

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
 Monday October 08, 2018
 6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday October 08, 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
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 (<i>Absent</i>)

Also present was City Manager Sam Sutherland, John Haas City Solicitor, Auditor M. Trent Williams and City Clerk Diana Ratliff.

Councilman Lowe’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 September 24, 2018 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 5 – 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 amending Section 549.08 – Discharging Firearms and Other Weapons of the Codified Ordinances of the City of Portsmouth, Ohio.

Ord. 47-2018
Amending
Section 549.08
Discharging
Firearms –
Shawnee
State
University
Archery

Councilwoman Aeh motioned that the Ordinance be passed.

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

The clerk gave a **third 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.

Ord. 48-2018
Business
Revolving
Loan Fund
BRLF for
CDBG
activities

Councilwoman Aeh motioned that the Ordinance be passed.

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

The clerk gave a **second 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 second reading.

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

The clerk gave a **first reading**, to an Ordinance authorizing the acceptance of \$35,000.00 into Water Works Fund No. 606 and the appropriation of the same into Sunrise Water Main Line Item No. 606.771.5530 received from Ohio EPA for expenses of the thirty-inch (30”) Waterline Project.

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 City Manager to enter into a permanent easement agreement with Columbia Gas of Ohio, Inc., as described and depicted by Exhibit “A” attached hereto, the same area of Sunrise Avenue as the temporary easement passed by Ordinance No. 27 on May 14, 2018.

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.**

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Carol Waters - 1402 Franklin Avenue – She recently sent a letter to the city regarding the City’s tall trees and requested to add to that letter. She said that the trees in question are between the curb and sidewalk. She said that she had three oak trees next to her property and all of them were city trees. She understood that she’s responsible for all of them according to code, regardless of the cost which was why she was upset. She stated that she was having the trees trimmed and felt she was doing what was required because one of trees were ill which may be a root problem. She contracted a tree trimmer from Waverly because he had saved one of her other trees and he wanted \$3,000 to remove the tree because it was too far gone and she told him “no” and settled for a hard cut back; whether it lives or dies will be told next year. While she had the trimmers trimming the tree someone called and reported them to the Police and when asked if they had a permit to trim the tree, they did not, she said the code was very clear about it and that people were still confused. She said there was a permit for the license that cost \$25.00 for the year and a permit which was basically a courtesy so that the city know what trees were being trimmed, removed and planted. She requested that this method be done electronically, which would be better than someone taking the time to come from Jackson, Ohio or wherever to find their way to the Service Department. She stated that the city was organized to protect its citizens with Police and Fire and the Floodwall but not from the tall trees. She said that a tree like hers is 30 plus feet in the air and when it started getting shaggy and something falls, by the time it hits the ground it becomes a missile. She took it upon herself to pay that horrible fee because she cared. She recommended that one more line be added to the ordinance and her suggestion was: Ordinance 175.08 in the tree codes subsection (h) tall trees class three – should any city tall tree judged by the City Forester become a public nuisance tree as defined earlier, removal or trimming as appropriate shall be at the city’s expense and should be accomplished within 90 days. She added that this way hopefully the city could get some of these trees that were dying, trimmed where they could come back to life and continue being an asset to the city. She concluded that people were turning their backs on these trees and not much had been done in her neighborhood. She also stated that there was a tree at 1706 Highland that needed checked.

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

The role was called and the motion carried: **VOTE: 5 ayes – 0 nays, Council recessed into Executive Session at 6:15 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 6:32 p.m.**

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She received via email on October 1, 2018 from the Auditor’s office, the following summary statements of the Combined MTD/YTD reports for the period ending September 30, 2018: Expense, Revenue and Fund.

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.**

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 stated that the 2018 paving project was winding down and they were almost done.

