

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
 Monday February 25, 2019
 6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday February 25, 2019 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Acting Mayor 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 st Ward
Jo Ann Aeh	2 nd Ward
Kevin E. Johnson	3 rd Ward
Jerrold Albrecht	4 th Ward - Absent
Gene Meadows	5 th Ward - Absent
Thomas K. Lowe	6 th Ward

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

Councilmen Albrecht and Meadows absence was excused on a motioned by Councilwoman Aeh. The motion carried viva voce: **VOTE: 4 ayes –0 nays.**

Council dispensed with the reading of the Journal for the Regular Session of February 11, 2019 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: 4 ayes –0 nays.**

There was no Public Hearing.

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 **third reading**, to an Ordinance to appoint Sam Sutherland to the position of City Manager of the City of Portsmouth, Ohio.

Tabled

Councilwoman Aeh stated that at the request of the City Manager and in the absence of the City Solicitor, she motioned that the legislation be tabled until the next meeting. City Clerk stated that the date would be March 11, 2019.

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

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, 2019 and ending December 31, 2019, as provided for in Section 49 of the Charter of the City of Portsmouth, Ohio.

Councilwoman Aeh asked Auditor Williams if this needed to be passed tonight and his response was that it needed passed this month, she replied that this was the last meeting of the month and motioned to suspend the three readings as requested.

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

**Ord. #10-2019
 Passage of
 General Fund
 Budget**

Councilwoman Aeh motioned 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 the City Manager to adjust rules, regulations and fees within the Engineering Department pursuant to the Ohio Board of Building Standards.

Councilwoman Aeh moved that this constitute a first reading.

Councilman Lowe asked if the additional information he requested was ever received, Clerk Ratliff stated that Community Development Director Tracy Shearer had looked all of that information up and sent it via email and Ms. Ratliff forwarded it onto City Council.

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

The clerk gave a **first 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. 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. (Body Cameras)

Councilwoman Aeh motioned to suspend the three reading as requested.

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

**Ord. #11–2019
Acceptance of
grant funds for
Police Body
Camera's**

Auditor Williams stated that he had comments that applied to this and the next Ordinances. He wasn't satisfied with the way these were worded in Section I as far as the appropriations. He said what they were asking for was to appropriate the matching funds for the grant and the funds that were named in the Ordinance as well as the grant monies that had been received. He would like Council to amend this and the next two ordinances to simply add where it said "the acceptance of grant funds" to read "the acceptance of grant and matching funds" and he believed that would cover what they're asking Council to do in the ordinance.

Councilwoman Aeh motioned to amend per the Auditor's wording.

Clerk Ratliff asked Mr. Williams to repeat the wording. Chief Ware stated that the wording is as it should be, Mr. Williams reviewed it again and said that the preamble does address it more appropriately but Section I does not, but since the preamble addresses it, he said it could be left alone.

Councilwoman Aeh requested her motion be withdrawn and motioned 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 the acceptance of grant funds from the Ohio Department of Public Safety, Office of Criminal Justice Services under the Justice Assistance Grant (JAG) for Police Department equipment purchases, establishing a dedicated account for the grant and authorizing appropriation of such funding as received. 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. (In Car Camera)

Councilwoman Aeh motioned to suspend the three reading as requested.

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

**Ord. #12 – 2019
Acceptance of
grant funds for
Police in car
camera's**

Councilwoman Aeh motioned 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 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. 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.

Councilwoman Aeh motioned to suspend the three reading as requested.

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

**Ord. #13 – 2019
Acceptance of
grant funds for
Police Drug
Task Force**

Councilwoman Aeh motioned 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 the acceptance of \$3,360.00 into General Fund Revenue Account No. 101.4690 and the transfer of the same into Fire Department EMS durable equipment Line Item No. 101.223.5299 received from the Ohio Division of EMS a Priority One Grant.

Councilwoman Aeh asked Auditor Williams if the money had been received and he stated that it had, she motioned to suspend the three reading as requested. Councilman Lowe stated that Council was just accepting the funds and Mrs. Aeh said that was correct that it was just bookkeeping.

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

Councilwoman Aeh motioned 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 the establishment of Fund No. 259 Rural Communities Opioid Response Program and further authorizing the acceptance and appropriation of funds as received within this new fund.

Councilwoman Aeh asked Auditor Williams if he needed this set up and he replied that this was the one he had asked for suspension of readings. He asked Health Commissioner Smith if this was the account that needed a fund transfer. Mr. Williams asked that the ordinance be amended to authorize a transfer from the fund where the money was received into the new fund. Clerk Ratliff asked if the transfer could wait until the next meeting and if he knew the fund number that funds were being transferred from and Mr. Williams stated to refer to the RHOP fund Rural Health Opioid Program. Clerk Ratliff stated that it would've been nice to have this information prior to this meeting and Acting Mayor Johnson agreed and he would not support this action as we're operating on the fly. Mr. Williams stated it was very simple, you're accepting the money and transferring it from the fund it was being held in, to the fund that was being created. Clerk Ratliff asked that he write out the wording that he wanted in the ordinance and she would get it after the meeting.

