

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
Monday, September 13, 2010
6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on, Monday, September 13, 2010 at 6:00 p.m., in the Council Chambers of the Municipal Building.

President of Council, David Malone called the meeting to order. The Pledge of Allegiance to the Flag followed a moment of silent prayer.

Roll Call showed the following members to be present:

David Malone	2 nd Ward
Nicholas Basham	3 rd Ward
Jerrold Albrecht	4 th Ward
John Haas	5 th Ward
Richard Noel	6 th Ward

Also present were Mayor Jane Murray; City Solicitor, Michael L. Jones and City Auditor, M. Trent Williams.

The absence of Councilman Johnson was excused, on a motion by Councilman Albrecht

On a motion by Councilman Albrecht, Council dispensed with the reading of the Journal for the regular session of August 9, 2010.

STATEMENTS FROM CITIZENS ON ITEMS ON THE AGENDA

Amber Teeters - 1740-5th Street encouraged continued “tear down” of dilapidated properties. She said she has been doing some research on her own and has found several places on line that offer federal and state level grants for “derelict and vacant housing”. She felt these types of properties increase the crime rate in the immediate area and bring down property values. She felt eliminating these properties would increase property taxes, which means the program would pay for itself and would also lower the crime rate.

Teresa Mollette - 369 Meadows Lane, Wheelersburg, Ohio felt funds should be spent on blighted areas, claiming these are the types of areas that bring crime into a community. She felt CIP funds should be spent to improve the infrastructure.

LEGISLATION

Councilman Noel moved to remove from the table an ordinance authorizing funding the position of Director of Community Development.

The roll was called. **VOTE: ayes 4 (Malone; Basham; Haas; Noel) – nays 1 (Albrecht) The ordinance was removed from the table and placed on the agenda as Item “7h”.**

The Clerk gave a **second reading** to an ordinance authorizing the appropriation of \$4,000 from the CIP Fund No. 301 for state mandated underwater bridge inspection.

Councilman Albrecht moved this constitute a second reading.

There were no questions or comments. The roll was called. **VOTE: ayes 5 – nays 0 A second reading was declared.**

The Clerk gave a **second reading** to an ordinance to create an advisory committee for the renewal of the 2011 City Health Insurance.

Councilman Albrecht moved this constitute a second reading.

There were no questions or comments. The roll was called. **VOTE: ayes 5 – nays 0 A second reading was declared.**

The Clerk gave a **first reading** to an ordinance authorizing the appropriation of \$93,000 from Flood Defense Fund No. 265 for much needed repairs to the City’s flood defense system and where necessary, to authorize the Mayor to advertise for bids and thereafter enter into contracts with the lowest and/or best bidder for various purchases and projects for aforesaid repairs to the City’s flood defense system.

Councilman Albrecht moved this constitute a first reading.

