

MANAGER’S CONFERENCE MINUTES
Portsmouth City Council Meeting on
March 8, 2021 – 8:26 p.m.

Members 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 and City Clerk Diana Ratliff, Solicitor John Haas and Auditor M. Trent Williams.

1. **Resolution Condemning Acts of Hate/Discrimination** **CM-21-14**

Manager Sutherland stated that this was a resolution that Councilman Packard and Councilwoman Mosley were proposing. Mr. Packard reiterated from the last meeting that it would be of no cost to the taxpayer and 100% benefit, because a price couldn't be put on peace of mind. Mayor Johnson didn't agree with some of the wording but agreed with the resolution of condemning acts of hate and discrimination, but felt that this should be mainly common sense and not sure the wording of "spread of COVID from China and the discrimination towards Chinese and the entire paragraph." Councilwoman Mosley replied that "yes" it should be because of the hearts and minds of certain people and the Asian population was being discriminated against in high numbers. They were being attacked because of the COVID-19 from China and that it was the Chinese people's fault that it was in the United States and now they were being violently discriminated against and were being targeting. Councilman Martell stated that he had personally been treated in the manner in which the resolution spoke of and to him it was extremely important. He said it was unfortunately this needed to be done because people weren't using common sense and for someone like him "of color" that hit really hard. He would like for people to be more aware that just because he wasn't the same color as other people doesn't mean he's not as smart as other people. He added that he felt that it fell under the premise of "let's not talk about it because it doesn't happen to me" and that was just as bad as someone making very derogatory statements towards him. Councilman Dunne stated that resolutions such as this, provide a statement to the public. Councilwoman Gordon stated that she wanted to see the City move forward to create a City in which all citizens feel comfortable and safe in all parts of the town.

Councilman Dunne motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 6 Ayes – 0 Nays**

2. **Crown Act Legislation** **CM-21-15**

Manager Sutherland stated Councilwoman Mosley had given information about the "Crown Act" and after researching the legislation, there were two different ways this could be handled. 1.) A separate Ordinance 2.) Add it to the Human Rights legislation that was recently adopted. He said that was the way Columbus had handled it and he felt that it might be the better way to go with amending the current Human Rights Chapter to add the Crown Act.

Councilman Dunne motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 6 Ayes – 0 Nays**

3. **ARC Grant Application** **CM-21-16**

Manager introduced the ARC grant application which would help the Franklin Furnace Booster Station.

Councilwoman Gordon motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 6 Ayes – 0 Nays**

4. **Code Enforcement** **CM-21-17**

Manager Sutherland stated that Mr. Gedeon had been reviewing a lot of the ordinances and had discussed some of them with Solicitor Haas and they came up with some amendments to fix the codified ordinances to help with part of the Code Enforcement issue.

Councilman Dunne motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 6 Ayes – 0 Nays**

5. **JAG Grant Police Body Cameras** **CM-21-18**

Manager Sutherland said this was a match grant in the amount of \$21,385.00 with the city providing \$5,346.25 and the grant awarded would be \$16,038.75. This was for additional body cameras for the Police Department. Mayor Johnson asked how many this would purchase and Mr. Sutherland stated that he thought it was for 10 cameras.

Councilman Dunne motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 6 Ayes – 0 Nays**

6. **Drug Task Force Grant** **CM-21-19**

Manager Sutherland said that this was another match grant with the total being \$21,333.00 and the city would be providing \$5,333.00 and the grant would provide \$16,000.00. The grant would be used towards drug task force activities.

Councilman Dunne motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 6 Ayes – 0 Nays**

7. **Hotel Motel Tax Distribution** **CM-21-20**

Manager Sutherland stated that this year the Hotel Motel distribution would be \$20,643.00 and the meeting was set for March 11, 2021 to finalize the details.

Councilman Dunne motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 6 Ayes – 0 Nays**

8. **Repair Sewer at 7th & Gay Street** **CM-21-21**

Manager Sutherland said there was a storm sewer that runs from the alley behind the Lofts Apartment on 4th Street north on Gay Street to 7th Street with both manholes and sewers and there were visible sinkholes. He said the \$46,698.00 would be used to line that sewer and then ODOT could pave it. Councilwoman Gordon said there was a sinkhole by some of the pavers and Manager Sutherland stated that they had been seeing more and more of those around the pavers. He and the Director Tackett had spoken about removing the pavers and putting stamped concrete or something more rigid because the sand washes out from underneath those pavers.

Councilman Dunne motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 6 Ayes – 0 Nays**

Discussion –

Area under Grant Bridge for Food Vendors and Other Activities – Councilman Dunne stated that this was the area under the Grant Bridge close to the Dog Park where they had talked about the creation of social spaces. ODOT had given permission to create a social space, however food cannot be cooked there, they could be outside of that area possibly on the parking lot. This would be in case something caught on fire, there would be no damage to the bridge. He envisioned laying concrete with swings and provide space to encourage students to start coming off campus more and it also gave space that if it started to rain while people were at the Dog Park, there would be space for them to retreat and would be a great conversion of space. He said that there was an estimate of approximately \$13,000 for the concrete. Mr. Sutherland stated he would put it on his agenda for the next meeting.

