

**MINUTES – REGULAR SESSION****PORTSMOUTH CITY COUNCIL MEETING**

Monday December 28, 2020

6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday December 28, 2020 at 6:04 p.m., at Shawnee State University Center. Council held the meeting at Shawnee State University in order to comply with the Governor’s order to social distance at least 6 feet apart.

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 (Absent)
Charlotte Gordon	2 <sup>nd</sup> Ward (Absent)
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, Solicitor John Haas and Auditor M. Trent Williams.

Councilman Dunne and Councilwoman Gordon’s and absences were excused on a motion by Councilman Martell. The motion carried viva voce: **VOTE: 4 ayes – 0 nays.**

Council dispensed with the reading of the Journal for the Regular Session of December 14, 2020 on a motion by Councilman Martell. **The motion carried viva voce: VOTE: 4 ayes –0 nays.**

**STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA****Due to the Governor’s mandate of only 10 persons in a meeting, the meeting was not open to the public – Statements and Remarks were emailed ahead of time and read by Clerk Ratliff**

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

Councilman Martell requested to move into Executive Session for discussion of certain Personnel matters regarding Performance Evaluation and Employee Pay and invited Manager Sutherland.

The role was called and the motion carried: **VOTE: 4 ayes– 0 nays**, Council recessed into Executive Session at 6:04 p.m.

Councilman Martell motioned to reconvene from Executive Session. Council reconvened with all still in attendance at 6:36 p.m.

**LEGISLATION**

The clerk gave a **third reading**, to an Ordinance authorizing the City Manager to enter into an agreement with Shawnee State University to visualize and analyze a high-level overview of code enforcement methodology on a mutually agreeable timetable and to continue discussions of the feasibility of continuing to produce clean and orderly visualizations at the conclusion of each calendar month at the rate of \$240 to be paid from General Fund No. 101 for an initial period of six calendar months beginning in January 2021 and ending at the closure of the month of May 2021.

Councilman Martell moved that the Ordinance be passed.

Auditor Trent Williams stated that there was an error in the wording “ending at the closure of the month of May 2021”, the initial period was for six calendar months and should be June 2021. The wording is in the preamble and Section I. He said that he had spoken to the City Manager and the legislation should reflect where the payment was to be paid from and they had agreed that it should come from the City Manager’s office, but didn’t need to be in the ordinance.

Councilman Martell motioned to amend the legislation in the preamble and in Section I to read “June” and to remove “May”.

**The role was called. VOTE: 4 ayes – 0 nays, the legislation was amended.**

**Ord. #75- 2020  
Code  
Enforcement  
Spreadsheet**

**Amended  
12-28-2020**

Councilman Martell moved that the Ordinance be passed as amended.

There were no questions or comments. **The role was called. VOTE: 4 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **second reading**, to an Ordinance to make appropriation for the current expenses and other expenditures of the City of Portsmouth, Ohio beginning January 1, 2021 and ending December 31, 2021, as provided for in Section 49 of the Charter of the City of Portsmouth, Ohio.

Councilman Martell moved that this constitutes a second reading.

There were no questions or comments. **The role was called. VOTE: 4 ayes –0 nays, a second reading was declared**

The clerk gave a **second reading**, to an Ordinance authorizing the appropriation of a total of \$100,000 from General Fund No. 101 to allow \$75,000.00 to be paid into CIP Fund No. 301 to cover the costs of the zoning ordinance update.

Councilman Martell moved that this constitutes a second reading.

Auditor Williams stated that after speaking with the City Manager, part of the preamble and Section I needed to be deleted. The part to be deleted was “to be paid into CIP Fund No. 301” in both sections, this needed to be paid directly from the General Fund or the Capital Improvement and not moved from one fund to the other. Clerk Ratliff asked if the \$75,000 wording should also be removed and Auditor Williams said “no” it should read as stated, she re-read the preamble with the wording the Auditor requested and it was decided that the wording “to allow \$75,000 to be paid into CIP Fund No. 301” should be removed.

