

**MANAGER’S CONFERENCE MINUTES**  
**Portsmouth City Council Meeting on**  
**July 12, 2021 – 7:06 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
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.

1. **AMENDMENTS TO YARD SALE PERMITS** **CM-21-58**

Manager Sutherland stated that he believed he had everything in the council letter as Council requested and would like Council to authorize legislation.

Vice President Dunne motioned to accept alternative #1.

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

2. **CITY CLERK ANNUAL REVIEW** **CM-21-59**

Manager Sutherland stated that he had heard discussion back and forth that legislation probably doesn’t need to be done but rather it was something that Council could go ahead and implement. Solicitor Haas agreed and Mayor Johnson agreed with the City Solicitor. Councilwoman Gordon asked if this was the time to discuss the content or are we just discussing how we do it. Mayor Johnson said this would be for whether Council wants to make this an ordinance or not. Vice President Dunne said that the purpose was for the position not the person so that it would be an annual review. Ms. Gordon recommended doing the City Manager and the City Clerk’s reviews during the same time at the end of each year. Ms. Gordon said she would like to discuss the content and Mayor Johnson said that what he passed out was just a draft and he would like Council to review it and get back with him.

Vice President Dunne motioned to accept alternative #4 – Reject this request.

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

3. **OUTDOOR DINING AND LEASES** **CM-21-60**

Manager Sutherland said this was discussed at the last meeting and determined that there needed to be leases in place but not so much as to punish the restaurant businesses with an astronomical fee but more so that the City had rules in place if the city needed to make any changes. Vice President Dunne said he would like the city’s revenue to be from additional employees and additional businesses rather than fees being charged. Solicitor Haas asked what type of legislation Council wanted, Manager Sutherland replied legislation to let him enter contracts with restaurants that offer outdoor dining and modify the existing leases. Solicitor Haas stated that the rule was to come back to Council for every lease. Does Council want to grant the City Manager the authority to be the leaseholder or lease signer and not have legislation which mean Council would never be involved or does Council want to know about these types of leases? He added the only thing he could foresee would be a different City Manager in the future granting a lease that Council wouldn’t be in favor of. Councilwoman Gordon said that was what she was thinking of, because down the road you never know what the future brings. Solicitor Haas said there weren’t that many and would just bring it to Council each time for a lease to be enforceable. Vice President Dunne ask if the lease ordinance between the City and Patties & Pints could be brought forward and amended to remove the fee. After additional discussion permits vs. leases it was decided to address them individually. Mr. Dunne withdrew his initial motion and asked that the individual lease be brought back for Council to amend.

Vice President Dunne motioned to accept alternative #4 – Reject this request.

