

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

Monday February 8, 2021

6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday February 8, 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, Solicitor John Haas and Auditor M. Trent Williams.

Council dispensed with the reading of the Journal for the Regular Session of January 25, 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 **first reading**, to a Resolution authorizing the City of Portsmouth to prepare and submit an application to participate in the Ohio Development Service Agency Revolving Loan Fund Program(s) and to execute contracts as required for obtaining this financial assistance.

**Res. #01- 2021  
Revolving Loan  
Fund Program**

Vice President Dunne moved that the Resolution be adopted.

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****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**

**Chad Horrell – DoorDash – 3108 Russell Road – Alexandria, VA 22305** – “Good evening, my name is Chad Horrell and I am with DoorDash. We are proud to say that restaurants on our platform have been 6-times more likely to remain in business during the pandemic. We understand that restaurants are hurting because of the pandemic. We do not support commission caps because there are other, more palatable ways to support restaurants; however, if a price control is the path forward, we would like to offer some amendments that would reduce the unintended consequences created by such a policy.

There are a number of amendments that we would request, but because we were not provided the proposed language until late this afternoon, we would like to focus on two items. We would ask the council to table the issue for tonight because of the lack of ability to engage with the council, ensuring full understanding of the policy proposal and its impact. The order is currently drafted to regulate our contracted commissions at 15% for delivery, which does not allow the ability to cover the cost of service. Delivery is the most expensive part of the service we provide our restaurant partners and customers, and the cap structure simply does not allow us the ability to cover that cost. Dashers earn an average of \$22 per active hour on our platform, which 15% hurts our ability to cover. Because of this, we would have to cover the costs in other ways, which we have seen does lead to reduced volume of orders. That means less revenue for restaurants and less income for Dashers. The other unintended consequence we would flag is with less revenue generated for the service, could lead to fewer Dashers, fewer orders accepted by Dashers and the service could contract in certain areas. With this in mind, we would make a strong recommendation that the council increase the cap to 20%, which other localities have done. Beyond just paying for the Dasher, commissions also cover a number of other parts of the transaction such as credit card fees, which could be as high as 3% of the overall transaction and are often already covered by the

restaurant; maintaining the platform customer service; and insurance for our Dashers. We are happy to work with the council on this effort if the opportunity could be made available.”

**MISCELLANEOUS BUSINESS AND REPORTS:**

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

1. She received via email on February 1, 2021 from the Auditor’s office, the following summary statements of the Combined MTD/YTD reports for the period ending January 31, 2021: Expense, Revenue and Fund.
2. She received on February 3, 2021 from the Scioto County Board of Elections notification that the estimated amount of \$3,209.20 will be withheld by the County Auditor for the 2020 Elections.
3. She received the Oath of Office on Shawn Stratton for the Civil Service Commission and on Joseph Pratt for the Fair Housing Board/Human Rights Commission.
4. She contacted Jordan Davis at the Scioto County Juvenile Court regarding the Safe Babies Program. Ms. Davis emailed some information on the program to the Clerk and she uploaded it to the city’s website and the city’s facebook page for those that would like to have the information.

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 said that recently there was a report in the newspaper about the Portsmouth Police Department having a new APP and that the APP would be a useful tool for folks. He said that they could submit tips, get information about permits as well as other useful information. He stressed that this was not for immediate service from the Police and if a person needed an Officer to please dial 911.
2. He attended a ZOOM meeting with Friends of Portsmouth and they said they would be contacting City Council and would like them to start concentrating on areas in each ward that needed cleaned up.

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 appointed Christine Scott to the Civil Service Commission
2. He appointed Jerry Huffstetler, III to the Fair Housing Board/Human Rights Commission.
3. He said that in his line of work last week he was working late hours and set a security alarm off where he was working. The Portsmouth Police responded with four Officers and he commended those Officers for their professionalism and was very proud of our Police Officers in the city.
4. He said that he had read on a social media outlet that one of the local Sheriff Deputy’s had seen some kids playing in the snow and they didn’t have sleds. This Deputy went to a local hardware store and bought sleds for the kids to be able to play in the snow. He thanked that Deputy and hoped that Sheriff Thoroughman was listening because he appreciated what that Deputy did for those kids. He said that sometimes there was so much negativity that it was nice to have some positivity.

