

MANAGER'S CONFERENCE MINUTES
Portsmouth City Council Meeting on
June 11, 2018 – 7:46 p.m.

Request to add Server Replacement as item (6) to the agenda on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 6 – nays 0.**

Acting Mayor Johnson asked Council for permission for the out of town guests to speak regarding the National Register of Historic Places and Council approved. Councilman Meadows asked about the City's funding issues with McKinley Pool and the fact that it still operated at a loss. If it were to be designated as a Historic Landmark, what would happen in the future if the City can no longer deem it financially feasible to open it? Barbara Powers spoke about what the National Register program is and provided Council with information specific to property owners. She said that McKinley Pool possibly represented part of the Civil Rights movement. She added that the National Registry was basically a tool to recognize properties that were worthy of historic preservation because of their historic significance. The National Register listing would not change the rights of property owners, the National Register program does not require that the property be maintained. It was basically a planning tool, an educational tool and possibly funding opportunities. Portsmouth is a Certified Local Government meaning the city had shaped a local historic preservation program creating a local ordinance that is in place through the Design and Review process. The State Historic Preservation office receives funding from the National Parks Service every year and 10% of that funding which amounted to approximately \$100,000 is re-granted through a repetitive grant program to Certified Local communities. A Community could apply for the grant to do the bricks and mortar type of work to the historic property, the grants were usually small and involves a match program. There are two other funding sources if a community is listed in the National Register: 1. The Ohio History Connection which funds historic preservation and other history projects. 2. The National Park Service specifically targeted the African-American Civil Rights movement history. Councilwoman Aeh asked if a grant was received and structural work had been completed, does the city have to continue to maintain the structure for a period of time. She stated that in the past the city had ran into that with the downtown esplanade when there were grants received and improvements were made, however after a number of years later the esplanade had deteriorated and the city had to jump through hoops because grant money had been used. Ms. Powers stated that these grants would be specifically for the project outlined in them and if there was physical work done to the property then the work had to meet the Secretary of Interiors standards for rehabilitation, but they are commonsense guidelines on how to effectively treat a historic property so it retained its historic character. Mrs. Aeh used the example: if we took the grant, made improvements to the pool and it still didn't help financially and the city had to close it, what obstacle would the city face because we accepted grant money? Ms. Powers stated that as long as you finish the project that the grant was proposed for, then no you would not have to maintain the property. She reviewed the Federal Funding process and the use of federal funding that impacts the historic property, but it doesn't change the rights of property owners. Councilman Dunne explained that the previous experience he had with the National Register in Portsmouth was for Spartan Stadium and a former employee of SOPA had claimed that it would add 400% to the renovation cost, however when he did some research that claim was incorrect and was a myth that they had to dispel often, but unfortunately the former SOPA employees refused to contact the office to learn that he was completely wrong. Ms. Powers stated that her office would not be involved with the decision making or work done on the pool unless the city requested advice. Ms. Powers stated that if Council decided to move forward with this project, Rory Krupp and his team would be preparing the actual paperwork for nomination as they were early in the process. Mr. Dunne stated that he would like to see the early drafts, as the University might have a college student that would like to do an independent research project on maybe some other properties that might be eligible. Rory Krupp stated that he would be coming back to Portsmouth to do further research. He said the Ohio Film Commission had a list of locations that they send out to movie sets and McKinley Pool was the best one in the State for authenticity of the mid-60's swimming pools.

1. Acceptance and Appropriation of loan Funds from OWDA

CM-18-28

Acting Manager Sutherland said we would obtain money from the OWDA loan to be able to pay for the Engineering firm for construction and administrative services on the waterline project.

Councilwoman Aeh motioned to accept Alternative #1, Manager Sutherland stated that it really needed to be passed on first reading. Mrs. Aeh withdrew her motion and motioned to accept Alternative #2 to waive the three reading rule.

