

**MINUTES – REGULAR SESSION**

**PORTSMOUTH CITY COUNCIL MEETING**

Monday January 25, 2021

6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday January 25, 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 <sup>st</sup> Ward
Charlotte Gordon	2 <sup>nd</sup> Ward
Kevin E. Johnson	3 <sup>rd</sup> Ward
Lyvette Mosley	4 <sup>th</sup> Ward
Edwin Martell	5 <sup>th</sup> Ward
Dennis Packard	6 <sup>th</sup> Ward

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

Council dispensed with the reading of the Journal for the Regular Session of January 11, 2021 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 revise the Codified Ordinances by adopting replacement pages thereto. 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 **third reading**, to an Ordinance authorizing the appropriation of \$15,000.00 from General Fund No. 101 to be paid from Grounds Maintenance Cemetery/Grounds Line-Item No. 101.333.5262 for tree removal in Greenlawn Cemetery. 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.

Mayor Johnson asked Manager Sutherland how many trees were being removed, Manager Sutherland replied that it should be about a dozen. He said the process included would be removal of the tree, removing the stump and replacing with soil and they will look into replanting trees in coordination with the Tree Commission.

**Ord. #06- 2021  
Codified  
Ordinance  
updates**

**Ord. #07- 2021  
Tree removal  
Greenlawn  
Cemetery**

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

**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**

**Nancy Craigmiles – 409 Beattyville Road, South Portsmouth, KY** – She advised that she had lived in the city for years and recently had moved to South Portsmouth but she had concerns about the confederate flag issue which was on the City Manager’s Agenda. “I am concerned about the issue of the confederate flag at the riverfront campground. I am not a proponent of flying the confederate flag. I merely want to assure the Council has accurate information before any action is taken that will affect all the renters. I watched the video of the January 11, 2021 council meeting. The discussion was based on the belief that the person who exhibited this flag is racist and determined to continue to exhibit the confederate flag as a symbol of hatred. I know this person and you are wrong. This person has been a longtime camper at this location and has flown as many as 26 flags at one time on this campsite. In the 2020 season, there were 12 flags. As you will see in the attached picture the confederate flag was not predominant. This flag has no personal importance to my friend. This was just one of many flags he has accumulated through the years. Your discussion made it sound as if my friend is hell-bent on flying the confederate flag or otherwise displaying symbols of hate. This is not an accurate depiction of my friend at all. I question why no one had simply asked my friend if intends to fly this flag in future camping seasons. I believe that would have been the sensible approach for the city officials to take rather than waging a war against him. This collection of flags was put up on the riverbank at the beginning of the camping season in 2020, which was before the public condemnation of the flag that arose from the sad set of circumstances that occurred in our country. It could be my friend no longer has an interest in flying this flag which would make all this discussion unnecessary. I fear the council’s words have the potential to create racial tension where there was none before. This is surely not something we want in our city. You have made my friend a potential target by painting him as a racist and a bigot when nothing could be further from the truth. I believe it was Councilman Dunne who made statements about raising the rental rates for all campers to encourage them to put pressure on my friend to remove the flag. When it was suggested it would not be the fair or right thing to do in raising the rental rates for all campsites his answer was, “Talk to your neighbor.” Councilman Dunne mentioned doubling the rates every year. He said increasing the rates every year for all campers would add the incentive for them to “tell him to take the stuff down.” Mr. Dunne also said, “One of the ways racism works is when people be quiet about it. And this is kind of encouraging them not to be quiet about it.” There is no racism at play here and I think there are better ways to resolve this issue. Encouraging hard feelings and possibly aggression between neighbors is not a positive way to proceed. Can I recommend that you simply open a discussion with the person who has displayed the confederate flag in past years? During this council meeting, there were numerous comments about hatred, beliefs and what is in a person’s heart. Again, I can assure you that you have not the slightest inkling of this person’s character, his beliefs or what is in his heart. You have approached this situation in the most egregious manner possible. I do not rent a campsite on the river, but I do enjoy visiting with my friends who do. It would be a shame to deny anyone the opportunity to camp in your lovely riverfront campground. Thank you for your consideration.”

**MISCELLANEOUS BUSINESS AND REPORTS:**

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

1. She received via email on January 13, 2021 from the Auditor’s office, the following summary statements of the Combined MTD/YTD reports for the period ending December 31, 2020: Expense, Revenue and Fund.
2. She received on January 25, 2021 the Oaths of Office for Police Officer Tyler Spriggs and Jesse Kontras.

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 stated that Service Director Jack Tackett had contacted the person that was flying the confederate flag and he advised that he would not be flying that flag any longer and that he never meant for anyone to take any offense to it. He had flown flags that referred back to the Korean war among others and hopefully this puts this issue to bed. We hope that the folks come down this summer and have a good time. As far as he’s concerned the flag issue was resolved as of now. He thanked Mr. Tackett for reaching out to the gentleman and speaking with him to get it resolved.

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. He made several committee appointments/re-appointments and made a special thank you to each of them because some serve anywhere from 2 years to 5-year terms. Please see the following:

Reappointed Sharon Bender- Board of Design & Review and the Portsmouth Area Convention and Visitors Bureau.

Reappointed Charles Davis- Board of Design & Review.

Reappointed George Davis - Board of Health.

Reappointed Chad Garinger- City Planning Commission and Zoning Board of Appeals.

Appointment of Joseph Pratt- Human Rights/ Fair Housing Commission.

Reappointed Sonie Hash- Land Reutilization.

Reappointed Carol Caudill- Traffic Committee.

Appointment of Joseph Pratt to Human Rights/Fair Housing Reappointed: Sharon Bender to Board of D & R and PACVB Charles Davis to Board of D & R George Davis Board of Health Chad Garinger City Planning and Zoning Board Sonie Hash to Land Reutilization Carol Caudill Traffic Committee

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 had no report.

