

**MINUTES – REGULAR SESSION****PORTSMOUTH CITY COUNCIL MEETING**

Monday February 22, 2021

6:00 p.m.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday February 22, 2021 at 6:03 p.m., at Shawnee State University Center. Council held the meeting at Shawnee State University in order to comply with the Governor’s order to social distance at least 6 feet apart.

Vice President Dunne 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
Charlotte Gordon	2 <sup>nd</sup> Ward
Kevin E. Johnson	3 <sup>rd</sup> Ward (Absent)
Lyvette Mosley	4 <sup>th</sup> Ward
Edwin Martell	5 <sup>th</sup> Ward
Dennis Packard	6 <sup>th</sup> Ward

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

Mayor Johnson’s absence was excused on a motion by Councilwoman Gordon. The motion carried viva voce: **VOTE: 5 ayes – 0 nays.**

Council dispensed with the reading of the Journal for the Regular Session of February 8, 2021 on a motion by Councilwoman Gordon. **The motion carried viva voce: VOTE: 5 ayes –0 nays.**

**STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA**

**Due to the Governor’s mandate of only 10 persons in a meeting, the meeting was not open to the public – Statements and Remarks were emailed ahead of time and read by Clerk Ratliff**

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

**LEGISLATION**

The clerk gave a **first reading**, to an Ordinance enacting a new chapter entitled “Third-party Food Delivery Services” of the Codified Ordinances of the City of Portsmouth that will limit the amount of commission charged to restaurants by food delivery companies at 15% (fifteen percent). 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.

Vice President Dunne asked if there was a reason for the waiving of the readings? No one was sure of the reason and it was decided that it would be best if this didn’t have the readings waived.

Councilwoman Gordon moved that this constitutes a first reading.

Councilman Packard asked for clarification of the effect on the business owners and customers as a result of the limitation. Vice President Dunne replied that there were a variety of third-party delivery services that operate through an app service. If someone wanted to have food delivered from a restaurant, you have places like Grub Hub, Uber Eats, DoorDash etc. that you could order food through an app. The services then charge a percentage of the order to pay for their services, to pay their drivers and the drivers also work off of tips as well. The issue that had arisen from other cities was that restaurant and bars had been hit hard by the restrictions with the coronavirus and cities around the country had capped the limit of what these third-party deliveries could charge during the pandemic. This industry of third-party businesses was charging 30% on a margin that was already thin for restaurants. He said that other cities had moved to cap that percentage down to 15% percent or possibly another percentage. He said if you’re selling a \$10.00 hamburger, it got cut down to \$7.00 with \$3.00 of that going to the third-party delivery service. He said this wouldn’t be permanent but it would align with the phrase “we’re all in this together”. It would basically help local restaurants and customers in that they wouldn’t pass the charges onto the customers or take on the charge themselves. He said that we have a lot of locally owned restaurants and we don’t want to lose them.

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 \$10,000 from General Fund Engineering Vehicles Line-Item No. 101.112.5351, \$20,000 from Water Fund Administration Vehicles Line-Item No. 604.771.5532 and \$20,000 from Sewer Fund Treatment Line-Item No. 622.776.5532 for the purchase of a large dump truck.

Manager Sutherland stated that he knew that they had not asked for the readings to be waived but the city had found a truck earlier in the month and due to time restraints the dealer ended up selling it. He would like the rules to be suspended so that if they found another truck, they wouldn't have to pass on it.

**Ord. #08- 2021  
Appropriation  
for Large  
Dump Truck**

Councilwoman Gordon moved that the three-reading rule be waived.

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

Councilwoman Gordon moved 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 **first reading**, to an Ordinance authorizing the appropriation of \$40,000 from Water Fund No. 604 Filtration Maintenance of Equipment Line-Item No. 604.772.5263 needed for repair of a Raw Water Pump. 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 Gordon moved that the three-reading rule be waived.

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

Councilwoman Gordon moved that the Ordinance be passed.

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

**Ord. #09- 2021  
Appropriation  
for repair of  
Raw Water  
Pump**

The clerk gave a **first reading**, to a Resolution requesting the advance payment of all taxes now standing to the account of the City of Portsmouth, Ohio, from the Treasurer of Scioto County, Ohio, and any and all other monies due the City of Portsmouth, Ohio, included in the certificate of estimated resources as issued and approved by County Budget Commission, and to be credited to the respective funds by the warrants received from the Auditor of Scioto County, Ohio.

Councilwoman Gordon moved that the Resolution be adopted.

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

**Res. #02- 2021  
Advance  
payment of  
taxes**

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

**Due to the Governor's mandate of only 10 persons in a meeting, the meeting was not open to the public - Questions were sent in ahead of time via email and read by Clerk Ratliff**

**Betty Morgan – Hillview Apartments Portsmouth, OH**

She would like to see the City of Portsmouth start a campaign to clean up the City and keep it clean. She said that Portsmouth did not get in this shape overnight and the problem won't be solved overnight. She would like everyone to take pride in our city and the first step is keeping it clean. She said that children need to be taught cleanliness and the city needs a plan on how the community could step up and teach the next generation. She said that in the past, people have formed groups to go out and clean up the city but nothing has ever been formed to maintain it. Her family owns a downtown business and they take pride in the way their store looks and she would like others to do the same.

