

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING
Monday, November 23, 2009
6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on, Monday, November 23, 2009 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Acting President, David Malone called the meeting to order. The Pledge of Allegiance to the Flag followed a moment of silent prayer.

Roll Call showed the following members to be present:

Mike Mearan	1 st Ward
David Malone	2 nd Ward
Jerrold Albrecht	4 th Ward
John Haas	5 th Ward
Richard Noel	6 th Ward

Also present were Mayor James D. Kalb; City Solicitor Michael L. Jones and City Auditor, M. Trent Williams.

Councilman Mollette's absence was excused, on a motion by Councilman Mearan.

Council dispensed with the reading of the Journal for the regular session of November 9, 2009, on a motion by Councilman Albrecht.

In response to a memo from Mark E. Malone, Chief Probation Officer in the Municipal Court, Councilman Albrecht made a motion to add to the agenda legislation authorizing the acceptance of a Federal grant in the amount of \$217,908.00 under the American Recovery and Reinvestment Act to provide Court security.

There were no questions or comments. The motion carried viva voce. **The Legislation was added to the agenda as Item "7e".**

There was no public hearing and no one present wished to address Council with regard to any item on the agenda.

LEGISLATION

The Clerk gave a **second reading** to an ordinance amending Chapter 169 of the Codified Ordinances of the city of Portsmouth, Ohio – Employees Generally by repealing Section 169.01 (a) and (b) - Residency Requirements, to conform to the Supreme court of Ohio decision in Lima v. State, 122 Ohio St.3D 155,2009-Ohio-2597 which was decided June 10, 2009.

Councilman Albrecht moved this constitute a second reading.

In response to the Mayor's request for clarification, the Solicitor advised that there can be no residency criteria in the State of Ohio.

There being no further questions or comments the roll was called. **VOTE: ayes 5 – nays 0 A second reading was declared.**

The Clerk gave a **first reading** to an ordinance authorizing the Auditor of the City of Portsmouth, Ohio to enter into a three (3) year contract with Schonhardt & Associates for technical accounting and management oversight assistance in preparation of the 2009, 2010 and 2011 Comprehensive and Summary Annual Finance Reports.

Councilman Albrecht moved this constitute a first reading.

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

The Clerk gave a **first reading** to an ordinance authorizing the Auditor of the City of Portsmouth, Ohio to extend the contract with Caudill & Associates, CPAs to perform the financial and compliance audit of the city of Portsmouth for one-year period of January 1, 2009 through December 31, 2009, in an amount not to exceed \$40,000 annually, to be paid from Audits and Examinations accounts appropriated each year within General and Enterprise Funds as outlined in the annual Operating Budgets.

Councilman Albrecht moved this constitute a first reading.

There were no questions or comments. The roll was called. **VOTE: ayes 5 – nays 0 A first reading was declared**

The Clerk gave a **first reading** to an ordinance establishing a maximum amount of \$100,000.00 on each Blanket Purchase Order issued by the City Auditor.

Councilman Albrecht moved this constitute a first reading.

There were no questions or comments. The roll was called. **VOTE: ayes 5 – nays 0 A first reading was declared.**

The Clerk gave a **first reading** to an ordinance authorizing the acceptance of the Ohio Office of Criminal Justice Services, Bureau of Justice Assistance funding, under the FY09 American Recovery and Reinvestment Act (ARRA); in the amount of \$217,908.00 matching grant for Court Security; establishment of new Fund 208 for this grant and the appropriation of such funding as received.

Councilman Albrecht moved this constitute a first reading.

The Solicitor, acknowledging that there may obviously be some questions from members of Council about this ordinance, said he will request a representative from the Court be here for the next meeting to answer any specific questions Council may have. Mr. Jones noted that we are down for a substantial amount of money and he believed the program to be a very good one that is going to provide, hopefully, some Court security.

There being no further comments the roll was called. **VOTE: ayes 5 – nays 0 A first reading was declared.**

There was no one present who wished to address Council with regard to any item not on the agenda.

Miscellaneous business and reports:

City Clerk's Report

1. Received on 11/12/09 from the Auditor the following reports for the period ending 10/31/09:
 - Combined mtd/ytd expense report
 - Mtd/ytd revenue report
 - Combined mtd/ytd fund report
 - Mtd bank report
 - Appropriation transfer from transaction listing
2. Oaths of Office
 - Jonathon Page and Steven R. Brewer for positions of Special Deputy Clerk in the Municipal Court.

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

Neither the Mayor nor the Acting President of Council had anything to report.

The 6th, 5th, 4th and 2nd wards had nothing to report.

1st Ward Councilman Mearan stated from his observation this was a good meeting where everything went smoothly.

With regard to a plaque honoring Philip White, that has been requested, Mr. Mearan said he purchased the plaque and it is ready to be hung at McKinley Pool, where Mr. White dedicated so much of his time.

Noting his successor, Kevin Johnson, to recently have had quadruple by-pass, Mr. Mearan reported it to have been a "rough go" for Mr. Johnson, however he has now been discharged and is recuperating. He said he met with Mr. Johnson today and found him to be "in good spirits". Mr. Mearan further stated Mr. Johnson to be looking good and the he is looking forward to a smooth transition.

The Solicitor had nothing to report and the Auditor noted his report to have been filed in the City Clerk's Office.

The meeting adjourned at 6:20 p.m. on a motion by Councilman Albrecht.

City Clerk

Acting President of Council