Code Enforcement Discussion – Councilman Dunne said that one of the problems was out-of-state owners and holding them accountable for certain violations and infractions. He wondered if there were any policies that could address that issue. He added that there were things like “when can we have a review or when can we take over certain properties?” If certain monetary amounts were owed on properties based upon the failure to pay property taxes, could that policy be reviewed and how could the city take over a property within a timelier manner. He would like to review the process behind moving something to a Sheriff’s sale, because there’s been frustration with the time that it took and also with the property owner being able to disrupt that process by paying a portion of the back-taxes and then not paying again for another 18 months. Reviewing when a fine could be applied rather than just a warning and for the amounts of the fines as well. Exploring the idea of what could be done to property owners that have had repeated infractions and continue to buy property within the city, but he doesn’t know if that would be legally possible to prohibit a sale due to those violations or other ways of discouraging the ways that they’re using the properties. Could the city possibly enforce some type of course they could take such as when people drive drunk, they have to take a course for driving; could something like that be considered for property management. Solicitor Haas stated that those types of cases haven’t been moved forward because it was expensive to get service on somebody out-of-state with a lack of man-power and money to get service on these owners. Councilman Martell stated that if they were generating funds from other code violations, they could have funds to serve the out-of-state property owners. Mr. Haas said that it would depend on where they had to serve and contract with someone who would be willing to serve. Mr. Dunne said that it should be explored on what the cost would be to serve the out-of-state property owners. He also, would like to return to the discussion of the initiating the Rental Licensing Program

Part Time Records Clerk – Manager Sutherland stated that years ago, they had two full time record clerks in the Police Department. With the implementation of the Impound Lot, there was now a need for a part time clerk to handle the overload in that department. He said that he felt that he had enough money built into the budget by not filling the Assistant position in his office and it would consist of 20 hours per week and it would be non-union.

Vacancy Tax – Councilman Martell said that they had looked into the curated storefronts and found that it was cost prohibitive at this time. He said they need to do something about the blighted and vacant buildings downtown as well as residential houses. He explained that multiple cities across the US have passed vacancy taxes which range from different forms of taxation; some cities charge a certain amount per square footage, some were charging a percentage of what the building was appraised and others had a flat fee for commercial and flat fee for residential. He felt that the flat fee would probably be the best course; the city of Oakland, CA implemented a \$6,000 tax on commercial and \$3,000 on residential and it would be doubled if found to have numerous code violations. There would be exemptions to the tax such as: 1) If the building was under construction. 2) If you have building permits. 3) If you were a low-income senior. 4) If you’ve been impacted by financial hardships. There were other exemptions that would need to be spelled out. He doesn’t see this tax as a penalty but as encouraging them to do something with the property. Councilwoman Gordon felt that it was needed because of the commercial and residential properties that were sitting empty. Solicitor Haas stated that he would need to look at how other Ohio city’s implement such a tax. Mr. Martell said in other cities, 50-60 days was considered vacant. Solicitor Haas stated that Council needed to speak to some of the local realtors to see if there was any demand for these types of buildings or vacant properties because if there was no demand, what are the property owners supposed to do? Mr. Martell said that he felt they weren’t trying hard enough to fill the vacancy and they could even allow some pop-up business to come in temporarily. Solicitor Haas asked that it be listed as a discussion item again at the next meeting.

Liquor License – Councilman Martell stated that he had an email out to the Ohio Liquor Board and was waiting for their reply, but according to certain sources, they allow the City to carry liquor licenses to lease out to various businesses or events. The State would come and assess the area that had been deemed by the City as an Improvement Zone and they would determine how many businesses we had, how many restaurants within the improvement zone and then give an amount of license; they would take those licenses and lease them out to certain businesses in the City. The cost to lease a liquor license would not be astronomical because a constituent of his, tried to put in a business and those that were in possession of liquor licenses want an astronomical amount of money for them. This would be one way for a business to go forward and get a liquor license. Councilwoman Gordon asked if this would be a long-term liquor license? Mr. Martell replied that they could be for events but it would depend on how many were given to the city. This was all still new and he was working on getting additional information from the State. Councilman Dunne stated that he would be in favor of it as this would bring in capital to the city and having a destination city and a place where people could go out, especially since over the decades the City’s population had declined and he felt that it would be a great idea. He added that he had been approached about the TREX program where someone could buy a license in another part of the state and then have it transferred to the city. A Revitalization Zone would allow for additional licenses, but the program being put forth would be something to explore.

Councilwoman Mosley asked Manager Sutherland when the streets would start being fixed. Mr. Sutherland said that the crew had already started filling those potholes but if there were some that the crew hadn’t been made aware of, to let him know.

The meeting adjourned at 9:35 p.m. on a motion by Vice President Dunne.

Submitted by: *Diana Ratliff* – City Clerk

For the full audio version of the Manager’s Meeting, please go to www.portsmouthoh.org under City Manager 2021 “Audio”.