

**MINUTES – REGULAR SESSION****PORTSMOUTH CITY COUNCIL MEETING**

Monday June 11, 2018

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday June 11, 2018 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Acting Mayor Kevin E. Johnson called the meeting to order. The Pledge of Allegiance to the Flag was followed by a moment of silent prayer.

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
Jerrold Albrecht	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 and City Clerk Diana Ratliff, Chris Gerard filled in for Solicitor Haas and Auditor M. Trent Williams was absent.

Council dispensed with the reading of the Journal for the Regular Session of May 29, 2018 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 6 – nays 0.**

There was no public hearing scheduled.

**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 **second reading**, to an Ordinance authorizing the appropriation of \$10,000.00 from General Fund No. 101 to Civil Service Testing Line Item No. 101.109.522

Councilwoman Aeh motioned that this constitute a second reading.

There were no questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a second reading was declared.**

The clerk gave a **first reading**, to an Ordinance authorizing the appropriation of \$13,497.00 from General Fund No. 101 to Central Computer System Line Item No. 101.119.5235 for payment to the Scioto County Engineer's Office for the development of 2-foot contours to be delivered by the geospatial mapping firm Wolpert and uploaded to the County's GIS system.

Councilwoman Aeh motioned that this constitute a first reading.

Councilman Lowe stated that he used it all the time and any addition to the G.I.S. system is a benefit to everyone.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

The clerk gave a **first reading**, to an Ordinance authorizing the transfer and appropriation of \$5,000.00 from General Fund No. 101 to Contingent/Donation Line Item No. 101.119.5298 to fund potential Serve Day projects.

Councilwoman Aeh motioned that this constitute a first reading.

Councilman Lowe asked if the \$5,000 was appropriated for every project. Manager Sutherland stated that it was the total for all the projects for that day. Acting Mayor Johnson asked if a representative from Life Point Church was present and there was no one present. He requested that a representative come to Council and explain what they will be doing for the day.

There were no further questions or comments. **The role was called. VOTE: 6 ayes – 0 nays, a first reading was declared.**

The clerk gave a **first reading**, to an Ordinance authorizing the Acting City Manager to accept the renewal of and easement with the Ohio Department of Administrative Services for City utilities located at the Southern Ohio Correctional Facility. (Attached Exhibit A)

**Ord. #29-2018  
Accepted  
renewal of  
easement to  
the Southern  
Ohio  
Correctional  
Facility for  
City Utilities**

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 acceptance and the appropriation of a check in the amount of \$10,000 received from Spirit Realty into Engineering Miscellaneous Services Line Item No. 101.112.5299.

**Ord. #30-2018  
Accepting a  
reimbursement  
check from  
Spirit Realty**

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.

Acting Mayor Johnson asked if Strand was the Engineering Company. Manager Sutherland explained that Spirit Realty was contracted by the Dollar Tree Corporation, Spirit Realty is not a local company and had asked the City for a recommendation, since the City uses Strand they recommended them to Spirit Realty. The City paid Strand and now Spirit is reimbursing the City.

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 adopting an updated Capital Assets Policy of the City of Portsmouth in order to maintain compliance with financial reporting guidelines, standards, and pronouncements.

**Res. #11 -2018  
Adopting  
Updated  
Capital Assets  
Policy**

Councilwoman Aeh motioned 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**

**Karen Hill – 1404 McConnell Avenue Portsmouth, OH** – She spoke on behalf of the Mound Park neighborhood watch group and extended an invitation to Council for the first neighborhood group meeting on June 14<sup>th</sup> at 6:00 p.m. at the Shelter House. The group started in late October and they now have almost 400 members, they gave away approximately 1,000 flyers and more and more members are being added. They have a good relationship with the Police Department and with the help of videos and other information they have been successful in helping the Police Department find the bad guys and gals. They are requesting help from the city in purchasing signs for the neighborhood watch area. She had contacted Mr. Allen’s assistance but never got a response from him. She said that they have 100 yards signs throughout the area that members have personally purchased. They feel that by having the signs posted, it would cut down on crime. They had one neighbor that was involved in illegal drug activity that said he was moving because he didn’t want to be in the neighborhood watch area, however before he could move he was arrested. They appreciate any cooperation and hope that Council could make it to their meeting on Thursday.

**Vina Colley - P.O. Box 136 Portsmouth, OH** – She wished Councilwoman Aeh a Happy Birthday. She spoke about the dump site on Charles Street and would like the Councilperson that was over that area to meet up with her to go look at the dump. She’s sure that Portsmouth and Paducah dumped radioactive material in that site. She went to the site last week with an investigative journalist because anyone can walk on the site. She said there were big concrete trucks and large tires there. There was also a funnel that if a kid went down into they would be hurt or someone could get rid of a dead body, she didn’t know how far the funnel went down into the ground.

