

**MANAGER’S CONFERENCE MINUTES**  
**Portsmouth City Council Meeting on**  
**January 28, 2026 – 8:25 p.m.**

Members present:

David Malone	1 <sup>st</sup> Ward
Charlotte Gordon	2 <sup>nd</sup> Ward
Andy Cole	3 <sup>rd</sup> Ward
Lyvette Mosley	4 <sup>th</sup> Ward
Chris Neff	5 <sup>th</sup> Ward
Dennis Packard	6 <sup>th</sup> Ward

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

**1. Adopt the Scioto County EMA Hazard Mitigation Plan** CM-26-01

Manager Sutherland emailed the Hazard Mitigation Plan because it was a large file with over 1,000 pages. He said if anyone had any concerns to reach out to Larry Mullins at Scioto County EMA and he would discuss any apprehensions. He said that the city adopted this years ago, but they update it occasionally and when they do, the city needed to bring the documents up to date.

Councilman Malone motioned to accept alternative #1.

There were no further questions or comments: **VOTE: 6 ayes – 0 nay**, legislation was moved forward.

**2. Appropriate funds to replace Police Cruiser** CM-26-02

Manager Sutherland advised that we need to accept insurance funds on a police cruiser that was totaled and they were able to locate a brand new 2024 cruiser that had never been sold. The city was getting a good discount on it as we’re getting a \$60,000 vehicle for \$44,000. Chief Brewer was present and requested that the readings be waived as it would be helpful and there was a shortage of cruisers, some of which were being repaired. Councilman Malone asked if there were funds to cover the expense. Manager Sutherland said that the city was getting \$28,000 in insurance funds and the \$16,000 balance would be covered by the city and we do have the funds.

Vice President Mosley motioned to accept alternative #1.

There were no further questions or comments: **VOTE: 6 ayes – 0 nay**, legislation was moved forward.

**3. Appropriate funds to repair Garbage Truck** CM-26-03

Manager Sutherland said that the city was down a sanitation truck and the estimated repair to the engine was \$32,000 and a new truck would be over \$250,000. Councilman Cole

asked how old the truck was that went down and Manager Sutherland said he wasn't sure but could find out. Councilman Packard said that they have little ports in the back that squish trash and they break easily and he would be in favor of ordering replacements to have on hand. Manager Sutherland said that he had allotted funds in the budget for those parts. The reason for emergency language was that the city was down a truck and there was a great need.

Councilman Malone motioned to accept alternative #1.

There were no further questions or comments: **VOTE: 6 ayes – 0 nay**, legislation was moved forward.

**4. Easement for AEP CM-26-04**

Manager Sutherland said this was an easement for AEP directly across from the filtration plant. They've been doing a lot of work on the hillside around Millbrook Park and it would cross over right where one of the basins were located. AEP was upgrading a lot of infrastructure and he requested that the readings be waived because the work needed to be done.

Councilman Malone motioned to accept alternative #1.

There were no further questions or comments: **VOTE: 6 ayes – 0 nay**, legislation was moved forward.

**5. OEPA Loan App. – Water Supply Revolving Loan Agreement CM-26-05**

Manager Sutherland stated that back in September a resolution was adopted to enter into an agreement with OWDA for the water plant. After Strand & Associates went back to discuss this agreement, it was discovered that the loan was through Ohio EPA. He said everything was the same except that the water supply revolving loan was with Ohio EPA instead of OWDA. This was in the form of a resolution and if adopted at the next meeting, the loan will progress.

Vice President Mosley motioned to accept alternative #1.

There were no further questions or comments: **VOTE: 6 ayes – 0 nay**, legislation was moved forward.

**Discussion - Modification to Zoning Regulations (Gordon and Cole)**

**1. Councilwoman Gordon is proposing that no new medical facilities be located in the central business districts, south of 10<sup>th</sup> Street.**

Mayor Gordon said that she had discussed this in depth with the Solicitor, and she's decided to withdraw it because the concerns that she had were covered in the zoning laws.

