to amend the Ordinance to strike through “strong” where it reads strong Mayor form of government.

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

Ord. #57-16
Section
929.05
Adjustment
of Claims for
Leakage

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

There were no 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 amending Section 929.08 Use of Fire Hydrants Outside of Corporate Limits; Authority of City Department of Public Utilities of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

Ord. #58-16
Amended
Section
929.08 Fire
Hydrants

The clerk gave a **third reading**, to an Ordinance amending Section 929.09 Authority of Director to Install Meters of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

Ord. #59-16
Amended
Section
929.09
Authority of
Director to
Install Meters

The clerk gave a **second reading**, to an Ordinance authorizing the appropriation of funds in the amount of \$40,000 to the Health Department Primary Care Fund.

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

Councilman Kevin E. Johnson thanked Health Commissioner Smith for explaining this and expressed that he had done a wonderful job laying it out for Council.

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 **second reading**, to an Ordinance repealing Chapter 931 – Water Wells of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

The clerk gave a **second reading**, to an Ordinance amending Chapter 929 – Water Regulation of the Codified Ordinances of the City of Portsmouth, Ohio by adding Section 929.16 – Drilling of Wells Prohibited and Section 929.17 – Rules and Regulations; Authority of City Manager.

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

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

The clerk gave a **second reading**, to an Ordinance amending Section 313.11 Right Turn on Red Prohibited of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

The clerk gave a **second reading**, to an Ordinance amending Section 339.02(b) (5) Trucks and Truck Routes of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh motioned to amend the Ordinance to strike through “strong” where it reads strong Mayor form of government.

Councilman Kevin W. Johnson commented that according to Roberts Rules the legislation needs to be motioned and brought to the floor before it can be amended. Councilwoman Aeh said she didn’t believe that was the order but she would double check the order.

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

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

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

The clerk gave a **second reading**, to an Ordinance amending Section 339.02(c) (5) and adding Section 339.02(c) (6) Trucks and Truck Routes of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Councilman Kevin W. Johnson commented about the amount of traffic on Chillicothe Street at all hours of the day and night. Mayor Kalb stated that hopefully this would help.

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 **second reading**, to an Ordinance repealing Section 339.02(d) Trucks and Truck Routes of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

The clerk gave a **second reading**, to an Ordinance amending Section 351.17 Parking in Alleys of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Councilwoman Aeh stated that she parked on Vine Street/Alley and if the legislation passed, then they could no longer park on that street/alley. Manager Allen stated that it could be used for city use and not for public use.

Councilman Kevin W. Johnson motioned to amend to include “with the exception of Vine Alley for the purpose of City Business only.

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

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

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

The clerk gave a **second reading**, to an Ordinance repealing Section 351.20 (b) Two Hour Parking of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Councilman Kevin W. Johnson recalled to Mayor Kalb that he remembered the discussion about implementing this years ago and the reason it was done and that it was too bad it didn’t work. Mayor Kalb stated that he believed the person they had hired was afraid because they had received threats.

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 **second reading**, to an Ordinance enacting a new Chapter entitled "Fire Hydrants", of the codified ordinances of the City of Portsmouth establishing the prohibition of obstructing fire hydrants with trees, shrubs and other flora.

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

There were no 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 repealing Section 351.10 – Bus Stops and Taxicab Stands of the Codified Ordinances of the City of Portsmouth, Ohio.

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

There were no 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 927.02 Rates; Acceptable Waste; Private Wells of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh motioned to amend the Ordinance to strike through “strong” where it reads strong Mayor form of government.

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

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

There were no 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 927.03 Rates; City’s Rights Reserved of the Codified Ordinances of the City of Portsmouth, Ohio.

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

There were no 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 repealing Section 927.07 – Connections to Sewerage System; Outside Toilets Prohibited of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Mayor Kalb asked if this included portable pots or temporary outside toilets. Manager Allen said that this pertained to houses that had outdoor privvies. There was a time when you had to be connected in or pay an extra surcharge on the utility bill.

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 927.08 Rules and Regulations; Authority of Mayor of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh motioned to amend the Ordinance to strike through “strong” where it reads strong Mayor form of government.