There were no questions or comments: VOTE: 6 Ayes – 0 Nays

2. **Appropriation Request for Management Consultant & Multi Use Path fees** **CM-18-29**

Acting Manager Sutherland stated that there were some budget shortfalls. He said there were invoices that went back to 2017 to pay the Management Consultant and he hoped that the \$50,000 would get them to the end of the year, plus taking care of last year's invoices. He said on the Multi Use Path there wasn't enough money in the budget to pay for the design. Councilwoman Aeh stated that she had been made aware that there were issues in the budget such as three trucks had been approved but only enough money budgeted for two trucks. In going through the budget, this shortfall had happened more than once. Mr. Sutherland said on this particular issue he had seen invoices that went back to July of 2017. Councilman Meadows asked if the budget that was presented to Council was incomplete and Mr. Sutherland responded that was correct. He said on the multi-use path there had been changes made to the project which resulted in higher fees, but the amount was never budgeted. Mr. Meadows stated that getting a 6 inch thick budget was too much for people to look at and realize what is or isn't there. Councilman Lowe explained that he felt the two issues should have been brought to Council separately. Mr. Sutherland said that there will be more because he's finding more each day that wasn't included in the 2018 budget.

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: VOTE: 5 Ayes – 1 Nays (T. Lowe)

3. **Appropriation for wall repair at Munn's Run** **CM-18-30**

Acting Manager Sutherland stated that this was for the repair of the wall at Munn's Run. He said currently the initial quote was at \$12,000, the balance of \$3,000 would be for incidentals.

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: VOTE: 6 Ayes – 0 Nays

4. **Amending Section 351.23 – Front Yard Parking** **CM-18-31**

Acting Manager Sutherland said that there had been numerous issues of Front Yard Parking and in discussions with Chief Ware and other constituents, it was determined that removing the "24 hour" stipulation was a way to remedy some of the situations that Officers had faced and the Officers would be able to enforce the Ordinance with discretion. Police Chief Ware spoke to Council and stated that Officers have a great deal of discretion, they can pull over someone for speeding and give them a warning or they could give them a ticket, but when they were forced to give a 24 hour warning for each offense because they don't know if it's the same person. Another problem he was trying to avoid was when a resident called and asked that an enforcement action be taken, and the Police show up talk to the offenders and then drive off without solving the problem. The Police are faced with the issue of a public nuisance, eyesore or whatever you want to classify it within a neighborhood and it was going unresolved for an extended period of time. However, using discretion, if the Police show up to a home and the person is unloading garden supplies or other large heavy items, they would rather you pull into the yard to unload as to block the street. If the Police show up and they know that the resident knows the law but was blatantly abusing it, then that is inefficient. Councilwoman Aeh asked if removing the 24 hour sentence would help with the situation and Chief Ware stated that provided the Solicitor had no problems with it, he would like for that to be stricken from the Ordinance and allow the Officer discretion. Councilman Albrecht asked about side yard parking, Chief Ware stated that they needed to make sure that it was all addressed. The Ordinance definition (2) ***"Front yard" means the area between any portion of a residential structure facing a street and the street right-of-way. In the case of any parcel of land which borders on more than one street, "front yard" means those yards which extend across the lot along all streets which border such parcel and being the areas between the street right-of-way lines and the nearest portion of any building or structure, excluding fences, existing on such lot."***

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: VOTE: 6 Ayes – 0 Nays

5. Tax Budget – Request for a Public Hearing

CM-18-32

Acting Manager Sutherland stated this dealt with the annual tax budget.

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: VOTE: 6 Ayes – 0 Nays

6. Request for appropriations for Server Replacement

Added to CM Agenda 6-11-18

Acting Manager Sutherland stated that Auditor Williams had approached him and said that the back-up system had failed and that it was time to replace the server to a more modern system.

Councilwoman Aeh motioned to accept Alternative #1

There were no questions or comments: VOTE: 6 Ayes – 0 Nays

The meeting adjourned at 8:32 p.m. on a motion by Councilman Meadows.

Submitted by: *Diana Ratliff* – City Clerk