

**MINUTES – REGULAR SESSION**

PORTSMOUTH CITY COUNCIL MEETING  
 Monday September 24, 2018  
 Immediately followed the City Manager’s Conference

The City Council of the City of Portsmouth, Ohio met in regular session on Monday September 24, 2018 at 6:05 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 <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, Chris Gerard for Solicitor Haas, Auditor M. Trent Williams and City Clerk Diana Ratliff.

Council dispensed with the reading of the Journal for the Regular Session of September 10, 2018 and Special Session September 10, 2018 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 6 – nays 0.**

Councilwoman Aeh motioned to add to the agenda as item 7(f) to a Resolution naming the City of Portsmouth appointee to the District 15 Public Works Integrating Committee. The motion carried viva voce: **VOTE: ayes 6–nays 0.**

Items added to the agenda

Councilwoman Aeh motioned to add to the agenda as item 7(g) to a authorizing the Acting City Manager to enter into a cooperation agreement to submit an application to the Ohio Public Works Commission for the 2019 Scioto County/Township Highway Improvements project. The motion carried viva voce: **VOTE: ayes 6–nays 0.**

There was no Public Hearing.

**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 **third reading**, to an Ordinance authorizing an additional appropriation from unappropriated monies in General Fund No. 101 in the amount of \$64,000.00 to Emergency Demolitions Line Item No. 101.112.5231 needed for additional teardowns in year 2018.

Ord. 45-2018  
 Additional Appropriations for Emergency Demolitions

Councilwoman Aeh motioned that this constitute a third reading.

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

The clerk gave a **third reading**, to an Ordinance authorizing the appropriation of a total of \$175,693 from unappropriated monies in CIP Fund No. 301 for the Mound Park, Lighting, Security and Pathway Projects.

Ord. 46-2018  
 Mound Park Lighting, Security and Pathway projects

Councilwoman Aeh motioned that this constitute a third reading.

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

The clerk gave a **second reading**, to an Ordinance amending Section 549.08 – Discharging Firearms and Other Weapons of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh motioned that this constitute a second reading.

Councilman Lowe asked Mr. Gerard if he was current on this proposal, Mr. Gerard said that he was not but would review it. Mr. Lowe wanted to make sure that it would only be the University permitted to utilize this portion of the ordinance and not the general public. Councilman Meadows replied that there was a process that had to be followed and the Police Chief would have to approve it. Councilman Dunne added that he believed that was what was stated at the last meeting. Acting Mayor Johnson stated that he thought it was for Archery and Mr. Lowe responded that it was but was leery of what might slip through the cracks.

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

The clerk gave a **second reading**, to an Ordinance authorizing the appropriation of \$53,323 of the City's Business Revolving Loan Fund in order to expend these funds for CDBG activities as required by the Ohio Developmental Services Agency.

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 an additional appropriation of \$47,795.91 to the appropriate Fire Department line items within the General Fund due to unforeseen circumstances this year resulting in numerous overtime hours and insufficient payroll funds.

Councilwoman Aeh motioned that this constitute a first reading.

Councilman Lowe asked what the reason was for so much overtime, and insufficient payroll funds. Acting City Manager Sutherland replied that part of it was due to the fact that the flood gates had to be installed and the Fire Department assisted and the other was when the City experienced the water issue in June and early July, in order to keep the hospital opened the Fire Department provided water 24/7 to the hospital. Mr. Albrecht asked if that was part of their job, Mr. Sutherland replied that "yes" it was part of their job but while they were providing the water to the hospital, we had to have staff on standby to fight fires. Councilman Dunne asked if we had applied to FEMA for reimbursement of the costs related to the floodwall defense and Mr. Sutherland stated that the reimbursement should be a little over \$100,000.

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

The clerk gave a **first reading**, to a Resolution naming the City of Portsmouth appointee to the District 15 Public Works Integrating Committee.

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.**

The clerk gave a **first reading**, to a Resolution authorizing the Acting City Manager to enter into a cooperation agreement to submit an application to the Ohio Public Works Commission for the 2019 Scioto County/Township Highway Improvements project.

