

**MANAGER’S CONFERENCE MINUTES**  
**Portsmouth City Council Meeting on**  
**May 26, 2020 – 7:00 p.m.**

Members 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 and City Clerk Diana Ratliff.  
Auditor M. Trent Williams.

1. **ODOT Guardrail Upgrade** **CM-20-26**

Manager Sutherland said that ODOT would be replacing guardrails on some of the main routes within the city and that they need this passed very soon. This doesn't cost the city anything, but this was something they need us to do for due process.

Vice President Dunne motioned to adopt alternative #1.

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

2. **JAG Grant for Body Camera's** **CM-20-27**

Manager Sutherland said that this was basic housekeeping that needed to be done and there was no cost to the city. Councilman Martell asked if the grant money \$10,000 would be split between the city and the county and the reply was "yes".

Vice President Dunne motioned to adopt alternative #1.

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

3. **Longevity Adjustment for Police, Fire and other Administrative Employees** **CM 20-28**

He said this was a longevity adjustment for the Policy and Fire Administration and the other non-union employees. He said he needed to amend this to take care of the Police & Fire Chief's and their two assistants, the other non-union employees were taking care of in an ordinance passed in 2017. This would help to make those employees match the longevity pay that the unions were currently working under.

Vice President Dunne motioned to adopt alternative #1.

Mayor Johnson stated that he would like to see something harder as far as how much would this cost the city. He had concerns with where we were on the budget and the revenues coming in with all that's happened with COVID 19 and this being an extra \$200 per how many employees? Manager Sutherland stated that he wasn't aware that the other non-union employees had been taken care of in the previous 2017 ordinance, so the paragraph regarding the \$200 per employee is null and void. This would only affect the two Chief's and their assistants. He would like to see the numbers before blindly agreeing to the increase. Councilman Lowe suggested taking no action until further information is received. Mayor Johnson explained that he wasn't against it and wouldn't mind sending onto Council's agenda but would like to see the numbers.

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

## Discussion

### 1. Establishment of Outdoor Drinking Zone

Vice President Dunne said that there were a couple of local businesses that were very interested in getting this established and obviously the priority would be supply ways in which our downtown businesses could still cater to at least a similar number of customers during these times and one way to do that was to provide more outdoor space. This outdoor drinking zone would accomplish that and it would be something that would need a minimum of four businesses with liquor licenses to support it. He said there were questions about how the zones would be maintained and what problems could occur; the follow up to the establishment of a zone like this would be to follow the lead of how Middletown accomplished a zone. They had a more restricted area, hours and days at the beginning and then they expanded after seeing the success.

VP Dunne said he would try to provide a more detailed map of a riverfront area that moved up Chillicothe Street to Port City Café. He emailed a link from a zoom conference to all of Council that talked about their experiences from the zoning. Mayor Johnson asked if Chief Brewer would be involved in the discussions and the answer was yes. Councilman Martell asked about current ordinances about public drinking that may affect this and would there be a need for more trash receptacles? VP Dunne stated that would be one of the reasons we should start on a smaller scale, to see how it progresses. He said there would be designated cups that indicate they were part of the DORA (Designated Outdoor Area) and the cups would have general rules that people would need to follow and obviously when you finish your drink you would place the empty cup in a trash receptacle. He added that this would have to be monitored with how much of an increase in garbage there would be. Mr. Martell asked if they would be wearing wristbands and Mr. Dunne replied “yes”, you would purchase a wristband for \$1.00 and you could go around to the designated businesses that were participating. Mr. Martell asked if there would need to be more police presence to make sure people were only taking their drinks into designated businesses. Mr. Dunne acknowledged that at some point in time there would be violations like with anything, but in other cities this had gone relatively well. Mr. Martell stated that he thought it was a great idea, but there would need to be a lot of planning. There was much more discussion, but as a whole, every city had its challenges but it would be a benefit to the city, but if too many rules were broken, then the program would end.

### 2. Council Addressed the questions asked during the regular session by Mark Craycraft

- 1) What plans or proposals have been drafted to update the City Ordinance to allow for virtual meetings in the event of an emergency, or matter of efficiency?

Mayor Johnson stated that he felt that Council had done the best they could do, it was all new territory for Council and for everyone. The COVID 19 threw a curve ball to the whole world. He added that Council would try to get back to Council Chambers, but we were forever grateful to Shawnee State for allowing us to use their facility. VP Dunne stated that Council had abided by the guidelines of the State as far as limiting the number of individuals in a meeting. He said that Council took this very seriously, very early, where a lot of other places responded quite late and barely at all, but it's great that we ensured that by cancelling meetings until we were sure how to get together without breaking the guidelines rather than rushing into things and being uncertain and unsafe.

- 2) Why has Interim Police Chief Brewer not been officially sworn as Chief? She has clearly shown the ability and wherewithal to lead the Portsmouth City Police department.

Mayor Johnson stated that was the City Manager's responsibility. Manager Sutherland stated that with COVID 19 the process has progressed slowly and he was being very careful in his decision because it is a very important position.

- 3) What (if any) consideration has Council given to the written proposal submitted by Mr. Rich Scarberry concerning archery permits within the City Limits. There are 4,000 acres of undeveloped land within the City. Should we not consider how to utilize those acres to compliment the ODNR project in the County to help attract tourist dollars to the City?

Mayor Johnson stated that he knew Mr. Scarberry and he didn't think his thought process was to involve hunting, but more the nuisance of coyotes on one's own property using bows. He didn't believe there was anything mentioned about hunting in the city or tourism. He would entertain the thought of nuisance killing of coyotes on a person's own property. We would have to look at the laws of the state and he didn't believe that this would be anything that happened quickly.

Councilman Lowe stated that there was still an ordinance that says "no hunting" within the city limits, doesn't matter if it's a gun, bow, slingshot or any projectile. He said people's safety was number one and he's not against hunting, but hasn't hunted since 1995. He hasn't seen the coyote problem and he had 140 acres of land and might see one coyote per month. He said there would need to be more discussion.

Councilwoman Gordon stated that she thought there had been allot of drift from initial proposal which did not involve hunting at all. She would go back and look at the original request, but safety was the number one issue as well as enforcement.

**3. Street Art Project on River side of floodwall**

Councilman Martell asked about where we were with the street art legislation. He asked Clerk Ratliff to look it up to see if Council had passed anything and if not, he would like this to be added to the next agenda.

The meeting adjourned at 7:40 p.m. on a motion by Vice President Dunne.

Submitted by: *Diana Ratliff* – City Clerk