**MISCELLANEOUS BUSINESS AND REPORTS:**

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

1. She received notification that the City of Portsmouth was recognized again as a 2020 Tree City USA. This was an application that she completed for the city each year and the city had to meet certain qualifications in order to be recognized as a Tree City. It was an honor to have this designation.

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

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

1. He commented on Saturday's Strategic Planning Session asked Council if they had additional questions or concerns and if so, he would be happy to set up a meeting with the individual Department Head. He said that it was a very good meeting but felt there still may be some areas that weren't touched upon.
2. He thanked the Health Department and Fire Department for running the vaccination drive-thru that they've been conducting and were currently moving a lot of people through that system and he was very proud of them. He said that the city was number one in the State of Ohio based on percentage of vaccinations and those folks were making it happen.
3. He gave a shout out to the Service Department employees and everyone that was involved in the snow and ice removal. He was aware that the city was not able to get to everyone like they think we should've but for what the city was dealing with, he felt that our crew did a very good job and was pretty proud of them.

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

**Mayor's Report** – Mayor Johnson had no report due to absence.

**Solicitor Haas Report** – Solicitor Haas had no report due to absence.

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

**MISCELLANEOUS BUSINESS FROM CITY COUNCIL**

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

1. He spoke a little bit about the Saturday meeting and thanked Councilwoman Gordon for all of her work putting it together and organizing the structure of what the goals would be and he felt that it went really well. He thanked Shawnee State University for allowing us to use the Flohr Lecture Hall and thanked Coffee at the Lofts for giving us coffee and treats. He said that it was helpful in a lot of ways because as a Council if we're voting on items that concern these departments, we need to be informed. I also allowed Council to get insight in the way that different departments were viewed and the different tasks that they have in each department. He said that there was a criticism of different social sciences that they rarely try to develop a theory of the whole of society and he thought of the criticism while in that meeting because what this allowed them to do was to get a picture of the whole city workings and it was very interesting to have various contribution that these departments make to help the city work. He felt that it was a very good experience to remind ourselves of the work that the different departments were doing. He said that he would try to develop certain proposals for internships which was one of the items that was being focused upon and there seemed to be a lot of support for it and would be something to build on for future meetings. He appreciated everyone that was in attendance and helped to set it up.

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

1. She reiterated and thanked everyone for Saturday. Diana and Sam helped out and our amazing technical crew was there before she arrived and she felt that it went very smoothly and well. She thanked everyone for their time and getting an overall view of the city as to what needed to be done overall and what all of the department's functions were and how it all worked together as Council has to make decisions on how to allocate funds to these departments. She was overwhelmed by the collaborative nature that all of our Department Heads have with each other, the mutual respect and how they all work together and that was something that doesn't happen on its own, that started from the top and worked down and she congratulated Manager Sutherland for setting that precedent. She was very proud to be a part of this and it was really amazing.
2. She thanked Coffee at the Lofts for the coffee and breakfast that they provided and Shawnee State University for the space. She also thanked David Kilroy who was the Program Director at the Kricker Innovation Hub who served as the moderator, she felt he did a good job at moving things along.
3. She gave the city workers a shout out, as she had seen those city plows going all night and all day for days and days. They did a really awesome job.

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

**4<sup>th</sup> Ward** – Councilwoman Mosley reported the following:

1. She thanked Councilwoman Gordon for the meeting Saturday, it was a learning experience for her to know how our city operated and how the different departments collaborated with one another and gave high praise to one another. She looked forward to going for a ride with the Police Officers.
2. She received a call from Cathy Mullins at the Health Department asking that anyone that was 65 and older to please contact the Health Department to set up a time for a vaccine.
3. She met via Zoom with the State of Ohio Senior Olympics and this year was the qualifying year for Nationals and those games were usually held in June in Columbus and Portsmouth's games were in September. However, they have asked the Board if they could come to Portsmouth and hold their Track & Field events. She spoke with Belinda Leslie at the Health Department and also with some other people, but as far as the Health Department was concerned, it's a go. She added that the Board will be meeting Wednesday to decide if they want to take this on because it was a big event in which people come from all over, but the State would help. They would make sure they comply with the CDC guidelines if they decide to do it. This would be a huge event if it came to Portsmouth.

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

1. He congratulated Charlotte for putting together such a successful meeting and to everyone that helped, Diana and Sam as well. He apologized that he was unable to attend but he did watch quite a bit of it on the FaceBook live feed and he did not have any issues with the sound. He said that it impacted him in a way in which he was unaware of a lot of things and it was very informative. He was really glad that they had it and looked forward to the next one.
2. He thanked Manager Sutherland and the city workers for the countless hours that they've been working. He said there was also a water main break on Grandview and it was fixed very quick in the snow and ice.

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

1. He said that he had copious calls from his ward about the streets (snow & ice) and Mr. Sutherland was promptly on each one and they all were remediated.
2. He said that he was glad to hear about the collaboration between the Police and Fire Departments and the idea for improved coverage for the ward.
3. He thanked Councilwoman Gordon for having a successful meeting and hearing the different Department Heads saying this was the type of meeting that was needed.

The meeting adjourned at approximately 6:33 p.m. on a motion by Councilwoman Gordon.

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City Clerk

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Mayor