

**MINUTES – REGULAR SESSION**

**PORTSMOUTH CITY COUNCIL MEETING**  
 Monday October 22, 2018  
 6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday October 22, 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 <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 City Manager Sam Sutherland, John Haas City Solicitor, Auditor M. Trent Williams and City Clerk Diana Ratliff.

Council dispensed with the reading of the Journal for the Regular Session of October 08, 2018 on a motion by Councilwoman Aeh. The motion carried viva voce: **VOTE: ayes 6 – nays 0.**

There was no Public Hearing.

Councilwoman Aeh motioned to add to the agenda as item 7(f) an Ordinance authorizing the appropriation for Spartan Stadium with the request that the readings be waived. The motion carried viva voce: **VOTE: ayes 6–nays 0.**

**Item to the Agenda**

Councilwoman Aeh motioned to add to the agenda as item 7(g) Resolution authorizing an application with the Ohio Department of Natural Resources for the proposed Portsmouth Skate Park. The motion carried viva voce: **VOTE: ayes 6–nays 0.**

**Item to the Agenda**

**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 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.

**Ord. #49 - 2018  
 Additional appropriation to Fire Dept. for overtime**

Councilwoman Aeh motioned that the Ordinance be passed.

Councilman Lowe asked if this request was a result of the flooding and Manager Sutherland responded that it was due to the flooding and the water hauling operation to the hospital.

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 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 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 **second 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 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 \$60,000 from General Fund Management Consultants Line Item No. 101.119.5234 to cover current and future expenses for 2018 to pay for IT Services provided by Seitz Solutions per a 2016 agreement.

Councilwoman Aeh motioned that this constitute a first reading.

Acting Mayor Johnson asked Auditor Williams if this legislation followed the contract that the city had with Seitz Solutions and if it was a year to year contract. Auditor Williams stated this was in accordance with the previous contract, however if Council chooses to hire an I.T. person it would be at a greater cost than paying a year to year contract. Councilwoman Aeh stated that she believed that it was explained adequately at the last meeting and the biggest problem was that it was not budgeted. Solicitor Haas stated that it turned out that it was budgeted and Councilman Meadows stated that apparently not sufficiently.

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 an Ordinance authorizing the appropriation of \$30,000 from Fund No. 606 to New WTP Line Item No. 606.771.5515 to pay for a Pilot Testing Report in order to obtain approval from Ohio EPA for an Actiflo Process. 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: 6 ayes – 0 nays, the rule was suspended.**

Councilwoman Aeh motioned that this Ordinance be passed.

Acting Mayor Johnson re-stated previous meeting comments regarding the fact that Ohio EPA had never approved this for Ohio, but had been approved in Kentucky. Manager Sutherland stated that was correct and he wasn't certain that anyone had ever pursued the Actiflo process in Ohio. Mr. Johnson asked Manager Sutherland what the benefits would be if the city would utilize the Actiflo process. Manager Sutherland said that they would demonstrate through the process that it works in the worst case scenario which would be the cold winter weather and hopefully the EPA would give the go-ahead to start the design for the full scale project. The footprint would be decrease thus the construction cost would go down.

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 appropriation of \$11,962.66 from Council's Trust for Recreation Fund No. 801 to be paid from Stadium Miscellaneous Service Line Item No. 801.553.5299 for painting wall panels at Spartan Municipal Stadium.

Councilwoman Aeh motioned that this constitute a first reading.

Councilman Dunne gave a brief description in which money was provided by two separate grants, the first being the "State Farm Grant" in which there was approximately \$8,000 left and the money was used for improving security at the Stadium with security cameras and improving the sprinkler system. The second was from "The Scioto Foundation Grant", he said that they had cleaned up all of the graffiti but unfortunately they were hit by another round of graffiti by the so-called pajama boys, he wasn't sure if it was a very young gang or very old gang. He believed that it had become a right-of-passage to spray paint the stadium and hopefully we have an individual that actually paints the floodwall murals with Robert Dafford. He asked that the three reading rule be suspended so that he could get started.

Councilwoman Aeh moved to withdraw her motion for a first reading and motioned to suspend the three reading as requested.

**The role was called. VOTE: 6 ayes – 0 nays, the rule was suspended.**

**Ord. #50 - 2018  
Appropriation  
for pilot testing  
on Actiflo for  
new Water  
Treatment  
Plant**

**Ord. #51 - 2018  
Appropriation  
from Council's  
Trust Fund to  
Recreation Fund  
for painting  
Spartan  
Stadium**

Councilwoman Aeh motioned that this 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 a Resolution authorizing Sam Sutherland, City Manager to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance for the proposed Portsmouth Skate Park.

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.**

Res. #18 – 2018  
Application  
with ODNR for  
Skate Park

#### **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 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 attended the Glocktoberfest which had a very nice turn-out at Market Square.