Councilman Basham asked the Mayor if she has checked to see if these repairs will qualify or help with the FEMA certification standards to make sure the work we are doing will also qualify in meeting that requirement. The Mayor said she has and stated, as a matter of fact, that she had and referred the question to Randy Nickels, Director of Waste Water and Mike Bowman, Supervisor of Flood Defense. In response to Mr. Basham's question, Mr. Bowman stated "yes, they will be". He advised Council that the repairs will bring the equipment up to standards. He reported the pumps were starting to rust from a leaking roof and a lot of the shafts are bent and have to be replaced. Mr. Bowman said he knows these to be things the inspectors will say have to be repaired. Mr. Nickels advised the structural engineer is presently in town. He reported the flood gates at Third and Madison and at the end of Third Street have been erected and are presently working on erecting the gate at Front and Madison. Mr. Nickels said these gates have to be erected and inspected. He further advised the engineer to be from Cincinnati, Ohio and was hired by Howerton Engineering as a part of the FEMA inspection. Noting that Howerton is a structural engineer, the Mayor explained that there are various types of engineers and each one has their own specialty. Mr. Bowman reported the total cost estimate of the repairs would be \$156,850.00. The Mayor stated that "in discussion, Mike Bowman has stepped into this roll. he was (*not discernible*) since the former director retired on disability". She further stated that it has been determined that there have been "some things", with regard to the flood defense system, that have not been well maintained. However, she acknowledged there to be other things that have been. The Mayor said, "We will have to expend these funds before we can be certified". In response to the President asking how the funding for this is, the Auditor said there is plenty of money in the Flood Defense Fund to take care of the cost, however it will drop the amount left in the fund to below the one-half million dollars that Council wanted to maintain. He said he did not know exactly what that figure is, off the top of his head, but it would put the City "well below" the half million dollar mark. Councilman Albrecht noted this ordinance, as he reads it, is for roofs and further noted that the previous director had, in his five-year plan, was replacing a couple of the pump station roofs each year. Mr. Albrecht stated it to be hard for him to believe that all the pump stations, at one time, have bad roofs. The President concurred with Mr. Albrecht on the fact that the ordinance is just for roofs. The Mayor interrupted saying she was sorry it was written that way, saying the language and documentation was provided to the law department. She continued, asking Mr. Bowman to read the list. Mr. Bowman read the list which included seven pump house roofs, a gate motor shaft support, wiring replacement; a gate operator installation and three exhaust fan replacements. The Mayor stated the point to be "that the file are clear that its for multiple kinds of parts of the system" and suggested that Mr. Nichols works with Mr. Jones to make sure he has everything he needs to revise the language. The Auditor noted this to be well-outlined in the Council Letter and felt one that is updated could be attached. The Solicitor said he believed that if they would look at the first paragraph, it authorizes repairs to the flood defense system. Referring to the Council Letter, the auditor noted that, as requested in the letter, the bulk of the funds are going for repairs, which includes \$109,000.00 for pump house roofs. In an effort to refresh his recollection, Vice President asked Mr. Nichols when there would be some kind of a report from FEMA indicating what shortfalls we have with regard to our flood defense system. Mr. Nickels said he was not aware of the time frame but did know there is a deadline in April of 2011. In response to Mr. Haas asking if the City is suppose to have some work accomplished by then, the Mayor interrupted Mr. Nickels and advised that the time line can be provided to Council at the next meeting. She further said, "They have started the field work, they have some work that is to be finished – a portion of it in November, there is the preliminary work that's ready in November". She further advised, "the final certification happens in April" and promised to provide a time line. Mr. Haas said his question is, "if we are going to have the report, it is going to be prepared and FEMA is going to be involved and it's going to indicate what shortfalls we have". He asked if these repairs need to be done now or should we wait until we receive word from FEMA as to what the City needs to do. Mr. Nickels stated these to be items that they know are needed "regardless of what he says or he finds" and claimed these to be things he has heard discussed for years. He also noted this to be just seven of the twelve pump stations. He acknowledged that he is just recently "hands on" and is still playing "catch up". Mr. Nickels said it is all about how Council wants to approach this but "it has become a priority of ours to get some of these things knocked out". He said he felt these to be things that need to be done.

In response to the President inquiring as to whether or not this ordinance needed to be amended, the Mayor felt that only the dollar figure would need to be changed. Vice President Haas suggested that this be given a first reading tonight and once Council has received the figures outlining the improvements, the ordinance can be amended at that time.

There being no further questions or comments the roll was called on the motion for a first reading.
VOTE: ayes 5 – nays 0 A first reading was declared.

The Clerk gave a **first reading** to an ordinance authorizing the appropriation of \$3,600 from CIP Fund No. 301 to Engineering Miscellaneous Projects Fund No. 301.112.5529 to be paid to Howerton Engineering & Surveying, Inc. for surveying fees and where necessary, authorizing the Mayor to advertise for bids and thereafter enter into contracts with the lowest and/or best bidder for the aforesaid surveying fees.

Councilman Albrecht moved this constitute a first reading.

Councilman Albrecht, noting this work to have already been done, questioned the need for language about bids. The Solicitor explained that there have been issues with the State Auditors so he is going to make sure that any ordinance that addresses an appropriation contains this language. The Auditor, for clarification, noted the language, in reference to bids should say "where necessary". It was noted that this ordinance does contain that language.

There being no further questions or comments the roll was called. **VOTE: ayes 4 (Noel; Malone; Basham; Albrecht) – nays 1 (Haas) A first reading was declared.**

The Clerk gave a **first** reading to an ordinance authorizing the appropriation of \$40,000 from General Fund No. 101 to Fire Department Payroll/Union Line Item No. 101.223.5115 to cover potential overtime expenses for the remainder of 2010.

Councilman Albrecht moved this constitute a first reading.

There were no questions or comments. The roll was called. **VOTE: ayes 5 – nays 0 A first reading was declared.**

The Clerk gave a **first reading** to an Ord. authorizing the appropriation of \$8,600 from CIP Fund No. 301 into Engineering Building Inspections Line Item No. 101.663.5297 as reimbursement for funds used for an emergency tear-down of 817 Spring Lane in the spring of 2010, and where necessary, giving emergency authorization to the Mayor to advertise for bids and thereafter enter into contracts with the lowest and/or best bidder for the aforesaid tear-down.

Councilman Albrecht moved this constitute a first reading.

