

**MINUTES – REGULAR SESSION**

PORTSMOUTH CITY COUNCIL MEETING  
Monday March 12, 2018  
6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday March 12, 2018 at 6:00 p.m., at the Shawnee State University Center in the Sodexo Ballroom.

Vice President 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
Jo Ann Aeh	2 <sup>nd</sup> Ward
Kevin E. Johnson	3 <sup>rd</sup> Ward
Vacant	4 <sup>th</sup> Ward
Gene Meadows	5 <sup>th</sup> Ward
Thomas K. Lowe	6 <sup>th</sup> Ward

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

Council dispensed with the reading of the Journal for the Regular Session of February 26, 2018 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 5 – nays 0.**

There was no public hearing scheduled.

Councilwoman Aeh moved to add an item to the agenda Item **7(D)** A Resolution authorizing the City of Portsmouth to apply for, accept, and enter into a cooperative agreement as set forth in Exhibit A (the “Cooperative Agreement) for construction of the sunrise reservoir 30-inch main replacement and pump station. The motion carried viva voce: **VOTE: ayes 5–nays 0.**

**Item  
Added**

**STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA**

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

Councilwoman Aeh moved to recess into Executive Session to discuss contract negotiations and possible litigation with Mr. Sutherland and Mr. Haas and also to then discuss the appointment of a 4<sup>th</sup> Ward Councilman.

Vice President Johnson asked if it was possible to do the Oath of Office prior to the Executive Session as he had some young family members present who wished to be present for the Oath.

**Oath of  
Office**

Solicitor Haas administered the Oath of Office to Vice President Johnson which named him as the Acting Mayor of the City of Portsmouth.

The roll was called and the motion carried: **VOTE: 5 ayes – 0 nays, Council recessed into Executive Session at 6:08 p.m.**

**Executive  
Session**

Councilwoman Aeh moved that Council reconvene from Executive Session.

The roll was called and the motion carried. **VOTE: ayes 5 – nays 0, Council reconvened with all still in attendance at 7:20 p.m. with the exception of Auditor Williams.**

Acting Mayor Johnson opened nominations for the 4<sup>th</sup> Ward Councilperson.

Councilwoman Aeh nominated Jerrold Albrecht for 4<sup>th</sup> Ward Councilman.

Councilman Dunne nominated Isaac Peed for 4<sup>th</sup> Ward Councilman.

Acting Mayor Johnson closed the nominations as there were no other candidates.

The roll was called for Jerrold Albrecht: **VOTE: ayes 4 – nays 1 (S. Dunne), Jerrold Albrecht was appointed as 4<sup>th</sup> Ward Councilman. Due to majority vote for Mr. Albrecht, there was no roll call for Mr. Peed.**

**4<sup>th</sup> Ward  
Council  
position  
appt.**

Councilman Meadows and Acting Mayor Johnson thanked Mr. Peed for his application and interest and asked that he stay involved and learn more about the processes of City Council as they believe he had a lot to offer the city.

Solicitor Haas administered the Oath of Office to Mr. Albrecht.

## LEGISLATION

The clerk gave a **third reading**, to an Ordinance authorizing the City Manager to enter into a twenty-five (25) year easement agreement with the State of Ohio of Real-Estate and Planning, representing Shawnee State University.

Ord. 19-2018  
25 year  
Easement  
Agreement  
with Shawnee  
State  
University

Councilwoman Aeh motioned that the Ordinance be passed.

There were no questions or comments. **The role was called. VOTE: 5 ayes – 0 nays – 1 Abstain (S. Dunne), the Ordinance was passed.**

The clerk gave a **third reading**, to an Ordinance authorizing the vacation of the alley between 3rd St. and Farney Ave. as requested by Steve Falls and Mike Stapleton on behalf of Sciotoville Christian Church.

Ord. 20-2018  
Vacation of  
Alley to  
Sciotoville  
Christian  
Church

Councilwoman Aeh motioned that the Ordinance be passed.

There were no questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **third reading**, to an Ordinance authorizing the transfer of \$21,739.00 from the City of Portsmouth General Fund No. 101 to Municipal Court Subsidy Fund No. 202.

Solicitor Haas stated that before Auditor Williams left, he asked that the Ordinance be amended to include authorizing the “appropriation of” in the preamble as well as Section I.

Ord. 21-2018  
Transfer of  
General Fund  
101 to  
Municipal  
Court Subsidy  
Fund 202

Councilwoman Aeh motioned that the Ordinance be amended.

