

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
 Monday November 13, 2017
 6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday November 13, 2017 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Mayor James D. 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 |
| Jo Ann Aeh | 2 nd Ward |
| Kevin E. Johnson | 3 rd Ward |
| Jim Kalb | 4 th Ward |
| Gene Meadows | 5 th Ward |
| Thomas K. Lowe | 6 th Ward |

Also present was City Manager Derek K. Allen, Solicitor John Haas and City Clerk Diana Ratliff.

Council dispensed with the reading of the Journal for the regular session of October 23, 2017, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: ayes 5 – nay 1 (T. Lowe).**

Councilman Kevin W. Johnson motioned to replace on the agenda item 7(d) Ordinance authorizing the City Auditor to amend appropriations to reflect actual revenues and expenditures in order to balance and close the City’s books for the fiscal year 2017. The motion carried viva voce: **VOTE: ayes 6–nays 0.**

Item replaced on the agenda

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.

Councilman Kevin E. Johnson moved to recess into Executive Session to discuss a personnel matters involving employment to a city position and also to discuss the discipline of a public employee and requested only City Council members.

The role was called and the motion carried: **VOTE: 6 ayes – 0 nays, Council recessed into Executive Session at 6:05 p.m.**

Executive Session

Councilman Kevin E. Johnson moved that Council reconvene from Executive Session.

The roll was called and the motion carried. **VOTE: ayes 6 – nays 0, Council reconvened with all still in attendance at 6:40 p.m.**

LEGISLATION

The clerk gave a **third reading**, to an ordinance authorizing the salary ordinance be amended to add the position of economic development director with a pay range of \$70,000 - \$75,000 per annum, and further, authorizing the city manager to hire an individual to fill the position.

Councilman Meadows motioned that the Ordinance be tabled.

Tabled 11-13-2017

The role was called. VOTE: 6 ayes – 0 nays, the Ordinance was tabled.

The clerk gave a **second reading**, to an Ordinance authorizing the establishment of the Portsmouth Community Improvement Corporation (the “PCIC”) and the designation of the PCIC as the Agency of the City of Portsmouth for Economic Development Purposes, Appointing Board Members of the PCIC and Authorizing the Execution of an Agreement with the PCIC as Such Agency under Section 1724.10 of the Revised Code of Ohio.

Councilman Kevin W. Johnson motioned that the Ordinance be amended according to the Auditor’s instructions.

The role was called. VOTE: 6 ayes – 0 nays, the Ordinance was amended.

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

There were no further 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 transfer of 807 Washington Street, parcel 29-0388.000 for the purpose of redevelopment to the Portsmouth Community Improvement Corporation.

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

Councilman Meadows asked Solicitor Haas if the property at 807 Washington Street was actually transferred to SOPA and Solicitor Haas replied “no” and that the property still belonged to the city.

There were no further 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 Auditor to amend appropriations to reflect actual revenues and expenditures in order to balance and close the City’s books for the fiscal year 2017.

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

There were no further 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

Sam McKibbon – 2907 Cypress Street Portsmouth, OH – He stated that he had lived off of Cole Boulevard for 34 years and noticed that from Scioto Trail to the three way stop at Dorman Drive there were no 25 mph speed limit signs which was almost a mile in distance. He said that traffic had increased but thought that it might decrease once the bypass was opened. He said there were a lot of children in that area and when he drives on Coles Boulevard he’s rear-ended almost every day with drivers going 40-50-60 mph. He ask that the city check into putting some speed limit signs on Coles Boulevard.

Judge Steve Mowery – 728 2nd Street Portsmouth, OH – He commended Sam McKibbon as a well-respected citizen. He said another institution for the last eight years has been Councilman Kevin W. Johnson (applause) he is a fine City Councilman and has held himself with honor and dignity. He said that it was his honor and privilege to speak to Portsmouth High School and Middle School on Veterans Day and he thanked all of our Veterans. He quoted what he said to them in his speech “We spend too much time in this country with divisiveness, pessimism and outrage and not enough time considering our commonality which we all have 325,000,000 of us in this country, have a lot in common.” He added that another thing we had in common was 1.2 million who were protecting us in the military, but we fail to recognize everyday our commonality and he would like to see us do a better job. He said “our people are your people and our employees have not had a raise in 7 ½ years, we share them with this Council and we’ve been talking with Mr. Allen for about four months as he had worked his way through the Union discussions and we hope that Council would give consideration for non-union employee raises.”