There were no questions or comments. The roll was called. **VOTE: ayes 5 – nays 0 A first reading was declared.**

The Clerk gave a **first reading** to an ordinance authorizing the appropriation of \$7,400 from CIP Fund No. 301 into Engineering Miscellaneous Projects Line Item No. 301.112.5229 for emergency tear-down of two properties, and where necessary, giving authorization to the Mayor to advertise for bids and thereafter enter into contracts with the lowest and/or best bidder for the aforesaid tear-downs.

Councilman Albrecht moved this constitute a first reading.

Councilman Albrecht noted these structures to already be in the process of being razed. Becky Steel responded from her seat in the audience but her words were not discernible and could not be transcribed. In response to Mr. Albrecht reporting to have seen City vehicles at the site, Mrs. Steel explained that they were probably there doing weed abatement.

There being no further comments the roll was called. **VOTE: ayes 5 – nays 0 A first reading was declared.**

The Clerk gave a **third reading** to an ordinance that was brought from the table and authorized the appropriation of \$17,020 from the General Fund into Community Development Fund No. 243 to fund the established position of Director of Community Development.

Councilman Noel made a motion to pass the ordinance.

Councilman Basham, noting that the Mayor had said this action would save money, said he was confused because in the past the Community Development Director was paid a higher salary than that of a Grants Technician. He pointed out that, in the last budget, both the Director and Grants Technician were on a single plan with regard to health insurance. Mr. Basham asked the Mayor how money is going to be saved. The Mayor said, “I was just taking gross to all those payroll times a number of months and so the Grants Technician would not be funded from June through the end of the year whereas the Community Director would be funded from August 1 through the end of the year and there was a gross dollar savings of a little over \$1,000.00”. In response to Mr. Basham asking if she took into account that the cost of hospitalization would now be for a family plan, the Mayor acknowledged that she did not. She also acknowledged that there would not be a savings but did feel “it would, at most, be a wash, probably”.

Councilman Albrecht asked if taking this action would violate the Memorandums of Understanding. Mr. Haas stated it to be his understanding that the Community Development Director’s position was not funded and that now Council is being asked to fund that position, which would be (*not discernible*) concession.

The Solicitor advised his interpretation to be that a new position is not being created

There being no further questions or comments the roll was called. **VOTE: ayes 3 (Noel; Malone; Albrecht) – nays 2 (Haas; Basham) The motion failed due to a lack of four affirmative votes)**

In response to the Mayor asking the President what happens now, he said he guessed she would have to resubmit the request, saying it would have to go back through the process, noting at this particular time the legislation has not been passed. The Mayor advised it would be on the conference agenda following this meeting.

STATEMENTS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

John McHenry, a local attorney representing a group called “Fix the Scioto County Problem with Drug Abuse Misuse and Overdose” said he would like to think that he represents the “good citizens of Portsmouth and Scioto Country”. Mr. McHenry said he had earlier circulated to members of Council proposed language for an ordinance that would, in effect, declare a one hundred and eighty day moratorium on the establishment of pain clinics and other businesses of that “ilk”. He acknowledged the existence of these type of establishments to be “a terrible problem” in both the county and the city which, he claimed, has given us national, negative exposure. He advised Council that he modeled the language in the proposed legislation, out of Vero Beach, Florida who has taken up this cause. Mr. McHenry stated, to this knowledge, our city would be the first in the State of Ohio to pass this type of legislation. Mr. McHenry read the language he is suggesting and acknowledged that it would have to be formatted to suit our ordinances. He described prostitution and drug abuse as a “problem of social importance”.

