

**MINUTES – REGULAR SESSION**

**PORTSMOUTH CITY COUNCIL MEETING**

Monday March 9, 2020

6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday March 9, 2020 at 6:00 p.m., in the Council Chambers of the Municipal Building.

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
Andrew McManus	4 <sup>th</sup> Ward
Edwin Martell	5 <sup>th</sup> Ward
Thomas K. Lowe	6 <sup>th</sup> Ward

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

Council dispensed with the reading of the Journal for the Regular Session of February 24, 2020 on a motion by Vice President Dunne. **The motion carried viva voce: VOTE: 6 ayes –0 nays.**

Vice President Dunne motioned to add to the agenda as item 7(g) a Resolution committing to establishing an Energy Special Improvement District (ESID) to allow certain developments to apply and utilize PACE Financing. **The motion carried by roll call: VOTE: 6 ayes –0 nays.**

**STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA**

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

**LEGISLATION**

The clerk gave a **second reading**, to an Ordinance authorizing the acceptance of grant funds from the Ohio Department of Public Safety, Office of Criminal Justice Services under the Justice Assistance Grant (JAG) program for Drug Task Force use, establishing a dedicated account for the grant and authorizing the appropriation of such funding as received.

Vice President Dunne moved that this constitute a second reading.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a second reading was declared.**

The clerk gave a **second reading**, to an Ordinance authorizing the acceptance of grant funds from the Ohio Department of Public Safety, Office of Criminal Justice Services under the Justice Assistance Grant (JAG) program for Police Department equipment purchases, establishing a dedicated account for the grant and authorizing appropriation of such funding as received.

Vice President Dunne moved that this constitute a second reading.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a second reading was declared.**

The clerk gave a **second reading**, to an Ordinance to submit to the electors of the City of Portsmouth, Ohio, at the General Election to be held on the 3rd day of November, 2020 a proposed renewal tax levy for the Flood Defense System of the City of Portsmouth, Ohio, after declaring the amount of taxes that may be raised by levy at the maximum rate authorized by law without a vote of the electors to be insufficient.

Vice President Dunne moved that this constitute a second reading.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a second reading was declared.**

The clerk gave a **second reading**, to an Ordinance authorizing the appropriation of \$12,000.00 from Capital Improvement Fund No. 301 to be paid from Land Improvement Cemetery/ Grounds Line Item No. 301.333.5502 for building improvements to the Police Department Firing Range.

Vice President Dunne moved that this constitute a second reading.

Mayor Johnson asked if this appropriation was for the building and the reply was “yes”. Mayor Johnson commented that it needed re-appropriated because they were not able to complete the project last year.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a second reading was declared.**

The clerk gave a **first reading**, to an Ordinance authorizing the acceptance of an insurance check in the amount of \$37,297.00 received from HCC U.S. Specialty Insurance Company into CIP Fund No. 301.000.4931 and the appropriation of same into Police Department CIP Vehicle Line Item No. 301.221.5532 for payment of a 2020 Ford Explorer Police Cruiser that was totaled out and to be used towards the purchase of a new vehicle.

Vice President Dunne moved that this constitute a first reading.

Mayor Johnson asked if the readings need to be waived and Manager Sutherland stated that there was no need for the readings to be waived.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

The clerk gave a **first reading**, to an Ordinance making the appropriation for the current expenses and other expenditures of the City of Portsmouth, Ohio beginning January 1, 2020 and ending December 31, 2020, as provided for in Section 49 of the Charter of the City of Portsmouth, Ohio.

Vice President Dunne moved that this constitute a first reading. Mayor Johnson asked Auditor Williams if the ordinance needed past immediately and he replied that it did indeed need passed today. Mayor Johnson asked what would happen if the budget didn't pass, Auditor Williams stated that he would recommend calling a special meeting between now and the next payroll of March 19<sup>th</sup>. Mayor Johnson asked if it had to be passed to continue operating and he responded “correct”.

Vice President Dunne withdrew his motion and motioned to suspend the three reading as requested.

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

Ord. #07-2020  
General Fund  
Budget for  
2020

Vice President Dunne motioned that the Ordinance be passed.