2. **Coleman Cole is requesting the following allowances be removed from the Traditional Neighborhood District.**
  - a. **Under Sales – Remove both Automotive Sales and Commercial Sales**
  - b. **Under Parking – Remove Structured Parking (A)**
  - c. **Under Services – Remove Car Rental Services, Commercial Services, General Personal Services and Professional Services.**
  - d. **Under Recreation and Leisure – Remove Restaurant or Bar**
  - e. **Under Retail – Remove large retail and small retail**

Councilman Cole stated that this addresses any Traditional Neighborhood District and would include 1<sup>st</sup> Ward, 3<sup>rd</sup> Ward, 4<sup>th</sup> Ward, 5<sup>th</sup> Ward and 6<sup>th</sup> Ward. It covered a lot of the city as the city was developed and laid out with traffic patterns in mind. There were lots of neighborhoods that were geared around single-family housing. Families who take walks with children and the traffic patterns that were in that type of neighborhood were typically small traffic patterns and busy traffic patterns leads to safety issues. The things that have been in the zoning for a long time, specifically the traditional zones were things that he believed doesn't fit in these neighborhoods. He listed several businesses that were allowed and the fact that a restaurant or bar could be in a home in a traditional neighborhood. He would like to keep a traditional neighborhood as safe as possible and not see commercial businesses move into a neighborhood and change the traffic flow, where there would be lots of people coming and going.

Mayor Gordon said that anything that was currently in a neighborhood would be grandfathered in and there were a lot of neighborhoods that traditionally do have the Mom & Pop stores or neighborhood restaurants, but she thought that if anyone would want to go into a traditional neighborhood, they would first need to obtain approval for a number of these items. Solicitor Haas said that several were listed as "conditional" which doesn't mean that they "can't" but they would need to go to the zoning board for approval which had a process. He thought that the Automotive & Commercial Sales were listed as "conditional" and would need approval. The Structured Parking was for accessory use which meant if you had a business in a neighborhood, they would be permitted to stripe a parking lot for their business which would get the cars off the street and he believed that the zoning laws required those lots to be paved and not graveled. The Commercial Services is also "conditional" and must go through the zoning board. The Restaurant or Bar should be banned to where you couldn't do unless the owner got a Variance and if a Variance was received, it goes with the property if it's sold, and the "conditional use" was for that one person only. The Large and Small retails, he gave local examples of "Morton's Pharmacy" or "Hilltop Market," he said that those would be grandfathered, but there couldn't be any new ones in a traditional neighborhood. Mr. Haas said that if he would decide to see clients at his home, he would need to get a variance. Mayor Gordon asked what would happen if someone would put any one of these in a traditional neighborhood without going through the proper channels. Solicitor Haas stated that there currently was no enforcement and should be handled on a case-by-case basis, based on the notices that go out to neighbors who were notified and asked to comment. He said that recently there was a business coming into the downtown area and he wasn't sure how far it had gotten, but it got pulled for other reasons and wasn't sure that it was going to get stopped even though it was in violation of the zoning laws. Manager Sutherland said

that the city was getting close, Danny Wells was taking courses and was close to being certified to be able to handle these types of issues.

Councilwoman Mosley said that there was a little store, in a house that had popped up in her neighborhood. They have signs up and it was congesting the streets where cars were parking. Solicitor Haas said that would fall under “conditional” and should have gone through zoning and the neighbors should have been notified. Mayor Gordon said that if a business does pop up, do they have to go through the Health Department and Mr. Haas replied “yes.”