Mike Queen, President of FOP Lodge #33, representing the members of the Portsmouth Police Department, read a letter with regard to a grant for \$66,238.50 that was awarded to the Portsmouth Police Department from the State of Ohio Office of Criminal Justice for the purchase of two new servers – one to replace the department’s current server and the other to provide an off site redundant server. Officer Queen advised Council that this grant would not cost the City any money, noting that the matching fund will come from the Law Enforcement Trust that is used at the discretion of the Chief of Police. He advised the total of the grant is \$88, 370.98 and will include a contract with Mountain State Computer Networking Systems for installation of the servers. Officer Queen noted that the Mayor accepted the grant on March 10, 2010 and approved and signed a grant revision on June 20, 2010 but now refuses to sign the purchase order, which was dated July 1, 2010. He advised that the purchase order was for the purchase of the equipment and was sent to the Mayor by Chief of Police, Charles Horner. Officer Queen continued, advising Council that on July 15, 2010, the Mayor denied the purchase. He reported the Mayor to now want the grant “readjusted” with regard to its use. He also reported OCJS has advised that these funds will not be readjusted and if not accepted by the end of September, as is, it will not be awarded at all. Officer Queen stated this would be a loss of \$66,238.50 to a city that is in such financial hardship it cannot afford to lose this kind of money. Officer Queen noted another issue to be that the City is awaiting the possible awarding of another grant from OCJS that will purchase new dispatch consoles that will improve the City’s radios and would mean better safety for the officers. He said he feel OCJS is awaiting the results of the grant for the servers before awarding a grant for new consoles, noting this could affect future grants. He said if the City of Portsmouth is not going to accept a grant, why would OCJS award any the City any grants. He felt this to be unfair to the department’s grant writer, the officers and most importantly to the citizens of the City who depend on the police to be efficient in their jobs, which is not possible without equipment that works. He stated the major issue with not accepting this grant is the safety of the officers, stating that the Mayor has been told on several occasions, by Chief Horner, of his concern for a catastrophic failure of the server. He reported the Mayor’s to have suggested that the police server be included on the City’s server. He said this is not advisable due to the LEADS information and information contained on some cases that are stored on the police server, are not to be viewed by anyone other than police personnel. Officer Queen questioned how the City’s server would handle the case files from detectives, calls logged by dispatch and reports from the patrols when the police’s dedicated server cannot handle it all. He reported that on September 7th, at approximately 3:00 a.m., the police department server crashed and was partially repaired by 4:00 p.m. Officer Queen stated that, as a result of this failure, officers and dispatchers were not aware of the location of other officers and were not able to access LEADS, which lets them know with whom they are dealing – whether or not they are dealing with a convicted felon, has a conceal/carry permit or is just an ordinary citizen. He said this failure also made it impossible for officers to do reports or access needed information and the Records Division was unable to find reports that were requested by citizens and detectives were unable to “pull up” their case files, some of which has taken years to compile. Officer Queen pointed out the fact that if the Mayor had signed the purchase order the new server would have been installed and operational thus avoiding this problem. He said if Mountain State Computer and Network Services had not been on standby, this city’s Police Department would have been in “dire straits” with all reports since 2006 being lost to the patrol units. He further stated that the detective division would have lost all evidence regarding murder, rape and burglary cases, noting this information would have been lost forever. He asked Council how they would like to have been the detective who had to tell a rape victim that they would not be able to prosecute because the leader of this City did not accept free money. Officer Queen requested assistance from City Council so the Portsmouth Police Department, FOP Lodge 33, can do their jobs safely, effectively and efficiently by encouraging the Mayor to approve the purchase order so the citizens of the City of Portsmouth receive the quality of service they deserve. He reiterated the fact that this grant will not cost the citizens and advised Council that representatives from Mountain State are available this evening to address any questions they might have.

Frank Thompson – 2810 Brant Avenue, representing his Facebook Group, The Scioto County Problem With Drug Abuse and the Scioto County Rx Drug Action Team, said he wanted to make Council aware of a few things that can happen. Mr. Thompson thanked Mr. McHenry for all the work he did on the language of the proposed ordinance and urged Council to consider it and to be the first community in Ohio to pass such an ordinance. He said his group would like to think of themselves as a model program, saying they have been working as hard as they can, and advised Council of some of their efforts. He also thanked the Portsmouth Daily Times for their support. He recognized Chief Horner for his support and for all the events he has attended and for all the things he has done. Mr. Thompson thanked Tim Arms for his help and support during an event on the Esplanade that was interrupted by rain.

Supervisor of Detectives, James Charles of the Portsmouth Police Department explained how the failure of the police department server affects the detective bureau. Detective Charles advised Council that four and one-half years of their cases are on the server. He suggested multiplying that by seven, the number of detectives on the force, noting there to be thousands of cases stored on the server. He said an operational server gives the detective immediate access to these case laws. Detective Charles reported having charged two people, last week, with several felonies and when he started to prepare the “felony package” for presentation to the prosecutor’s office he could not do so because the server was not working. He further advised the server to also contain information on a trial that will take place in a week that involves a female child and also a murder case of a young female that took years to bring to trial. He said everyday when he comes to work all he can do is hope the server is still working. He said without the information on the server, he did not know what he would do when these trials take place. He described it as scaring him as well as the other detectives and it should scare everyone who has ever been a victim or filed a police report for the last four and a half years. Detective Charles pointed out some other issues with the server to be that when it is out evidence cannot be submitted to Ohio Bureau of Criminal Investigation, noting that submission has to be done electronically from the police department server into the Attorney General’s website. He said this creates a delay on bringing these cases to prosecution. With regard to the security of the records in the Police Department, Detective Charles said that when the police records was on an old CMI server and they were told they were secure, it was later learned that all their records were completely accessible from 1996 for anyone to see, tamper with or delete. He felt he could not explain the importance of the security of these records and at the present time there is no guarantee that all these records will not be lost. Detective Charles advised this matter needs to be addressed immediately, noting the fact the funding is available and will not cost the citizens of this City anything.