Councilwoman Aeh motioned that the Resolution be adopted.

Councilman Meadows asked Acting City Manager Sutherland if there would be better communication with the County and this application than the last time the City did an application with the County, Mr. Sutherland replied "yes".

Acting Mayor Johnson asked the media if they knew anything about the resolutions that were added prior to the meeting, they replied "no".

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

Res. 16-2018  
Appointing  
Sam  
Sutherland  
to 15 Public  
Works  
Integrating  
Committee

Res. 17-2018  
Authorizing  
CM to enter  
into  
cooperation  
agreement  
application  
to OPWC

**STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA**

**Miles Ferguson – 1241 Tipton Lane** – He spoke on behalf of the Buckeye Elite Community Group thanking City Council for the support that had been afforded them in the past and for allowing the Basketball Tournament to be held in the City of Portsmouth. He said the tournament had been a huge success over the years and it couldn't happen without the community's support. He said they have obtained some funding that came in through people that purchase tickets to watch the games but it takes more than that to put on the tournament. He said that it was an honor for him to be a part of this tournament and it was a great opportunity for our town. He added that it was 4 days of being able to watch teams from all over the country and Canada; to be able to have seen some of the players that were now on television playing for the NBA or playing at colleges. They have been rated in the top three nationally. He invited all of Council to come and support the event and the group appreciated Councils support.

**Sherry Boling – 2915 Cedar Street Portsmouth, OH** – She stated that she represented AFSCME local 1039-C, but was also speaking as an employee and as a resident of the city. She read a letter that 1039-C had written in support of Sam Sutherland for the City Manager position and endorsing him as their choice.

“Honorable members of Portsmouth City Council:

We would like to express our endorsement of Mr. Samuel Sutherland for the position of City Manager. We feel he is the best candidate for the position for many reasons. He has been the Interim City Manager since the departure of Mr. Derek Allen on February 26, 2018. We feel he has done an excellent job in performing the duties of the City Manager, while also fulfilling his regular duties as Director of the City Water Treatment Plant.

Mr. Sutherland has been a long term city employee for over 29 years. He possesses the knowledge of the city operations, policies and procedures. He has worked for seven different City Managers and Mayors in his tenure with the City of Portsmouth, demonstrating his ability to adjust and maintain relationships with management along with City Council, at times under very tumultuous circumstances. He possesses a very calm and even tempered demeanor. He is also a very objective and fair man.

We also strongly feel our community needs someone from this local area. We feel this is necessary in order to realize and fully understand the depth of the many serious obstacles our community faces. We need someone that has a vested interest in this community and will likely remain here, when their employment as the City Manager ends. We can be assured the decisions made by Mr. Sutherland will be made with the interest and desire of making Portsmouth inviting and prosperous because he does have a personal vested interest in the success of Portsmouth, as it is his home. He is a well-known and well respected city official in this community.

Based on his many years of faithful service to the City as the Water Works Director, as well as the Interim City Manager, he has already proven himself to be a competent, qualified, common-sense leader. He has demonstrated to be prompt and attentive to problems as they arise, in a very respectful and controlled manner. His many years of experience in management have provided him the knowledge and ability to be an effective City Manager for the City of Portsmouth. Therefore, we feel he has the advantage over any other candidate and is the best man for the position.

We would like to encourage to Portsmouth City Council to choose Mr. Sutherland as the new City Manager.”

She continued by stating that she had known him for many years and as many of Council knows, most of the employees in the Auditors office (Trent could attest to) were very strong-minded, strong-willed with very strong opinions and they were not hesitant to voice them when necessary. She added that Mr. Sutherland did not know that they were going to do this and she hoped that she did not embarrass him or upset him in any way.

**Keith Nyland – 1135 17<sup>th</sup> Street** – He spoke on behalf of AFSCME 1039.

“Dear Members of Council,

I am Keith Nyland, President of Local 1039 on behalf of the Union I would like to address the City Manager position.