**Lori Swayne – 1766 Poplar Street Portsmouth, OH** – She advised Council that June was the LGBT Pride month and for the first time Portsmouth will be having a Pride festival and walk. It will start at the Vern Riffe Center for the Arts on June 30, 2018 at 10:30 and they will be walking to Tracy Park. This will be a family friendly event from 11:00 until 1:00 p.m. She requested Council consider in the future adopting a Resolution in support of equal rights and tolerance of the LGBTQ adults and children in our area. It would mean so much if Council would step out and take a positive position in support of tolerance. She gave flyers to Council.

**Barbara Powers – State Historic Preservation Office/Ohio History Connection Columbus, OH** – She introduced herself and stated she was there to speak about the state wide project that they were undertaking through the State Historic Preservation office which was recognizing problems associated with African-American Civil Rights movement State wide. She would like to speak with Council about the possibility of nominating McKinley Pool to the National Register of Historic Places.

**Rory Krupp -1356 Daniels Street – Columbus, Ohio** – He will be the project historian in charge of the National Registry application for the McKinley Pool.

**Phil Matiz – 2628 Sunrise Avenue Portsmouth, OH** – He thanked Councilman Dunne for looking at Sunrise Hill in the pouring down rain, they rode around and talked things over. He's written letters to people that don't take care of their property and has actually gotten things taken care of by doing this. He's in the Roosevelt School District and pays higher taxes and understood that a new water line was being installed, however at the top of the hill there was property that has eroded and the water puddles and becomes a danger. He believed that the City should be on alert for situations like that and that city workers should be trained to spot those areas. He brought up another topic of the 5-way stop off Coles Boulevard and said it was absolutely ridiculous, as there was no longer heavy traffic and it had become a bottleneck area and believed there should be a better system. The next item he brought up was the out of sync downtown traffic lights and that travel should be smoother. The next item he asked about was if there was an ordinance against citizens blowing grass out into the streets after they've mowed the grass.

**Ivy Potter – 5527 Cherry Street – Sciotoville, OH** – She said the house beside hers at 5521 Cherry Street is not being maintained and appears to be vacant. The grass in front has been cut by the neighbors, but the grass in the back is almost 3ft. tall and the shed in the back is dilapidated and caving in and there is a bug problem.

**Sam McKibbin – 2907 Cypress Street Portsmouth, OH** – He has had many calls on traffic striping program in Portsmouth and realized that they were not inexpensive to do. He said that on some streets in town, if people don't have the stripe that divides the lanes, they drive down the middle and he believed it to be a very serious safety factor. He said Grandview Avenue, Shawnee Road, 17<sup>th</sup> Street were all prime examples.

#### **MISCELLANEOUS BUSINESS AND REPORTS:**

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

1. She received an Oath of Office for Michael Taylor as Police Officer.
2. She received via email on June 4, 2018 from the Auditor's office, the following summary statements of the Combined MTD/YTD reports for the period ending May 31, 2018: Expense, Revenue and Fund.
3. She received on June 6, 2018 the franchise fee from Charter Communications in the amount of \$22,865.83 for the first quarter of 2018 and deposited in the Auditor's office.
4. She received notification that Mayor Zenker from Zittau, Germany (our sister city) will be visiting Portsmouth on June 28<sup>th</sup> & 29<sup>th</sup>. Chief Ware has offered for Mayor Zenker to do a ride along in the Police Department and Mayor Zenker would like to see how all other department function within the city.
5. She stated that the Main Street Portsmouth Money Saver cards are out again and they are \$5.00. She will be selling them again this year.
6. She received from the Ohio Division of Liquor Control a request for a transfer of ownership from West Miller, LLC dba The Mill Tavern located at 1619 Chillicothe Street Portsmouth, Ohio to DKSJ, LLC dba Mill Tavern & Patio same location. There were no objections.
7. She advised that there will be a Proclamation reading for the Daughters of the American Revolution at the next Council meeting.
8. She advised that there will be a Public Hearing concerning the Tax Budget at the June 25th Council meeting.
9. She wished a Happy Birthday to Second Ward Councilwoman Aeh.

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 the waterline project is well underway and hoped that it continued to move smoothly.
3. He met with a resident in the 3300 block of Sheridan concerning drainage issues.

4. He's in the process of scheduling a meeting with all the concerned party's regarding the noise issue on Gallia Street, he hoped to get everyone in the same room and work it out.
5. He touched on the matter Mr. McKibbon commented on and said that the City could no longer put down oil based paint so what they do put down doesn't last but he was confident regarding the Capital Improvement project in the amount of \$70,000 in which Thermal Plastic is installed which was a permanent striping and they were trying to get the more critical areas around Portsmouth.

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 thanked Attorney Gerard for filling in for Solicitor Haas.
2. He wished Happy Birthday to Councilwoman Aeh.

