

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
Monday May14, 2018
6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday May 14, 2018 at 6:02 p.m., in the Council Chambers of the Municipal Building.

Acting 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 st Ward
Jo Ann Aeh	2 nd Ward
Kevin E. Johnson	3 rd Ward
Jerrold Albrecht	4 th Ward
Gene Meadows	5 th Ward
Thomas K. Lowe	6 th 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 April 23, 2018 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 6 – nays 0.**

There was no public hearing scheduled.

Councilman Lowe welcomed Councilman Meadows back from an extended illness.

Councilwoman Aeh moved to add an item to the agenda Item as **7(D)** a Resolution designating the acting City Manager as an authorized Agent for the Federal Emergency Management Agency Public Assistance Grant Program. The motion carried viva voce: **VOTE: ayes 6 – nays 0.**

Item added to
the Agenda

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.

LEGISLATION

The clerk gave a **first reading**, to an Ordinance authorizing the acceptance of \$960.00 into General Fund Revenue Account 101.4690 and the appropriation of the same into Fire Department Service Contracts Line Item No. 101.223.5238 received from a 2018 MARCS Grant Award from the Ohio Department of Commerce Division of State Fire Marshal.

Councilwoman Aeh motioned to suspend the three reading rule.

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

The clerk gave a **first reading**, to an Ordinance authorizing the Acting City Manager to enter into a temporary easement agreement with Columbia Gas of Ohio Inc. 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 rule.

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

Ord. #26-2018
Acceptance of
2018 MARCS
Grant and
appropriate to
the Fire
Department

Ord. #27-2018
Temporary
Easement
with
Columbia Gas
for Sunrise
neighborhood

The clerk gave a **first reading**, to an Ordinance authorizing the establishment of Fund No. 206 Justice Reinvestment and Incentive Grant (JRIG) and further authorizing the acceptance and appropriation of funds as received within this new fund.

Councilwoman Aeh motioned to suspend the three reading rule as it does not affect the public in any way.

The role was called. VOTE: 5 ayes – 1 nays (K.E. Johnson), the rule was suspended.

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 **first reading**, to a Resolution designating the City Manager as an authorized Agent for the Federal Emergency Management Agency Public Assistance Grant Program and accepting grant and obligations, if funded.

Councilwoman Aeh motioned that this Resolution be adopted.

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

Ord. #27-2018
Temporary
Easement
with
Columbia Gas
for Sunrise
neighborhood

Res. #09-2018
FEMA public
assistance
grant.

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Vina Colley - P.O. Box 136 Portsmouth, Ohio – She thanked Council for adopting the Resolution opposing the dump at Piketon.

Debbie Fraley – P.O. Box 213 Friendship, Ohio – She is the property manager at Riverview Retirement Center (Washington and Biggs House). She said that recently the residents that live on the riverside on the 3rd and 4th floors have been dealing with the bright lights at night coming from the floodwall lights. They used to be able to look at the river, watch the barges and look at the bridge, but now all they see was football field type lights shining into their apartments. They are requesting that the lights be moved so that they were not shining into their apartments. Councilman Lowe asked which side of the floodwall the lights were on and the response was the river side.

Brenda McGraw – Biggs House, Apt. 309 Portsmouth, Ohio – She lives right across from where the lights are positioned and she cannot look out at night because of these lights. She used to enjoy watching the boats on the river but now she can't; she puts her front room blinds down because the lights were so bright but even with the blinds closed there was still a glare that came through into the apartment. She understood what the lights were for but would like more of an explanation. She added that it wasn't just her apartment but both buildings were being affected by the bright light. The lights were installed to shine on the name of Portsmouth on the river side of the floodwall for river traffic but she hoped that someone would remove those lights because they were very much a disturbance to the residents of the upper floors of these two buildings.

Tom Chapman – 500 2nd Street, Apt. 514 Portsmouth, Ohio – He believed that when the lights were installed the projection of the lights were not taken into consideration. The lights were almost as high as the floodwall and the projection was over the floodwall onto both buildings. He sits in his bedroom watching T.V. and his room lights up when they come on, the lights were made more for a construction site. He used to go to the window and watch the barges go by but can no longer do that because the lights were too bright and they are dusk/dawn lights, and even with the blinds closed it still lights up the room. Councilman Dunne went to the apartment to look at the lights and explained that he hoped that the lights could be lowered 3-4 feet so that they could still light up the sign that was intended to be lit.

Pam Samones – 500 2nd Street, Apt. 512 Portsmouth, Ohio – The lights are coming over top of the floodwall and her concern was that it was very light and was hard to sleep with that kind of light shining into her apartment. She wondered what kind of heat was being emitted from the bulbs and if it could damage the paint on the other side where the mural are located.