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

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

There were no 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 123.02 Publication by Posting of the Codified Ordinances of the City of Portsmouth, Ohio.

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

There were no 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 123.03 Publication of Legal Notices of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

Manager Allen stated that this next item should be removed from the agenda as there was a new law in place. Solicitor Haas stated that Council could Table or vote it down as the State Legislature had ruled to delete the entire section. Councilwoman Aeh stated that if tabled it would come off at the next organization of Council.

The clerk gave a **first reading**, to an Ordinance amending Section 125.03 Procedures to Determine the Lowest and Best Bid for Construction of Public Improvements of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilman Kevin W. Johnson motioned that this legislation be tabled.

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

The clerk gave a **first reading**, to an Ordinance amending Section 151.03 Preparation of Studies, Reports and Urban Renewal Plans of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Councilwoman Aeh motioned to amend the Ordinance to strike through “strong” where it reads strong Mayor form of government.

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

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

There were no 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 151.06 Action by Planning Commission of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Councilwoman Aeh motioned to amend the Ordinance to strike through “strong” where it reads strong Mayor form of government.

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

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

There were no 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 the Codified Ordinances of the City of Portsmouth, Ohio, to substitute the words City Manager for the word Mayor. Ordinances to be determined by Walter Drane Company in the Codified Ordinances delegating the best judgment of Walter Drane for which instances should remain Mayor as opposed to City Manager for that of Portsmouth City Council. Pursuant to Council Rule 5, this legislation is requested to be passed as an emergency in accordance with Section 10 of the Charter for the City of Portsmouth in order to facilitate administration, daily operation and avoid practical and legal entanglements.

Councilman Kevin E. Johnson motioned that the three reading rule be waived.

The role was called. VOTE: 6 ayes – 0 nays, the rules were suspended.

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

Solicitor Haas stated that Council had already gone through a large portion of the changes and the legislation would require Walter Drane to go back through all the ordinances that had already been changed to determine if they had been fixed with respect to this type of change. Councilwoman Aeh stated that if they didn't proceed, there would be a whole year where part of the codified ordinances would say to contact the Mayor and the codified Business section had never been changed and in another part it would read City Manager. Solicitor Haas stated that it seemed redundant Mrs. Aeh stated that the City was two and a half years into a City Manager form of government and the ordinances currently all say Mayor. Mayor Kalb said that he would agree because the City Manager had stated that there would still be another year and a half to two years of going through the ordinances. Councilman Kevin E. Johnson asked Manager Allen how he felt about continuing on the path and Manager Allen replied that it wouldn't be another two and a half years. He said he expected to finish it by September or October and the reason the online hadn't changed was that they only codified twice a year and he stated that he was approximately 85% of the way through with the changes. Mrs. Aeh stated the reason she brought it up was because she had asked him how long it would be and she was told another two and a half years. Mrs. Aeh asked Clerk Ratliff if they had changed to where their codifying every six months. Clerk Ratliff said that they were just codified but Walter Drane agreed to codify again in November because of all of the changes. Mrs. Aeh stated that this was the first time they had ever agreed to do that only because we were half and half. Mrs. Ratliff said she couldn't speak for past years other than the four that she's been with the city and Mrs. Aeh said in the 24 years she worked for the city, they only did codification once a year and Mrs. Ratliff said that it was out of the norm because of the many changes being made and Walter Drane was willing to help out. Councilman Meadows said he had concerns about letting Walter Drane do a find, search and change what they thought needed to be changed. We know what needs to be changed and the process where we were systemically changing it seemed to be working. He would rather not go back through next year and correct something that shouldn't have been changed by Walter Drane and then be charged for it. Mrs. Aeh said Walter Drane doesn't decide that because we give the ordinances to them and they change them according to what we say and it was the City Clerk's job to insure that all those changes were made by Walter Drane in accordance to what the ordinance said because she had done that for 24 years. Mr.

