

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

Monday November 9, 2015

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday November 9, 2015 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Acting Mayor Jim Kalb 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
Jeff Kleha	6 th Ward

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

Council dispensed with the reading of the Journal for the regular session of October 26, 2015 on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: ayes 6 – nays 0.**

Councilman Kevin W. Johnson motioned to add to the agenda as item 7i an Ordinance to amend Section 105.01 of the Codified Ordinances to amend the ward boundaries.

**Item added
to the
agenda**

There were no questions or comments. The role was called. **VOTE: 6 ayes – 0 nays, the item was added to the agenda.**

There was no Public Hearing.

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA

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

LEGISLATION

The clerk gave a **third reading**, to an Ordinance to amend Chapter 181 of the Codified Ordinances of the City of Portsmouth regarding Municipal Income Tax per H.B. 5 and Chapter 718 of the Ohio Revised Code.

Tabled item

Councilman Kevin E. Johnson motioned that the Ordinance be passed.

Councilman Kevin W. Johnson moved to table the legislation until November 23, 2015 at the request of Auditor Williams.

There were no questions or comments. The role was called. **VOTE: 6 ayes – 0 nays, the item was tabled until November 23, 2015.**

The clerk gave a **second reading**, to an Ordinance authorizing the establishment of Fund No. 268 for the acceptance and appropriation of funds as received within this new fund for the HIV Prevention (Federal) grant.

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

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

The clerk gave a **second reading**, to an Ordinance authorizing the establishment of Fund No. 269 for the acceptance and appropriation of funds as received within this new fund for the HIV Prevention (State) grant.

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

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

The clerk gave a **second reading**, to an Ordinance authorizing the establishment of Fund No. 256 for the acceptance and appropriation of funds as received within this new fund for the Injury Prevention grant.

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

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

The clerk gave a **second reading**, to an Ordinance authorizing the establishment of Fund No. 267 for the acceptance and appropriation of funds as received within this new fund for the PHEP (Public Health Emergency Preparedness) grant.

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

Auditor Williams stated that the last four proposed ordinances should be done as “consent agenda items” in the future as they are simply funds being set up. He will advise the City Manager for future items.

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

The clerk gave a **second reading**, to an Ordinance amending Section 901.06 – Obstructing Streets of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

The clerk gave a **second reading**, to an Ordinance amending Section 901.11 – Littering; Responsibility of Mayor of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

The clerk gave a **first reading**, to an Ordinance authorizing the City Manager 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 2016 in accordance with Ohio Revised Code section 735.05.

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

Acting Mayor Kalb stated that he would have liked to ask the City Manager if this were a time sensitive item. Auditor Williams stated that it was for 2016.

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

The clerk gave a **first reading**, to an Ordinance to amend Section 105.01 of the "Codified Ordinances of the City of Portsmouth, Ohio," entitled "Wards Created," to amend the ward boundaries of Wards One, Two, Three, Four, Five and Six within the City of Portsmouth and repealing Section 105.01 of the Codified Ordinances.

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

Councilman Kevin E. Johnson complimented the City Clerk and Solicitor for their work on this project as well as the County Engineers office as a lot of time was spent putting this altogether.

Councilman Saddler requested that the Solicitor give a short overview of the history behind the request for a new ordinance. Solicitor Haas stated that after the 2010 census, City Council took steps to redraw the wards so that each ward had approximately the same amount of population within each ward. When the 2016 rules for the election came down, the county was required to make sure that all the maps were in order. The county felt that there were issues so they requested to work together to redraft the ordinance so that it matched the maps. He said that not much had changed but it just needed cleaned up. Councilman Meadows inquired about the wording “amend section 105.01” and “repealing section 105.01” the language sounds wrong and some new wording needs to be used. Solicitor Haas stated that he would look at the wording and advise at the next meeting. Councilman Kevin E. Johnson asked if this would be used in the new G.I.S. system and Solicitor Haas stated that was the intent. Auditor Williams asked the significance of the words “two” and “four” in the preamble. Solicitor Haas stated in the last ordinance Wards Two and Four were not changed and they are being changed along with the other wards this time.

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

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

There was no one present that wished to address Council on items not on the agenda.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She received the map lay-out for each ward and distributed to each Councilman for review.
2. She received on November 4, 2015 the franchise fee from Time Warner Cable in the amount of \$54,047.64 and deposited in the Auditor's office the same day.
3. She received from the Ohio Division of Liquor Control a request for a C2 license for Clarks Pump N Shop Inc. dba Clarks Pump N Shop 55 at 2626 Gallia Street Portsmouth, Ohio. The request has been approved.
4. She received from the Auditor via e-mail on November 5, 2015, the following summary statements of the Combined MTD/YTD reports for the period ending October 31, 2015: Expense, Revenue and Fund.
5. Received on November 9, 2015 from the Ohio Division of Liquor Control the Licensing Fee Distribution list.

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

City Manager's Report – Written report only and the report can be found on the City's website.

Acting Mayor's Report – Acting Mayor Kalb had no report.

City Solicitor – Solicitor Haas had no report.

Auditor Williams – Auditor Williams reported the following:

1. For the month of October the income tax collection for the General Fund was down \$305,000 compared to last year and for accumulation total for the year, it was down \$199,000 and he believed that two months from now the city should end up around \$200,000 less compared to 2014. The capital improvement was very similar as it was down \$359,000 compared to the same month last year and in total was down \$235,000 and he believed that it would also be approximately down \$250,000 from the previous year. This was predicted to be better for 2016 with the income tax increase. The operating balances for the end of October: General \$187,184; Streets -\$72,352; Water -\$245,767; Sewer -\$913,501; Sanitation \$363,552; Insurance \$1,118,023.

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

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

1st Ward – Councilman Kevin W. Johnson had no report.

2nd Ward – Councilman Saddler had no report.

3rd Ward – Councilman Kevin E. Johnson reported the following:

1. He thanked all of the residents that voted and congratulated all those that won and he thanked the military personnel for serving and that had served which afforded us the right to go out and vote.
2. He had some residential complaints from the Forest Heights area that have some overgrown weeds. They are still reviewing and working on the problem.
3. He met with some residents that were dissatisfied with some transitional living homes that were residential houses that were purchased and converted into transitional living homes. For the sake of time, he did not approach the subject but he would like to discuss this with the Solicitor about zoning.
4. He explain about an idea that was born from the Tree Commission. Last year there was a Christmas tree lighting festival on the esplanade and this year he announced that there would be a Christmas tree lighting on Market Square next to Mark Harris' "Toy Town". The tree will be donated by Rick Fraley and the pizzas will be donated by Dave Duncan of Papa John's and he invited everyone to attend the festivities immediately following the parade and he asked for the community's support.

4th Ward – Councilman Kalb had no report.

5th Ward – Councilman Meadows had no report.

6th Ward – Councilman Kleha had no report.

The meeting adjourned at approximately 6:25 p.m. on a motion by Councilman Kevin W. Johnson.

City Clerk

Acting Mayor