Detective Josh Justice, of the Portsmouth Police Department, spoke on behalf of the FOP Lodge #33. Detective Justice identified himself as being the IT person for the Police Department for the past five years. He expressed fear that the department’s backup system would quit working. He acknowledged it has failed previously but they had been awarded a grant at the time and were able to replace the backup system. He said he spoke with an employee with LEADS, last week, after having received an e-mail that the Mayor wanted to put the Police Department information on the City’s network, and was advised that the LEADS access and the department’s information cannot be on the same physical server and network as the City because LEADS security policies, which is state mandated and as the IT person for the Police Department, it is something over which he has no control. Detective Justice expressed his concern about being in the last days of being able to accept the grant that must take place by the end of this month or it will be gone. He explained the system and the various parts of the system that are covered with the recently awarded grant, along with required licenses and an antivirus program. He further advised that the department will be going to a fiber connection, which will be “redundant to dispatch and virtualization”. He stated that when the “crash” happened, he worked several hours that morning with Mountain State and after several hours, with a temporary fix, everything was back up and working. He further stated that the crash corrupted a lot of the department’s licensing files, which meant only a couple of people could log onto the server. He noted shift change for the dispatchers to be 3:00 p.m. and with the system being down, the dispatcher coming on duty had no clue as to where any of the officers were or as to what calls were pending because she could not get into the system. He also noted that the dispatcher would not be able to access information that would, if necessary, provide her with information to dispatch an officer to assist another officer. Detective Justice felt the City cannot allow this type of incident to happen when the money is available, at no cost to the City, to replace the old server and prevent this from happening again. He expressed concern that on the 15th of July, when the purchase order was disapproved, there was a letter attached to the request from the Mayor, saying “I would like to set up a meeting when Chief Raison gets back”. He noted that Chief Raison returned that following week and the meeting, proposed by the Mayor, has been scheduled for September 16th, which, he noted, is two months and one day from the disapproval of the purchase order and the note advising of a meeting. He stated that the police cannot work on that type of time frame. He said the chain of command was followed when he notified the Chief of Police and he notified the Mayor of the need for a new server and acknowledging this has been going on for a long time. He further advised that the department’s firewall protection ran to the end of its time last year and can no longer be serviced.

Peggy Burton, the City’s Health Commissioner, expressed her support for Mr. McHenry’s suggested ordinance, saying that last year she and the Scioto County Health Commissioner declared this problem a public health emergency. She described it as being a social issue and encouraged the members of Council to work with Mr. McHenry or his group to move this message forward.

Mrs. Burton, as Health Commissioner whose responsibility it is to address citizen’s health complaints in the City, requested Council to reconsider the appropriation of funds for the remediation of conditions caused by mold and “third hand smoke” claimed to be in the Mayor’s office. She asked that this be done so the Mayor’s employees “may have the ability that she deserves to work in a safe and healthful work place”. Mrs. Burton stated, “there are those who are skeptical about the probability of mold in the municipal building and particular the Mayor’s office that could really affect one’s health adversely”. She continued by explaining the exposure to mold indoors and explained how allergies develop and their symptoms. She also explained what mold is, of what it consists and how and where it may be hidden as well as the temperature which is conducive to the growth of mold. She claimed there was no necessity for spending a lot of money to test for mold and said that knowing with what kind of mold you are dealing is a misconception. Mrs. Burton’s five-minute time limit having expired, she requested and was granted additional time with no specification as to the amount of time being allowed. She continued by reading a list of criteria used to identify mold and submitted to Council a picture of the Mayor’s assistant with a rash and eye problems, which, according to Mrs. Burton, indicated a

direct result of something in her environment. Mrs. Burton felt the best way to spend money was to do so by getting rid of the problem rather than paying an employee for sick time.

Priscilla Coleman – Lucasville, Ohio said to consider as urgent the suffering of the children of the City, noting children are being raised by grandparents. Ms. Coleman felt the accessibility to Oxy Codeine to be “way too easy” and spoke in support of the moratorium on pain clinics.

Harald Daub – 1221-2nd Street reiterated remarks he has made at other meeting with regard to “our dwindling” population and the percentage of our housing that is rental property. He again questioned from where the money will come to run the city and again predicted that “sooner or later” some type of “tax issue” will be on the ballot. He again suggested a “central government” claiming there is “one” city in Ohio who is “working under that principle” and claiming “it is working great”. He also reiterated remarks he has previously made with regard to vandalism in Greenlawn Cemetery and the lack of night vision lights on the security cameras. He claimed the “main goal” of some members of Council to be to remove the Mayor and predicted any attempt for a tax increase will be defeated. With regard to drug problems, Mr. Daub expressed his belief that “the real drug dealers” are the “pharmaceutical companies who provide these drugs and put them on the market”. He felt more needed to be done than closing the pill mills in Portsmouth and the only way to do that was to involve politicians on a national level.