**The role was called. VOTE: 6 ayes – 0 nays, the Ordinance was amended.**

Councilwoman Aeh motioned that the amended Ordinance be passed.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **first reading**, to a Resolution authorizing the City of Portsmouth to apply for, accept, and enter into a cooperative agreement as set forth in Exhibit A (the “Cooperative Agreement”) for construction of the sunrise reservoir 30-inch main replacement and pump station project between the City of Portsmouth and the Ohio Water Development Authority.

Res #06 – 2018  
Loan for 30  
inch water  
main for  
Sunrise  
Reservoir

Councilwoman Aeh moved that the Resolution be adopted.

There were no questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, the Resolution was adopted.**

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

**Matthew Seifert – Friends of Portsmouth** – He said that the flood waters had caused potential damage to the area. He explained that Friends of Portsmouth was putting together a group to provide cleanup to the damaged area and it will be held on March 24<sup>th</sup> from 9:00 a.m. until noon. He invited City Council to come out and help as well as other businesses and individuals. They will be starting on the Riverfront and doing anything they could do to help the city.

**Vina Colley – P.O. Box 126 Portsmouth** – She would like information from City Council about what their job entails as she believed that would help the public understand. She added that right now Council got blamed for things that she wasn’t sure they had any control over. She said that she was concern about the water and the Piketon Plant.

## MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She prepared and administered the Oath of Office to Acting City Manager Sam Sutherland.
2. She received via email on March 1, 2018 from the Auditor’s office, the following summary statements of the Combined MTD/YTD reports for the period ending February 28, 2018: Expense, Revenue and Fund.

3. She received an Oath of Office from the Municipal Clerk's office for Special Deputy Clerk Carrie Breech.
4. She attended the Main Street Portsmouth Annual Fundraising Dinner, the turnout was great and she believed they did well on their fundraising endeavor.
5. She received on March 2, 2018 the franchise fee from Charter Communications in the amount of \$86,563.23 for the last quarter of 2017 and deposited in the Auditor's office the same day.
6. She stated that The Portsmouth Shade Tree Commission will be hosting the Tree City USA and Tree Campus USA awards ceremony this year at Shawnee State University, in the Sodexo Ballroom on April 12<sup>th</sup> from 9:30 – 3:00. This is the 25<sup>th</sup> year for Portsmouth as a Tree City USA, if you'd like to attend, contact her for registration. The Shade Tree Commission will also hosting the Tree City Celebration along with Scioto Soil and Water for Arbor Day in Tracy Park on April 21<sup>st</sup>. That's always a fun day, so mark your calendars for both of those events.
7. She thanked Shawnee State University, Jennifer Schackart and her staff for all their help throughout the past months and allowing City Council to have their meeting. This will be the last meeting at Shawnee State University, and she thanked SSU, Jennifer Schackart and her staff for all of their help throughout the past months. With that said, the next meeting will be back in Council Chambers on March 26<sup>th</sup>.
8. She received 3 letters/resumes for the 4<sup>th</sup> Ward vacancy, however one of the applicants requested to be removed so there was only two interested in the vacancy.

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: 6 ayes – 0 nays.**

**Acting City Manager's Report** – Manager Sutherland reported the following:

1. His written report can be found on the city's website [www.portsmouthoh.org](http://www.portsmouthoh.org).
2. He stated that he met with Columbia Gas and they have pinpointed the area between 2<sup>nd</sup> and 3<sup>rd</sup> Streets bordering Jefferson and Madison Streets as they will begin remediation work in that area within the next month. He explained that in the late 1800's or early 1900's there was a gas manufacturing plant located there with big gas holding tanks, but after that facility closed, the gas holder tank was buried in the ground which left remnants of coal tar and other residues in the ground. There will be barricades put in place and trucking activity to remove several feet of that dirt and there may be also be an unpleasant odor in the air. There may be additional work that may need to be done towards 2<sup>nd</sup> Street around an old gas station/car lot which might need to be analyzed.

**Acting Mayor's Report** – Mayor Johnson reported the following:

1. He stated his concerns regarding the time spent in Executive Session and would try to work out a system to let people know an approximate time line of how long they were going to be in Executive Session. (For example, sending a text stating that the Executive Session was going to be another 30 minutes etc.) He said that Executive Session was a very important part of Council and a necessity but he believed that they could do a better job of communicating with the citizens and the press because the media had deadlines and commitments. He asked the public to contact him with ideas concerning this issue.
2. He thanked former Mayor James D. Kalb who spent 20 years of his life dedicated to the service of the city. He was very honored to know him as he (Kalb) was always very respectful to him. He added that from the time he entered City Council he (Kalb) was always there to lend an ear if needed and to help with issues. He also thanked his wife Allison for putting up with him (Kalb) being gone doing city business.