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: 5 ayes – 0 nays.**

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

1. He advised that on September 29th he was honored to participate in the American Red Cross Chili Cook-Off at Burnside Law Firm. He thanked all that participated and congratulated the winners. He reminded the resident's to support the Red Cross.
2. He stated that on October 6th he had contacted AEP on behalf of a resident to report a street light that was out. He reminded residents and asked for the press to help out with this reminder; street lights within the city were maintained for the most part by AEP, he said there was a toll-free number for AEP that can be called and give them the yellow tag number on the post and AEP would send someone out within 2-3 days to fix the light.
3. He said Veteran's Day falls on November 12th which was Council night and requested that the meeting be moved to Tuesday November 13th.

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: 5 ayes – 0 nays.**

Solicitor Haas' Report – Solicitor Haas had no report.

Auditor Williams Report – Mr. Williams had no report but wanted to acknowledge Councilman Dunne being highlighted in Shawnee State's news publication.

Acting Mayor Johnson recognized Auditor Williams for being chosen as 3rd in Best Public Official.

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Sean Dunne reported the following:

1. He attended the opening of the Kricker Innovation Hub on Chillicothe Street, they had a great turnout. He said this was the University's way of moving out into the community and seeking to develop both small businesses and entrepreneurship in the area. In a follow-up event at the University, he took the guest speaker Susan Fultz who was with The Office of Small Business and Entrepreneurship on a tour of the downtown. Her focus is on manufacturing and he was able to introduce her to some of the business owners in the area and he hoped to continue to develop the relationship.
2. He stated that two grants had been submitted to assist the Skate Park project and he thanked Tracy Shearer for her help.
3. He attended the ribbon cutting at Riverview Retirement Center with Councilwoman Aeh and he got to cut the ribbon. This event marked the end of three years of renovations at Riverview and while he was there he learned that the prediction for the senior population will move from 45 million to 94 million within 14 years.
4. He spoke to an individual who organizes a Bluegrass Festival in Pike County which was very informational and was something that he would like to see organized at a County level in Scioto County.
5. He advised that two buildings in the downtown area were sold to individuals that were looking to develop them into commercial space and residential space on the upper floors.
6. He congratulated Auditor Williams on his recognition.

2nd Ward – Councilwoman Aeh reported the following:

1. She said besides attending the ribbon cutting at Riverview, she also attended the Kricker Innovation Hub opening.

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

1. He thanked Mr. Gedeon and the City Health Department for cutting yards in some abandoned properties on Grant Street and on Robinson Avenue. He said it looked a whole lot better.
2. He thanked the masonry class from the Vocational School for the volunteer work at Greenlawn Cemetery.
3. He gave a special thanks to all of those who have been involved in the painting of the cemetery fence.
4. He reminded everyone of "The Story of Us – Portsmouth Goes to War" presentation that will be this weekend at Greenlawn Cemetery at 5:30 on Saturday and Sunday. It's a family friendly reenactment and he encouraged everyone to help support the Friends of Greenlawn foundation.

4th Ward – Councilman Albrecht had no report from his Ward, but brought up a subject that was visited months ago about the building on Chillicothe Street that was owned by Shawnee State University. He said it was a danger to the citizens and there was no doubt in his mind that if that building was on Shawnee State property it would have been fixed a long time ago. He thought that the city should check to see if there was an ordinance that would allow the city to fine them for each day that it wasn't fixed because they've had plenty of time to fix it and there's no excuse whatsoever. He said that the University had asked a lot of the city, they asked to close off 3rd Street because the students would have to look to see if there were cars coming – the city closed it, then they wanted a change in an ordinance so they could provide Archery Classes – the city amended the ordinance. He

said that it seemed like being a good neighbor would be a two-way street, where there's give and take but it seemed like there was an awful lot of taking and not so much giving on Shawnee State's part. He suggested that if we don't have an ordinance, he would like to see it on the City Manager's Agenda at the next meeting with emergency wording.

5th Ward – Councilman Meadows had no report but advised that he would not be in attendance on November 13th as he has a trial out of town.

6th Ward – Councilman Lowe had no report due to absence.

The meeting adjourned at approximately 6:40 p.m. on a motion by Councilman Meadows.

City Clerk

Acting Mayor