

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING

Tuesday November 13, 2012

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on, Tuesday November 13, 2012 at 6:00 p.m., in the Council Chambers of the Municipal Building.

President of Council, John Haas 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:

Kevin Johnson	1 st Ward
Nicholas Basham	3 rd Ward
Jim Kalb	4 th Ward
John Haas	5 th Ward
Steve Sturgill	6 th Ward

Also present were City Solicitor Mike Jones and City Auditor M. Trent Williams (arrived at 6:08pm).

Councilman Saddler’s absence was excused on motion by Councilman Basham.

Mayor David Malone’s absence was excused on motion by Councilman Johnson

On a motion by Councilman Johnson, Council dispensed with the reading of the Journal for the - regular session October 22, 2012.

LEGISLATION

The Clerk gave a **first reading** authorizing the appropriation of ~~\$3,450~~ 6900 into CIP Fund No. 301.115.5529 for payment of a traffic study to be performed at the intersection of U.S. 23 north/south and ~~Argonne Road~~ Kinneys Lane.

**ORD#12-57 –
Traffic Study
US 23 and
Kinneys Lane**

The proposed ordinance was amended from Argonne Road to Kenneys Lane on motion by Councilman Johnson. Mr. Johnson noted changes in the first, second and fourth paragraph and in Section I.

There were no questions or comments. The roll was called. **VOTE: ayes 5 – nays 0 The Ordinance was amended.**

Councilman Johnson move to have the rule requiring three reading be waived, as there are traffic issue in this area.

The roll was called. **VOTE: ayes 5 – nays 0 The rule was suspended.**

Councilman Johnson moved to pass the ordinance.

Mr. Williams asked if the City was going to be paying the full amount.

Mr. Johnson advised that it was his understanding that the City would pay the full amount and KDMC would submit an equal share to the City.

Mr. Williams requested clarification that City would be paying out \$6,900.

Mr. Johnson advised that the contract price is \$6,900.

Mr. Williams advised that the appropriation should be for the full amount of \$6, 900 as the City is paying that amount, regardless if KDMC is reimbursing the City. He continued by stating that the ordinance states that the check has already been generated and into a revenue fund. If the City is going to pay the full amount, the entire amount needs to be appropriated by an amendment.

Councilman Kalb jokingly moved that the Auditor be excused for being tardy as he is handy at times.

Mr. Johnson thanked Mr. Williams for pointing this out and moved to make the change and asked the Solicitor if there needs to be reference that KDMC is matching the City’s funds in the body of the ordinance.

Mr. Jones advised that there needs to be an amendment made to show the total amount and that it is clear that KDMC is contributing one half of the cost.

Mr. Haas asked if there was a withdrawal of the motion to pass the ordinance and a motion to amend.

Mr. Johnson advised yes.

There were no further questions or comments. The roll was called. **VOTE: ayes 5 – nays 0 The Ordinance was amended.**

Councilman Johnson moved to pass the ordinance.

Mr. Johnson advised that he met with representatives from KDMC and one of the reasons that they are pushing for this study is that so many people are using what is currently Spring Street to come north then turn left against traffic. It has been noted that this is becoming very dangerous and is holding up traffic. KDMC plans to close off Spring Street, not move it immediately as the Mayor suggested. Once the City fixes Kinneys Lane so that motorists can turn left to get into the parking lot this will not be an issue. Until this is done, KDMC does not believe it is advisable to close Spring Street.

There were no further questions or comments. The roll was called. . **VOTE: ayes 5 – nays 0 The Ordinance was passed. ORD #12-57.**

The Clerk gave a **first reading** authorizing the Mayor of the City of Portsmouth, Ohio to advertise for bids and to enter into contracts with the lowest and/or best bidder for required supplies, materials and services for 2013 in accordance with Ohio Revised Code section 735.05.

Councilman Johnson moved to have the rule requiring three reading be waived as this is a regular and required ordinance that it brought up every year.

The roll was called. **VOTE: ayes 5 – nays 0 The rule was suspended.**

Councilman Johnson moved to pass the ordinance.

There were no questions or comments. The roll was called. . **VOTE: ayes 5 – nays 0 The Ordinance was passed. ORD #12-58**

The Clerk gave a **first reading** to an ordinance authorizing the Mayor of the City of Portsmouth, Ohio to enter into contract with Schonhardt & Associates for the preparation of an updated Indirect Cost Allocation Plan for the City of Portsmouth in an amount not to exceed \$4,000 as hereby appropriated from General Fund Account #101.119.5234 – Management Consulting, in order to better establish a reasonable methodology of allocating indirect costs.

Councilman Johnson advised that the City has certain audit issues that need to be rectified and cleared. This ordinance will help to get these cleared. The City is under time constraints to have this accomplished for the budget. Councilman Johnson move to have the rule requiring three reading be waived.

