

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
 Monday July 22, 2019
 6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday July 22, 2019 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Acting Mayor 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
Vacant	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 City Manager Sam Sutherland, Solicitor John Haas, and City Clerk Diana Ratliff. Auditor M. Trent Williams was absent.

Council dispensed with the reading of the Journal for the Regular Session of July 08, 2019 on a motion by Councilman Albrecht. The motion carried viva voce: **VOTE: 5 ayes –0 nays.**

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA

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

Councilman Lowe made a motion to recess into Executive Session with the City Manager to discuss potential Council candidates and an issue with obtaining property. He requested Manager Sutherland and Solicitor Haas to be present.

The role was called and the motion carried: **VOTE: 5 ayes– 0 nays, Council recessed into Executive Session at 6:07 p.m.**

Executive Session

Councilman Meadows 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 6:33 p.m.**

LEGISLATION

The clerk gave a **third reading**, to an Ordinance authorizing the appropriation of \$7,000.00 from Capital Improvement Fund No. 301 to be paid from Land Improvement Cemetery/Grounds Line Item No. 301.333.5502 for fence repairs at Branch Rickey Park.

Councilman Albrecht moved the Ordinance be passed.

Ord. #51-2019
 Branch Rickey Park fencing

There were no questions or comments. **The role was called. VOTE: 5 ayes– 0 nays, the Ordinance was passed.**

The clerk gave a **first reading**, to an Ordinance Amending Section 941.20(a) –Weeds, Grass, Vines, Brush and Shrubbery; Maintenance of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilman Albrecht moved that this constitute a first reading.

Councilman Lowe stated that this prohibits the discharge of grass clippings and debris onto city streets and alleyways while mowing. He said that he agreed with this legislation because the clippings could cause motorcycle wrecks and he had seen where people continue to do this. He asked if this was going to be enforced, and if this would be an issue for the Police or Code Enforcement. Solicitor Haas stated that the Police could write a citation. Councilman Dunne asked for a point of clarification and if wording should add to this ordinance, that if it does get into the streets or alley while mowing that as long as it’s blown back onto the property that it would be alright. Acting Mayor Johnson stated that if a person wasn’t done mowing, then it would be a common sense thing not to fine the person. Solicitor Haas stated that this wasn’t something that a Police Officer or Code Enforcement Officer was going to be out writing tickets on all the time, you have to count on the officer’s judgement; the other reason was to put it out there so that people would quit doing it. Mr. Lowe said that he could see a first-time incident being let go, but if repeated a citation should be issued. Clerk

Ratliff asked if Andy Gedeon could speak on the matter. Mr. Gedeon stated that if you give them more time it would make it difficult to enforce, but that discretion would be used with maybe a warning the first time. However, if that stipulation was included, it would make it more difficult to enforce; he requested to leave it as is. Councilman Albrecht stated that the same officer wouldn't be there every time, Mr. Gedeon replied that the police report should reflect the warning on the computers in their squad cars.

There were no further questions or comments. **The role was called. VOTE: 5 ayes– 0 nays, a first reading was declared.**

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Andy Gedeon – Health Department – He spoke on behalf of the Blues, Brews and Barbeque festival. He extended his sincere appreciation to City Council for their support and generosity and without Council's support, it would not have been as successful as it was. He said despite the hot weather they had a very good turnout and many good remarks about the city, especially Spartan Stadium. He added that a lot of people were looking forward to coming back next year, plus some of the vendors want to come back as well as all of the judges despite the meat sweats that they got from testing all of the barbeque. He said there were several city employees that went above and beyond to make this event a success, Mike Winters and Chris Tomlin from the Engineering Department, they each made over 5 trips down to the stadium to help with the electricity. He thanked Chad Spriggs from the City garage who made multiple trips and helped multiple times to make sure everything was running smoothly. He thanked Mark Puckett from the Flood Defense who showed up late at night to ensure that everything was running smoothly. He said there were many positive remarks about Portsmouth and he believed that we were turning the city around.

Jeff Smith – Has a Business in the City – He spoke on behalf of Thomas Bailey, the second ward candidate. He said Thomas grew up in Portsmouth and left to serve in the military for a number of years. He had worked with Thomas on the Salvation Army Board and Thomas volunteered to be the chair of the Salvation Army Board and a lot of things have been accomplished, from the building itself to the captain's residence. He oversaw the lemonade project over the summer and hoped that it would be an ongoing event and Thomas had been integral part in all of those various projects. He hoped that he's given an opportunity to present himself and would be a good connection to the second ward.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She received from the Ohio Division of Liquor Control a request for a transfer of license from Portsmouth Beer & Wine Co. LLC dba Party Connection located at 2034 11th Street Portsmouth, Ohio to Portsmouth Beer & Wine Co., LLC at 526 2nd Street Portsmouth, Ohio. There were no objections.
2. She received the Oath of Office for Firefighters: Dustin Eing and James Grimm.
3. She attended the Blues, Brews and Barbeque event at Spartan Stadium, the entertainment was wonderful and the food was great. She commended all of those that took part in putting the event together, they did a good job.
4. She gave a reminder of three events that are quickly approaching:
 - a) The Farm to Table Dinner that is hosted by Main Street Portsmouth is August 1, 2019 at 6:00 p.m. at the Friends Community Center. Tickets are \$30.00, this is one of their annual fundraising events.
 - b) The Wine and Dine event also hosted by Main Street Portsmouth is this Saturday July 27, 2019.
 - c) Roy Rogers Festival will be Aug 1st through the 3rd.
5. She received a thank you note to City Council and The Cultural Affairs Committee from the St. Mary's Festival for the Hotel/Motel award earlier this year.

