

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

Monday January 28, 2013

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on, Monday January 28, 2013 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Acting President of Council Rich Saddler 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
Rich Saddler	2 nd Ward
Nicholas Basham	3 rd Ward
Jim Kalb	4 th Ward
Gene Meadows	5 th Ward
Steve Sturgill	6 th Ward

Also present were Mayor David A. Malone, Solicitor John Haas, and City Auditor M. Trent Williams.

Solicitor John Haas gave the Oath of Office to Steve Sturgill as he took his place as President of City Council.

Council dispensed with the reading of the Journal for the regular session of January 14, 2013, on a motion by Councilman Johnson.

The motion carried viva voce. **VOTE: ayes 6 – nays 0**

STATEMENT OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA

Jane Murray – 1920 Dorman Drive – Portsmouth – Ms. Murray stated that she was denied twice when she requested the draft budget, however Mr. Williams did provide some information that was helpful. She also requested that Council take into consideration the following: #1 – A budget can be amended throughout the year as necessary. #2 – Charge-offs have been problematic and she suggested looking into management to control the cost and redirect resources to the info structure. #3 – Employee salaries are substandard, in that some are not paid enough and most are paid par or less than par. Pension is also a major bugaboo. #4 – Overtime was \$605,000 last year but not added to the cost of the pensions. Some departments have two or three employees getting 45-50% of the overtime and getting \$15,000-\$16,000 when some employees are only making \$20,000-\$30,000. This is a disparity and not good for morale as everyone should be treated equally.

LEGISLATION

The clerk gave a **third reading**, to an Ordinance to make appropriation for the current expenses and other expenditures of the City of Portsmouth, Ohio beginning January 1, 2013 and ending December 31, 2013, as provided for in Section 49 of the Charter of the City of Portsmouth, Ohio. Now, therefore,

Councilman Kalb moved to Table the Ordinance.

Councilman Johnson asked for what purpose.

Councilman Kalb responded that there's a two month budget in place and that there are items such as deleting and adding possible positions that needs to be discussed before passing this budget.

Mayor Malone stated that the position Mr. Kalb is referring to would not have any reflection on the budget being presented.

Councilman Johnson stated that any additions in positions could be covered by legislation to amend the budget should the appropriate income be available to cover such an expense and we are in agreement on the basic parts of the budget.

There were no further questions or comments. The role was called. **VOTE; ayes 3 – nays 3 – Motion to Table failed.**

**Ord. #5-13
Current
Expenses
1-1-13 to
12-31-13**

Councilman Johnson moved that this constitute a third reading and the Ordinance be passed.

There were no further questions or comments. The role was called. **VOTE; ayes 6 – nays 0 – Ordinance was approved.**

The clerk gave a **first reading**, to an Ordinance authorizing the Mayor of the City of Portsmouth, Ohio, to enter into an Agreement with Sciotoville Elementary Academy, a not-for-profit corporation, d.b.a. in the State of Ohio, and hereinafter referred to as “SEA”.

Councilman Johnson moved that this constitute a first reading.

There were no further questions or comments. The role was called. **VOTE; ayes 6 – nays 0 – a first reading was declared.**

The clerk gave a first **reading**, to a resolution authorizing the Revolving Loan Fund Agreement with the Ohio Development Services Agency.

Councilman Johnson moved that this resolution be adopted.

Councilman Kalb asks the Mayor if this is new or is this different program than the business revolving loan fund and is this renewable annually.

Mayor Malone replied that there is only one revolving loan fund through Community Development and the CDBG and that this is an agreement for the money to be available and to stay local and renews every two or three years.

Councilman Sturgill asks Mr. Williams if the fund was open and constant and if so when was the last time the fund was utilized and to provide a balance.

Auditor Williams replied that the fund has been maintained as long as he has been Auditor. He was unsure of the last time the fund was utilized and the balance is anywhere from \$200,000 to \$400,000. The money has been used on different projects from time to time because of the high balance.

Mayor Malone replied that he believes that in 2012 some of this fund was used to renovate the restroom at the homeless shelter.

Councilman Saddler asks Mr. Williams what happens to the accumulated interest in this fund and suggested that we advertise of the availability of the money, so that it may benefit more of our citizens.