The Acting Mayor's report was received, filed and made part of the record, on a motion by Councilwoman Aeh's. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

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

**Auditor Williams** – Auditor Williams had no report.

**MISCELLANEOUS BUSINESS FROM CITY COUNCIL**

**1<sup>st</sup> Ward** – Councilman Sean Dunne reported the following:

1. He was contacted by a Producer from ESPN about a documentary involving Spartan Municipal Stadium and trying to balance the stories between what ESPN would want and a documentary Crew from Denison University would also like to say about the stadium.
2. He thanked Gene Meadows and Jo Ann Aeh for speaking at Dr. Thomas Bunting's Political Science class. He felt it was important to build a bridge between National and Local issues and between the University students and City Government. He said that during the discussion with the students on what they would like to see in the City, he learned about the Escape Room.
3. He said they continued to gather information about the Dog Park in the Boneyfiddle. He thanked Tracy from the Community Development office and members of the community that have moved the process forward. He had two estimates for fencing and they've had the trees reviewed

to make sure they were alright for the dogs. His working on getting more estimates and fund raising strategies.

4. He said they had completed a rendering for the Skate Park in the downtown area and he thanked local contractors and local skaters Brian and Matt for doing that and it's now been sent to a skate design company. They will be contacted by the company to discuss and have also received a list of in-kind donations which will also help to raise money for the park.
5. He attended a tour of the Piketon plant with Mayor Johnson and he thanked the tour guides for the experience. He felt there to be a lack of the understanding of the history of science and lack of understanding of the philosophy of science and a lack of understanding of the politics behind the science.
6. He stated that they were currently drafting letters for McKinley Pool and reach out to different companies for more donations.
7. He said they want to continue to develop information regarding internships in effort to support the different departments within the city specifically Community Development, the City Manager's office and also the Health Department. He had discussions with different individuals and the University with wanting to move that process forward.
8. He thanked Manager Sutherland for the issues that he had emailed him about.
9. He advertised that the Portsmouth Area Arts Council "Willie Wonka and the Chocolate Factory" will be St. Patrick's Day weekend. It looked like it would be a great production and they might even get Kevin Johnson to sing in support of PAAC.
10. He said the St. Patrick's Day parade will be held in Portsmouth and he donated his February salary to the 7 Nations Celtic Club which was the group that formed the parade each year.
11. He thanked the city workers for bringing down the floodwall gates which was perhaps more work than putting them up.
12. He appreciated Shawnee State University for hosting Council meetings.
13. He reiterated what Mr. Johnson said about former Mayor Kalb and he appreciated his work for the city.
14. He welcomed Mr. Albrecht to City Council and thanked Mr. Isaac Peed for putting forward his name for nomination.

**2<sup>nd</sup> Ward** – Councilwoman Aeh had no report.

**3<sup>rd</sup> Ward** – Councilman Kevin E. Johnson reported the following:

1. He attended the D.O.E. tour as did Councilman Dunne and thanked those that took them around on the tour. He said it was enormous.
2. He said that earlier in the day when it was very cold out, there was a water break on 7<sup>th</sup> Street and there were city workers out there working hard to get it repaired. He encouraged people to say "thank you" to those workers when you see them out.
3. He welcomed Councilman Albrecht and thanked him for his willingness to serve.
4. He thanked Mr. Peed for his interest in the position and hoped that he would stay interested in our city and would love the opportunity to work with him in the future.

**4<sup>th</sup> Ward** – Councilman Albrecht thanked City Council for choosing him to represent the 4<sup>th</sup> Ward and he wanted the people of the 4<sup>th</sup> Ward to know that he would represent them to his utmost.

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

1. He said that he defended a lot of criminals which lead him to read a lot of Police reports from different departments around this area. He received one the other day from the Portsmouth Police Department and it was one of the best Police reports he had ever seen. It was well written, well explained, and well defined which made the case much easier for the State to Prosecute. He said that our Police Officers do some of the best work and best reports that he had seen from around the State and commended the Police Department.

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

1. He welcomed Mr. Albrecht and said he was glad he was here.
2. He thanked Mr. Kalb as he spent a lot of time within the city and done a great job and he only knew him as a Professional.
3. He thanked Shawnee State University for hosting the meetings.
4. He had a couple of questions for the Acting City Manager: 1. He asked if he had met with Emergency Management regarding the hillside on Route #52 towards Sciotoville. Manager Sutherland stated that he was still going back and forth with ODOT. Mr. Lowe asked to be kept in the loop regarding the issue. 2. What was the status of the driveway that got washed out on Dunlap Road? Manager Sutherland said that he believed that it had been patched.

The meeting adjourned at approximately 7:51 p.m. on a motion by Councilwoman Aeh.

---

City Clerk

---

Mayor