Police Chief Robert Ware – Portsmouth, Ohio – He thanked the Daily Times for the article on the National Police Week, he thought it was a very good article and he appreciated the opportunity to have input into the article. He would like Council to take time to go to the National Law Enforcement Officers Memorial Webpage. Portsmouth had three fallen officers and their stories are listed on the site and hopefully in the future he would

like to have some kind of Memorial for the fallen officers and he doesn't want them to be forgotten by the community.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She administered the Oath of Office to Chad Garinger as a member of the Zoning Board of Appeals.
2. She reminded everyone that the due date for the Financial Disclosure by those elected was due May 15th.
3. She prepared the Poppy Days Proclamation.
4. She attended the Goodwill open house with Mayor Johnson.
5. She received via email on May 8, 2018 from the Auditor's office, the following summary statements of the Combined MTD/YTD reports for the period ending April 30, 2018: Expense, Revenue and Fund.
6. She received on Friday May 11th a letter from the Municipal Court regarding vacation time for non-union employees and a journal entry for annual increases for seven employees, correspondence was e-mailed to Council.
7. She advised that to date 11 resumes have been received for the City Manager position and all have been forward to Councilmembers.
8. She advised that the next City Council meeting will be on Tuesday May 29th due to the Memorial Holiday.

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.
2. He addressed the floodwall lighting issue and that they were working on a solution.
3. He said they were starting to see progress on the Dollar Tree store on Chillicothe Street.
4. He was approached by the folks that oversee the "Serve Day" project and they were asking the city for projects within the city that need addressed. He asked Council to email him suggestions within their wards. This will take place in July.

The Acting City Manager'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 Mayor's Report – Mayor Johnson reported the following:

1. He chaired the monthly meeting for the Health Department and the Zoning Board of Appeals
2. He met with Kim Cutlip and Patty Tennant of the Scioto Foundation and they briefed him on the various roles within the organization.
3. He attended the educational forum for Portsmouth High School
4. He attended along with City Manager Sutherland the OVRDC meeting in Waverly, Ohio.
5. He had an interview with James Pilcher with the Cincinnati Enquirer and USA Today regarding our area.
6. He attended the Project More appreciation luncheon at the Portsmouth Visitor's Center where a lot of the City employees are volunteers in their reading/mentoring program.
7. He read a Proclamation at Goodwill Industries on Friday May 11th claiming May 6th 12th as Goodwill Industries Week.
8. He re-appointed Paul Yost to the Design & Review Board.

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 reported the following: (His microphone was off and could barely be heard. Below were notes taken by the Clerk)

1. He requested additional money for Civil Service as they will be hosting more tests in the near future and have already spent the appropriated money on previous tests.
2. He stated that property at 1157 11th Street (formerly the Silver Moon) had been condemned and the owners filed bankruptcy, he requested that the property be given to the Land Reutilization program to be demolished and possibly sold to an area business that had expressed interest. Mr. Gedeon stated that there was also drug activity within that building. The bank does not want the property and if the city were to accept the property and turn it over to the Land Reutilization that would wipe out the taxes owed to the city. The demolition would cost approximately \$10,000-\$12,000 which meant we would be in the hole initially but it would remove the blighted building and if the land sold it would be put back on the tax base. He requested that this be put onto the City Manager's Conference Agenda at the next meeting.
3. He gave a presentation at the Ohio State Bar Association regarding the book "Dreamland" and how opioids have affected and damaged our community.

Councilwoman Aeh motioned to approve the preparation of legislation regarding increasing the appropriations for the Civil Service.

The Solicitor'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.**

Auditor Williams – Auditor Williams reported the following:

1. April's General Fund Income Tax Revenue \$1,534,339 which was \$234,205 more than the previous year. The new tax collected from 2016 was \$348,268. The total tax revenue collected was \$1,743,657, which was greater than last April's amount of \$266,043. Major Fund Balances – General Fund \$4,142,219, Streets \$372,152, Water \$43,640, Sewer -\$1,222,800, Sanitation \$333,755 and Insurance \$1,928,080.

The Auditor'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.**

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Sean Dunne reported the following:

1. He thanked Sam Sutherland and Scott Leeth for their quick work on the floodwall lighting. He had the chance to visit the apartments and it was quite bright. It apparently started with an adjustment of the lights and then when that didn't work they turned it down and he was able to see firsthand that it was more than just a distraction, it was a disruption and he hoped that it would be able to be fixed.
2. He attended a meeting on 2nd Street with Scott Leeth, community members and AEP regarding installing arches on 2nd Street. He added that this was a very exciting project and AEP was very supportive of it and hoped that it moved forward very soon.
3. He spoke with AEP also about some electrical upgrade for Spartan Municipal Stadium and what might be available through an AEP fund to help with renovations.
4. He spoke with Community Development Director Tracy Shearer regarding a grant application for the Dog Park and hoped to get it moving forward.
5. He explained that Nathan Prosch had completed the survey scope in which he volunteered to do of where a skate park could be located. Spohn Ranch Skate Park Company required a more exact topography of the space for a more accurate design and estimate, which the survey scope would provide. The process would take about 3 weeks for them to provide a design after the information was received.
6. He reached out to a company in Florida that had solar panel phone charging stations and received a lot of interesting information which could improve the walkability of our city and would improve public health with the LED light on top of it and the ability to walk with a phone that's charged would help with public safety. He would like to pursue this in the future.
7. He wanted to apply for a LaCross grant for a couple of the schools but never got responses back from certain school but he would like to address that again at the end of the summer. He was also working on an aquaponics' grant for schools as well.
8. He said last week was National Economic Development Week and he received a lot of interesting news from Covington, KY and how that city had been working on renovating certain areas of their city and he believed it to be applicable to Portsmouth.
9. He signed onto the Greater Ohio Policy vision document and would be forwarding that onto all of Council and the City Manager. The Greater Ohio Policy Center advocates on behalf of small legacy cities in Ohio to insure State legislation doesn't leave us behind when they're funding projects in larger cities, they also asked them to consider smaller cities.
10. He received an email from the Library of Congress and they have digitized and preserved the second of two game films that we had sent of the Portsmouth Spartans. The first one was a home game against the New York Giants and the second one was an away game against the Chicago Bears. He will be downloading that and putting it on YouTube.
11. He expressed his condolences to the family and friends of Dr. Sylianos Hadjiyannis. Several of his students had attended one of the Council meetings not too long ago. He was a Political Science Professor at Shawnee State and had just retired in December and unfortunately passed away last week in Greece.
12. He also expressed his condolences to Margot Kidder the actress that played Lois Lane in the Super Man movies.

2nd Ward – Councilwoman Aeh reported the following:

1. She advised that Mr. Thomas Bailey had requested a meeting with her on the record and she set up a meeting with him and he never showed up for the meeting and she wanted that on the record.

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

1. He thanked Sam Sutherland who was serving in the role of acting City Manager, as he had reached out to Mr. Sutherland on various residential complaints and had always gotten a prompt response. He thanked all of the city workers and he had recently reached out to Public Service Director Bill Beaumont and had gotten a quick response.
2. He thanked the media for reporting and all of those in attendance for getting involved with the city.

4th Ward – Councilman Albrecht reported the following:

1. He attended the Jobs Ohio meeting at the Lofts, it was a very interesting meeting. They promised that the new bypass would not negatively affect Portsmouth in any way. They promised that jobs would be coming and he told them not to promise anything that they couldn't follow through with because they've heard promises for 30 years and still no jobs.
2. He had a complaint from a 4th Ward resident and was in the process of taking care of it.
3. He congratulated the Portsmouth Police Department on it being National Police Week.

5th Ward – Councilman Meadows reported the following:

1. He apologized for his absence and stated that it was good to be back.
2. He advised of the intent to reappoint Earl Braun to the Traffic Committee.

6th Ward – Councilman Lowe reported the following:

1. He was sorry to see that Fire Chief Raison wasn't in attendance as he had a few issues to take up with him, and he also noticed that he had been absent lately. He stated there was an incident in Sciotoville that took 20 minutes for the Sciotoville Fire Department to travel less than a half mile to respond. A little girl had been hit in the head by a softball and had to be flown to a hospital. He recalled that when Council voted in the EMS, the Chief promised he would have EMS in Sciotoville by January 1st, and it's almost half way through May and there still wasn't anything in Sciotoville. He said that the Chief would probably say that it had to do with staffing or whatever but there was no problem staffing the EMS vehicle that ran in downtown Portsmouth and this was another clear case of Sciotoville getting pushed aside and they deserve that coverage just as much as the downtown. He demanded that the Chief get him the service or he had a problem with him, and whoever his boss is, needed to set him down and get him straightened out.
2. There was a Foster Care business that had moved in at 5545 Farney Avenue Sciotoville. There were no permits issued and the area was zoned residential and it was a single family home. He believed there to be more going on there than what meets the eye. Chief Ware stated that there have been discussion regarding the house and he will let him know.
3. He had spoken with a lot of resident's in Sciotoville regarding people parking on the wrong side of the street; they want tickets/citations issued to these vehicles because that was the only way they were going to get the town cleaned up and once they've been issued the ticket they will know they can't get away with it anymore.
4. He's been working on the Sciotoville community since beginning on Council to try to get it cleaned up. He said they were limited on what they could do but that Andy Gedeon had done a fantastic job.

The meeting adjourned at approximately 6:55 p.m. on a motion by Councilman Meadows.

City Clerk

Acting Mayor