Karen Hill – 1404 McConnell Avenue Portsmouth, OH – She said that she was the spokesperson for their neighborhood watch program. She read the following statement: “Due to the increase in crime and break-ins in our community we have decided to start a neighborhood watch program in the Mound Park area in order to keep our homes, property and families safe. We believe that the more people we have join our watch program, the safer our community will become. We have our own motto it’s (take back our city one neighborhood at a time).” She said that she and Chief Ware were interviewed by WSAZ concerning the neighborhood watch and they will be having an informational meeting Sunday November 19th at 3:00 at the Mound Park Shelter House even though the building had already been winterized, Mayor Kalb made this available for our meeting. She requested that all of the City Council be present especially the ones that have constituents in the Mound Park area as well as Manager Allen.

Judge Russ Kegley – Ridgeway Road Portsmouth, OH – He reiterated what Judge Mowery had said and also said they had spoken with Manager Allen and had been waiting as he worked his way through the Unions but would like this accomplished before the end of the year. He said that “our folks have been hard working and long suffering and taken a lot of the brunt with the City’s financial problems over the years.”

Miles Ferguson – 1241 Tipton Lane West Portsmouth, OH – He said that he and Dustin Pendleton were the Directors of the Buckeye Elite National Showcase and he thanked Council for their support. He told Council that they were making a difference in the community in supporting their event as it brings people from other states, countries and a lot of talented high school players. The showcase will be held December 7 through December 9th and they would like to fill the seats.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She received an Oath of Office for the following:
 - Sergeant of Police Conrad Nagel
 - Police Officer Christopher Swords
 - Captain of Police Jason Hedrick
 - Lieutenant of Police Joshua Justice
2. She scored the City Manager evaluation from all Council members and emailed him a copy of the evaluation. The full evaluation will be conducted on December 11, 2017.
3. She received via email on November 3, 2017 from the Auditor's office, the following summary statements of the Combined MTD/YTD reports for the period ending October 31, 2017: Expense, Revenue and Fund.
4. She received on November 9, 2017 from the Ohio Division of Liquor Control a request for a stock change for West Miller Inc. dba The Mill Tavern & Patio at 1619 Chillicothe Street Portsmouth, OH. There were no objections.
5. She reminded of the Jaycees Christmas Parade Thursday November 16th at 6:00 p.m.

The City Clerk's report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

City Manager's Report – City Manager Allen reported the following:

1. Resurfacing has been completed.
2. He commented about the leaf schedule and said it may need amended as the leaves have decided to hang on a little bit longer.
3. He advised that he had given a list of legislative items that needed to come to Council before the end of the year. He doesn't have anything written or prepared but he can briefly go over it during the Conference Agenda.

The City Manager's report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

Mayor's Report – Mayor Kalb reported the following:

1. He said everyone received an email from Jason Lovins of the Department of Energy concerning a site visit to bring Council up to date about the site. There were several dates and he suggested Wednesday November 29th at 1:00 p.m. Councilman Lowe said he couldn't make it until after the first of the year. Mayor Kalb said if the majority can attend that would be the date they would attend. Mr. Lovins was in attendance and said that date worked for him and he would email the details of the visit.
2. He announced per Council rules that he planned to reappoint Will Burke to another term on the Shade Tree Commission and also planned to reappoint Ann Sydnor to the City Planning Commission. He will make them official at the next meeting.
3. He congratulated the 3rd and 5th Ward Councilmen for being reelected to another term. He commended 1st Ward Councilman Kevin W. Johnson for running a good clean campaign and thanked him for his years of service and contributions that he made to make our city a better place.
4. He thanked everyone involved with the ongoing improvements to Mound Park including the new pickle ball group. He said most recently a new fence was installed around the tennis courts and the road was paved up to the Shelter House which was a big improvement.
5. He thanked all of those involved in the Mound Park neighborhood watch group and their efforts to make our area safer and a better place to live.

The Mayor's report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

City Solicitor – Solicitor Haas reported the following:

1. He pointed out that Site Selection Magazine ranked Portsmouth as the number 2 city in the Ohio River corridor Great River Cup for business. They listed six projects ongoing that made their decision to rank Portsmouth as number 2.
2. He said he was taken aback about the tabling of the Economic Development Director position. He added that this afternoon they attended the Rotary meeting and had asked Mr. Kester to join them as a guest and when he introduced Jason, he indicated that he might be joining the city as an employee in Economic Development. He said that the announcement was met with great excitement and a lot of positive comments.

Councilman Kevin W. Johnson asked Mr. Haas about the Charter Review Committee and what progress has been made. Solicitor Haas stated that Judge Schisler was writing up the recommendations as they have completed their review. He will follow up with Judge Schisler. Mr. Johnson stated that he had initiated the process and would like to see it through while he's still on Council.

