

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING

Monday October 14, 2013

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on, Monday October 14, 2013 at 6:00 p.m., in the Council Chambers of the Municipal Building.

President of Council Steve Sturgill 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 W. Johnson	1 st Ward
Rich Saddler	2 nd Ward
Kevin E. Johnson	3 rd Ward
Jim Kalb	4 th Ward
Gene Meadows	5 th Ward
Steve Sturgill	6 th Ward

Also present was Mayor David Malone, City Solicitor, John Haas, Auditor Trent Williams and City Clerk, Diana Ratliff.

Council dispensed with the reading of the Journal for the regular session of September 23, 2013, and Special Session of October 3, 2013 on a motion by Councilman Kevin W. Johnson.

Councilman Kevin W. Johnson made a motion to add an item to the Agenda as Item 7-d for the purpose of appointing a City Manager.

**Item added
to Agenda
to appoint a
City
Manager**

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

There was no Public Hearing.

STATEMENT OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA

There was no one present who wished to address Council on any item on the agenda.

LEGISLATION

The clerk gave a **third reading**, to an Ordinance authorizing a fund transfer of \$820.00 from Police Department Donations Line Item No. 214.221.5298 to General Fund Miscellaneous Revenues Line Item No. 101.000.4690 and appropriating the same into Police Department Payroll Line Item No. 101.221.5115 to cover the cost of overtime for 4 officers that worked off-duty security for the boat races.

**Ord. #43-13
Overtime
for Police
during Boat
Races**

Councilman Kevin W. Johnson 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 **second reading**, to an Ordinance authorizing approval of the preliminary legislation submitted by the Ohio Department of Transportation (ODOT) proposing to construct a new Bypass beginning at US52, Ramp A SLM 26.59 and Ramp B, SLM 27.27 (SR 823 SLM 0.00), heading north moving in and out of the east corporation limit of the City of Portsmouth and terminating at US23, SLM 11.59 (SR823 SLM 16.78).

Councilman Kevin W. Johnson motioned that this constitute a second reading.

Councilman Saddler stated that he would be abstaining from this vote due to his employment with ODOT.

Councilman Sturgill stated for the record that any vote on this legislation was not a vote for or against the bypass. The vote was simply an Ordinance from the City acknowledging the States' role in developing the bypass within the city limits.

There were no questions or comments. The role was called. **VOTE: 5 ayes – 0 nays – 1 Abstain (R. Saddler), a second reading was declared.**

The clerk gave a **first reading**, to a Resolution designating the date and time for Halloween "Trick or Treat" night for the City of Portsmouth, for children up to and including the age of fourteen (14) years of age to be held in conjunction with the date and time set by the County each year unless otherwise indicated by City Council.

**Res. #17-13
Trick or
Treat night**

There was discussion regarding a back up time in case of inclement weather and it was decided that it would be handled as it occurs.

There were no questions or comments. The role was called. **VOTE: 6 ayes – 0 nays, the resolution was adopted.**

The clerk gave a **first reading**, to an Ordinance to appoint an individual to the position of City Manager of the City of Portsmouth, Ohio.

Councilman Kevin W. Johnson motioned for nominations for City Manager.

President Sturgill opened up the floor for nominations for City Manager.

Councilman Kevin W. Johnson nominated Derek Allen.

President Sturgill called for other nominations three times.

Councilman Kevin W. Johnson moved that the nomination be closed

The motion carried viva voce. **VOTE: ayes 6 – nays 0 Nominations for the position of City Manager were closed.**

There were no further discussions. The roll was called. **VOTE: ayes 6 – nays 0 - Derek Allen was named City Manager.**

Councilman Kevin W. Johnson motioned that this constitute a first reading.

Councilman Meadows moved that Council go into Executive Session to discuss the agreement for Derek Allen.

President Sturgill requested that Solicitor Haas join them in Executive Session to discuss the legal agreement.

The roll was called. **VOTE: ayes 6 – nays 0 - The motion carried. Council recessed into Executive Session at approximately 6:10p.m.**

Executive
Session

Council reconvened at 6:27 p.m. The roll call showed all those previously in attendance were still present.

Councilman Kevin W. Johnson motioned that the agreement be amended with the following:

1. Administratively on the proposed Ordinance under Section II to remove the “s” off the end of Section as it is a typo.
2. The contract calls for the Mayor to authorize to sign said agreement, he proposed it be amended to read “President of Council”.

There were no questions or comments. The role was called. **VOTE: 6 ayes – 0 nays, the ordinance was amended.**

Councilman Kevin W. Johnson stated that he believes that this is a good contract and a win, win for all concerned. The contract provides the timing for Council to evaluate the City Manager’s first year goals.

Councilman Sturgill stated that there were no changes in what was previously released to the newspaper several weeks ago.

