

MANAGER’S CONFERENCE MINUTES
Portsmouth City Council Meeting on
December 09, 2019 – 7:46 p.m.

Members present:

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|------------------|-------------------------------|
| Sean Dunne | 1 st Ward |
| Charlotte Gordon | 2 nd Ward (Absent) |
| Kevin E. Johnson | 3 rd Ward |
| Jerrold Albrecht | 4 th Ward |
| Gene Meadows | 5 th Ward (Absent) |
| Thomas K. Lowe | 6 th Ward |

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

1. **Agreement with AFSCME Local 1039** **CM-19-84**

Manager Sutherland advised that this was the ratification of the upcoming labor management contract with AFSCME 1039.

Councilman Lowe motioned to adopt alternative #1.

There were no questions or comments: **VOTE: 4 Ayes – 0 Nays**

Clerk Ratliff asked for clarification for emergency wording and advised that if this didn’t pass at the next meeting, it may go beyond the 30-day requirement and go into effect automatically. Acting Mayor Johnson stated that Council would motion to waive the three-reading rule at the next meeting.

2. **2020 Two Month Budget Appropriation** **CM-19-85**

Manager Sutherland advised that this legislation was for a 2-month appropriation since the City was in the midst of working on the 5-year forecast which had to match the 2020 Operating Budget. The Budget would not be done in time to meet the new year. Acting Mayor Johnson asked if Council got a copy of the two-month budget and Solicitor Haas stated that it would be a continuation of what the city was currently doing.

Councilman Lowe moved to adopt alternative #1.

There were no questions or comments: **VOTE: 4 Ayes – 0 Nays**

3. **Bids for Supplies 2020** **CM-19-86**

Manager Sutherland advised that the city bids for supplies and materials annually which were used to operate the city.

Councilman Lowe moved to adopt alternative #1.

There were no questions or comments: **VOTE: 4 Ayes – 0 Nays**

Discussion

Councilman Dunne ask Commissioner Smith if he wanted to add anything regarding the Rental Licensing Program and Mr. Smith advised that he would like to do a little more research. Mr. Dunne asked Solicitor Haas about the legal issues and how other places were able to enforce it but Portsmouth had not been able to. Mr. Haas stated that he hadn’t given it a lot of thought since the last meeting, Mr. Dunne requested to have a discussion about the Rental Licensing Program, he gave the example that Athens, Ohio was able to enforce this and they use words like “All” and “Must” but he was open to whatever best suits the city and was trying to understand how it was constitutionally allowed in Athens but not in Portsmouth. Mr. Haas

stated because the City of Portsmouth was sued and the court told us it was unconstitutional. He added that a new ordinance was put in place with the necessary changes made to make it constitutional and legal during the law suit. He doesn't feel we need to draft a new ordinance but the main issue was how to run the program and who would be responsible because the city cannot go back to the "All's" and the non-voluntary nature and if it did, the city would be sued again. Mr. Dunne stated that he felt that this was something that the city needed to move forward on and proposed a possible start date for the middle of next year. He said that he would work with Commissioner Smith on getting more data.

The meeting adjourned at 7:52 p.m. on a motion by Councilman Albrecht.

Submitted by: *Diana Ratliff* – City Clerk