

MANAGER’S CONFERENCE MINUTES
Portsmouth City Council Meeting on
May 13, 2019 – 8:00 p.m.

Members present:

Sean Dunne	1 st Ward
Jo Ann Aeh	2 nd Ward
Kevin E. Johnson	3 rd Ward (Absent)
Jerrold Albrecht	4 th Ward (Absent)
Gene Meadows	5 th Ward
Thomas K. Lowe	6 th Ward

Also present was City Manager Sam Sutherland, Solicitor Haas, and City Clerk Ratliff. Auditor Williams was not present.

1. **Retaining Wall Repair 6300 Gallia Street, Scitoville** **CM-19-35**

Manager Sutherland said that a make shift retaining wall had been made out of railroad ties and is failing, this will replace the current wall. Councilman Lowe

Councilman Lowe moved to adopt alternative #1.

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

2. **PMHA Street lease** **CM-19-36**

Manager Sutherland stated this was in regard to Portsmouth Metropolitan Housing Authority and the possibility of leasing streets. Solicitor Haas said there was an issue in Kendall Heights formerly Wayne Hills where PMHA can bar individuals from the property if they’ve done damage on their premises. He added that the streets were a safe haven, and if there were individuals in there that were normally barred from PMHA property, if they don’t leave the street there’s nothing the Police can do about it. He discussed with PMHA working up a lease for the purpose of being able to enforce the barred list and making the streets PMHA property within Kendall Heights which should help with enforcement. He believed that the Police Department was very much in favor of this as well as PMHA. He hasn’t drafted the lease because he wanted to wait and speak with Council before moving forward. Councilwoman Aeh asked if there was an urgency to this matter and Chief Ware said that ideally, they would like to have it done before summer. Chief Ware said that the only property owners adjacent to that street belonged to PMHA and there were no other residences along either one of the streets. Solicitor Haas asked about the terms of the lease and if Council wanted a 99-year lease for \$1.00. Councilman Meadows suggested 10 years automatic renewal with the option from either party to cancel if necessary. Peggy Rice from PMHA said she would take what she could get. She said that PMHA is the largest purchaser of off-duty police officers and Kendall Heights was the largest site where the officers were utilized and the minute the offender steps onto the sidewalk or into the street, the officers would then have to have probable cause and the people that they have trouble with, know those rules. PMHA will do anything to help the Police Department.

Councilwoman Aeh moved to accept alternative #2 – Emergency legislation, 10-year automatic renewable lease for \$1.00, ability to break the lease by either party.

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

3. **Cell Tower Site - Property Lease** **CM-19-37**

Manager Sutherland said this was for a ground lease for a cellphone tower site, it is located behind the Hilltop Fire Station where the old Cable TV tower used to sit. The plan was for the company to build an access road out of the alley that runs parallel with High Street.

Councilwoman Aeh moved to accept alternative #1

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

4. **Health Department 2% Increase**

CM-19-38

Manager Sutherland stated this was the increase for the Health Department.

Councilwoman Aeh moved to accept alternative #1 but this could change.

Auditor Williams asked if this was going to remain 2% or would that number be changing, because going forward any contract that has the “Me Too” clause will be subject to any finalization of contracts or different personnel organization that were subject to possible changes, the increases would not be put in place until all were finalized. He understood that currently there may be another change in the retro pay which meant that they would have to go back again for possibly ¼%. In the future, all salary increases would be held off until all contracts were finalized.

Councilman Meadows asked Manager Sutherland if the city gave a lump sum to the Health Department to spend as they saw fit and his reply was “yes”. Mr. Meadows then asked if their raises should come from that lump sum, Mr. Sutherland stated that would be Council prerogative. Councilwoman Aeh stated that she did not have the figures she wanted yet and Mr. Meadows said he would like to see those also because currently there’s not enough information.

There were no further questions or comments: **VOTE: 3 Ayes – 1 Nays (G. Meadows) Issue was rejected.**

Discussion

5. **Blues, Brews and BBQ Festival**

CM-19-39

Councilman Dunne said there were two things that they want to accomplish. 1. Raise money to renovate the Stadium with money that doesn’t come through taxes. 2. Apply for grants to show that this was the space being used and add to the activities. He said that they would like to open up an account for vendors to use and Auditor Williams said that could be established. He said there had been a number of vendors that have come forward, not just food vendors but a variety of things that would be on display and one of the things they will do is show people what you could do in Portsmouth, everything from businesses and other activities. They are getting a large increase and interest. They were confident that the money could be raised and had been very prudent on what bands were selected and the quality of the bands coming; however, with some of these bands, they need paid up-front. For the future they would like to set up an account for the stadium and allocate \$20,000-\$25,000 for future events throughout the summer. Also, when applying for grants they’d be able to show that the city had made x-amount of contribution, as well as to show that last year the Scioto Foundation made a contribution, and a few years ago State Farm Insurance made a \$25,000 contribution. Auditor Williams said there were several accounts already in existence. Solicitor Haas asked if he was wanting an appropriation for the event and if so, how much. Councilman Lowe said that this was a City-Owned event and it needed to succeed in order for this group to move forward and he supports allocating funds to assist the project. He said other cities were doing it and making money and he’s looking for any way that the city could make money to increase revenues. Solicitor Haas asked if we were appropriating the money into a certain line item to be paid out as Spartan Municipal Stadium renovation project. He said most of the time when the city allocated money to do projects or events, there’s usually a non-profit involved in which the city donates to the non-profit, such as the “garage sale” that they had several years back. Auditor Williams said this was a little different in that this would be a revolving account where we give the money and then get it back. Mr. Dunne said that the main purpose was to renovate the stadium and if grants were applied for then there should be an account to receive the grant award. He said people were more likely to donate if there was a specific account set aside for the renovation of the stadium. Solicitor Haas suggested a Non-Profit 501-C3 such as Main Street Portsmouth to run the event and then the city could give them a donation, it would be somewhat like a loan. Councilman Lowe said he would prefer to avoid outside interference and felt it needed to be a city run event because the city needs revenue. Clerk Ratliff asked if we had a Parks and Recreation line that it could be run through

and Auditor Williams stated that there was a Parks and Rec. line just no Parks and Rec. employees. Solicitor Haas said that he would do the legal research.

Councilwoman Aeh moved to accept alternative #1

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

6. **Truck Purchases – Resolving Litigation**

CM-19-40

Solicitor Haas asked that Council approve as an emergency the appropriation and expenditure for the sum of \$119,197.07 to purchase two trucks from Bill Cole Ford and Lincoln for the Wastewater Department. He said that this would resolve the outstanding litigation over the contract price and purchase of the trucks and would stop the ongoing litigation expense. He said that we've had the trucks for over a year in the garage and haven't been used.

Councilwoman Aeh moved to accept alternative #1

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

The meeting adjourned at 8:40 p.m. on a motion by Councilman Dunne.

Submitted by: *Diana Ratliff* – City Clerk