

**MINUTES – REGULAR SESSION**

**PORTSMOUTH CITY COUNCIL MEETING**  
 Monday March 10, 2014  
6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday March 10, 2014 at 6:00 p.m., in the Council Chambers of the Municipal Building.

Mayor 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 (Vice Mayor)	1 <sup>st</sup> Ward
Rich Saddler	2 <sup>nd</sup> Ward
Kevin E. Johnson	3 <sup>rd</sup> Ward
Jim Kalb	4 <sup>th</sup> Ward
Gene Meadows	5 <sup>th</sup> Ward
Steve Sturgill (Mayor)	6 <sup>th</sup> Ward

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

Council dispensed with the reading of the Journal for the regular session of February 24, 2014 on a motion by Vice Mayor Johnson.

There was no Public Hearing.

**STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS ON THE AGENDA**

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

**LEGISLATION**

The clerk gave a **third reading**, to an Ordinance authorizing the City Manager of the City of Portsmouth, Ohio to approve Adopt-A-Park applications of groups requesting to adopt one of the City's twelve parks and accept responsibility for providing services as identified in the application.

**Ord. #8-14**  
**Approval of**  
**Adopt A**  
**Park**  
**program**

Vice Mayor Johnson motioned that the Ordinance be passed.

Vice Mayor Johnson commended Councilman Saddler and his committee on their hard work.

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

The clerk gave a **first reading**, to an Ordinance authorizing approval of the preliminary legislation submitted by the Ohio Department of Transportation (ODOT) proposing to resurface a portion of US 52 within the corporation limits of the City.

Vice Mayor Johnson moved that this constitute a first reading.

Councilman Saddler stated that he would be abstaining from the conversation and vote.

Vice Mayor Johnson asked Manager Allen when the project would begin.

Manager Allen stated it would be the summer of 2016.

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

The clerk gave a **first reading** to an Ordinance to amend the Zoning Map of the City of Portsmouth, Ohio, by rezoning all of Parcel Number 32-2608.000 being approximately 1.82 acres at the corner of Harding and Buckley Avenue in Sciotoville from its current zoning of Residence "B" District to Business "A" District. This property is more particularly described in the description attached hereto as Exhibit A. Consent Agenda

**Ord. #9-14**  
**Rezoning in**  
**Sciotoville**  
**from**  
**Residential**  
**to Business**

Vice Mayor Johnson stated that Bob Gage of GBT Realty was there to speak about the development and would do so later in the meeting and he also motioned for the three reading rules to be suspended.

The role was called. **VOTE: 4 ayes – 2 nay (K. E. Johnson, G. Meadows), the rule was suspended.**

Vice Mayor Johnson motioned that the Ordinance be passed.

Councilman Meadows stated that he's all in favor of new businesses and growth coming to the city however, he has a problem with items being an emergency and felt that the rules needed to be followed. He added that it's difficult for him to vote yes to something when he knows nothing of the details.

Vice Mayor Johnson asked Mayor Sturgill if Council could allow Mr. Gage to speak to Council regarding the development and the emergency situation.

Mr. Gage stated that they had started the project in January and that the company's normal procedure was to have the property rezoned prior to paying \$450,000 for engineer drawings without knowing if the site can be rezoned. They have approximately 3 months before they have to start construction.

Councilman Meadows asked if there was still time that this could go through the 3 reading rule as he is against bending the rules and going around the procedure. He added that if Mr. Gage had presented the project at the last meeting this could have been avoided and been a much simpler issue. He thanked Mr. Gage for coming and explaining the project.

Mr. Gage stated that it wasn't a deal breaker for them and that they prefer to have the certainty at the beginning prior to spending money on engineer drawings and he hopes that Council can appreciate that as they've skipped over the rezoning process on past projects and spent \$30,000-\$40,000 for Engineer drawings and then the property didn't get rezoned and the money is gone. He concluded that his company was looking to spend \$850,000-\$900,000 and would like the certainty before continuing the project.

