

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING

Monday December 23, 2013

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday December 23, 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 (Absent)
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, Assistant Prosecutor, David Beck, Auditor Trent Williams and City Clerk, Diana Ratliff.

Council dispensed with the reading of the Journal for the regular session of December 9, 2013 on a motion by Councilman Kevin W. Johnson.

Councilman Saddler's absence was excused, on a motion by Councilman Kevin W. Johnson.

There was no Public Hearing.

Councilman Kevin W. Johnson made a motion to add an item to the Agenda as Item 7-g, a resolution to prepare and submit an application to participate in the Appalachian Regional Commission grant program.

**Item to the
Agenda
to submit an
application
for ARC**

The motion carried viva voce. **VOTE: ayes 5 – nays 0**

STATEMENTS 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 the appropriation of \$30,000 from General Fund No. 101 to Fire Department Payroll/Union Line Item No. 101.223.5115 to cover potential overtime expenses for the remainder of 2013.

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

**Ord. #55-13
Fire
Department
Overtime**

There were no questions or comments. The role was called. **VOTE: 5 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **third reading**, to an Ordinance authorizing the vacation of an alley/service strip between 2925 and 2923 Brant Avenue, as requested by Jeff Keaton and more fully described in the attached legal description, with the City of Portsmouth reserving all easements to this property.

**Ord. #56-13
vacated
alley/service
strip of Jeff
Keaton**

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

Councilman Meadows questioned why the property wasn't being purchased.

Councilman Kevin W. Johnson stated that it is small in value.

Councilman Kalb stated that in the past we've given small parcels and there's never been a charge.

There were no questions or comments. The role was called. **VOTE: 5 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **third reading**, to an Ordinance authorizing the Mayor of the City of Portsmouth, Ohio to enter into a lease agreement with Notre Dame High School for the use of Spartan Stadium.

**Ord. #57-13
Notre Dame
lease of
Spartan
Stadium**

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

There were no questions or comments. The role was called. **VOTE: 5 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **first reading**, to an Ordinance authorizing the appropriation of \$19,927.54 into Engineering CIP Fund No. 301.112.5529, said funds received from ODOT as a refund for a project that came in under cost. Consent Agenda item

Ord. #58-13
 Transfer of
 appropriate
 funds to
 Engineering
 CIP

Councilman Kevin W. Johnson motion that the rules be suspended as this is a consent agenda item.

There were no questions or comments. The role was called. **VOTE: 4 ayes – 1 nay (G. Meadows), the rule was suspended.**

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

Councilman Kalb asked Auditor Williams if this money was going to be carried over for 2014, as some of the money could be used to finish the widening of Grandview Avenue.

Auditor Williams stated that he had no problem with it being carried over for 2014.

There were no questions or comments. The role was called. **VOTE: 5 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **first reading**, to an Ordinance authorizing the City Auditor to amend appropriations and make two fund transfers in order to reflect actual revenue and expenditures in order to balance and close the City's books for the fiscal year 2013. Consent Agenda item

Ord. #59-13
 Transfers to
 reflect actual
 revenue and
 expenditures
 to balance
 and close
 books.

Councilman Kevin W. Johnson motion that the rules be suspended as this is a consent agenda item.

There were no questions or comments. The role was called. **VOTE: 4 ayes – 1 nay (G. Meadows), the rule was suspended.**

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

There were no questions or comments. The role was called. **VOTE: 5 ayes – 0 nays, the Ordinance was passed.**

The clerk gave a **first reading**, to a Resolution to congratulate Miss Ali Miller for her outstanding 2013 season as Division II State Runner-Up and her entire tennis and academic career at Portsmouth High School.

Res. #21-13
 Ali Miller
 outstanding
 High School
 career

Councilman Kevin W. Johnson motioned that the Resolution be adopted.

Auditor Williams requested that City Clerk Ratliff read the resolution in full.

City Clerk Ratliff complied and read the resolution in its entirety.

There were no questions or comments. The role was called. **VOTE: 5 ayes – 0 nays, the Resolution was adopted.**

Auditor Williams presented Ms. Miller with a framed copy of the resolution.

Pictures were taken of City Council and Ms. Miller and of Auditor Williams presenting the resolution.

The clerk gave a **first reading**, to a Resolution authorizing the Mayor of the City of Portsmouth to prepare and submit an application to participate in the Appalachian Regional Commission grant program and to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance and to execute contracts as required.

Res. #22-13
 ARC
 application

Councilman Kevin W. Johnson motioned that the Resolution be adopted.