Bonnie Bertram – 1938 1/2 Hutchins St., the grandmother of Amber Howard, who went missing, said she sympathizes with the pill mills and the need for a new server. She said she knows how the detectives worked diligently to find the person who murdered her granddaughter and expressed concern about what is going to happen to her murderer, if all the evidence is lost. She said she did not understand all this and that she is just a grandma who is raising her grandchildren. Mrs. Bertram was barely audible and could barely speak above her tears. She begged for support for the server and for the moratorium on the pill mills. She asked that no one else have to go through what her family has gone through for over three years. She said all her faith was in the officers who gathered the information and commended Officers Steve Timberlake, Josh Justice and all the other officers who worked diligently “to clean it up” and she felt everyone should do something to help them, whether that be with the server or the Scioto County drug problem.

Teresa Mollette – 369 Meadow Lane, Wheelersburg, Ohio reiterated previous remarks she has made with regard to the Sunshine Law and claimed that the ordinance that was “added” this evening (taken from the table and defeated) was “invalid” because it was not added prior to public statements. She felt the Solicitor needs to check to see how many employees of the City have actually done their public records request for two years, saying you have to do that when you take office. Mrs. Mollette advised that she is turning in a request for public records, noting there to be thousands of them and claiming that most of them have been denied to her in the past. She said after her inspection of these records, if there are any copies that she wants she will follow it with a written request. She said she had a request for fourteen items and suggested the Solicitor “freshen up” on the public records law and what has been happening in the State of Ohio, saying “that’s a thousand dollars a record, if it is not turned in and I just gave you a request for, probably 5,000 records”. She claimed these to be ones she “has mentioned” in the past and claimed to have been ignored.

With regard to the server, Mrs. Mollette voiced one of her concerns as being not looking at combining our resources. She described the police department and the Daily Times of “terrorist type antics” and claimed their threats with regard to LEADS was not true, saying “LEADS is international or its federal, its out there, its always available”. She further stated there to be no guarantee that a new server would not be hit with a virus, saying that a new server does not mean you are protected. She said “Don’t believe the lies and things that are put out in the public” and explained how she felt people should decipher what they hear and determine what is true. She called this a “dying community” that was being “taken over” by drugs and pill mills.

Michael Malone – 1731 Robinson Avenue thanked Mr. Beaumont for an outstanding job with McKinley Pool, Tracy Park, Bannon Park and all other parks and recreation areas of the City. He said the “trash system” has been “on point”. He recalled sitting in the audience when the budget was prepared and how Mr. Beaumont did “an excellent job” cutting his budget. He said he knows Mr. Beaumont is not an elected official but he is a public official and encouraged anybody who does not know him to visit him at the Service Department and thank him for the job he is doing.

Tim Hartlage – 1555 Jackson Avenue, with regard to the drugs and the police, said he served on the grand jury for four months and has seen how hard the Task Force works. He said he did not believe the people in this county would believe the amount of drugs that are coming into this community. Acknowledging Mr. McHenry’s idea of a moratorium to be “great”, Mr. Hartlage said the only way to really put a stop to this issue is at election time, talk to both Mr. Hadsell and Dr. Johnson and tell them you want some laws enacted. He acknowledged some of the indictments handed down during his time on the grand jury are now coming to trial but said the sentences “stink”. Mr. Hartlage shared a story about friend of his who were shot multiple times during a home invasion and the person who shot them was only given a sentence of nine years. He said he believed the maximum for the crime was just fifteen years. He felt the problem to be the fact that there is not enough room in our prisons to hold all these drug dealers and acknowledged that he did not know the answer. He again urged everyone to talk with the candidates and insist on longer sentences even if it means building more prisons.

Bill Beaumont, City Service Director expressed his appreciation to Mr. Malone for his remarks but acknowledged it is just not him, noting there to be forty employees beneath him and they know what they have to do and do it.

Eileen Perry – 1410-15th Street said she felt the Mayor was doing an “excellent job” and felt charges should be filed “because the recall didn’t go through”. She said she heard there is a second attempt being made for a recall, which she heard is probably going to cost the citizens \$30,000 plus. She said she felt the Mayor was doing a fine job and everybody needed to give her a chance, get behind her and stop being against her.

With regard to the police service, Ms. Perry related an incident about her being involved in an accident. She acknowledged that even though her friend, who was driving, told the other driver she was alright the other driver left the scene. She claimed that officers were given the license plate number of the person who struck their car but the police officer did not go after that person. She claimed that her friend, who was driving, had to have emergency surgery five days later.

