

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
 Monday August 13, 2018
 6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday August 13, 2018 at 6:00 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 - <i>Absent</i>
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.

Councilman Dunne's absence was excused on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 5 – nays 0.**

Council dispensed with the reading of the Journal for the Regular Session of July 23, 2018 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 5 – nays 0.**

There was no Public Hearing.

Councilwoman Aeh motioned to add to the agenda as item 7(d) Ordinance authorizing the appropriation of \$6,500.00 for Plant Portsmouth. The motion carried viva voce: **VOTE: ayes 5–nays 0.**

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA

Jeremy Burnside – 1118 Hutchins Street – Portsmouth, OH – He apologized to Council for his appearance as they have been working and preparing for Saturday's Plant Portsmouth event. He gave an overview of the event and stated that there will be more than 250 citizen volunteers to power wash all of the concrete walkways, the brick pavers, the curbs and to paint the curbs and light poles. They will also be hanging American Flags on all of the light poles. He said that he felt this event was more of a unification than a beautification event and he thanked the City of Portsmouth for all of the support. He added that when they were cleaning the light globes, they weren't coming clean so they asked the City if they would be willing to split the cost for the globes and the American Flags. He said there were 120 light globes throughout the city at a total cost of approximately \$10,000 and the American Flags were approximately \$3,000. He stated that one of the biggest events would occur between noon and 1:00 p.m. and that was the Guinness Book of World Records setting attempt for the most pots planted simultaneously. All the money that had been raised along with what they were asking from the City would help offset the cost; Judy Canter with the Guinness Book of World Records will be present to start the attempt in which everyone would have 60 seconds to pot the plants simultaneously. He added that he doesn't want to have done all of this work and then 1-2 months later everything get overgrown again as well as the trash and cigarette butts on the ground which was a huge issue. They would like to implement a town ambassador program, maybe work with the Chamber of Commerce, Main Street Portsmouth or Friends of Portsmouth. These people go around the town sweeping up sidewalks and picking up trash. The towns that have these ambassadors, don't have trash on the street and there's always a friendly face that's willing to help tourist and he believes they could accomplish that program. There will be Leaders from our Community speaking at the stage on Chillicothe Street between 6th & 7th Streets, along with The Shane Reunion Band who will be playing music and shooting a music video that will be played at a later date.

LEGISLATION

The clerk gave a **third reading**, to an Ordinance authorizing the appropriation of an additional \$50,000.00 from General Fund No. 101 to Engineering/Construction Miscellaneous Services Account Number 101.112.5299 to meet the current and future expenses for 2018.

Councilwoman Aeh motioned that this Ordinance be passed.

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

**Ord.#41-2018
 Appropriations
 for
 Engineering,
 Construction
 and
 Miscellaneous**

The clerk gave a **first reading**, to an Ordinance authorizing the appropriation of an additional \$65,000.00 to New WTP Fund No. 606.771.5515 needed to pay certain costs associated with the new Water Treatment Plant Preliminary Design and Property Acquisition.

Councilwoman Aeh motioned that this constitute a first reading.

Councilman Lowe asked for the certain costs. Acting Manager Sutherland replied that it would be used to pay off the preliminary design plus the property acquisitions with environmental studies which have to be completed.

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

The clerk gave a **first reading**, to an Ordinance authorizing the appropriation of \$36,000.00 from General Fund No. 101 to Public Service Department- Garage Division Fund No. 101.117 line items for wages and benefits for a Mechanic I position which was not funded in the 2018 budget.

Councilwoman Aeh motioned that this constitute a first reading.

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

The clerk gave a **first reading**, to an Ordinance authorizing the appropriation of \$6,500.00 from CIP Fund No. 301 to CIP Executive Miscellaneous Line Item No. 301.103.5529 for American Flags and globes for light posts for the Plant Portsmouth Project. 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 as requested.

The role was called. VOTE: 5 ayes – 0 nays, the rule was suspended.

Councilwoman Aeh motioned that this Ordinance be passed.