Councilman Martell moved to amend the legislation as follows: An Ordinance authorizing the appropriation of a total of \$100,000 from General Fund No. 101 ~~to allow \$75,000.00 to be paid into CIP Fund No. 301~~ to cover the costs of the zoning ordinance update.

Amended  
12-28-2020

There were no questions or comments. **The role was called. VOTE: 4 ayes –0 nays, a second reading was declared**

The clerk gave a **first reading**, to an Ordinance to amend the Salary Ordinance as amended by Ordinance No. 48 of 2020 to reflect a 2.75% wage increase for FOP Dispatchers Unit retroactive to January 1, 2020, and a 12.5% wage increase along with the removal of 10% pension pickup effective January 1, 2021; a 2.75% wage increase for non-union employees effective January 1, 2021; a 2.75% wage increase for FOP Scioto Lodge 33 effective January 1, 2021; a 2.5% wage increase for IAFF Local 9 effective January 1, 2021; a 2.5% wage increase for AFSCME Council 8 Local 1039 effective January 1, 2021; a 2.75% wage increase for AFSCME Council 8 Local 1039C effective January 1, 2021 and repeal Ordinance No. 48 of 2020.

Councilman Martell moved to amend the legislation by adding “and City Manager” to “a 2.75% wage increase for non-union employees **and City Manager** effective January 1, 2021”. Councilman Martell added that he would also like to amend the salary for the Auditor from \$63,866 to \$74,588 and under the City Clerk from \$35,413 to \$41,334. Solicitor Haas suggested voting for each one individually.

Councilman Martell moved to amend the legislation after it reads “a 2.75% wage increase for non-union employees to add **and City Manager** effective January 1, 2021”.

There were no questions or comments. **The role was called. VOTE: 4 ayes –0 nays, the Ordinance was amended.**

Amended  
12-28-2020

Councilman Martell moved to amend the City Auditor’s salary to read \$74,588 instead of \$63,866.

There were no questions or comments. **The role was called. VOTE: 4 ayes –0 nays, the Ordinance was amended.**

Amended  
12-28-2020

Councilman Martell moved to amend the City Clerk’s salary from \$35,413 to \$41,334

There were no questions or comments. **The role was called. VOTE: 4 ayes –0 nays, the Ordinance was amended.**

Amended  
12-28-2020

Councilman Martell motioned to suspend the three-reading rule.

**The role was called. VOTE: 4 ayes– 0 nays, the rule was suspended.**

Auditor Williams stated that there was a typo under the Solicitor’s wage as he was supposed to receive an increase for three years which was prior to beginning a new term. Solicitor Haas stated that he could not receive a raise during his term and Auditor Williams replied that it was December of 2019 before the current term and it wasn’t reflected in the wage. Solicitor Haas stated that it would need to be amended to reflect the correct wage.

Councilman Martell moved to amend the City Solicitor’s salary to read \$63,866 instead of \$62,157 to reflect the correct wage increase.

Amended  
12-28-2020

There were no questions or comments. **The role was called. VOTE: 4 ayes –0 nays, the Ordinance was amended.**

Ord. #76- 2020  
Amended  
Salary  
Ordinance

Councilman Martell moved that the Ordinance be passed.

There were no questions or comments. **The role was called. VOTE: 4 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **first reading**, to an Ordinance authorizing an additional appropriation of \$41,000.00 from General Fund No. 101 to Portsmouth Municipal Court Security Fund No. 208 to increase their court security fund. Pursuant to Council Rule 5, this legislation is requested to be passed as an emergency in accordance with Section 10 of the Charter for the City of Portsmouth in order to facilitate administration, daily operation and avoid practical and legal entanglements.

Councilman Martell motioned to suspend the three-reading rule.

**The role was called. VOTE: 4 ayes– 0 nays, the rule was suspended.**

Ord. #77 – 2020  
Additional  
Appropriations to  
Portsmouth  
Municipal Court  
Security

Councilman Martell moved that the Ordinance be passed.