The City Clerk's report was received, filed and made part of the record, on a motion by Councilman Albrecht. The motion carried viva voce: **VOTE: 5 ayes– 0 nays.**

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

1. He said that he knew that he listed the 12th Street Pump Station update as a discussion item on the City Manager's agenda but unfortunately Mr. Duncan could not be in attendance. He reported that they received very good news from the Ohio Public Works Commission. The City of Portsmouth will receive a promise of \$764,380 towards that project and he commended Mr. Duncan for approaching those folks to get the city that funding which will basically pay for 85% of that repair. Acting Mayor Johnson asked Mr. Sutherland to elaborate for those that don't know what repair he was speaking about. Mr. Sutherland said this was the pumping station area

behind Bob & Floyd's where a sink hole had developed. He said that they've signed a contract with an engineering firm that was formerly known as AMEC and they've already started the design and they will be here this week to take core samples. He said the project was estimated to cost around \$900,000 which would leave the city paying approximately \$136,000.

The City Manager's report was received, filed and made part of the record, on a motion by Councilman Albrecht. The motion carried viva voce: **VOTE: 5 ayes– 0 nays.**

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

1. He said Saturday July 13th was a very busy day and he thanked all of the folks that participated with LifePoint Church's Serve Day. He added that there were a lot of projects going on in our community and he was honored to be a part of it.
2. He said on this same day he had the privilege of being part of the Veterans of 1812 flagging at Greenlawn Cemetery honoring veterans of 1812 from this area and their family members that were present.
3. He concluded the day with judging the competition at the Blues, Brews and Barbeque festival and was honored to judge the brisket and barbeque along with Shane Tieman, Gerald Cadogan, Rob Black and Shawnee State University's President Jeff Bauer. He said the food was delicious but all of the judges were miserable when it was done because they had eaten so much. The entertainment was great and he thanked Councilman Dunne who had spearheaded the festival from the onset as well as Derrick Parker and Andy Gedeon.
4. He said that due to uncertainty and miscommunication, dates and deadlines for the application process of the 2nd Ward Council position, Council will have a Special meeting on July 30, 2019 at 6:00 p.m. for the purpose of interviewing potential candidates for the 2nd Ward Council position. Clerk Ratliff will advertise again in the media for this position and resumes will be accepted and to those that have turned in their resumes, they were still on file and Council requests that you be present July 30th at 6:00 p.m. If there are any questions, contact the City Clerk or the Acting Mayor.

The Acting Mayor's report was received, filed and made part of the record, on a motion by Councilman Albrecht. The motion carried viva voce: **VOTE: 5 ayes– 0 nays.**

Solicitor Haas' Report – Solicitor Haas had reported the following:

1. He said that several weeks ago Council spoke about Zoning changes and requested something be put together. It appears that Community Development Director Shearer received a package that a company had submitted in response to request for proposals. Ms. Shearer sent this to Mr. Haas and it appeared to be really good for the city. He had spoken with another company but got the feeling that it wasn't going to be nearly as thorough as the proposal Ms. Shearer had received. He said he would scan it and send it to Council and noted that it wasn't as expensive as he thought it would be and he hoped to move forward with it on the next Conference meeting. This would be a consulting firm that would do an overall and try to work within a framework of where the city wants certain commercial, industrial and residential properties. They would affect our zoning rules and the way the city was zoned. He was very impressed with the proposal. Councilman Dunne stated that he thought Ms. Shearer was awarded a grant to help offset the cost of it. Solicitor Haas acknowledged that would be about half of the overall cost and it was a service type project so it does not have to be bid out.

The City Solicitor's report was received, filed and made part of the record, on a motion by Councilman Albrecht. The motion carried viva voce: **VOTE: 5 ayes– 0 nays.**

Auditor Williams Report – Mr. Williams had no report due to absence.