**Auditor Williams Report** – Mr. Williams had no report due to absence.

### **MISCELLANEOUS BUSINESS FROM CITY COUNCIL**

**1<sup>st</sup> Ward** – Councilman Dunne reported the following:

1. Received word back from the company they had been working with to create a Portsmouth Monopoly game, but since that time that company had entered into a contract with WalMart. If the city were to move forward with the game, we would have to find some other alternative means.
2. He will be meeting Wednesday in regards to issues at the campground.
3. He was able to speak with someone who was developing in the downtown area about the Ohio PACE program which said a lot about the recent developments in our city as there were individuals investing in our downtown. This allowed businesses to renovate buildings in a financially beneficial and energy efficient way.
4. He said the Skate Park Company who designed and will build the Portsmouth Skate Park had submitted the final construction documents to the Army Civil Corp of Engineers for official approval. They are planning on late March to begin construction and it will be the biggest Skate Park in our area.
5. He had walked around and spoken to people in the First Ward and observed that a lot of people had been to the Dog Park which was a big hit in the First Ward. He thanked Tracy Shearer and everyone that was involved. It had been something that people had responded very positively and he believed that they should do another one somewhere else in the city.
6. He received a lot of responses regarding Code Enforcement and as a Council, we were trying to develop a more efficient and transparent system of Code Enforcement. They will continue to work on a system.
7. He said that it had been 4-years since the last time he went around the First Ward and there were a lot more Ring Doorbell devices out there and a lot more packages from Amazon which tells us about different trends, surveillances and online consumption. He had a great time talking and sharing with people about what was going on in the city.

**2<sup>nd</sup> Ward** – Councilwoman Charlotte Gordon reported the following:

1. She said that she and her husband took part in the MLK march on January 17, 2021 in Portsmouth and that they had walked from the 14<sup>th</sup> Street Community Center to the new MLK Way by McKinley Pool with about 50 people. It was a touching event and she was overcome with the sense of community was very glad she participated.
2. She thanked Director Jack Tackett for reaching out and helping us come to a favorable conclusion with the flag issue.
3. She said for the next meeting she will have an appointment for the Land Reutilization.

**3<sup>rd</sup> Ward** – Councilman Kevin E. Johnson reported the following:

1. He reminded people that it was illegal to dump, which he had said many times. Our city was easy to work with and if you need something that needed to be hauled off, there were certain days during the month in which that took place; they just need to contact the Service Department because they were very good about working with our resident's. He said the dumping and littering had to stop and would like to see more enforcement of fines and penalties of people that do dump garbage, rubbish and furniture throughout our city. He appealed to the citizens that were doing this to please stop.

**4<sup>th</sup> Ward** – Councilwoman Mosley reported the following:

1. She said that she did not know that there were that many alleys until she got on Council and people were calling and asking for her to come and look at different things. She thanked Manager Sutherland for getting with the people and taking care of the issues.

2. She said that she had stopped at some businesses whose dumpsters were pretty bad and looked bad for their neighbor's business. She was able to stop into AT&T and the new Pawn Shop as it was their garbage and they said they would take care of it today. She also spoke with Be Fit Gym who were doing great things; they go up and down Kendall picking up trash. She said there was a Tent City for the homeless in the woods behind their building, but they had already taken care of it. She said that because of the homeless they have a donation box on the side of their building that they put food into for people who were in need.
3. She said that there was a problem with Little Caesar's parking lot and how vehicles could pull onto their lot. There was three or four ways to pull onto their lot and she had spoken with the Manager of Little Caesar's who advised that they would block off one of the entrances because of traffic overflow onto Gallia Street (#52 West) especially on Friday and Saturday.
4. She thanked Manager Sutherland for all the concerns that she sent to him recently which had been taken care of.

**5<sup>th</sup> Ward** – Councilman Martell reported the following:

1. He congratulated Delano Thomas and the Shawnee State Men's Basketball team who were having a historical season this year. Delano Thomas was nominated as "Coach of the Week" and it was his belief that he should be Coach of the Year for having such a great year.
2. He had received a lot of calls about the Safe Babies program and he reiterated that he was merely a volunteer of the Safe Babies program. He said that it was presented to him that they needed help and he wanted to bring awareness to the program by volunteering any help that was necessary. He said they were still in need of volunteers and advised that he would get Jordan Davis' information to the City Clerk so that it could be put on the city website and FaceBook page. He said for those that want to be involved with the program, it was handled by the Juvenile Drug Court.

**6<sup>th</sup> Ward** – Councilman Packard reported the following:

1. He thanked all of the workers in the community that were keeping us going and keeping us safe.
2. He thanked the community youth in the 6<sup>th</sup> Ward and their continued efforts to promote the vaccine that was available. He thanked Robin Slusher for her work with the youth.
3. He had several complaints about garbage cans not being taken back from the collection site after the garbage had been collected. He advised those that might not be aware that the ordinance does state that once the cans had been emptied by the city, the cans need to be removed from the sidewalk or collection point no later than 7:00 p.m. on the day of pick up.

Vice President Dunne requested to move into Executive Session to discuss Employee matters and invited Manager Sutherland.

The role was called and the motion carried: **VOTE: 6 ayes– 0 nays**, Council recessed into Executive Session at 6:31 p.m.

**Executive  
Session**

Vice President Dunne motioned to reconvene from Executive Session. Council reconvened with all still in attendance at 7:05 p.m. with the exception of Solicitor Haas.

The meeting adjourned at approximately 7:07 p.m. on a motion by Vice President Dunne.

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City Clerk

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Mayor