Councilman Kevin W. Johnson ask about the Land Bank. Manager Allen said that he doesn't get information from them and the meetings have been cancelled for the last couple of months. Mr. Johnson said that they have a deadline to meet and Mr. Allen said that he believed they had to have 60 plus houses torn down by November 18th and he believed they only had torn down 20 plus properties.

The Solicitor's report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

Auditor Williams – Auditor Williams had no report.

1. October's General Fund \$1,264,972 and last years was \$887,148 and the new tax revenue collected was \$287,441. Total collection included in both General and Capital was \$1,437,477 and last year was \$934,342. Major Fund Balances – General Fund \$4,373,710, Streets \$340,960, Water \$313,633, Sewer -\$1,365,344, Sanitation \$507,451 and Insurance \$1,831,119.

The Auditor's report was received, filed and made part of the record, on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: 6 ayes – 0 nays.**

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

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

1. He congratulated Councilman Kevin E. Johnson and Councilman Meadows on their reelections.
2. He addressed Mr. McKibbons concerns regarding the speed limit along Coles Boulevard and was glad he brought the issue forward.
3. He thanked Mayor Kalb and Judge Mowery for their kind remarks.
4. He said that during the campaign that once again on facebook his late partner was said to have died of AIDS, but Paul (his partner) died from bone cancer. Paul had been tested for HIV and was negative. He said this was senseless to attack a person who couldn't defend himself.
5. He said when he was in Xenia, Ohio he came across a local magazine that highlights their town. He would like to see our city adopt something similar.
6. He wished everyone a very Happy Thanksgiving.

2nd Ward – Councilwoman Aeh reported the following:

1. She congratulated Councilman Kevin E. Johnson and Councilman Meadows on their reelection and stated that she would miss Councilman Kevin W. Johnson and sharing candy with him.
2. She wished all a Happy Thanksgiving.

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

1. He said that he knew Veterans Day had come and gone but he had the opportunity to attend the Veterans Day ceremony and stated what an excellent job Sam McKibbon had done emceeing. He said that he pictured what the hero's that were honored from World War II, Korea, Vietnam wars may have looked like when they were 17 years old and thought of the differences between the 17 years olds of today and the 17 years olds of past; the trials they faced and the freedoms that we enjoy because those young men were willing to step up for our country. To all of our Veterans that have served or that are currently serving, from him and his family, they are very grateful for their service.
2. The Jaycees Christmas Parade is coming up Thursday night.
3. He thanked Manager Allen and the Service Department for the work they done on a Friday afternoon. He had a very upset constituent contact him about furniture that had been dumped in the alley and basically blocked the alley. The Service Manager rounded up employees and went and cleaned up the mess. He wished that we could find the people that did it and fine them.
4. He congratulated Councilman Meadows on his victory and he said as stated by others, Councilman Kevin W. Johnson will be missed. He applauded him on the clean campaign that he had ran and was sorry that bad things happened during his campaign and he found it to be an outrage.
5. He wished everyone a Happy Thanksgiving.

4th Ward – Councilman Kalb had no report.

5th Ward – Councilman Meadows reported the following:

1. He said that on Grandview Avenue the construction crew had cut ruts in the street and he hoped that Manager Allen could get them to correct that quickly.
2. He understood that Willow Way wasn't able to be resurfaced. Manager Allen said that AEP was going to be cutting across the street so Willow Way was bumped to next year and the intention was to get resurfacing out in the spring.
3. He gave his respect to Ms. Storey for her campaign, but thanked the voters of the 5th Ward for reelecting and having confidence in him to represent at least one more term. He hoped to see more improvement than what we've seen and hoped everybody was ready to hold on for the ride.

4. He congratulated Councilman Kevin E. Johnson for his reelection and also acknowledged his congratulations to Mr. Dunne who won the most votes in the 1st Ward and he was looking forward to meeting him. He said as far as Councilman Kevin W. Johnson goes, they have disagreed several times, but have always acknowledged the disagreements and worked together and tried to compromise on many issues, but the most important thing was that it had always been respectful, courteous and they always walked away friends. He will miss him and looked forward to continuing their friendship into the future.

6th Ward – Councilman Lowe reported the following:

1. He congratulated the East Tartans coaching staff and team on their 9-2 regular season record and 9-3 overall.
2. He thanked the Tartan community in the 6th Ward for their support and looking forward to serving their needs for the next two years.

The meeting adjourned at approximately 7:15 p.m. on a motion by Councilman Kevin E. Johnson.

City Clerk

Mayor