There were no questions or comments. **The role was called. VOTE: 4 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **first reading**, to a Resolution for the Adoption of Scioto County Natural Hazards Mitigation Plan.

Councilman Martell moved to adopt the Resolution

Res. #26 – 2020  
Adoption of  
Scioto County  
Natural Hazards  
Mitigation Plan

There were no questions or comments. **The role was called. VOTE: 4 ayes –0 nays, the Resolution was adopted.**

The clerk gave a **first reading**, to a Resolution authorizing the removal of 10% pension pickup paid to the Ohio Public Employees Retirement System (OPERS) by the City of Portsmouth, Ohio for the members of the FOP Dispatchers Unit as a result of a modified salary structure with the removal of this pickup to be effective January 1, 2021.

Councilman Martell moved to adopt the Resolution.

Res. #27 – 2020  
Removal of 10%  
Pension Pickup  
Paid to OPERS  
for FOP  
Dispatchers Unit

There were no questions or comments. **The role was called. VOTE: 4 ayes –0 nays, the Resolution was adopted.**

**STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA**

**Due to the Governor’s mandate of only 10 persons in a meeting, the meeting was not open to the public - Questions were sent in ahead of time via email and read by Clerk Ratliff**

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 spent some time at the Board of Elections at the request of Vice President Dunne and verified names, addresses and signatures from the Marijuana Decriminalization petitions that were received in September. There were 51 verified names of the 186 listed on the petitions.
2. She prepared and gave the Oath of Office to 6th Ward Councilman Dennis Packard.
3. She forwarded the Hotel/Motel Application and guidelines to Councilwoman Gordon as requested to be used as guidance for the Grant Process for Community Agency Funding.
4. She received from the Ohio Division of Liquor Control a request for a transfer of ownership from Shree Laxmi Narayan, LLC dba Oasis Convenient Mart located at 2350 17th Street Portsmouth, Ohio to OMSA1247, LLC dba Oasis Convenient Mart at the same location. There were no objections.
5. She thanked Council for their consideration for a raise for the Clerk’s position.
6. She wished everyone a Happy New Year.

Oath of  
Office for 6<sup>th</sup>  
Ward Dennis  
Packard

Liquor  
Control  
transfer

The City Clerk’s report was received, filed and made part of the record, on a motion by Councilman Martell. The motion carried viva voce: **VOTE: 4 ayes– 0 nays.**

**City Manager’s Report** – Manager Sutherland wished everyone a happy New Year.

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

1. He wished everyone watching via Live-Stream a very Happy upcoming 2021 New Year. He said as we bid farewell to 2020, we do so with mixed emotions. 2020 will be remembered by all with mixed emotions and by all Americans. Early in the year, Council learned of this horrible pandemic that would forever change our lives. They’ve witnessed the booming economy come to a halt as friends, neighbors and loved ones begin to suffer financially, physically, emotionally and in many cases, we’ve faced losses of loved ones. We saw a division in our Country with horrible riots, looting and again the loss of loved ones all in 2020. Our Country and our practice of freedom saw a Presidential election that brought many different views and sadly drove wedges and division amongst many, however, one could say that 2020 also gave us very much to be thankful for, we’ve witnessed as people have come together during the pandemic and we’ve watched as First Responders, Nurses, Doctors and Medical Personnel put themselves on the frontlines of defense to help others which put their own lives at risk. We’ve watched and listened as our leaders have discussed how we could make America a better place for all people and now we’re coming together as Americans to face the future with a new leadership. He asked that we as Americans, Scioto Countians and as Portsmouth residents that we come together, work together and most of all rebuild together. He looked forward to the day when we could shake hands, hug and maybe attend birthday parties and see someone blow out a candle and eat the cake. On behalf of himself, on behalf of all of Portsmouth City Council and those of you that were watching, he wished everyone a very Happy and blessed 2021.

