

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
 Monday January 11, 2021
 6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday January 11, 2021 at 6:00 p.m., at Shawnee State University Center. Council held the meeting at Shawnee State University in order to comply with the Governor’s order to social distance at least 6 feet apart.

Mayor Kevin E. Johnson 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:

Sean Dunne	1 st Ward
Charlotte Gordon	2 nd Ward
Kevin E. Johnson	3 rd Ward
Lyvette Mosley	4 th Ward
Edwin Martell	5 th Ward
Dennis Packard	6 th Ward

Also present was, City Manager Sam Sutherland, City Clerk Diana Ratliff, Solicitor John Haas and Auditor M. Trent Williams.

Council dispensed with the reading of the Journal for the Regular Session of December 28, 2020 on a motion by Vice President Dunne. **The motion carried viva voce: VOTE: 6 ayes –0 nays.**

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA

Due to the Governor’s mandate of only 10 persons in a meeting, the meeting was not open to the public – Statements and Remarks were emailed ahead of time and read by Clerk Ratliff

There was no one present that wished to address Council pertaining to items on the agenda.

LEGISLATION

The clerk gave a **third reading**, to an Ordinance to make appropriation for the current expenses and other expenditures of the City of Portsmouth, Ohio beginning January 1, 2021 and ending December 31, 2021, as provided for in Section 49 of the Charter of the City of Portsmouth, Ohio.

**Ord. #01- 2021
 General Fund
 Budget**

Vice President Dunne moved that the 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 appropriation of a total of \$100,000 from General Fund No. 101 to cover the costs of the zoning ordinance update.

**Ord. #02- 2021
 Zoning Update**

Vice President Dunne moved that the Ordinance be passed.

Councilwoman Gordon asked Manager Sutherland if a firm had been hired yet and he replied “not yet”, but they will begin the request for qualifications as soon as the money has been appropriated.

Mayor Johnson asked how the amount of \$100,000 was decided upon and Manager Sutherland replied that they had looked into what they thought it would cost and also The Scioto Foundation would be paying \$25,000 of the \$100,000 and \$75,000 would be the city’s contribution. He had spoken with Consultants and research some from the Master Plan and they determined that \$100,000 would be a fair estimate, but it may come in cheaper.

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

The clerk gave a **first reading**, to an Ordinance authorizing the appropriation in the amount of \$98,769.00 from Sewer Fund Number 621 for the repair of a sewer that needs replaced in the area of Union Street between Front and Second Street. 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.

Vice President Dunne motioned to suspend the three-reading rule.

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

Vice President Dunne moved that the Ordinance be passed.

Councilwoman Gordon asked if the sewer fund was what was keeping the city in the “red”? Manager Sutherland replied “yes” it was one of the funds that was keeping the city in fiscal watch. She asked if the money could be taken from the Capital or General fund because she hated depleting the sewer fund and wasn’t sure what we could legally do. Auditor Williams stated that if it was a sewer expense it should be paid with sewer funds, he said that in spite of this expense, he believed that the sewer expense would begin to thrive on its own this year because it ended up in 2020 with a positive balance. However, if the city incurred 6-12 of these types of issues, there would be problems all over again. He added that the sewer system is over 100 years old and had lots of problems and when they occur, they usually were expensive.

Councilwoman Mosley asked where the funds were coming from for the sewer fund, Auditor Williams replied that those funds come from the water & sewer bills, specifically from the sewer bills.

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

The clerk gave a **first reading**, to an Ordinance authorizing an additional appropriation of \$40,040.00 from Capital Improvement Fund No. 301 to be paid from ODOT Transportation-Multipath Line-Item No. 301.661.5507 to cover the additional cost for payment to the Ohio Department of Transportation for the City of Portsmouth’s Riverfront Multi-Use Path. 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.

Vice President Dunne motioned to suspend the three-reading rule.

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

Vice President Dunne moved that the 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 **first reading**, to an Ordinance authorizing the City Service Director to enter into a lease agreement with WATCH ME GROW OHIO for the purpose of utilizing the flood wall adjacent to the campground and restroom facilities for artwork/enhancements and to repeal Ordinance No. 64 of 2020.

Vice President Dunne moved that this constitutes a first reading, but after some discussion he withdrew his motion and motioned to suspend the three-reading rule.

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

Vice President Dunne moved that the Ordinance be passed.

Councilwoman Gordon asked what the Ordinance 64 of 2020 was and Councilman Martell stated that it was the previous lease agreement with a different organization. He added that the Ordinance is the same except the organization had changed. Ms. Gordon asked exactly where it would be located and Mr. Martell explained that it was the floodwall that faced the river at the end of the cul-de-sac towards the campground, by the restrooms and playground.

Mayor Johnson stated that the reason the three-reading rule was waived was because it had been discussed at length and the only change was the organization. Mr. Martell replied that was correct and it had been ongoing for some time and would like it to be completed and he appreciated the waiving of the three-reading rule and was only for the Portsmouth Street Art project only.

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

Ord. #03 – 2021
Replacement of
sewer line on
Union Street

Ord. #04 – 2021
Additional
Funds for Multi-
Use Path

Ord. #05 – 2021
Lease agreement
with Watch Me
Grow floodwall
art

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Due to the Governor’s mandate of only 10 persons in a meeting, the meeting was not open to the public - Questions were sent in ahead of time via email and read by Clerk Ratliff

There was no one present that wished to address Council pertaining to items not on the agenda.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She received the City Solicitor’s Annual Report on January 8, 2021.
2. She stated that after speaking with Manager Sutherland regarding the Hotel Motel application, it was decided that there will be no meeting of the Cultural Affairs Committee in January, however the application will be posted on the city’s website as usual on the 1st day of February and all applications must be received by February 26th at noon. The Cultural Affairs Committee March meeting will be held as usual to review the applications, with social distancing practices in place.
3. She gave the Clerk’s Annual Report.