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Sean Dunne reported the following:

1. He acknowledged City Council, the City Manager and the City Clerk for their support with the Blues, Brews and Barbeque Festival. He said when he first started, he was unsure of what size of crowd there would be and Councilman Lowe kept encouraging him with larger names like George Thorogood in the future and he believed that it was possible. Huntington's festival had approximately a 7,500-person arena and he believed that Portsmouth could get the bigger names. He said the biggest anxiety was how it would all come together and you really have to do something like this once to test out the stadium, the market, the resources and he commended the committee that did an incredible job; people put their all into it. Andy Gedeon looked like John McClane leaving Nakatomi Tower at the end of Die Hard (laughter) he was there for the Barbeque Vendors and was a great point person to speak with vendors, Michael Vermillion and Imagine Design was an enormous help, Friends of Portsmouth provided them with the ability to first take the step to secure the entertainment and covering initial costs; we couldn't have done it without them. He said the lists goes on and on from people attending, people buying T-shirts, and people talking about it on social media. It was something that started and gained traction and it really says a lot not just for Spartan Stadium but for our community. He was left without a doubt that this can and should happen

again. He said that they were very fortunate to have Derrick Parker and his Americorp position as he was able to devote full days to this project. If the city had a full-time person running events like this, that brought in thousands of dollars per event, it would more than pay for the position. He said they had a local brewery that was able to serve beer to people who had never heard of the business and it was a tremendous success for them, as well as the Carpenter's Union who were able to talk to members of the public and secure interviews for later in the summer. We want to be quite aggressive in promoting our area because we've learned that national media will not do that for us. He said that it exceeded his expectations and seeing the motorcade of barbeque vendors arriving and late into the night witnessing the cooking, smoking and preparing of the meats. Kevin and the other judges took judging very seriously which was very interesting and he thanked all of the judges. He said Drew Carter did an incredible job as the DJ and Emcee. He said that in the future there will be tweaks that will be made as this was a learning experience. He said for the past few years the city had a Parks and Recreation Budget of zero dollars which was one way of doing things but another way of doing things was to learn that our Parks and Recreation could bring in revenue to our city and create goodwill and a positive image of our city. He said that we needed to create positive stories about our area and it appears that we will make money on this first event. They were told by a neighboring festival that it took three years to make money but they had received a lot of support from volunteers and from the Notre Dame community. He thanked everyone that was involved in making it a success.

2. He heard back from ODOT about using the space under the Grant Bridge for food trucks to coordinate with the Dog Park, but was informed that they could not park vehicles underneath it but it could be adjacent to it. He said he would put together an information list to see what everyone else thinks.
3. He received an update from Ohio Department of Natural Resources requesting a specific number and he advised Manager Sutherland that he would forward it to him. He said that a representative from Spohn Ranch would be in town on July 29th and they will be looking at Weghorst Park and meeting the people involved with the Skate Park. They are going to be in Newark Ohio which was their latest project and considered to be the largest Skate Park in the State of Ohio and their official opening is August 24th but if you go under "live construction" you can see that people were already using it.

2nd Ward – Vacant

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

1. He said he would've liked to spoken with Chief Ware about the speeding problem in the 3rd Ward on several of the streets such as Coles Boulevard and Grant Street and sees cars going 40-50 miles per hour in neighborhoods where there were kids. He would like to see the problem addressed because he hasn't seen a Police Officer targeting vehicles in ages, he's seen the State Patrol doing it but not a City Police Officer and he would like to see some of the speeding rules enforced.
2. He thanked Manager Sutherland, Andy Gedeon and to the New Media for always covering the meetings.

4th Ward – Councilman Albrecht reported the following:

1. He attended the Blues, Brews and Barbeque Festival, he said there was good food, music and companionship. He said he and his wife as well as his brother and sister-in-law had a really good time. His brother came from Cincinnati to listen to the music and eat the food.
2. He followed up again on the vacant lot at 10th & Hutchins by the railroad tracks as he'd received reports that there were illegal things going on in there.
3. He wanted an update on the CAT situation because sticking their heads in the sand or in this case the litter box wasn't going to make it go away.

5th Ward – Councilman Meadows had no report.

6th Ward – Councilman Lowe reported the following:

1. He reported a couch in the 600 block of Bonser Run that was sitting close to the street and would like it picked up.
2. He added onto what Acting Mayor Johnson was saying and that we're losing so much money by a lack of enforcement and if we had that money, we could do so much more with this city. He sees a big lack of it and he doesn't like it and would like to see the code enforcement beefed up even if we have to hire people. He reiterated what Andy had said about needing people in the Engineering Department and it would more than pay for itself.
3. He thanked Manager Sutherland for all that he does.
4. He thanked Sean, Derrick Parker, Andy and everyone that was involved in the Blues, Brews and Barbeque. He said it was hot, but he still seen Diana and her husband and Kevin and a few other people. It was a very nice time, but to beat the heat, the time probably should be adjusted to the evening hours.

5. He wished his sister a happy birthday tomorrow, she passed away in 2014.

Clerk Ratliff said she forgot to mention that the Dog Park will actually be closed tomorrow and into Wednesday until after 5:00 p.m. because they will be pouring concrete and don't want any animals in there at that time. Acting Mayor Johnson asked who was keeping the social meeting accounts up on facebook, Clerk Ratliff said it was between her and Councilman Dunne. He said that they were doing a good job.

The meeting adjourned at approximately 7:09 p.m. on a motion by Councilman Meadows.

City Clerk

Acting Mayor