City Manager Allen stated that the City delayed this unintentionally as there was a question of whether it was to go before the City Planning Commission or to the Zoning Board of Appeals and to be safe, the City had a secondary meeting a month later and issued public notice to all of the adjacent land owners for public comment and there were none received. He concluded that GBT Realty had come to the City in January to present the project and the City was responsible for at least 30 days of the delay.

Councilman Kevin E. Johnson and Councilman Meadows both stated that they were not against the project but objected to the waiving of the 3 reading rule. Councilman Meadows asked that all future projects be put on notice that they will need to go through Council's proper procedure of the 3 reading rule.

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

#### **STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA**

There was no one present who 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. Received the Oath of Office for the following:  
Regina Chabot - Cultural Affairs Panel  
Louis Boerger – Sanitarian in Training  
Taylor Culbertson – Police Officer
2. Received from Lee Scott a copy of the plans for the Columbia Theatre.

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

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

1. At the time the report was done he did not have the figures for the Wastewater Department.
2. The Police Officers are now taking their cruisers home and he provided the following reasons for his decision:
  - a. There have been 3 significant robberies in the area and he wants better Police presence around town.
  - b. The cruisers are not protected at the Service Garage where they were being parked.
  - c. Prior to his taking office, there was a situation with a gunman and off duty Police Officers had to respond in their personal vehicles.
  - d. If you have an officer that lives in Wheelersburg and there's a situation in Sciotoville, this eliminates that officer from driving past the situation and coming to the Service Department to get a cruiser only to turn around and go back to Sciotoville. He would have the cruiser with him and respond immediately.
  - e. Eliminates the down time between shift changes.

The City Manager's report was received, filed and made part of the record, on a motion by Vice Mayor Johnson.

**Mayor's Report** – Mayor had no report.

**MISCELLANEOUS BUSINESS FROM CITY COUNCIL**

**1<sup>st</sup> Ward** - Vice Mayor Johnson reported that the Economic Development and Sustainability Committee will be meeting on Wednesday, March 12, 2014 at 6:00 at the Holiday Inn. They will be discussing a long term plan for the City.

**2<sup>nd</sup> Ward** – Councilman Saddler reported the following:

1. He thanked the City Manager, Bill Beaumont and Sam Sutherland for some issues they took care of in the 2<sup>nd</sup> Ward.
2. Parks & Recreation Committee will be meeting Tuesday, March 11, 2014 at 6:00 at Post 23 American Legion. They will be finalizing the preparations for the Flea Market.
3. He apologized for being emotional at the last meeting, but he feels strongly that we were being pushed around regarding the Rumpke situation and still feels that way and he hopes that we can accomplish the issue on our own with our own employees.

**3<sup>rd</sup> Ward** – Councilman Kevin E. Johnson reported the following:

1. Personnel & Performance Committee meeting will be on Wednesday, March 19, 2014 at 5:00 in the Engineers office.
2. He congratulated the local schools that made it to the basketball tournament and stated that we had quite a few from our area and congratulated the PHS Trojans as the District Runner Ups.
3. He acknowledged and thanked the City for getting the garbage pickup back on schedule.

**4<sup>th</sup> Ward** – Councilman Kalb had no report.

**5<sup>th</sup> Ward** – Councilman Meadows reported the following:

1. The Legal, Legislative & Safety Committee will be meeting on Thursday March 20, 2014 at 5:30 in Council Chambers.
2. He noticed the Police Cruisers on Coles Boulevard.
3. He reviewed a report that was aired on WLWT out of Cincinnati. The Study was done on cities in Ohio with populations over 10,000 and Portsmouth was not evaluated too well in this study.

**6<sup>th</sup> Ward** – Councilman Sturgill had no report.

**City Solicitor** – Solicitor Haas congratulated the PHS Trojans on their fine season and tough loss.

**City Auditor** – Auditor Williams had no report.

The meeting adjourned at approximately 7:00 p.m. on a motion by Vice Mayor Johnson.

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City Clerk

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Mayor