**CITY CLERK’S ANNUAL REPORT
FOR THE YEAR 2020
PURSUANT TO SECTION 7 OF THE CITY CHARTER**

Regular Sessions	21
Manager’s Conference Sessions	21
Special Meetings	
Organizational Meeting	1
Executive Sessions	9
Public Hearings	1
Citizens Addressing Council at the Public Hearing	
Recess	1
Ordinances Passed	77
Resolutions Adopted	27
Additions to the Agenda	12
Readings Waived	56
Ordinances Amended on the Floor	16
Tabled Ordinances	7
Tabled Resolutions	
Defeated Ordinances	3
Defeated Resolutions	
Appointments by Council	29
Oaths of Office	31
Proclamations	5
Ohio Department of Liquor Control	
Notice of Permit Transfers	2
Request for New Permits	
Notice of Stock Transfers	
Citizens Addressing Council	
Items on the Agenda	44
Items not on the Agenda	15

The City Clerk’s report was received, filed and made part of the record, on a motion by Vice President Dunne. The motion carried viva voce: **VOTE: 6 ayes– 0 nays.**

City Manager’s Report – Manager Sutherland reported the following:

1. He reminded all the folks that have Christmas decorations on city property to have them removed by January 30, 2021. The City was not concerned with winter decorations just the Christmas decorations as well as all of the lights removed from the trees by that date.

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

Mayor’s Report – Mayor Johnson reported the following:

1. His plan was to meet with Clerk Ratliff regarding the committee appointments because there were a few openings for various committees.
2. He congratulated the Cleveland Brown fans in the area and “Go Bucks”.

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

Solicitor Haas Report – Solicitor Haas reported the following:

1. He submitted his annual report to the City Clerk and if there were any questions, to please give him a call.

The City Solicitor’s report was received, filed and made part of the record, on a motion by Vice President Dunne. The motion carried viva voce: **VOTE: 6 ayes– 0 nays.**

Auditor Williams Report – Mr. Williams had no report.

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Dunne reported the following:

1. Beat Alabama!

2nd Ward – Councilwoman Charlotte Gordon reported the following:

1. She wished everyone a Happy New Year and looked forward to good things to come for our city.
2. She thanked Manager Sutherland for the tear-down of the blighted house on Jackson Street.
3. She thanked Nathan Prosch the new Engineer as he has gotten off to a really good start this year and is working hard.
4. Go Bucks!

3rd Ward – Councilman Kevin E. Johnson had no report.

4th Ward – Councilwoman Mosley reported the following:

1. She accepted the congratulatory remarks regarding the Browns from the Mayor.
2. She thanked Manager Sutherland as they had been working on getting Sav-A-Lot’s parking lot cleared. A company named Green Recyclables had put some containers in our city for donations with signs that said “donations for Children’s Nationwide Hospital” in Columbus which was false, it belonged to another company. After researching the phone number, which was disconnected, she traced the phone number on the internet and found the company that owned it and then went to the Better Business Bureau where there were numerous pictures from other cities which say “do not allow these people to put the containers on your property because it is a nuisance”. Neighbors were complaining and the city was finally able to get the container moved.

5th Ward – Councilman Martell reported the following:

1. He accepted the Mayor’s congratulations on the Browns win.
2. He stated that he had a situation with resident’s parking on the grass in their yards and he would like code enforcement to get involved.
3. He was recently invited to become a part of something that will be great for our community and encouraged others to join if at all possible. The program will be through the Scioto County court system called “Safe Babies”. The program was designed to help babies who were born addicted and there were only counties in the State of Ohio that would be a part of the program: Cuyahoga, Montgomery and Scioto and they were working out the details for training. The numbers were ungodly awful, Cuyahoga County had a population of approximately 1.2 million people and had done a study over three months and found there were 137 babies born addicted. In Scioto County the population is approximately 75,000 and we had 131 babies born addicted. This was a very big problem and the program wouldn’t eradicate the issue but hopefully help the issues. There were a lot of babies going undiagnosed and he would encourage everyone to put in your expertise. They were looking for Government Officials, Lawyers, Auditors, volunteers and were looking for active community members who were willing to help in any way that they can

and if anyone would like more information, contact him via phone which the number can be found on the city's website or on facebook.

4. Go Buckeye's!

6th Ward – Councilman Packard reported the following:

1. He extended his congratulations to the Browns fans also.
2. He said that the classes at the Sciotoville Community School Art Department were working on some creative items to display in the Ward and he thanked Robin Slusher.
3. He had discussed with Manager Sutherland some issues in the 6th Ward regarding a letter he had received from a resident who had numerous concerns regarding discarded needles left in residential areas, garbage cans not being collected from the collection sites after collection day, discarded furniture. There was an issue with commercial vehicles and whether they could be used as a personal vehicle and allowed to park in residential areas where parking was already scant. He had attempted to make contact with the resident that wrote the letter but was unsuccessful but had drafted a letter and had given it to Clerk Ratliff to mail out.

The meeting adjourned at approximately 6:29 p.m. on a motion by Vice President Dunne.

City Clerk

Mayor