Meadows said that maybe he was reading it incorrectly but it the ordinance reads “the best judgment of the Walter Drane”, Mrs. Aeh said that if that was what the ordinance said it was misleading because we tell Walter Drane by ordinance the changes we want made. Councilman Kevin W. Johnson stated that since Council had received clarification from the City Manager that he expected to be done by October and he wasn’t sure of the cost but thought that it would be redundant in that short of time frame to have it completed and he would prefer the City Manager to continue because he wasn’t just reviewing them for one change, he was looking at much more than that. Mrs. Aeh asked Clerk Ratliff to check with Walter Drane to see what the cost would be for them to make the changes compared to them being changed one at a time. Clerk Ratliff said that she had spoken to Walter Drane and was told that it would depend on how many changes they actually had to make and since we’ve codified so many changes already that would lessen the cost but if this passed and the changes were made from Mayor to City Manager, any other changes that the City Manager would make, would be a double charge. Councilman Kevin W. Johnson called the Question.

The Ordinance
 was defeated

There were no questions or comments. **The role was called. VOTE: 3 ayes (J. Aeh, T. Lowe, J. Kalb) – 3 nays (K.E. Johnson, G. Meadows, K.W. Johnson) the ordinance was defeated.**

The clerk gave a **first reading**, to a Resolution providing for the submission to the electors of the City of Portsmouth, at the general election to be held on November 8, 2016, an ordinance to amend Sections 49 and 50 of the Charter of the City of Portsmouth to provide the annual appropriation ordinance may be passed before the beginning of the next fiscal year and preliminary appropriations may be made before the beginning of the fiscal year and before the annual appropriation ordinance has been passed.

Res. #11-16
 Charter
 amendment
 for Section
 49 and 50

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

Solicitor Haas stated that the ordinance directed the Board of Elections to put the change it on the ballot.

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

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

David Malone – 1517 Waller Street-Portsmouth, OH – He reminded Council of the Community Unity Concert and would like City Council, the City Manager and other officials of the City of Portsmouth to come and be a part of the event. He said due to the recent shootings and unrest across the United States, they had planned this event to show support and appreciation to the local law enforcement. Pastor Ronnie Hoard formerly of The Ohio Players and known as “Ronnie Diamond” will be speaking as he is on a Unity Tour and that will be Saturday July 30, 2016 at 7:30 at Kingdom Builders Evangelistic Ministries, Inc. located at 1629 Waller Street Portsmouth, Ohio.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. Received via email on July 13, 2016 from the Auditor’s office, the following summary statements of the Combined MTD/YTD reports for the period ending June 30, 2016: Expense, Revenue and Fund.
2. Received from the Ohio Division of Liquor Control a request for a transfer of D1, D2 & D3 permit from Yamato Portsmouth, Inc. DBA Yamato Steakhouse at 2807 Scioto Trail Portsmouth to Yamato Chen LLC DBA Yamato Steakhouse same address. There were no objections.
3. I’ve revised the email addresses for those not wanting to use the City email, the website has been outdated and notification was sent to all of the Department Officials.
4. Received notification today July 25th from the Ohio Division of Liquor Control that they had received a request to cancel the permit request for Dollar General Store on Harding Avenue Portsmouth, Ohio.

Councilman Kevin E. Johnson stated that he chose to go back to his personal e-mail address because he was having problems using the new City e-mail address. He asked the Solicitor if he was allowed to switch back or if there were legal ramifications as long as he’s willing to open it up to request. Solicitor Haas said that was why he had ask the Clerk to set up the accounts for each Councilperson. He said there were a couple of reasons why he had made the request. 1. If there was a public records request for emails, it would be easy from the City e-mails. If Council uses their personal email accounts and during a records request there were differing emails submitted and some were missing, that person could file a lawsuit and request all of that Councilperson’s emails which was what he was trying to protect Council from by implementing City e-mail accounts. 2. The Council positions are temporary and on a personal level they would go on in perpetuity and with the City email accounts, those emails could stay with that ward and be turned over to the next Councilperson and if the next Councilperson wanted to look and see what had been going on in their ward, the information would be there. It would be more historical. To answer Councilman Kevin E. Johnson’s question, you would

not get in trouble for using your personal email but it would open each Councilperson's personal email to scrutiny.