Councilman Cole said that the store that Councilwoman Mosley mentioned would fall under either large or small retail and he’s asking for both of those to be removed from the traditional neighborhood zoning law. He said that currently, anyone who had a house in a residential neighborhood could have a store pop up next to them. Mayor Gordon said that currently they should be going through the zoning board for approval. Councilman Neff said that the one Ms. Mosley was speaking about was on 17<sup>th</sup> Street at the 4-way stop of 17<sup>th</sup> and Grandview and there was no parking and it was a very bad spot. He said it was a Mexican Grocery Store and it is in a two-story house. Mr. Cole said that any one of 2(a-e) could pop up next door to any home. He doesn’t believe that the zoning laws were created to have malice, but we’re a small town with lots of buildings that were available in commercial areas. The industrial zone should be full of businesses; the downtown should be full of businesses. The residential neighborhoods are single-family homes and should not be full of businesses. He said that the bottom of Grandview, Clyde Fenton’s (Eye Doctor) office has been for sale for years for \$150,000, but people were currently buying homes and turning them into businesses in residential neighborhoods as opposed to putting them into places that were more appropriate for a business. He would rather set the traditional neighborhoods up to be protected from the beginning and then allow someone to request a Variance that could be discussed, than to have all of these be available right now. Solicitor Haas added that it was nice to have Hilltop Market and Sonora’s Restaurant right down the street from him during the snow event. Manager Sutherland added that the Dollar Store in Sciotoville was handy for locals especially during the road construction. Councilman Packard said that these pop-ups should be going through the zoning board and Solicitor Haas said that some of these items were permissible under “conditional.” Mr. Packard said that when he was growing up, his doctor was in a neighborhood as well as little stores. He said that in Ohio, Nurses could hang a shingle if they have a Bachelor’s Degree and he wouldn’t want to pass anything that would hamper those types of businesses.

Solicitor Haas said that it would make sense to ban some and make others conditional. Councilman Cole understood that Solicitor Haas liked that Hilltop Market was close, however, how would he like it if it was right next door to him. He said that it had happened to the people next door to the Mexican Grocery Store and people were blocking drive ways and trying to find parking. Mr. Haas said that if it was made conditional, the business owner would have to go to the zoning board for approval. Mr. Haas read the guidelines of the zoning board. Councilman Packard asked Councilman Cole if he would be alright with having these listed as a condition and that they had to be vetted through the zoning board to determined whether they are a “condition” or if they need a “variance?” Mr. Cole said that if it’s left on as

conditional, it would be an invitation that it would be a viable option. He read from the list and asked Council to imagine if this were their neighbor: Automotive Sales, Commercial Sales (if you're commercial, they usually get several box truck deliveries per day), Car Rental Services, Commercial Services, General Personal Services, Professional Services, Restaurant or Bar, Large Retail and Small Retail. He said all those things he wanted Council to imagine they were right by their homes and what that would look like for your neighborhood. The traffic patterns, and safety of walking down the street and he felt those should be viewed as non-welcomed in a traditional neighborhood. He doesn't mean that these places shouldn't open, but should open in a business district and should open in an area that works within the city's infrastructure and not in a residential neighborhood and he doesn't want to rely on a board to say yes or no. Mayor Gordon said that the zoning board does take into consideration what the neighbors say when the neighbors voice their opinions on a business opening in their neighborhood. She would like to see an avenue for someone who wanted to put a "Notary" sign in their front yard that would maybe get a car or two a week. She felt that in this economy there were a lot of side hustles, which are important to that family. Mr. Cole said the same thing could be accomplished with a variance and Mayor Gordon said that a variance stays with the property. Mr. Cole said that we're talking about positions and right now we know who the mayor is and we know who's on the zoning board, but what if in the future we don't have such an understanding board and they let anything within the city. He hoped that the 5 people on the board always had the best interest of the people in mind, but we don't know who will be on that board in the future. He said that he could tell you for sure, that the people in his neighborhood don't want a bar next to them and he doesn't want people to be able to go to the zoning board to ask for a variance for a bar next door to a single-family residential home. It should not be an option.

Councilman Cole motioned to move this request forward to the City Manager agenda so that people could only ask for a variance. There were no further questions or comments: **VOTE: 6 ayes – 0 nay**, legislation was moved forward.

The meeting adjourned at 9:04 p.m. on a motion by Vice President Mosley with all in favor.

Submitted by: *Diana Ratliff* – City Clerk - For the full audio version of the Manager's Meeting, please go to [www.portsmouthohio.org](http://www.portsmouthohio.org) under City Manager 2026 "Audio".