Vice President Dunne asked if it would be possible that half way through the year the budget be reviewed for the next year to determine the projections. Manager Sutherland that could absolutely be done. Mayor Johnson commended Manager Sutherland on the budget and Mr. Sutherland responded that he had had a lot of help. Mr. Johnson stated that he had to cram a lot of the information in this weekend and felt that he hadn't had that much time to look at everything. Mr. Sutherland stated that the problem had been that he had to try to forecast future budgets with the state. He said that it was laid out differently than what Council was normally used to seeing, but the way that it was set up, he felt confident that next year Council would have the budget by September or October. Mr. Johnson stated that he found this budget easier to comprehend than the budgets of the past. Councilman Lowe said that he appreciated the scaled down version. Councilwoman Gordon stated that it was good and thorough. Mr. Sutherland thanked Crystal, the State Auditor's office and Trent because there were a lot of people that worked on the budget with him.

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

The clerk gave a **first reading**, to a Resolution committing to establishing an Energy Special Improvement District (ESID) to allow certain developments to apply and utilize PACE Financing.

Vice President Dunne moved that the Resolution be adopted.

Res. #05-2020  
Establishing  
PACE  
Financing

Manager Sutherland stated that this resolution would be the first of several, but this was the City's commitment to move forward. Once the first project is locked in, the County will work on a very small project at

the old Odd Fellows building (East side of 5<sup>th</sup> & Court Street). He said there would be three more pieces of legislation to make that project happen, but this would establish the program. Vice President Dunne added that it would be the demonstration project. Mayor Johnson asked again if the city would only be paying \$4,500 and Mr. Sutherland said “yes”. Mr. Dunne pointed out that the \$4,500 was a drop compared to the \$20,000 that had originally been requested. He reiterated that he was glad that Council had looked at it closely and had done their homework to figure out how best to accomplish this without costing extra money. Councilwoman Gordon thanked both Sean and Sam because this had taken a lot of home work and research.

There were no further 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**

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 attended the presentation of the Guinness Book of World Record Resolutions to the City of Portsmouth and Friends of Portsmouth by Senator Terry Johnson and Representative Brian Baldrige. She was very impressed with the staff as everyone was very welcoming.
2. She received on February 27, 2020, the Notice of the Primary Election from the Scioto County Board of Elections which will be held March 17, 2020. Don’t forget to vote.
3. She received via email on March 2, 2020 from the Auditor’s office, the following summary statements of the Combined MTD/YTD reports for the period ending February 29, 2020: Expense, Revenue and Fund.
4. She administered and recorded the Oath of Office for the Cultural Affairs Panel as follows: Allison Kalb, Regina Chabot and Ron McCain.
5. She attended the Main Street Portsmouth “Celebrate Portsmouth” which was Main Street’s main fundraiser. It was very well attended and the food was great.
6. She reminded all of the St. Patrick’s Day parade this Saturday March 14<sup>th</sup> at 2:00 p.m. The lineup begins on Market Street at 1:00 p.m. The route is: Market Street to left on Second Street, to left onto Washington Street, right onto 5<sup>th</sup> Street and left onto Chillicothe Street and ending at Tracy Park.

Oath of Office  
for Regina  
Chabot, Ron  
McCain,  
Allison Kalb

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 advised that the Grandview widening project was resuming.
2. He said that in April, the 2<sup>nd</sup> phase of a gas line remediation will begin on Second Street and the car lot area next to the Dairy Crème.
3. He advised that the Citywide cleanup was tentatively set for June 13<sup>th</sup>. There would be dumpsters in both Portsmouth and Sciotoville.
4. He received a letter from the Washington Township Fire Department thanking the Portsmouth Police Department, Fire Department and City Workers who assisted in the funeral procession of Jerry Wessel.
5. He advised that Columbia Gas was continuing to work in the area and in the next few months they will be on the following streets: Cedar, Cypress, 28<sup>th</sup>, Gilbert and Sherman.
6. He will be working on getting the C.I.P. budget to Council for their review.

Mayor Johnson asked Manager Sutherland to explain about the remediation project. Manager Sutherland explained that back in the day, they used to have these manufactured gas plants which basically took natural gas and purified it and then delivered it to homes. He said through technology changes and the way they deliver gas to customers, the manufactured gas plants were phased out and basically, they just buried the remains, but now they have to remediate the sites. In phase one, they took care of one site that was in the location of Portsmouth Cement & Lime.