Councilman Lowe said that he agreed with Solicitor Haas, but he didn't like someone taking all of his information from when he was a Councilperson and forwarding it on to the next Councilperson. He saw that as private between he and the individuals that contact him and wouldn't want that information passed forward. Solicitor Haas cautioned all of Council that any email that was sent or received that related to city business and any topic that you have as a councilperson is a public record. He had warned Council in the past "don't put something in an email that you wouldn't want to see on the front page of the newspaper".

Councilman Kevin W. Johnson said that he went back to his personal account because he found that the way he utilized his emails was easier because he had all sort of files and folders that had already been set up. He tracks the emails and found it difficult to do on the city email account, and it was also difficult to import contacts. He also had considered using his own server (laughing).

Solicitor Haas stated that the last time the issue came up, there were emails that came from some Councilmembers, but weren't provided by other Councilmembers and there were issues when comparing the two which opened up Councilmembers and the controversy he was trying to avoid. Mayor Kalb asked if he could get a yahoo address dedicated specifically to just city business and Solicitor Haas said that would be fine. Director Chris Smith said there was a way to forward the city emails directly to your personal account. Councilman Kevin W. Johnson said that he was doing that but grew tired of corresponding in that manner. Councilwoman Aeh said she had issues when she received the conference agenda because each attachment had to be downloaded. Councilman Lowe said he hadn't had any issues with it.

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 written report can be found on the City's website.
2. He met with the Bicentennial Committee at Spartan Stadium on July 12th to review professionally made historical displays that will be put at the stadium to make sure there wasn't anything being done that would harm the stadium or destroy the nature of the stadium and could be easily maintained. He was very pleased.
3. He met with Chris McCoy and April Davis from the State Auditor's department regarding financial issues related to the designation of fiscal watch.
4. He attended the Scioto County Land Bank meeting and said it was imperative for our community that this program succeed and move forward. He voted against the county managing or making the application because he felt that the Port Authority had put a lot of time into the program and invested in it and they would have been the best chose, but the rest of the board chose to have the County Commissioners employees do it. He had become very nervous at the speed to which it was progressing because the application is due September 2nd. He said that there was a lot of work to be done between now and then and he hadn't seen the necessary speed and urgency being displayed. The County had four (4) properties and the City of Portsmouth had forty-five (45) properties. He has had many complaints about burned-up houses and this would be critical for us to be able to clear those lots.
5. He met with Griffin Stripping and they told him they had started stripping and then stopped because they thought they had a problem and instead of slapping it down and moving on, they brought a product representative in from Louisville who conducted a test on the problem and it was determined that they felt comfortable enough to resume the work. He said sometimes we get upset that a contractor would leave and not finish the job but he respects their decision to stop and said that they would be back in town next week to do the long stripping and he was very pleased.
6. They are currently taking civil service testing applications for patrol officer. They had also interviewed four candidates for the common laborer position at Greenlawn cemetery and offered the job to the number one person on the list.
7. They had received three bids to demolish the garage at the cemetery chapel and reiterated that the chapel wasn't being torn down but that they were restoring and preserving it.
8. They've addressed a drainage issue at 27th and Grandview.
9. Floodwall certification was submitted to FEMA and was under review.
10. The EPA had approved the permit to install application for the transfer station and he would be meeting with them on July 27th.