There were no questions or comments. The role was called. **VOTE: 5 ayes – 0 nays, the Resolution was adopted.**

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Scott Moore – Main Street Portsmouth Director – 2nd Street - He explained that the building grant program for 2013 had 12 applicants, 5 projects were awarded: Yost Engineering, PSKC, Kevin Miller, Susan Halcomb and Cirque D’Art. The City’s investment of \$100,000 has seen \$668,000 in exterior improvements since partnering with the City in 2010.

Sarah Surina – Executive Director Main Street Portsmouth – 2nd Street – She stated that they had major success with an event called “Small Business Saturday” that was held in Portsmouth recently. She said that some business owners said the following: “It was the best day in sales” and “It was good to see people walking down the streets”. She added that she gets to know these business owners and their needs and small business day seemed like the appropriate thing to do and it was good that people showed pride in their community.

MISCELLANEOUS BUSINESS AND REPORTS:

City Clerk’s Report – City Clerk Ratliff reported the following.

1. Received from the Auditor via e-mail on December 10, 2013, the following Combined MTD/YTD reports for the period ending November 30, 2013:

Expense Report, Revenue Report, Fund Report, Bank Report and Appropriation Transfer from transaction listing report.

2. Received Liquor License stock transaction on Badal II Corp LLC dba Quick Stop South End Only and Drive up window at 1202 Gay Street Portsmouth, Ohio
3. Received an Oath of Office for Scott Osborne as Temporary Lieutenant.
4. She stated that it had been a pleasure working with Mayor Malone and she wished him much success in his future endeavors and expressed that he will be missed.

The City 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 the following:

1. He handed out replacement pages for the 2014 budget and also included a summary of the 2014 charge offs.
2. He rescinded the previous announcement regarding the deletion of spousal eligibility because of the collective bargaining agreement.
3. Encouraged the City to continue working with Main Street Portsmouth.
4. Portsmouth City Employee Health Clinic will begin on January 2, 2014.
5. He gave his last Mayor’s report and said that it has been a pleasure serving the City of Portsmouth and thanked all who had supported him over the years, especially the Department Heads. He stated that he had inherited a government that was in a major deficit and he’s proud to announce that at the end of this year the City will have a positive balance and that he’s leaving it in better condition and wished the City Manager and City Council good luck in the coming year.

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

President’s Report – President Sturgill thanked the Mayor for his support to the community and he wished him well. He also stated that he, Councilman Kevin W. Johnson and Auditor Williams had a chance to meet with Senator Uecker along with the New Boston City Council and it was a positive meeting and he hopes to continue the relationship with New Boston in the future.

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

MISCELLANEOUS BUSINESS FROM CITY COUNCIL

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

1. He is delighted that Yost Engineering will be taking on the Daehler Building on 2nd Street.
2. He stated that the next meeting of the Economic Development and Sustainability meeting will be January 8, 2014 at 6:00 at the Holiday Inn and Auditor Trent Williams will be the speaker. They also will be discussing the City's Comprehensive plans for the next 5-10 years and the impact the Portsmouth By-Pass will have on the City's Businesses.
3. He presented a certificate to Mayor Malone to give to his wife Tanya Malone.

2nd Ward – Councilman Saddler was absent and no report was given.

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

1. He re-appointed Ron McCain to the Cultural Affairs Committee.
2. He stated that the next meeting of the Personnel & Performance Committee will be on January 15, 2014 at 5:00 p.m. in the Engineering Department.
3. He wished the Mayor well and told him that anytime you leave something better than you found it, is a good thing.
4. He wished everyone a Merry Christmas and a Happy New Year.

4th Ward – Councilman Kalb re-appointed Allison Kalb to the Cultural Affairs Committee.

5th Ward – Councilman Meadows re-appointed Regina Chabot to the Cultural Affairs Committee and thanked the City Clerk for her help.

6th Ward – Councilman Sturgill had no report.

City Solicitor – Solicitor Haas was absent and no report was given.

City Auditor – Auditor Williams stated that he was glad that Ali Miller could bring her family and friends for this honor. He said that her Mother had stated that Tennis was a lonely sport and he added that Ali was unmatched throughout the State of Ohio and he thanked Council for their support. He also told Mayor Malone that it had been a great opportunity to work with him and 2014 will begin at \$250,000 to the good and that he was definitely leaving it in better shape than when he took office. He wished everyone a Merry Christmas.

The meeting adjourned at approximately 7:35 p.m. on a motion by Councilman Kalb.

City Clerk

President of Council