The Mayor’s report was received, filed and made part of the record, on a motion by Councilman Martell. The motion carried viva voce: **VOTE: 4 ayes– 0 nays.**

**Solicitor Haas Report** – Solicitor Haas had no report.

**Auditor Williams Report** – Mr. Williams reported the following:

1. He doesn’t have the final numbers for December yet, but that the City had some good months this year and a couple of really bad months. We knew there would be ups and downs this year and December at this point looked to be much lower than any month from this year, but believed that it would still finish up over last year by quite a good bit.
2. He appreciated what Council had done for him tonight and it felt good to be appreciated.

The Auditor’s report was received, filed and made part of the record, on a motion by Councilman Martell. The motion carried viva voce: **VOTE: 4 ayes– 0 nays.**

**MISCELLANEOUS BUSINESS FROM CITY COUNCIL**

**1<sup>st</sup> Ward** – Councilman Dunne had no report due to absence.

**2<sup>nd</sup> Ward** – Councilwoman Charlotte Gordon had no report due to absence.

**3<sup>rd</sup> Ward** – Councilman Kevin E. Johnson had no report other than to wish everybody a very Happy New Year.

**4<sup>th</sup> Ward** – Councilwoman Mosley reported the following:

1. She thanked everyone for their kind words and condolences at the passing of her stepson.
2. She thanked Manager Sutherland for taking care of some issues in the 4<sup>th</sup> Ward.
3. She wished everyone a Happy New Year.

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

1. He was involved with Life Point Church who provided a drive-thru Santa gift-giving to some children in our area. He said unfortunately the snow put a stop to it and there were quite a few gifts to give out on Christmas Eve. He said that Life Point Church donated close to 200 gifts to the 14<sup>th</sup> Street Community Center. He had the pleasure and honor of delivering those gifts which was a great feeling.
2. He wished everyone a Happy New Year.

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

1. He offered his condolences to Mr. Lowe’s family and was very sorry for their loss. He said Tom was a friend and more than a Councilman, he was a friend to the community and he was honored to be selected to carry out his term. He would like to continue Mr. Lowe’s work and build partnerships with residents and businesses within the 6<sup>th</sup> Ward with the goal of increasing revenues, employment opportunities and making the area nice and safe where people could be proud.
2. He stated that he would like to promote the COVID vaccine. The ODH reported that together, taking the vaccine when it was available, would hopefully stomp out COVID. He challenged anyone listening to come up with a creative poster that would promote the vaccine and the healing of our nation.
3. He said that Karen Johnson-Leedom of the Sciotoville Preservation Society was eager to get started this Spring. Her crew was directly responsible for many pounds of litter being picked up at intersections, along sidewalks and streets within the ward. He urged anyone that would like to get involved, to forward their contact information and he would get it to Karen.
4. He nominated Susan Reed to the Arts Commission. Susan was a lifelong of the ward and graduated from East High School in 1980, was very passionate about art and will make an excellent member.
5. He would like to carry forward Mr. Lowe’s nomination and re-appointment of Bill Shope for the Land Revitalization Committee. He has done an excellent job and worked tirelessly for our community.
6. He requested that Mr. Sutherland include on his Manager’s Agenda a couple of Discussion items:
  1. Anything that could be done to decrease the times that their Officer was pulled from the 6<sup>th</sup> Ward because the 6<sup>th</sup> Ward was quite a distance away compared to the other wards. He understood illnesses, and other stuff, but the resident’s felt a lot safer when there was a dedicated unit present and he hoped that in the future to have a solely dedicated unit for the 6<sup>th</sup> Ward.
  2. There was an area along Highway 52 and the Ohio River in Sciotoville and was ripe for revitalization. There were old moth-balled petroleum storage facilities and when Sohio had it, it was kept nice and clean, but now it had fallen into disrepair and he would like to see if there was anyway to partner with the EPA and the new owners to get it cleaned up.
7. He received a couple of calls from residents about the ice during the storm and he contacted Manager Sutherland who got the crew right on it.

**Appointment  
of Susan  
Reed to Art  
Commission**

**Re-  
appointment  
of Bill Shope  
to Land  
Reutilization**

The meeting adjourned at approximately 7:15 p.m. on a motion by Councilman Martell.

---

City Clerk

---

Mayor