Appointed  
Christine  
Scott to Civil  
Service and  
Jerry  
Huffstetler  
to Fair  
Housing/  
Human  
Rights  
Commission

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 reported the following:

1. He said that all 67 funds ended 2020 in the black and most of them had gains over their previous years balance with the exception of one. He said that the General Fund Income Tax revenue for the month was \$995,685 which was \$11,116 over the previous year in the same month and ended \$145,889 total over last year. Total Income Tax Collection for the month was \$1,131,463 which was \$12,628 over the previous December and \$165,381 over the previous year. The Fund Balances for the six major funds in 2020 years end: \$9,531,004; Streets \$500,479; Water \$1,239,137; Sewer \$357,497; Sanitation \$264,907; Insurance \$3,629,067. All the major funds had positive changes in fund balances from 2019 to 2020 with the General Fund improving by over \$3,000,000; Streets by \$44,100; Water by \$1,129,687; Sewer by \$586,360; Insurance Fund by \$724,412 and the only fund that did not improve but still ended with a positive balance was the Sanitation Fund which was -\$65,789 less than last year. He reminded Council that the City Manager brought that up in a previous meeting that Sanitation would need to be addressed in the budget and with the State Auditor.

The City Auditor’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.**

**MISCELLANEOUS BUSINESS FROM CITY COUNCIL**

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

1. He reappointed Kyle James to the Land Reutilization Committee.
2. They received the first draft of the assessment of Spartan Municipal Stadium and he thanked Manager Sutherland for meeting with the organization that did the appraisal. It came in at \$3,200,000 which was very important and could possibly receive funding from different sources. The cultural facility grant that he felt the city should go for, would use the value of the stadium (building and land) as part of the match. The higher the appraisal, the higher the potential that the city would be eligible to receive. The next step would be to get a conceptual drawing and figure out the cost for the different stages of renovation.
3. He said they had a great meeting with Mayor Johnson, Councilwoman Gordon and members of the campgrounds that was previously discussed. He felt it was a productive meeting and moving forward, he would like to stay in touch and he thanked Manager Sutherland for looking into issues with the breaker boxes at the campgrounds.

**Reappointed  
Kyle James to  
Land  
Reutilization**

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

1. She reiterated that it was a good and productive meeting with the campground. She said she walked by there almost every day and had no idea really how it worked and she found it very informative.
2. She sat in on a code enforcement meeting with Councilman Packard, Manager Sutherland, Andy Gedeon and Tiffany Hedrick from the Police Department which was very productive. Andy had come up with some new ordinances to help attack Code Enforcement. Solicitor Haas will be examining those ordinances to give input going forward.
3. She said she would have an appointment at the next meeting for the Land Reutilization Committee.
4. She was still working on the agenda for the February 20<sup>th</sup> meeting.

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

1. He thanked the members of the campground, Vice President Dunne, Councilwoman Gordon for the meeting regarding the campground and it was very productive. He said that it made for a clearer picture when you can look over the table and talk to each other to resolve some issues.

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

1. She said that this was her third year preparing income taxes with the Potters House in Sciotoville. She said anyone needing their taxes done for free, that was one of the great tools that the church had with the ministry and she would like for people to utilize their services.
2. She thanked Manager Sutherland for handling code violations.
3. She said that she would have an appointee at the next meeting.

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

1. He thanked Manager Sutherland and the city workers for fixing a pothole and was sure that fixing potholes in the snow wasn’t fun.
2. He said that when he was out canvassing there were a few things that was brought to his attention. He said that there were complaints about stray animals running loose and requested Animal Control’s help with the matter.
3. He said there was an issue with speeding on Micklewaithe and he wasn’t sure what the solution would be except for possibly more patrolling or speed bumps.
4. He said on Grandview there were two houses at 1905 and 1911 that were in bad shape and would send pictures to the City Manager.
5. He said at Grandview and 23<sup>rd</sup> Street, there wasn’t a 4-way stop sign but every other intersection had 4-way stop signs. He said there was an accident there not too long ago as well as some near misses. He would like it looked at.

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

1. He said that there was an issue with a resident concerning refunds for their public utility deposit after they had moved and Manager Sutherland got right on that issue and they received their refund. The resident had complained that it had been a couple of months but he wasn’t able to verify.
2. He met with several representatives regarding the fuel storage place and Manager Sutherland was waiting on a return call.
3. He said that he had asked some of the youth to get involved with supporting the community during the pandemic and he would like to recognize Taylor Harper who had created a banner which would go up in some of the area businesses and Aiden Albrecht from the community had come up with a couple of creative little badges that will be distributed throughout the

community. He thanked Mr. Jenkins and Mr. Brant who volunteered to put some of the posters up around the community.

Vice President Dunne requested to move into Executive Session to discuss Employee matters and invited Manager Sutherland and Solicitor Haas. Solicitor Haas asked if it was to discuss the appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official. VP Dunne replied “yes”.

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 6:57 p.m.

The meeting adjourned at approximately 6:59 p.m. on a motion by Vice President Dunne.

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City Clerk

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Mayor