As of now Sam Sutherland is the Acting City Manager, we feel that he would be your best bet to do the job. He understands what it takes to be in a managerial position, he understands the union side of the job, he is great to work for, he understands what this city needs to make you call it your home again because he cares.

We believe that hiring outside the city that you will not receive the same quality of heart that Mr. Sutherland has for the City of Portsmouth.

So on behalf of Local 1039 we ask you to take very serious consideration in making Mr. Sutherland our new City Manager.”

Councilwoman Aeh moved to adjourn into Executive Session with the City Manager to discuss personnel item relating to City Manager position.

The role was called and the motion carried: **VOTE: 6 ayes – 0 nays, Council recessed into Executive Session at 6:33 p.m.**

Executive  
Session

Councilwoman Aeh 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 7:26 p.m.**

Councilman Meadows motioned to re-open the business portion of the meeting to consider the possible appointment of a City Manager.

The roll was called and the motion carried. **VOTE: ayes 6 – nays 0, Council re-opened the business portion of the agenda.**

Councilman Meadows moved to open the floor for nominations for the position of City Manager pending the salary negotiations and approval of the salary and contract from the City Solicitor's office.

The roll was called and the motion carried. **VOTE: ayes 6 – nays 0, the floor was opened for nominations for the City Manager position.**

Acting Mayor Johnson proclaimed the floor opened for nominations for City Manager.

Councilman Meadows nominated Sam Sutherland for the position of City Manager.

Councilman Lowe seconded the nomination.

Acting Mayor Johnson asked if there were other nominations

Councilman Albrecht nominated Nathan Burd for the position of City Manager.

Acting Mayor Johnson called for other nominations three times, then closed the floor on nominations.

The roll was called for the first nominee Sam Sutherland. **VOTE: ayes 5 – nays 1 (J. Albrecht) – Sam Sutherland was named City Manager.**

No other roll call was necessary and Acting Mayor Johnson stated that made it official pending contract negotiations and it was his pleasure to announce The City of Portsmouth's new City Manager as Sam Sutherland.

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

**City Clerk's Report** – City Clerk Ratliff had no report.

**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 thanked Council for their confidence in him.
3. He said the paving project for the City of Portsmouth was underway. They have begun the milling process on Market Square and on 3<sup>rd</sup> Street and the next area will be Offhere Street.
4. He stated that there had been a lot of questions about the parking signs placed on Waller Street. He said this was temporary until the waterline construction was completed. He explained that when they do the next phase of the project (which may not happen until around Thanksgiving) a lot of the traffic would need to be diverted to Waller Street to keep that area as clear as possible and to keep it safe. As soon as the waterline project was completed the signs would be removed.

The 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 was honored to read a Proclamation at the USSA Adult Day Center proclaiming senior day in Portsmouth. A special thank you to all the wonderful volunteers at USSA Adult Day Center.
2. He congratulated City Manager Sutherland and was the first to shake his hand.

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** – Chris Gerard had no report on behalf of Solicitor Haas.

**Auditor Williams** – Auditor Williams said he had forwarded his report on September 12<sup>th</sup> and had nothing more.

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

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

1. He attended a meeting at Shawnee State University with members of the Scioto Foundation and members of Shawnee State University. He said it was part of an initiative between both The Scioto Foundation and trying to develop a new group of community leaders in our area and also it was part of Shawnee State University's interest to develop those types of experiences for their students. He advised that there were other communities that do this and he was confident that it would move forward and looked forward to working on it.
2. He announced that Jeff Bauer was named as the new President for Shawnee State University and he was confident in President Bauer's abilities to steer Shawnee State University in the right direction.
3. He advised that the Skate Park Committee continued to work on grants and had finalized one last week and hoped to finalize two more this week. These would be for more local grants and hoped to

apply for a National Grant that would be distributed through the states and they would also be applying for the Tony Hawk grant in January.