**Mayor’s Report** – Mayor Johnson reported the following:

1. He said that on February 26<sup>th</sup> he had the opportunity to travel to the State House with the City Clerk, City Manager and Councilmembers as well as members from the Friends of Portsmouth. He stated that Representative Brian Baldrige and State Senator Terry Johnson both presented the city with very special resolutions, honoring the City of Portsmouth for the most recent Guinness book of world record for wrapping the most Christmas presents at one time. It was quite an honor and he thanked the State Representative and State Senator and thanked the Friends of Portsmouth for all of their hard work in this effort.
2. On March 6<sup>th</sup> he met with Manager Sutherland, Community Development Director Tracy Shearer, 2<sup>nd</sup> Ward Councilwoman Gordon and Portsmouth City School Administer Josh Morris. They discussed the active transportation plan which was a grant that was available through

OVRDC and ODOT which if received, would tremendously improve the safety travels for the Portsmouth City Schools. It was about a \$400,000 grant and was very competitive but would be 2-3 years before the grant is awarded. He said that Ms. Shearer's presentation was phenomenal and she had worked very hard on the grant. In the meantime, Mr. Morris had safety concerns and it was agreed that the city would paint some lines and add some signage.

3. Also, on March 6<sup>th</sup>, he and Manager Sutherland met with representatives from the Army Corp of Engineers, Pastor and Jen Roth who were representatives with Portsmouth Little League and Mark Puckett from the Portsmouth Flood Defense Department as well as Councilman McManus. He said the meeting was to gain a better understanding of the 2021 levee project and the temporary relocation of the Little League fields. There will be more discussion in the days to come, but there was a levee project that would be taking place within the city at a cost of \$22,000,000 and the meeting was to come up with ideas on ways to accommodate the Little League with some ballfields. He reminded citizens that this project would bring people working into our city, staying in our city and spending money in our city and would improve our levee and correct some issues.
4. He and Councilwoman Gordon joined Mistie Cook-Spicer on the Community Corner show at WNXT. He said they discussed some fun things in the 2<sup>nd</sup> Ward, the Museum, and things throughout our city. He thanked Mistie Cook for hosting the show and reminded everyone that they will be on there the second Monday of the Month at 8:30 a.m.
5. He reminded everyone of the St. Patrick's Day parade Saturday at 2:00 p.m. in the downtown. Council will be in the parade and the Grand Marshall this year is Attorney John McHenry.

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.

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

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

1. He along with other members of the Skate Park committee worked with Alan & Josh Ward with Arborist Touch, Tim Wolfe and the Counseling Center Works, Destin Steel, Kristie Franklin of SOMBA (Southern Ohio Mountain Biking Association) and other volunteers in taking down two trees at the future location of the Skate Park. They got a lot done and continue to move forward in hopes of seeing the project completed.
2. He attended one of the planning meetings that was organized by MKSK with individuals from the community to talk about an appraisal of where we're at as a city for the Master Plan. He felt that it was a very productive meeting.
3. He donated his March salary to the ACORN account that the Scioto Foundation had established for the Portsmouth Skate Park. Once they received \$10,000 it would begin to pay annual dividends. He also had some money left over from last month that he used for the All-American City application. He may have some left to use towards audio equipment.
4. He submitted two smaller grants for developing a Portsmouth passport program and hoped one or both would get funded and he would be applying for larger grants this summer. He said one of the key objectives to the program was not only to get residents and visitors to look at the different historic places in Portsmouth and become involved in different cultural events around town and hopefully build a bridge (not literally) for students at Shawnee State University to explore the downtown, other than the campus.
5. He said that the grant that they originally went for with the Skate Park would be offered again this year and he had asked around about what people think about going for another Park either to create a new or improve upon existing ones. The three suggestions he's received was for a Splash Pad, Pump Track or renovation of McKinley Pool.
6. He thanked Manager Sutherland for a load of issues that he had taken care of within the First Ward.
7. He has spoken with others about a Code Enforcement monthly report and thought it would be helpful to be able to review the following: **1.** What was being reported. **2.** What was being resolved. **3.** What types of codes were being violated. **4.** What proportion of the total calls were being seen in each of those complaints.
8. He said that there will be some voting locations moved out of retirement centers.
9. He said that there was a call to end certain forms of State funded travel and there would be a series of more shut downs in the State. He said that we'd start seeing limited functions at the University and possibly a move towards "online courses" as they've seen in other Universities.
10. He was able to attend a talk by the East Cleveland Three, which had a great turnout from the City of Portsmouth. The Ohio Innocence project contacted and thanked them for the reception and the interactions with the members of the East Cleveland Three. It was a very informative event.