Councilman Johnson suggested allowing Main Street Portsmouth to incorporate this fund into their advertising as it would get the word out to our community.

Mayor Malone stated that Community Development Director Tracy Shearer handles this when she conducts the CDBG activity and fair housing issues, however there’s only a small group that show up to her activities.

Councilman Basham stated we would lose our check and balances if we turn this over to a Community Organization.

Councilman Saddler asks Mr. Williams if there is a way that the money can be used toward Main Street versus pulling the money out of the Capital Improvement fund.

Auditor Williams stated that it would take a Waiver by the State as it would have to be approved by the State.

Councilman Kalb asks Mr. Williams what happens if one of the participants defaults on an amount that was from the City. Is it the City’s responsibility or does it fall back on the State.

Auditor Williams stated that it has only happened once since he’s been in office and the participant was prosecuted. We are responsible for that money but there is legal recourse against the person that borrowed the money just the same as a bank.

There were no further questions or comments. The role was called. **VOTE; ayes 6 – nays 0 - the Resolution was adopted. RES #02-13.**

STATEMENT OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Peter Schwiegeraht – 9349 WaterStone Boulevard - Cincinnati, Ohio – Mr. Schwiegeraht with Miller Valentine Group, provided an update of progress. Two meetings were held, one with the tenants of the Scioto Valley Garden Apartments in which they introduced a plan for the rehabilitation of the apartments. For the most part everyone seemed happy and positive about the renovations, and he addressed any questions and concerns. The second meeting was for the public, however it consisted of mostly local Contractors looking for work. Commitments have been made to bid this local and bring as many local contractors to the table as possible. A template support letter was given to the Mayor and Council to use to draft their own version of support.

MISCELLANEOUS BUSINESS AND REPORTS:

City Clerk’s Report –

1. Oath of Office:

Ruth Buckler – Assistant Prosecutor – 1-25-13.
David Beck – Assistant Prosecutor – 1-25-13.

2. Clerk’s Annual Report for the year 2012.

Regular Meetings	24
Conference Sessions	2
Special Meetings	1
Organizational Meetings	1
<u>Total Meetings</u>	<u>28</u>

Executive Sessions	7
Public Hearings	1
Ordinances Passed	61
Resolutions Adopted	20
Tabled Ordinances	2
Defeated Ordinances	5
Additions to the Agenda	19
Appointments by Council	30
Oaths of Office	67

Ohio Department of Liquor Control

Notice of Permit Transfer	2
Request for New Permit	3
Notice of Stock Transfer	0

Citizens Addressing Council	
Items on the Agenda	10
Items not on the Agenda	26

The City Clerk’s report was received, filed and made part of the record, on a motion by Councilman Kalb.

Mayor’s Report - The Mayor had no official business to report.

President’s Report - Councilman Sturgill reported that he had visited with some citizens from all 6 Wards over the past week and discussed their vision for Portsmouth over the course of the next year. There were many things the citizens would like to see, but mainly they expect us to lead. He has spoken with the Mayor, members of the Martings Foundation, the County Commissioners and meet with the City Clerk and outlined our expectations for her office. As soon as a time can be set up, he would like to have conversations with the village of New Boston and Representative Johnson. The goal for 2013 is to complete the search for City Manager and develop strategies and agendas for 2014 and beyond however, our intent is not to micromanage City Government but to better prepare ourselves and our Council responsibilities and to meet the need and expectations of the citizens of the City of Portsmouth.

Going forward, he respectfully requested each Councilman prepare a committee structure proposal prior to the next meeting. These Committees will help us better understand what our government is doing as we’ve had a couple of instances during our meetings where we were misinformed or uninformed with items that have come before Council. He understands that some of Council have full time positions that are very busy and free time is limited, however he hopes that each of Council will find time to Chair or be a part of one of these committees, if not we can adjust those committees. He would like this to begin in February with a monthly meeting objective, then for each Councilman to provide a report during their respective Ward reports. If it is found that once a month is excessive, it could be adjusted to quarterly meetings. He put forth the following proposed 5 committees for consideration:

Community/Economic Committee – This committee will provide opportunity to sit down with the County Commissioners and the Village of New Boston and take a proactive role in trying to save taxpayers money and quit the duplication of services throughout our County, City and Village.