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 praised the Friends of Greenlawn Cemetery who gave two performances last weekend of "A Story of Us – Portsmouth Goes To War". They're doing a great job and personally thanked Bob and Debbie Gambill for all of their hard work. He also thanked the masonry class from Vo-Tec as they had been there each and every day re-building one of the walls and also the people that had been painting the fence. He encouraged people to stop by and thank them.
2. He said that recently the community had suffered a loss, Keith Bowling from Masterworks Jewelry passed away. He said that the people that knew Keith Bowling were better for it because he added something special to your life just by knowing him. He will be sadly and sorely missed and our condolences go out to the Bowling family.

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.**

**Solicitor Haas' Report** – Solicitor Haas had no report.

**Auditor Williams Report** – Mr. Williams stated that he had forwarded his report via email.

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

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

1. He met a few people traveling through Portsmouth over the past weeks and two of those individuals were traveling by boat. They commented that Portsmouth had provided a place for them to dock their boat as they had had trouble with their motor and estimated spending approximately \$2,000 in Portsmouth and the residents of Portsmouth did their best to help them out. He also met someone else that was traveling the path that their Grandfather took to go to war which the journey started in Chillicothe going east to Carolina and then up to Hoboken New Jersey.
2. He said "The Story of Us" was a great event that we had in Portsmouth.
3. He said Glocktoberfest was great but unfortunately they didn't get a game of hammerschlagen.
4. He had been doing research on establishing trails for cycling and hiking in our area. There were two grants offered by the Department of Natural Resources which he thought would be a big boom if the city were able to get the grants.
5. He had spoken with different companies to provide in-kind donations for the Skate Park and stated that he would hold off on his announcements in thanking them until it drew closer to the time.
6. He was working on the Skate Park Grant (the one Huntington got several years ago) and there's a group of people working on it, which included Tracy Shearer, Chris Smith (Health Department) and the deadline for the grant is November 15<sup>th</sup> and the announcement should be in the spring of 2019.

7. He was happy to announce that the work by Tracy Shearer of the Community Development office with support from Ben Davis a member of the community who was kind of like a Dog Park expert received from the Ohio Department of Natural Resources a grant for \$43,000 for a Dog Park.

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

1. She attended the Glocktoberfest and said it was very nice and very crowded.
2. She also went to Greenlawn Cemetery’s event and encourage everybody to go to the next event. It was entertaining and she learned a lot about our history with regard to those who served.

**3<sup>rd</sup> Ward** – Councilman Kevin E. Johnson had no report.

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

1. He received a complaint regarding a parked car on Grandview & Grant across from the church which had been parked there for about 4-6 months and now there were 2-3 other cars being parked there. He wasn’t sure if he was going to start a used car lot or what it was, but the neighbors were not happy.

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

1. He asked that when the time comes for a grand opening for the Skate Park that it not be held on a Saturday night during football or basketball season.

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

1. He said there had been some vandalism off the Sciotoville overpass going eastbound on Route 335, he said someone spray painted something on the pillars underneath the highway.
2. He requested an update on the Harding Avenue Gas Station. Mr. Gedeon responded that it was supposed to have started today (October 22, 2018).
3. He asked Mr. Gedeon about the burned out house by the trestle. Mr. Gedeon replied (not audible)
4. He attended the Habitat for Humanity fundraiser and had a pleasant time and hoped they raised a lot of money. He felt that as a community/town we should support and take part in, as a lot of good things comes from building homes. He said currently there was a property on Bonser that was scheduled to be the first Veteran Housing with the Habitat community.
5. He congratulated the East Tartans on their football win. He also congratulated Chase Coyle and Kyle Flannery for being the Tartan Players of the Week in the October 18<sup>th</sup> edition of the Scioto Voice newspaper.
6. He met with Mr. Sutherland and some residents and congratulated Mr. Sutherland on his professionalism and just speaking with the residents was a good thing.
7. He thanked Clyde Stiltner for cutting the grass along Route #52 highway in Sciotoville. He spoke with him at the Habitat fundraiser and finally got him to want to sign an agreement to legally take care of it, but in checking he found out that the city doesn’t have a form for adopting a roadway/highway. He would like the city to create a program so that he could get him signed up.
8. He said that this year the anniversary of certain members of his family passing had come up on Council meeting nights. He said this was the 6<sup>th</sup> anniversary of his mother’s passing and he wanted to make sure she got mentioned.

Councilwoman Aeh made a motion at the request of the City Manager to recess into Executive Session with the City Manager to discuss personnel issues as they relate to contract wage reopeners.

The roll was called and the motion carried: **VOTE: 6 ayes – 0 nays, Council recessed into Executive Session at 6:34 p.m.**

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 6:58 p.m. with the exception of Solicitor Haas.**

The meeting adjourned at approximately 6:59 p.m. on a motion by Councilman Meadows.

---

City Clerk

---

Acting Mayor