11. The street resurfacing was awarded to Allard Construction and milling should begin on August 3rd. They notified people to remove their cars so they can mill the pavement off. They will be starting on North Hill because of all of the complaints and because there's not a street there right now. Councilman Lowe asked what would happen if people didn't move their cars and Manager Allen replied they would tow it out of the way and then tow it back.
12. He thanked Life Point Church and the other two churches and volunteers for doing community service. He said there was approximately 400-500 people that came out and helped clean up around town. He said there were people in town that talk about doing things and then there were people who actually get out and do it. They painted playground equipment, cleaned the parks, cleaned up in the streets and did a fantastic job. This wasn't the first year they had done this but there was momentum building and they were going to try to do this on a more regular basis.
13. He said they have the police report to bill the insurance company for the smashed guardrail between New Boston and Sciotoville. There were two companies in Ohio that do guardrail work and one wouldn't come and give a quote and the other was Lake Erie Construction and they would be down here to give a proposal to get it fixed.
14. He said that they had tried to get a temporary person at the cemetery but that hadn't worked, but he's working on hiring a full time employee. The other departments have been pitching in to help get it caught up and now that it was caught up, the Street Department would be able to address some of Council's issues, mainly the 4th Ward because there had been some complaints of weeds.
15. The Fire Department was in the process of hiring three new firefighters by the end of August. He said that they would be conducting hose testing and re-painting all of the red fire hydrants.
16. He clarified the question about the EMS stating that they had been conducting a trial period for the past seven month and they don't respond to all of the EMS 911 calls. If it comes to the dispatch and employees are available, we send them out, but we're not billing because we do not have squads. If they arrive on the scene prior to an ambulance, they provide assistance only. He said that they've started training their people to become Emergency Medical Technicians and eventually up to paramedics, so if we decide in the future to provide EMS services, the city would be prepared. They have 14 employees getting ready to go through an advanced EMT course.
17. He advised that the 17th Street pump station had an 8 foot pipe underneath the levee behind the movie theatre that had rusted out and there would be a company coming in to place rebar and concrete in the bottom of the pipe which was about 250 feet of pipe. There's another pipe in poor condition which will be in next years' budget.
18. He said approximately 800 people were without electric on July 22nd which also knocked out the pumps to the Offinere Street underpass which was why it flooded.
19. He recognized the Flood Defense crew and will be issuing a press release. He said every year the Army Corp does an inspection of our maintenance activities and our exercises such as the flood gates being put into place. They've identified hazards in the past, such as trees growing on the levee and areas on the levee where people had torn up the grass or it could have been the ground hogs. He instructed Director Duncan and Supervisor Mark Puckett to address all of the concerns that the Army Corp had over the past two or three years and they have all been addressed. They went to a meeting of the Army Corp and the City of Portsmouth received an award for the most improved flood defense systems which showed the hard work of those individuals. He said every three years the flood gates need to be erected and last year they erected all but three of the gates and this year they planned on doing five gates.
20. The Water Plant had divers clean the intake in the Ohio River and there was some repair work that needed to be done and they were preparing to do that work.
21. The State Route 140 waterline relocation has been completed and they will be asking the State for reimbursement.
22. They were still haggling with the State over the waterline relocation for U.S. 52.
23. All the water taps and 2100 ft. of waterline replacement was completed on Walnut Street.
24. The county was replacing 4100 ft. of waterline in West Portsmouth, the total cost was approximately \$300,000+ and our cost was \$60,000.

Mayor Kalb ask what the outcome was with the property owner that had a problem with our permit to install at the transfer station. Manager Allen said that we did not buy that property and we petitioned the EPA for an exemption and cited several reasons why we felt the property owners were being unreasonable and the EPA agreed with the city.

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 thanked the members of Life Point Church and all of the volunteers that participated in the “Serve Day 2016”. He said he thought that the 450-500 people made a difference in the city and county wide. He requested that the City Clerk draft a letter to send to Life Point recognizing the church and the volunteers for their efforts and let them know how much we do appreciate it.
2. Life Point Church will be having their movie night at Mound Park Saturday, July 30th and he had mentioned to the City Manager about the lights being out on the building and requested that they be taken care of before Saturday’s event.

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 thanked the Southern Ohio Port Authority and Jason Kester for drawing attention to the city and county about the Land Bank opportunity. It will be a great win for the city and said a few years ago we tore down homes on the gateway and we got a lot of bang for our buck. He looked forward to and hoped that after all the work SOPA and Mr. Kester put into it, that the county taking over this at the last minute would be successful and if we do get the funding that would be available, we would be able to take down 40+ houses in the city. It would be money for demolition and maintenance. He also thanked the Scioto Foundation for some of the start-up money for the project.