Miscellaneous business and reports:

The City Clerk had nothing to report

Mayor’s Report

1. Thanked those people who were here on behalf of a moratorium against pill mills as well as Mr. McHenry for his efforts. She acknowledged being a member of that “action team”, noting that they have been meeting since last January. The Mayor expressed her “strong support” for the cause.
2. The Mayor advised Council that, as previously indicated, the engineering field work has begun on the levee certification project. He said she will be touring the levee with the structural engineer this week. She invited any member of Council who might be interested in being present.
3. She thanked Mr. Beaumont for the work he did in bringing the Spartan Stadium “up to speed” but acknowledged there was more work to be done. She noted that the Notre Dame people have done some additional work in the locker room.
4. With regard to the mold in the Police Department, the Mayor said Chief Horner and Chief Raison have been discussing options with her. She noted one of these to be the Juvenile Justice Center. She said she called County Commissioner, Tom Reiser but believed in Chief Horner’s conversations with him, we do need to look at an option that could possibly involve a lease/purchase scenario with respect to that building. She felt to be almost to the point that in moving the Police Department the location would have to be a “permanent/temporary move”. She advised that other buildings, owned by the City, have been look at but they all have their issues and problems. She acknowledged running out of options. She further advised Council that the City, prior to her coming into office, had a contact with a computer engineering firm, at a cost of over \$140,000.00, for a “computer backbone” for the City and stated it to be her understanding that there was no integration with the police department, saying “That is what we have to have”. She claimed the system to be sufficient and all of the departments should be able to work independently and “across lines when we need to”. She continued saying, “We cannot have islands unto our selves we have access records when we have to access them, we have to have access during emergencies and contingency planning”. She felt this applied to all the departments within the City government to be vital to the health and safety of our residents, businesses, our “employee” and the community. The Mayor said, “It’s my job to make sure that we do that in the most coordinated, cost effective manner”. She said she asked the Chief of Police to look at ways the City can use current funding, future funding to facilitate a move, should the police department be relocated. She said this was “preliminary stuff” and there were no answers yet but they will start looking at that and will bring it back to Council as soon as they have “some options lined out and as we are able to pursue that with the county”.

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

President’s Report

1. The President made the following appointments:

Substandard Housing Stock:	Sharon Bender Councilman Kevin Johnson
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He noted that the third position is for the Director of Community Development and acknowledged the Mayor as that person since she had named herself as the Director.

Internal Operations	Councilman Kevin Johnson Barbara Hogan Alan Barlow Roger Session
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Housing and Infrastructure	Councilman Kevin Johnson Steve Strugill
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The President noted another member of Council and two more citizens are needed for this committee.

The Cultural Affairs Committee	Carl Daehler Phyllis Nolan
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The President noted two member of Council still needs to be appointed to this committee along with another citizen.

He asked the members of Council to look at those vacancies that still need to be filled and advise him of their preference..

2. With regard to the issue of Pill Mills, the President said he is a part of the group although he hasn't attended any meetings for a while. He said he did plan on being at the meeting of the 24th. The President stated that he was totally in support of the efforts of this group and believed Council, with assistance from the Solicitor, will do all it can to adopt an ordinance declaring that support.
3. With regard to the Police Department server, the President said he received a letter in his mailbox last night and shared his thoughts through an e-mail. He said there was an indication that there would be a meeting on Tuesday or Thursday to address the issue. He said that in listening to the comments from those who spoke to this tonight, he feels it important for all department to integrate information but as far as the privacy issue and the protection of our citizens, he felt the Police Department has to have a separate server, so there will be no breach of privacy or anything of that nature. He pointed out the fact that there is funds available and the grant that was approved was specific in nature, saying he did not think there is any option for making any adjustment to the grant. The President encouraged the Mayor to sign the PO and if she is not willing to do so, he suggested it be placed on the conference agenda for discussion. He again noted the funds to be available and further noted there is no cost to the residents of this City and yet the funding will serve the purpose for what is an immediate need.

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

Miscellaneous business from City Council:

2nd Ward The President had nothing to report from his ward.

3rd Ward Councilman Basham, with regard to the issue of mold, said he taught for years in a building with mold. He said he is offended with what was said tonight because of the simple fact that only one office is being given consideration, saying "one office is not affected, the building is affected". Mr. Basham said as a Councilman and as a citizen, he is truly offended when we talk about one little part that needs fixed. Referring to a remark that was made many many times by former Councilman Mollette, Mr. Basham said, "Mayor, we need a comprehensive plan about mold in the building – not in a corner but a plan for the building". He said he knows what mold can do but to just fix one corner or one area and not the whole building was offensive to the rest of the people who work in this building.

Mr. Basham noted another issue about which people have been inquiring is - "Why are we turning down free money?". He asked the Mayor to put aside her personal vendetta and grievances with the Police Department and do something that is in the best interest of the citizens. He said, "It costs no money, it serves purpose and it take care of a problem".