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

4. **RECOVERY HOUSING LEGISLATION**

**CM-21-61**

Manager Sutherland said that he would let Councilman Martell discuss this topic but he felt that he covered the highlights from the last meeting. Mr. Martell said that it read pretty good and that he and Solicitor Haas had a meeting about how to utilize a state affiliated organization that already had the list of requirements by the federal and state such as: what was needed in each house, how much space was needed etc. This would not cost the city anything and the individuals who either own the property or were facilitating the recovery house would have to register. This organization would evaluate each house to make sure that it was 100% suitable to be inhabited by individuals in recovery. They also provide data with how many recovery houses there were, where they're located, how many people were in it, who's running it in case there were any issues. Mayor Johnson said this would just ensure that all of the recovery houses were playing by the same rules and Mr. Martell said that was correct because currently there were no rules. Councilwoman Mosley stated that there were rules for those that were following the guidelines or receiving funds from ADAMHS Board, they were audited but there were only approximately 5 or 6 homes which were audited through the ADAMHS Board. Mr. Martell asked her if the ADAMHS board served the Scioto County? Ms. Mosley said they took care of Lawrence, Scioto and Adams Counties and every time a house opens up and ADAMHS heard about it, the Director and her staff approach the new house but many of them decline the services because they don't want to follow the guidelines. Mr. Martell said that there were over 50 houses in just Scioto County and if only 5-6 houses were abiding by the rules, there were 40 to 50 houses not abiding by the rules. He said that by implementing this, it would help irradicate those who weren't doing any justice for anyone, the individuals that live in the houses, people who were vulnerable, this would be one of those scenarios where people were being preyed upon financially. Vice President Dunne said that if you look at doing social research and identify a certain vulnerable population whether its children, elderly and people in certain facilities; this would be a group that would be defined as a vulnerable group and it was important that they receive the help they need. Councilwoman Gordon asked if this would be retroactive and that everyone must abide by the rules, Mr. Martell said "no" there would be no one Grandfathered and everyone would have to apply and required to have a certification that said they have all the requirements by the state and federal guidelines to run the recovery house. Ms. Gordon said there was a transitional house in her ward that was run and owned by an individual, but there was no real help being given, would this be something that could shut that down? Mr. Martell said "no" this was specifically only to ensure the safety and health of those that live in the house, for instance if that house didn't have running water, then that's where this legislation would help. He said his next endeavor was an organization that actually dealt with the treatment aspect of recovery (CARF-Commission on Accreditation of Rehabilitation Facilities) and he was trying to get them to come and speak about how their program worked. They have guidelines to ensure the treatment aspect of recovery and makes sure that anyone CARF certified was at a certain level compared to those who were just prescribing suboxone or not getting people the treatment that they need, but yet claim the money for it and not really helping the individuals. Ms. Gordon asked if this organization monitored the amount of suboxone and other chemicals being dispensed and Mr. Martell replied "yes" and that this organization only allowed a certain amount of suboxone; they were treated with suboxone to a certain point and then they're weaned off suboxone and apply other available treatments. They review the books and patient files and were sticklers for the rules and their organization is all over the United States. There are a few local facilities that were CARF certified and the ones that weren't were because they weren't required and they don't want their books reviewed or to tell them how to provide treatment. He said this was an organization that had to be applied for and the treatment centers foot the bill, which cost the city nothing.

Councilman Packard asked if it would be the Ohio Recovery Housing doing the regulating? Mr. Martell replied "yes" and that CARF also had recovery housing guidelines and were just as strict as the Ohio Recovery Housing and that the city will require you to be either CARF or ORH certified, or both. Mayor Johnson asked if regulations were to be imposed on the operators of recovery housing, where was the teeth in the legislation and who would impose this? Mr. Martell replied that Code Enforcement would be one who would ensure that the facility had their certifications and they don't even have to go to the house, they would just need to have the address and then call the ORH company and see if they were certified. Mayor Johnson asked what if they're not in compliance? Mr. Martell asked Solicitor Haas if the city could order a cease-and-desist notification? Ms. Mosley said some of these homes were recruiting people outside of Scioto

County and were bringing people into our County so that they could fill these homes. If they don't have the card and Code Enforcement shuts them down, what will they do with the people? Mr. Martell said the people running the recovery house would then have to find housing for the people to live, or take them to another certified recovery house, but they've been given plenty of money and would be required to return those people back to their homes. Solicitor Haas stated that he would have to review the terms and do some research because there was no point in proceeding if you can't do something such as fine them or close them down.

Vice President Dunne motioned to accept alternative #1.