The City 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 reported the following:

1. He reviewed his written report that he had given to Council.
2. The General Fund for June was \$872,735 which was \$153,919 more than last year in the same month and the accumulated amount compared to last year was \$1,269,160 and of that amount \$195,247 was from the new tax revenue. Total collection included both General and Capital was \$992,292 which was \$146,626 above last year and a total collection of \$1,333,783 above last year. Major Fund Balances – General Fund \$698,659, Streets, \$300,930, Water -\$349,887, Sewer -\$1,499,253, Sanitation \$687,078 and Insurance \$892,226.

The City 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 thanked the City Manager for responding to several issues that he had including the weeds and branches that had been cut back on the south side of Sunrise Avenue. He said he had heard a lot of good comments especially about the V.A sign being put back up on Chillicothe Street.
2. He thanked the people that had been working in the Martings Building and cleaning it up, especially Councilwoman Aeh for taking on the windows.
3. He attended the following meetings: ABC implementation and rebrand meeting, the Land Bank meeting and shared the same concerns regarding the Land Bank as the City Manager and Solicitor, the SOPA Board meeting, the Design Review Board meeting, the KDMC health forum and Main Street Portsmouth’s meeting.

2nd Ward – Councilwoman Aeh reported the following:

1. She said that she had received a lot of positive feedback on the Marting Store and already had people scheduled to put displays in it and Joseph had been a big help.
2. She had received a lot of positive feedback on the school encroachments from all over the city including some businesses and they don’t want that dropped.
3. She expressed her pleasure regarding the street stripping.

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

1. He thanked Life Point and all of the volunteers, there were many that could be seen all over town working and volunteering. He agreed with the City Manager, a lot of people talk but not a lot put it into action and he appreciated everything they had done for the city.
2. He had spoken with the City Manager about Greenlawn Cemetery as he had received a lot of complaints and rightly so because it looked really bad and the city had an obligation to maintain that cemetery and stated that “we must do a better job”.

4th Ward – Councilman Kalb reported the following:

1. He said one of the issues that he had was put on the back burner because of the cemetery, but he mentioned the weeds on the Young Street as a reminder.
2. He asked the City Manager if we still utilized probationers from the Court to work around the city to work off fines. Manager Allen said that there were only 4 or 5 each day and they do work

around the city building. Mayor Kalb commented that they don't have much time to do nuisance abatement like they used to do and Manager Allen replied that they were buying their time now, but on occasion Jeff Crippen from Scioto County Waste and Recycling will come by and take them out to pick up trash along the roads

3. He said that a while back he had requested a sign for the trash in the Mound Park area because they are still dumping in that area and he hoped that a sign would help stop it by penalizing violators.
4. He would like an update on the progress of the widening of Grandview Avenue.

5th Ward – Councilman Meadows reported the following:

1. He expressed his gratitude for the upcoming paving project for North Hill Road.
2. He said that there was another issue behind his office in the first ward. Several weeks ago he had reported that someone was dumping items in the alley and requested that it be picked up and it was done. However, now there was more stuff sitting in the alley and he believed that the people were relying on someone complaining to the city and the city would come and pick it up without having repercussions, he said they need to be billed for the stuff they're putting out there. Mayor Kalb asked the Manager again to look at the proposal he submitted several months ago because he doesn't believe that the Manager took a good look at it.

6th Ward – Councilman Lowe reported the following:

1. He thanked the Police Department for the Meth bust on 4th Street in Sciotoville.
2. He thanked the Tartan Football Team for the cleanup over the past weekend and the service department for providing a dumpster.
3. He thanked Director Duncan for contacting him on the Kitt Street sewer problem.
4. He reported a small sinkhole that had started between the 230-240 block of Harding Avenue right next to the manhole and he said it had already been filled once.
5. He's glad to see the road stripping, but there was still a problem on the upper end of Gallia Street with the cross-tie wall. He had gauged from where they had put the preliminary markings and determined that they would be sideswiping that cross-tie wall and the owner had done nothing to remedy the problem.
6. He had made a selection for the Land Reutilization committee and had chosen Bill Shope.

The meeting adjourned at approximately 7:35 p.m. on a motion by Councilman Kevin W. Johnson.

City Clerk

Mayor