Councilwoman Aeh motioned to amend the ordinance in accordance to the Auditor's suggestion.

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

Councilwoman Aeh motioned to suspend the three reading as requested.

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

Councilwoman Aeh motioned 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 authorizing the City Manager on behalf of the City of Portsmouth to prepare and submit an application to participate in the APPALACHIAN REGIONAL COMMISSION GRANT PROGRAM and to execute contracts as required.

Councilwoman Aeh motioned that the Resolution be adopted.

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 City Manager to submit to the Ohio Department of Natural Resources (ODNR) an application for a FY 2019 NatureWorks Grant and upon receipt of the grant enter into an agreement to carry out provisions of the grant.

Councilwoman Aeh motioned that the Resolution be adopted.

**Ord. #14-2019
Acceptance of
grant fund for
EMS
equipment**

**Ord. #15-2019
Establishment
of new Health
Dept. fund for
Rural
Communities
Opioid
Response
Program**

**Res. #3-2019
Application
for ARC
grant
program**

**Res. #4-2019
Application to
ODNR for
2019
NatureWorks
grant**

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 to convert the vacant lot located at 740 Second Street Portsmouth, Ohio into a City owned Dog Park.

Councilman Dunne motioned that the Resolution be adopted.

Councilman Lowe asked if the City could move it at any time and Mr. Dunne responded “yes” that it would be able to be moved. Acting Mayor Johnson asked for the name of the Dog Park and Mr. Dunne replied “Spock Memorial Dog Park”. Chief Ware stated that Spock was a Sheriff’s dog that died in the line of duty back in the 1990’s. Mr. Lowe asked Mr. Dunne if he had committed to getting a dog yet and his reply was not yet but he does anticipate it.

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

Res. #5-2019
Converting
vacant lot
740 2nd
Street for the
purpose of a
City Dog
Park

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Thomas Bailey - 924 ½ Gay Street Portsmouth, Ohio – He requested to use the name Eugene Collins, Sr. Way in lieu of Martin Luther King, Jr. Way. He asked some questions and was told by Acting Mayor Johnson that Council could not answer questions during the meeting; this portion was only for statements and remarks from citizens. Mr. Johnson explained that he could speak during the manager’s conference.

MISCELLANEOUS BUSINESS AND REPORTS:

City Clerk’s Report – City Clerk Ratliff reported the following:

1. She received from the Ohio Division of Liquor Control a request for a transfer of ownership from Jalapenos Fresh Mex, LLC located at 416 Chillicothe Street Portsmouth, Ohio to John McHenry at the same location. There were no objections.

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

City Manager’s Report – Manager Sutherland had no report.

Acting Mayor’s Report – Acting Mayor Johnson had no report.

Solicitor Haas’ Report – Solicitor Haas had no report due to absence.

Auditor Williams Report – Mr. Williams had no report.

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Sean Dunne reported the following:

1. He attended a meeting to discuss a “Blues, Cruise and Barbeque Festival” that a group of people were working on with the proceeds going to support renovation costs for Spartan Stadium and also to use the stadium for a good time. He said once things were confirmed, he would speak more publically about dates and acts.
2. He advised that there will be a cut-throat karaoke event taking place this summer to raise money for Main Street Portsmouth. He explained that a person could be nominated for a price of \$50.00 and that person could either sing or pay \$100 not to sing. He was nominated to sing a White Snake song “Here I go again”.

2nd Ward – Councilwoman Aeh had no report.

3rd Ward – Councilman Kevin E. Johnson reported the following:

1. He thanked the City Manager for handling some residential complaints and for following up with the school regarding signage.

4th Ward – Councilman Albrecht had no report due to absence.

5th Ward – Councilman Meadows had no report due to absence.

6th Ward – Councilman Lowe reported the following:

1. He advised the City Manager that he would send him a list of potholes in the 6th Ward.

2. He asked the City Manager what was being done with the cross-tie wall. Manager Sutherland stated that a letter had been sent and they would follow up.
3. He asked the City Manager if the house on Bonser & Kiff had been torn down. Manager Sutherland didn't know if it had been torn down yet but knew there was some asbestos issues.
4. He advised of a drainage issue on Harding by Scioto Shoe Mart. He said that there was a big hole forming.
5. He thanked the City Manager and Chief Ware for attending the North Moreland Neighborhood Watch program. He thought that it was successful.
6. He congratulated Miss Ali Escamilla, she was voted as Miss East for 2019.

Councilwoman Aeh made a motion to recess into Executive Session with the City Manager to discuss recent bargaining units.

The role was called and the motion carried: **VOTE: 4 ayes– 0 nays, Council recessed into Executive Session at 6:39 p.m.**

Executive
Session

Councilman Dunn moved that Council reconvene from Executive Session. The roll was called and the motion carried. **VOTE: ayes 4 – nays 0, Council reconvened with all still in attendance at 6:54 p.m.**

The meeting adjourned at approximately 6:55 p.m. on a motion by Councilwoman Aeh.

City Clerk

Acting Mayor