Councilman Lowe stated that he thought we already took care of the light post globes and Acting City Manager Sutherland replied that the City does but they needed replaced. Mr. Lowe asked the cost of the individual flags and Mr. Sutherland said he wasn't sure but they were planning on putting one on every light post. Mr. Lowe said that certified veterans burial flags were \$69.95 and he questioned the cost of the flags the city's installing and if the city was paying more for these flags than a veteran would actually get? Auditor Williams ran the numbers quickly and said it would be approximately \$41.00. Councilman Albrecht asked Auditor Williams if the city had the money to help with this project and the reply was "yes". Acting Mayor Johnson asked if the flags would be property of the City once the event was over, Mr. Sutherland stated that they would be in the City's possession because the city would be putting them up and taking them down as they would need to be taken down during the winter.

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

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

There was no one present that wished to address Council on items not on the agenda.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She attended the Roy Rogers Character Awards Breakfast on August 1st.
2. She attended the Main Street Portsmouth Farm to Table Dinner on August 2, 2018.
3. She received from Rick Duncan the director of Wastewater Plant a copy of the letter to the County Commissioners regarding the reasons for the sewer rate increases.
4. She received and update from Andy Gedeon on the current numbers for the Scioto County Land Bank as of August 1, 2018. There have been 55 structures torn down with \$755,600 spent on the tear downs and maintenance of the property. The Land Bank is projected to hit the million dollar mark by the end of the year.

5. She received on August 10th from Auditor Williams the single audit and letter for the City of Portsmouth that was conducted by the Independent Public Accounting firm of BHM CPA Group and approved by the Auditor of the State of Ohio along with the City's Comprehensive Annual Financial Report
6. She advised that the total resumes for the City Manager's position was 19.

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: 5 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 had no other report.

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

1. He stated that on July 25th he chaired the monthly meeting of the Board of Health.
2. On July 27th he interviewed with Gina Collingsworth on WNXT Community Corner, they discussed recent water upgrades and other city matters.
3. On August 3rd he met with Solicitor Haas and Scottie Powell to discuss the Civil Service appointment.
4. On August 9th he met with Health Commissioner Chris Smith, Scioto County Economic team Rob Horton and Mark Ward to discuss the Land Bank, Land Reutilization and SOPA matters.
5. On August 9th he received a complaint regarding illegal dumping of furniture behind The Portsmouth Daily Times. He contacted Acting Manager Sutherland who coordinated with the Service Department to have the debris cleaned. He thanked Service Director Beaumont, Acting City Manager Sutherland and the City Workers for taken care of the matter.
6. He reappointed to the Shade Tree Commission, Sue Burke, Carrie Massie, Sherry Collins and Joseph Pratt and a new appointment to the Commission Logan Minter. He stated that these folks do a super job for the commission and their work was really appreciated.
7. He appointed Scottie Powell to the Civil Service Commission. He thanked Mr. Powell for his service and he will be administered his Oath of Office after the meeting as there will be a Civil Service meeting on Tuesday.
8. He advised that some time earlier this year a building on the East side of the 300 block of Chillicothe Street either had debris fall off the building or gave the appearance that something could fall. This particular building was owned by Shawnee State University and he understood the temporary fix as a precaution with the barricade around the sidewalk which was to only be for a reasonable matter of time, however he felt that a reasonable amount of time had passed and it was still barricaded which forces residents to walk out and around the barricade into the street. He felt that the matter needed to be taken care of immediately. He had ask Acting City Manager Sutherland to express to Shawnee State University that the problem needed to be corrected and the barricade removed. Mr. Sutherland was informed that the request could not be met but Shawnee State would be happy to decorate the barricade for the upcoming Plant Portsmouth. He personally called Dr. Kurtz's office three separate times and left voice messages and was informed today that someone would return his call and that Dr. Kurtz was traveling. He reminded Shawnee State of the many times that they had requested that our city be a good neighbor and of the many times that streets and property had been vacated and dollar leases for ballparks. He felt that it would not look good on our city when the World Book of Guinness Records comes to town and requested that Shawnee State reciprocate being a good neighbor and quickly take care of this problem.