Enterprise Funding Committee – One Council Person will work with the Enterprise Fund

General Fund Committee – The Committee would be in charge of these funds.

Legislative Committee – Continue Mr. Johnson’s work of reviewing Ordinances that need updated.

Continuance of the Building Committee – Mr. Saddler has devoted a lot of time to this committee over the past year and has presented the Mayor with a recommendation. The city continues to own a great deal of property that remains stagnate. As proposed last year, we should move forward with trying to sell these buildings or raze them and sell the property, but we need to keep moving forward.

The structure of these committees would consist of at least 2 Council members, 2 City staff members and 2 citizens of the Portsmouth area which would be appointed by the Council Chairperson of these committees.

The charge of each one of these committees is to bring forward to Council information and issues pertaining to each of the areas.

Much time has been spent trying to determine a manner in which we could all better communicate. He thanked his family for being present and that he is very proud to have them in attendance.

The President’s report was received, filed and made part of the record, on a motion by Councilman Kalb.

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

- 1st Ward Councilman Johnson stated that he voluntarily increased his portion of the Single Plan Health Insurance premium payment to \$80 to show support of the budget and employees. He spent 8 days in Washington D.C., where he attended the Presidential Inauguration, which is a great bucket list for anyone regardless of your politics. He met with Representative Bill Johnson of the 6th District, Representative Brad Wenstrup, Senators Portman and Brown, and the key staff of Nancy Pelosi and Diane Feinstein and received some good and some not so good information regarding USEC. Had discussions about “New Steel” which is a new technology coming to the United States but is being used predominately in the Netherlands and Germany. With the expansion of the Panama Canal, he had a chance to speak about developing the Ohio River as it will see an increase in barge traffic. These barges will off load in most places for different types of materials onto the Railway network and the N & W is looking to expand. He discussed the work the Scioto Health Coalition is doing and they would like to work closely with our local delegation on economic development.
- 2nd Ward Councilman Saddler congratulated Mr. Sturgill on his presidency. He also thanked Health Commissioner Chris Smith for the information on the demolition of the buildings in the 2nd Ward and always answering any questions and requests.
- 3rd Ward Councilman Basham was contacted by Jenny Wagner who is the President of Mercy Hospital Nurses Alumni Association, she requested some type of signage where Mercy Hospital stood and serviced our area for many years.
- 4th Ward Councilman Kalb had nothing to report.
- 5th Ward Councilman Meadows stated he was unable to attend the Saturday meeting with Mr. Duncan, but will be there for the next meeting and will be available for any questions or concerns.
- 6th Ward Councilman Sturgill stated that the Mayor’s office and the Department Heads continue to deal with the issues of the 6th Ward and they’ve been very helpful with most issues and the issue were handled in a professional manner. He stated that when he receives requests from citizens in the 6th Ward, he assures them that he passes on their request.

Councilman Basham moved that Council go into Executive Session for discussions on pending litigation. This would include all of Council, Mayor, Solicitor and the Waste Water Director Rick Duncan.

**Executive
Session**

The roll was called. Vote: ayes 6 – nays 0 - **The motion carried. Council recessed into Executive Session at approximately 6:50p.m.**

Council reconvened at 7:30p.m. The roll call showed all those previously in attendance were still present.

City Solicitor Mr. Haas congratulated Mr. Sturgill on his position as President of Council. He stated that hopefully before the next meeting he will have a proposed Noise Ordinance. Everyone is aware of the issues floating around and rules need to be implemented to resolve these issues.

City Auditor Mr. Williams gave his best wishes to Mr. Sturgill. He stated that he is close to finalizing 2012 and has a report prepared that he's comfortable with but would like a few more days to get 2012 closed out and he should have those reports to Council prior to the next meeting. He is encouraged for 2013 as he compared last January to this January and we are up slightly and if the trend continues he will need to adjust the revenues up for 2013. He added that with revenues up he may be able to add a couple hundred thousand additional that will help in covering the deficit which looks like it's going to end about -\$950,000 for 2012. We lost approximately \$700,000 a year from local government funding however we will be getting the full affect of the new tax in 2014. He feels that we're headed in the right direction and hopes to give the final report and projections for next year.

The meeting adjourned at approximately 7:40 p.m. on a motion by Councilman Kalb.

City Clerk

Acting President of Council