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

STATEMENT OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Jeanette Langford – 1205 Albert Street – She advised Council and that the service department is going to suffer some down time due to the sudden passing of Julia Clark who worked in the Service Department. She asked Council to pray for Ms. Clark’s family

Sue Burke – 3110 Brookwood Drive – She is the chairman of the design committee for Main Street Portsmouth and the current Vice President of the Board. She stated that she attended Councilman Saddlers Parks & Recreation committee meeting and found that Council needed to be informed of the things that are done by Main Street and she passed out a prepared list of items that Main Street is responsible for. When the organization first began they were known as Boneyfiddle Events Committee and then evolved into the Main Street Portsmouth organization which is a program through the National Trust and reflects the preservation, restoration and beautification of the city’s historic district. They sometimes partner with different groups from the area such as: The Counseling Center, Boy Scouts, Shawnee State University Students and other

organizations for different projects around Portsmouth. Main Street Portsmouth recently received a grant from the Scioto Foundation for Alexandria Park as the garbage cans and the wood railing that runs along the top of the flood wall needs replaced. She's currently taking donations for a drinking fountain for the park as the one that is currently there is in deplorable condition; once funds are secured the drinking fountain will be dedicated to Ellen Vetter and Ray Gibson who passed away last year from cancer but before their deaths they devoted a lot of hours to helping to beautify the city. Main Street Portsmouth is funded from the CIP fund, the Hotel/Motel Excise Tax fund, the Scioto Foundation which she has received over \$10,000 for park improvements and the Paul Johnson memorial fund.

Terry Wells – 2702 Blue Rock Drive – He has lived at his residence for the past 4 years and over the last 2 years they've had significant road slippage which measures approximately 20ft. wide, 90ft. long and 2ft. deep. He stated that the garbage trucks have to back up his street from 28th Street and he's concerned that if this is not addressed soon, he'll lose access to his home. The slippage has continuously gotten worse and with wintertime coming on it will not get any better.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. Received from the Board of Election a Proclamation of the upcoming election to be held on November 5, 2013.
2. Received a Memo from Bill Beaumont of the Service Department that the Annual City Auction will be held on October 26, 2013 at 10:00am at the City Garage at 55 Mary Ann Street – Portsmouth.
3. Received from the Auditor via e-mail on October 7, 2013, the following Combined MTD/YTD reports for the period ending September 30, 2013: Expense Report, Revenue Report, Fund Report & Appropriation transfer from transaction listing.

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

Mayor's Report – Mayor Malone reported that they do have a draft plan for the cost allocation as they recently had a meeting with Sherry Smith from Maximus Group and she's putting together the final details, but it appears that per the preliminary report, the City is right on the mark. He also congratulated Nurse Practitioner Gail Miller on receiving the 2013 National Association of Nurse Practitioners in Women's Health Inspiration award.

The Mayor's report was received, filed and made part of the record, on a motion by Councilman Kevin W. Johnson.

President's Report – President Sturgill had no report.

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Kevin W. Johnson reported the following:

1. Thanked Sue Burke for her presentation of Main Street Portsmouth and for the incredible amount of work that they do for the city. A dinner for the 4th annual Paul Johnson memorial fund was held at Dr. John Turjoman's home and they raised approximately \$3,000 which gets the sum up to about \$10,000 for the year and every cent is dedicated to Main Street Portsmouth for beautifying the downtown. He states that before Paul passed away he and Paul formed the uptown downtown association which is a subsidiary of Main Street Portsmouth, this association used money that was raised to resurface and restripe the 4th Street and 7th Street parking lots as the city could not afford to do so at the time.

2. He continues to be amazed with the Health Coalition and is hopeful more people will get involved and explained that anyone can sign up for e-mail updates at sciotohealth.org which also has a calendar of activities listed on the website.

3. He reported that the Economic Development & Sustainability committee has endorsed Portsmouth Connex which is a walking and biking trail and presentations will be made to the Budget/Finance committee along with the Legal/Legislative committee.

2nd Ward – Councilman Saddler thanked Crystal Weghorst of the Engineers Department for her assistance in some issues he's had in his Ward regarding the Offhere Street manholes and the repaving project. He also advised that the Parks & Recreation committee will be meeting Tuesday November 12, 2013 at 6:00 at the American Legion Post #23. He thanked Ms. Burke for coming to the meeting and appreciates all that she does for the city.

3rd Ward – Councilman Kevin E. Johnson thanked Sue Burke for her presentation for Council and he stated that the Personnel & Performance committee will be meeting on October 16, 2013 at 5:00 in the Engineer's Office.

4th Ward – Councilman Kalb had no report.

5th Ward – Councilman Meadows had no report.

6th Ward – Councilman Sturgill apologized to several residents of Oakland Boulevard regarding an article in the Daily Times where he had listed several names and where people lived, he stated that in this day and age, people have concerns about their privacy and he said that it hopefully won't happen again.

City Solicitor – Solicitor Haas had no report.

City Auditor – Auditor Williams reported good news regarding the general fund and the entire condition of the city more specifically the city income tax is at \$700,000 above last year's collections at the end of September. With the projections to the end of the year and as long as things hold steady the city will end up just over \$700,000 above the previous year. He's hopeful for the 2 year deficit projection of being back in the black, but the insurance fund is still going to have to have some modifications and restructuring and this will be over the next 2 years. The water fund is back in a healthy condition and the Sewer fund is going to drag along until all of the sewer issues are completed.

The meeting adjourned at approximately 6:50 p.m. on a motion by Councilman Kevin W. Johnson.

City Clerk

President of Council