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

5. **VACANCY FEE LEGISLATION**

**CM-21-61**

Manager Sutherland said this was brought back to be discussed as they had found that the City of Circleville had something in place. Mr. Martell said that in his meeting with Solicitor Haas they discussed the vacancy fine and Solicitor Haas had some hesitations and questions about the exemptions, but that Circleville had put together something very similar to ours and he liked theirs better. It required a registration of the vacant building and he would like to add one or two additional exemptions but for the most part, their program was very well written. He said one of the things he would like added was when an owner puts the property up for sale, that it be at a fair reasonable market value and not slapping a for sale sign in the window and then asking for an unreasonable amount of money and the building continue to sit empty. Vice President Dunne said that he was recently asked about this legislation and that they were very interested in it moving forward. He said a lot of the buildings in the downtown had issues with property hoarding which was frustrating and was doing more damage to property value than people who do low level vandalism. He said it was extremely important for the downtown and felt it was a great idea. He thanked Councilman Martell for all of the work he had done on this issue. Mr. Martell said that some of it was Solicitor Haas and he thanked him. He said that if a person had property for sale, they would not be charged anything and it gives the owner 60 – 90 days to do something with the property. If you have a building permit, renovating or have drawings or showing initiative with the vacant building it would be exempt. This wasn't a form of punishment for anyone that just happened to have a building, but rather a form of punishment to those holding onto properties for no reason at all and not doing anything to the building and allowing the building to crumble. There were multiple buildings on Chillicothe Street that need torn down. Solicitor Haas said that it wasn't a punishment but more of an encouragement. Mr. Dunne said that when speaking to certain property developers in the downtown, it protects their investments, because if someone next to the property you bought had just allowed their building to be destroyed, you would feel for the people that had invested in our downtown. Portsmouth had a very interesting history that we're watching crumble because of property hoarders and it discourages investment in our downtown. He said that we've seen a slumlord economy run this place for so long and this was a major challenge to a slumlord economy; it was much needed and would allow other businesses to flourish. Mr. Martell said that we've seen cities across the U.S. that were dealing with the same thing and this was the way to go about fighting the blight.

Vice President Dunne motioned to accept alternative #1.

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

**Discussion**

1. Remote Work – Manager Sutherland stated that Councilman Dunne had requested to speak about remote work. He was asked by a couple of people at the University and by a local business owner to explore a program that other cities have done such as Tulsa, Oklahoma where there was a non-profit organization that paid people \$10,000 to move back to their city and work remotely from Tulsa. He was asked if we could explore that as a city as it could include things such as: how would we market Portsmouth as a place that has great outdoors, small town living, lower cost of living etc. Could we partner with or do a program ourselves encouraging some people to move back to Portsmouth from maybe Columbus, Cincinnati or wherever and work remotely from Portsmouth. He said in Tulsa they were paying people \$10,000 towards a house in their city. He said would we as a city want to develop a marketing message or presentation of Portsmouth that

emphasizes why our city would be a great place for people to come back to live and work because remote working has become more of a possibility. Councilwoman Gordon had seen a lot of cities providing this and her only concern was if Portsmouth had the housing. She liked the idea of intensifying people coming back or relocating to Portsmouth, but there needed to be housing to offer. He believed the vacancy fee would encourage so many different things, but one of the things it would also encourage would be to encourage people to work remotely and by the time we could figure out how to offer this, the vacancy fee could be passed. Ms. Gordon suggested city-wide WIFI. Ms. Mosley said her son and daughter-in-law were moving back from Hillard and they both work remotely from home and found housing in Wheelersburg. Her daughter-in-law's company had given her a computer and all of the equipment she would need to work from home and these businesses have found that people were more productive when they work from home and were with their families. Mr. Dunn stated that he didn't know of any other places in Ohio that were doing this but if there were, it wasn't many. He said we need to be ahead of the curve, if it made sense and the numbers work. He would like Council to think about this for our town and maybe talk about it again in a meeting or two. Councilman Packard said it would be interesting to see from Tulsa, how many people had actually done it and what different jobs they're doing and the companies that allow them to do it, how they got housing and if they utilized vacancies like our city. Solicitor Haas said that he wouldn't move somewhere that had a 2 1/2 % income tax, Wheelersburg doesn't have that, but a sales pitch he would use was that it's cheap, housing is cheap and it was cheap to live here. If you have a job making good money and living in Columbus, you're paying 5 times as much for property tax than what your property would be down here and there would be an incentive to move. Ms. Gordon said that would be the demographic that could attract people such as retired people. We have a very walkable city with a lot of amenities such as a downtown grocery store and thought we had a lot to offer.

The meeting adjourned at 7:46 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](http://www.portsmouthoh.org) under City Manager 2021 "Audio".