4th Ward Councilman Albrecht, on behalf of the residents of the 4th ward, asked the Mayor to accept the grant awarded to the Police Department. He acknowledged there to be a huge amount of drug activity and prostitution in his ward. He said he has worked with the Police Department with regard to these issues and he knows they try to do a

good job. He said he has also worked with the Judges who are trying to do better. Mr. Albrecht felt it takes everybody to help alleviate the drug problems. He agreed with both Mr. McHenry and Mr. Thompson and expressed his support of their efforts.

5th Ward

Vice President Haas, on behalf of the 5th ward, also asked the Mayor to reconsider her denial of the purchase order for the new server. He said he has spent some time over the past couple of weeks speaking with Mr. Justice and the Chief as well as others in the Police Department with respect to the server and the need. He noted that a lot of their conversation was reiterated here tonight. He supported the need for the separation and agreed to the security needs. He noted the redundancy simple meant that there would be two servers that would mirror each other. He said he also finds this rather insulting to the grants writing person who spent time working on this grant. Mr. Haas stated that it seemed rather timely in nature only to have it denied at the last possible minute.

Mr. Haas asked the Solicitor to prepare legislation repealing the authority given to the Mayor by Council with regard to traffic issues and signage by returning that authority back to Council. He pointed out that section of the codified ordinances that allows Council to override the Mayor and to repeal the authority with regard to traffic issues. He asked that it be prepared for consideration at Council's next meeting. Mr. Haas acknowledged the reason for this request was "quite frankly" due to the fact the Traffic Committee has been completely ignored and he is not even sure they are meeting any more, noting there to really be no point in them doing so since none of their recommendations are being listened to or followed. Mr. Haas also pointed out that new "no turn on red signs" have been erected in violation of the City's ordinances. He noted there to be a specific ordinance designating those intersections where there is a no turn on red sign, which has been completely ignored. Mr. Haas further stated there to have been other items, brought forward by citizens, that should have gone before the Traffic Committee but were not handled in that way. Mr. Haas said, "For someone who came into office and said they were going to have an open and seek public input and respect decisions being made that protect the citizens of this City, as far as traffic is involved, it hasn't happened, in fact quite the opposite". He felt the time to be right for Council to reassume the powers delegated to the Mayor back in the 60s.

6th Ward

Councilman Noel said it sounds to him like they were doing away with the Mayor if she doesn't have any power to do anything. He said he has listened intently to everyone who spoke this evening and has two pages of notes. He expressed his appreciation to everyone especially Mr. McHenry's efforts to try to solve the main problem we have.

Prior to calling on the Auditor, the President said he wanted to applaud the efforts of the Auditor who was chairman of this year's Riverdays Committee. He congratulated Mr. Williams, along with the rest of the committee for "a job well done".

The Auditor said he had no report but extended his thanks to the President for his remarks. He called the Riverdays an important event in our community, saying he was pleased to be a part of it and hoped everyone enjoyed it.

The Solicitor, with regard to Mr. McHenry's presentation, invited him to meet to discuss the legislation. He said he would do whatever he can in terms of trying to bring to Council something that will address this issue. He noted his concern to be that he obviously wants to make sure that whatever is done is obviously legal, saying we are creating basically new territory and he wants to make sure that whatever is done it is something that will carry some teeth with it as well. He said he did not want to rush into this but at the same time it is on our burner and he wants to do whatever he can to assist that process.

With regards to the Police and their server, he respectfully requested the Mayor to reconsider that decision. He did not feel it necessary to go into the issues other than to say that his primary concern is obviously the safety of our officers and citizens. He felt there to truly be a need for this and again it was pointed out that this was at no cost to the City or taxpayers. He pointed out that the grant has already been accepted and expressed his concern that we would have to turn around and tell the people who were generous enough to give us the money, "No thank you". Mr. Jones acknowledged these same issues to have come up with other grants and these same issues and concerns have been that if we turn down money from an organization, it is going to be very difficult next time to say we really do want this money. He said he has met with some of the personnel in the Police Department, specifically Laura Davis, their grant writer who has done an excellent job. He acknowledged both his and her concern that if the City does not accept this grant it would endanger future grants, which he described as substantial amounts of money, not just two or three thousand dollars – noting that we also have a grant pending for \$100,000.00 that we are pretty confident we will receive but there is a good possibility that by not accepting the grant for the server they may not entertain awarding us the \$100,000.00. He again respectfully requested the Mayor to sign off on the purchase order so we can get the necessary equipment.

The meeting adjourned at 7:50 p.m., on a motion by Vice President Haas.

City Clerk

President of Council