The roll was called. **VOTE: ayes 5 – nays 0 The rule was suspended.**

Councilman Johnson moved to pass the ordinance.

Councilman Sturgill asked if this will be an annual amount of money that will be spent.

Mr. Williams advised that such is not his intention. His intention is, after we had it done the first time, to try to get a second opinion with more advice and input from the Department heads. To improve the first report, which the amounts were not agreed upon, to an amount that is more reasonable. He believes that the State gives you about five year time frame to keep it updated.

There were no further questions or comments. The roll was called. . **VOTE: ayes 5 – nays 0 The Ordinance was passed. ORD #12-59**

MISCELLANEOUS BUSINESS AND REPORTS:

City Clerk's Report –

1. Oath of Office

Brandon Cline Portsmouth Firefighter 11/7/2012

The Clerk's Report was received, filed and made a part of the record, on a motion by Councilman Johnson.

President's Report –

ORD#12-58 – bids for required supplies, materials and services for 2013

ORD#12-59 – contract with Shonehardt and Associates – Indirect Cost Allocation Plan

1. President Haas wanted to thank the Mayor for taking care of issues that have come up in the 5th Ward over the past few weeks. When he called the Mayor's Office the issues were solved very quickly. Mr. Haas will thank the Mayor the next time he sees him.

The President's Report was received, filed and made a part of the record, on a motion by Councilman Johnson.

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward Councilman Johnson wanted to acknowledge Chris Smith Department Head for the Health Department. Mr. Johnson said it is appreciated that he is nearly always present to address any issue that may come up regarding his department.

Mr. Johnson stated he is very concerned that the City is working on the budget and there is a contract with AFSCME in the Auditor's office that is not complete. Due to the lack of this signed contract it will make it difficult for the Mayor to present a budget. He stated that this should have been done months ago.

Mr. Williams advised that he should be able to have the contract to Council soon, hopefully by the next meeting.

Mr. Johnson also advised that the Mayor has helped him with issues in the 1st Ward. He hopes that at the next meeting there will be follow-up from conversations with the Mayor regarding traffic control issues and signage that is needed along US 23. There is only one speed limit sign along the entirety of Scioto Trail, located at the beginning of the City limits. And we are one of the few cities that do not have signage regarding truckers using their Jake Brake (Air Brakes). New Boston has them and along US 23 where it is required. We are getting complaints along Scioto Trail, in writing.

Mr. Johnson continues to get complaints of large trucks using Chillicothe Street as US 23. These trucks have already created damage to the brick cross ways and the City has had to spend CIP moneys to make repairs. However, what most people don't realize is the damage the vibrations from those trucks cause to the older buildings downtown. When he had the Emporium, Mr. Johnson explained that you could feel the vibrations at block level. The stores along Chillicothe all report that they can feel that vibration. After a while those vibrations will cause damage to the older buildings. The least we can do is put up signage that this is not a through route. He will bring all the forward at the next meeting.

3rd Ward Councilman Basham wanted to thank the Police Department. At the end of last month, the marching band at Rock Hill, where he teaches, made it to the State Finals. There was a caravan of buses and parents that came through Portsmouth around 8:30 on the last Saturday in October. He had spoken to Acting Chief Ware and asked if they could get an escort through town. The town of Rock Hill provided a Fire Truck escort to the county line. There were two police cruisers that met the caravan and took them through the City and up US 23. So there were 70 thankful kids and excited parents who thought that this was a really awesome thing for Portsmouth to do. It was a neat experience, the kids liked it and the parents enjoyed it. It was nice for people who do not live here to see that good things can happen here in town. Something little like that is really appreciated. He just wanted to extend thanks to the Police Department and the Mayor.

4th Ward Councilman Kalb wanted to remind the public, rental property owners, that they have about a month to sign up for their inspections. He request clarification from Chris Smith (Director of the Health Department).

Mr. Smith advised that property owners have until December 31, 2012 to pay for their permit. However they will not have to be pre-licensed. Once you pay to get your license, the Health Department will help you get your property up to code over time. But if you don't sign up now you will have to go through pre-licensing.

Mr. Kalb advised he would not have brought that up if Mr. Smith had not be present at the meeting for clarification.

5th Ward Councilman Haas did not have a report at this time.

6th Ward Councilman Sturgill stated that he continues to submit his reports to the Mayor and the Department heads. For the most part issues have been taken care of and all are somewhat happy in the 6th Ward with the way things are being handled.

City Auditor Trent Williams did not have a report at this time.

City Solicitor Mike Jones did not have a report at this time.

The meeting adjourned at approximately 6:21 p.m. on a motion by Councilman Johnson.

City Clerk

President of Council