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 due to absence.

**Auditor Williams** – Auditor Williams had no report due to absence.

### **MISCELLANEOUS BUSINESS FROM CITY COUNCIL**

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

1. He received a couple of calls with issues about roads and he thanked Manager Sutherland for his quick response.
2. He, as well as some other people wrote and submitted several grants to the State Farm Neighborhood Assist program and will advise if we're a finalist on August 15<sup>th</sup>.
3. He is currently organizing data that he collected from a tour of the downtown and hoped to get it finished by the end of the month. He was able to discuss the project with the Shade Tree Commission and will send them a copy of the report when it is finished. This will detail a variety of different aspects of the downtown ranging from locations of trees to garbage cans to street lights.
4. He has been advised that Spartan Municipal Stadium was given the initial approval for an application to the National Register and hoped to submit an official application soon.
5. He hoped to organize a meeting on June 26<sup>th</sup> to discuss the promotion of festivals in our area. He had reviewed what other cities do and believed it to be something that Portsmouth could develop and a great way to bring people into our city and make more use of Spartan Municipal Stadium.
6. He met with Anne, an 88 year resident and drove out to Duck Run School where she advised him that her mother was indirectly mentioned in a historical marker at the school that was part of the Scenic Scioto Heritage Trail and Ohio Byway sign. Her mother was only referred to as 'the woman teacher', and he believed that the sign should include her mother's name as a name was provided for the male teacher mentioned in the sign. He contacted the State Historical Office and the Department of Transportation to get more information about how to get it corrected.
7. He received and observed issues with enforcement of a few ordinances in the city. They related to disturbing the peace, lawn maintenance, access to public alleys and two hour parking in the downtown. He emailed the City Solicitor about two of the issues and looked forward to his response. He said that it seemed clear that definitions need clarified and enforcements improved as well as increased penalties for repeated infractions of the ordinances.

**2<sup>nd</sup> Ward** – Councilwoman Aeh reported the following:

1. She thanked everyone for the birthday wishes. She said when you're a child you can't wait to get a birthday and when you hit 40 you don't want any birthdays, but she had come full circle and she's back to where she wants to have birthdays.

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

1. He had met with Acting City Manager Sutherland and looked at a drainage issue on Sheridan. It will take a little time and thought process to work out the details.

**4<sup>th</sup> Ward** – Councilman Albrecht reported the following:

1. He had several complaints from constituents about weeds and trash and those were taken care of in a timely manner.
2. He welcomed Jimmy John's new restaurant to Portsmouth at the corner of 12<sup>th</sup> and Gay Streets.
3. He wished Happy Birthday to Councilwoman Jo Ann Aeh.

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

1. He followed up on the 2 hour parking from Councilman Dunne and if he was seeking more enforcement, they need to review where the signs were located and enforced. If we try to enforce around the County Court House or the City Building sometimes when people park in those places and go into court, you can't just walk out of court.

2. He mentioned a few weeks ago to Acting City Manager Sutherland that he was concerned about the fact that the owner of Patties & Pints hadn't paid their rent for the sidewalks space in which we had passed an Ordinance for a lease several years ago. He received a message from Tim Wolfe the owner who advised him that he hadn't paid that and that he was advised that he didn't have to pay until he received the lease. He requested that the Solicitor's office follow up on the lease agreement with Patties & Pints to make sure that the lease get done in accordance with the ordinance.

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

1. He asked Manager Sutherland about a trash day in Sciotoville. Manager Sutherland said that he's looking to set a date in the next month or so to have a trash day.
2. He requested that a ditch be cleaned out on the 5300 block of Coolidge, the neighbor had already weeded it and it should be a clear shot to clean out.
3. He received a complaint about 5521 Cherry Street and was reinforcing what Ms. Potter had reported. The garage had collapsed, the weeds are 3 ½ - 4ft high, weeds, vines and trees were encroaching on the adjoining property and he couldn't seem to get a response from the resident.
4. He mentioned the Grandview Widening project for Jim Kalb.
5. He wished a Happy Birthday to Jo Ann Aeh.

Councilwoman Aeh moved to adjourn into Executive Session to discuss personnel issues and be updated on a recent Arbitration and an Employee complaint. They would like to have the City Manager to join them and will come and get him when they are ready for him. The role was called and the motion carried:

**VOTE: 6 ayes – 0 nays, Council recessed into Executive Session at 6:40 p.m.**

Executive  
Session

Councilman Lowe moved that Council reconvene from Executive Session.

The roll was called and the motion carried. **VOTE: ayes 6 – nays 0, Council reconvened with all still in attendance at 7:45 p.m.**

The meeting adjourned at approximately 7:45 p.m. on a motion by Councilwoman Aeh.

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City Clerk

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Acting Mayor