11. He thanked the Seven Nations Celtic Club for organizing this years St. Patrick’s Day celebration. He said the St. Patrick’s Day parades throughout the entire country of Ireland have been cancelled this year due to the coronavirus concerns.
12. He said that they were moving forward with a grant writing minor at Shawnee State University and he felt that it would be a great bonus for our area.

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

1. She said that most of her time had been spent reading budgets and she thanked Manager Sutherland for answering all of her questions.
2. She attended the steering committee for the MKSK project and found it to be very interesting. She would like further discussions about financing these projects and how to move forward with the plans. She doesn’t want this to be another project that doesn’t go forward.
3. She attended the school meeting with the Mayor, Director Shearer, Manager Sutherland and Dr. Morris and even though the grant was far off, she felt that Dr. Morris was happy with the solutions.
4. She said that she did have a good time at the radio station this morning.
5. She said that it was exciting to see the Skate Park activity going on and she thanked the Skate Park project for donating playground equipment to the 14<sup>th</sup> Street Community Center.
6. She reminded everyone to vote March 17<sup>th</sup>.
7. She’s had three different constituents contact her asking about an emergency plan for the city for if and when we have the coronavirus in the city.

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

1. He was contacted again today about the alley behind the 1800 block of Vinton and nothing had been done with the alley that leads to McConnell. He understood that there have been some rainy days and Manager Sutherland advised that they do have it on their list.
2. He said that before tonight’s meeting he received a report that someone had dumped a whole bunch of garbage behind 1920 Hutchins.
3. He thanked Director Shearer for her work to secure a grant for lights and cameras in Mound Park and reminded everyone of the installation work ongoing in the Park.

**4<sup>th</sup> Ward** – Councilman McManus reported the following:

1. He said that the trip to the State House was a great experience meeting Senator Johnson and Representative Baldrige. He thanked Friends of Portsmouth for all they do and reiterated that achieving the Guinness Book Record was a group effort.
2. He said that he and Clerk Ratliff both attended the Main Street Portsmouth fund raiser and Senator Johnson who spoke at the dinner and Representative Baldrige were both in attendance and he thanked both of them for taking the time and giving back to our community.
3. He thanked Councilman Lowe for touring the Water Distribution Plant with him and said it was quite disgusting. He advised that there were 12 workers and the conditions were terrible and, in his opinion, if there weren’t people working in it, it would be torn down.
4. He thanked Mayor Johnson for the invitation to attend the meeting with the Army Corp of Engineers regarding the levee project and it was very informative. He was looking forward to the project because that will bring money into our city.

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

1. He thanked Manager Sutherland and city workers for addressing potholes in his ward.
2. He attended and got to meet the East Cleveland Three and was fascinated by their story.
3. He thanked Friends of Portsmouth, the City of Portsmouth, Representative Baldrige and Senator Johnson for accommodating and making the experience to the State House a memorable one.

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

1. He thanked Manager Sutherland for fixing the concrete problem at Harding and Winchester.
2. He received an anonymous letter regarding the trash around First Stop in Sciotoville. He assured his constituents that it would be taken care of because he wants a clean neighborhood.
3. He asked Manager Sutherland about road patch and he replied that they were proceeding.
4. He will be sponsoring the Sciotoville Little League again this year and he wished them the best.
5. He congratulated Grace Smith for becoming the East Tartan’s River Days candidate.
6. He was unable to go to the Tartan Treasure, but assumed that he didn’t win.
7. He reminded everyone to vote on March 17<sup>th</sup>.
8. He reminded everyone of the St. Patrick’s Day parade on the 14<sup>th</sup>. He will be representing Sciotoville Little League.

The meeting adjourned at approximately 6:50 p.m. on a motion by Vice President Dunne.

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City Clerk

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Mayor