**Appointment
to Shade Tree
Commission
and Civil
Service**

Councilwoman Aeh stated that before she motioned to accept his report, she wanted it on record that she had not received any complaints and this area was in her Ward. She recommended taping off where parking is so that citizens have a safe place to walk.

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: 4 ayes – 1 nays (G. Meadows).**

City Solicitor – Solicitor Haas reported the following:

1. He requested that Council make a request for Executive Session to discuss pending litigation.

Auditor Williams – Auditor Williams reported the following:

1. July's General Fund Income Tax Revenue \$1,062,120 which was \$52,969 less than the previous year. The new tax collected from 2016 was \$240,577. The total tax revenue collected was \$1,207,098, which was down from last July's amount and down \$16,643 for the year. Major Fund Balances – General Fund \$4,769,376, Streets \$406,979, Water -\$29, Sewer -\$1,137,137, Sanitation \$316,241 and Insurance \$2,138,509.
2. He wished the Wheelersburg Little League Softball Girls congratulation and good luck in the World Series.

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: 5 ayes – 0 nays.**

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Sean Dunne had no report due to absence.

2nd Ward – Councilwoman Aeh reported the following:

1. She attended the Farm to Table Dinner, there was a huge crowd this year and it was always a very nice banquet and she encouraged everyone to attend in the future.

3rd Ward – Councilman Kevin E. Johnson had no report.

4th Ward – Councilman Albrecht reported the following:

1. He apologized for missing the Farm to Table Dinner. He said that their 11th Great Grandchild was supposed to be born that evening, however, babies come when they want to come which wasn't until the next day.

5th Ward – Councilman Meadows reported the following:

1. He expressed his concerns about the Acting Mayor's commentary on the sidewalk issue. He said under the previous City Manager, if you had taken the steps to call the President of the University, the top of his head would have exploded. He advised that it was Mr. Sutherland's job to be dealing with those Administrative issues and as Acting Mayor, you kiss babies and run meetings according to the charter. After consulting with Solicitor Haas, he was told that someone would need to make a formal complaint. He presented that as his complaint and asked the Solicitor to address the issue. Solicitor Haas stated that was an Administrative issue that the City Manager should handle. Mr. Meadows asked the Solicitor that when it comes to those types of issues, Mr. Johnson was just a Ward Councilman like the rest of Council and Solicitor Haas agreed.

6th Ward – Councilman Lowe reported the following:

1. He apologized to the Farm to Table people, he already had scheduled to pick his Aunt up for dinner and it was his birthday.
2. He thanked the Sciotoville Little League as they had a successful year and hopefully will do the same next year.
3. He thanked Mr. Sutherland and Renee for doing an outstanding job and helping him out this year; he appreciated everything they had done.
4. He requested the status of the gas station property that was recently torn down. He said he'd had a lot of inquiries about the property and people wanting to bid on the property. He added that it was a Commercial property and the City needed to get as much as they can out of it and put it up for bid. He would like to see something get back in there, a business or whatever because Sciotoville and the City need the tax revenue.
5. He received a complaint about 1904 Valley Street, people were living in the house without electric or water. He was told that after dark these people try to run over and plug into the neighbors electric and wasn't sure how they were getting water. He would like someone to check it out.
6. He thanked City Manager Sutherland for the excellent job that he done.

Councilwoman Aeh moved to adjourn into Executive Session with the City Manager and Solicitor to discuss pending litigation. Also to discuss Economic Development as it related to the sale of public property and personnel issues relating to arbitration. The roll was called and the motion carried: **VOTE: 5 ayes – 0 nays, Council recessed into Executive Session at 6:39 p.m.**

Executive
Session

Councilwoman Aeh 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 7:22 p.m.**

The meeting adjourned at approximately 7:23 p.m. on a motion by Councilman Lowe.

City Clerk

Acting Mayor