4. He had the pleasure of hosting Ned Hill from Ohio State University at Shawnee State University campus. Professor Hill gave a talk on Community and Economic Development in cities around the size of Portsmouth. He said the event was very well attended by members of our city government, administration faculty, students of Shawnee State University and by members of the business community and the community at large. He added that there was feedback with wanting to move our city forward by a variety of different sectors of our community. He also took Mr. Hill for a tour of the campus and of the City of Portsmouth to show him a lot of the different things that were going on, one of those things being the opening of the Kricker Hub which will take place Friday September 28<sup>th</sup>.

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

1. She requested of the community that when they see potholes, trash, or people disposing of furniture, it would be nice if they would contact the City Manager's office before they post it on facebook. She asked that the city be given an opportunity to correct the problem before posting it on facebook.
2. She addressed the Special Session that was planned for September 18<sup>th</sup> but was cancelled. She thanked Acting Mayor Johnson as she hadn't asked to cancel the meeting but he did out of respect; he was very kind with his remarks and Council had been very kind. She said that it was unfortunate that the newspaper report of that cancelled meeting contained a personal opinion of the delay in naming a city manager and also interjected a recent flawed opinion of a former Councilperson in that article. She advised that Council started the process of finding a city manager with a lot of turmoil and that there was no rush to hire a city manager because Council wanted things to settle down within the community; Council had chosen an excellent person to take the city down the path to calmness. She said her brother had never had good timing and his death caused Council to have to cancel the meeting in which she appreciated. She doesn't believe that cancelling the meeting had a negative effect on the city whatsoever. She didn't hear of an employee that was disgruntled over it, nor a citizen that complained about it. The city moved on smoothly, she appreciated what Council did and apologized if it caused any inconvenience to any citizen, any business person or employee or anyone wanting to print a story.

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

1. He thanked the instructors and the students from the Scioto County Career Technical Center for all the work they had done in Greenlawn Cemetery. They are rebuilding a wall in the cemetery that had fallen a couple of years ago and this was being done at the price of volunteering. He said many times we hear that young people were up to no good and doing mischievous things, he asked that the community stop by and let those young folks and their instructors know that you appreciate what they're doing.
2. He offered his condolences and prayers to Councilwoman Aeh over the loss of her brother and he knew of no inconvenience, but at any time that Council would have anything like that in their family, business could be put off until another day.

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

1. He congratulated Sam Sutherland on his appointment as City Manager.

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

1. He said that as you turn off of Dorman onto North Hill just passed the storm sewer drain, the road is starting to dip in the area that they paved last year.
2. He stated that City Council had been through the wringer these past few months and he felt that Mr. Sutherland was largely responsible for getting the city through the turmoil. He jumped in there at a time when he couldn't imagine that anyone would want to and he brought the city together. It was because of his leadership that the city is where it is today. He congratulating Mr. Sutherland on this next step and looking forward to getting contracts negotiated and getting this finalized so that he could do what he needed done to get this city to the next level. He has all the confidence in the world that he could do it. He has noticed how welcoming it seemed to be when entering the City Building, as he could always stick his head in his office at any time and be offered a pleasant greeting, it meant a lot and he appreciated it. He appreciated the fact that the unions came out tonight and offered their thoughts as sometimes there can be some contentions between the union and the City Manager. He told Mr. Sutherland that if he needed anything to let Council know.

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

1. He offered his condolences to Councilwoman Aeh and her family on the passing of her brother.
2. He thanked Sciotoville Community Schools for inviting him to an event that featured Mr. Wood who is a motivational speaker. It was very informative and he learned a few things.
3. He congratulated the East Tartans on their first win of the year versus Manchester, Ohio. He said that he believed that in the first time in history, the team had a female football player, her name is Courtney Cooper. He congratulated her on her achievements.
4. He congratulated Sam on getting the position. He said that the first two years as a Councilman, it was one of the hardest things on earth to try to get things done, but in the 8-9 months that Mr.

Sutherland has been running the office everything has run smoothly and he couldn't asked for any better of cooperation. The Sixth Ward and the City of Sciotoville is indebted to Mr. Sutherland.

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