

MINUTES – REGULAR SESSION

PORTSMOUTH CITY COUNCIL MEETING

Monday June 22, 2015

6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday June 22, 2015 at 6:02 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 Manager Derek Allen, 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 June 8, 2015 on a motion by Councilman Kevin E. Johnson.

Public Hearing – Tax Budget 2016

There was no one present who wished to address Council on the Public Hearing. Acting Mayor Kalb closed the hearing since there were no comments.

**Public
Hearing for
Tax Budget
2016**

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 amending Chapter 131 and Sections 131.01 and 131.02 of the Codified Ordinances of the City of Portsmouth, Ohio – Mayor.

**Ord. 36-15
Amend
Chapter 131
Sections
131.01 &
131.02 Mayor**

Councilman Kevin E. Johnson moved that this Ordinance be passed.

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

The clerk gave a **third reading**, to an Ordinance amending Chapter 139 and Sections 139.01, 139.02, and 139.03 of the Codified Ordinances of the City of Portsmouth, Ohio – Department of Fire.

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

Councilman Kevin W. Johnson motioned to amend Section 1. There was a typo with the wording instead of Department of Police it should read Department of Fire.

**Ord 37-15
Amend
Chapter
139.01 and
139.02 Fire**

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

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

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

The clerk gave a **third reading**, to an Ordinance amending Section 153.02 of the Codified Ordinances of the City of Portsmouth, Ohio – Miscellaneous Fees.

**Ord. 38-15
Amend
Section
153.02
Miscellaneous
Fees**

Councilman Kevin E. Johnson moved that this Ordinance be passed.

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

The clerk gave a **third reading**, to an Ordinance repealing Chapter 161 of the Codified Ordinances of the City of Portsmouth, Ohio –Citizens Council on Human Relations.

Councilman Kevin E. Johnson moved that this Ordinance be passed.

There were no questions or comments. The role was called. **VOTE: 5 ayes – 1 nays (K. W. Johnson), the Ordinance was passed.**

The clerk gave a **third reading**, to an Ordinance authorizing the City Manager to advertise for bids and to execute a deed for the transfer to the person or entity submitting the best bid over the minimum appraised value of \$50,000 certain surplus City real estate located at 720 and 722 Sixth Street, Portsmouth, Scioto County, Ohio, as described in the attached legal description.

Councilman Kevin W. Johnson moved that this Ordinance be passed.

There were no questions or comments. The role was called. **VOTE: 4 ayes – 2 nays (K. E. Johnson, J. Kalb), a second reading was declared.**

The clerk gave a **second reading**, to an Ordinance amending Section 169.02 of the Codified Ordinances of the City of Portsmouth, Ohio – Vacations.

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 169.03 of the Codified Ordinances of the City of Portsmouth, Ohio – Sick Leave.

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 169.07- Legal Holidays; Rates of Pay 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 169.08 - Appointments 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 repealing Section 169.09 – Increase and Reduction of Pay 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 authorizing the amendment of Section 47 of the City Charter and Section 181 of the Codified Ordinances of the City of Portsmouth, Ohio to reflect the election results of May 5, 2015 that increased the city income tax from 2.0% to 2.5% as outlined in Ordinance No. 3 of 2015.

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 appropriation of funds in the amount of \$522,250 for the construction of the Water Plant Rapid Mix project.

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

Ord. 39-15
Repeal
Chapter 161
Citizens
Council
Human
Relations

Ord. 40-15
Babcock
Building 720
and 722
Sixth Street

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 repealing Section 169.11 – Temporary Employment of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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 amending Section 169.13 - Mileage of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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 amending Section 169.15 – Bonds of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Councilman Kevin W. Johnson motioned to amend the legislation by reducing the bond amount from \$200,000 to \$100,000 at the request of the City Auditor. Auditor Williams stated that this reduced amount was based on what other cities have in place and it had become more difficult to obtain the higher amount of bond and additionally the city had another \$100,000 that was already in place under the blanket policy which is required by Charter. Councilman Kevin W. Johnson stated that the laws have changed since the bonds were required. Solicitor Haas stated that the Ohio Revised Code mandated that the city is required to do what is outlined in the Ordinances.

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

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

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 repealing Section 169.16 – Suspension of Fringe Benefits for Part-Time Employees, Substitute Fire-Fighters, Suspended Employees and Those on Extended Leave of Absence of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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 amending Section 169.19 – Manual of Personnel Rules and Regulations of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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 a Resolution to adopt a new City Seal for the City of Portsmouth, Ohio, as depicted in the attached Exhibit A.

**Res. #10-15
New City Seal**

Councilman Kevin E. Johnson motioned that this Resolution be adopted.

Councilman Kleha asked when the last time was that we had a new seal. Councilman Saddler stated this was the first change and requested that the colors of red and blue be brighter and Mr. Vermillion (one of the designers of the seal) stated that the new seal will have the brighter colors. Councilman Kevin E. Johnson spoke on behalf of all of City Council and commended the people that have been working on the new City Seal and appreciated all the hard work. (Applause)

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

STATEMENTS OR REMARKS FROM CITIZENS ON ITEMS NOT ON THE AGENDA

Regina Chabot – 3037 North Hill Road – The Bicentennial Committee responded to the request regarding a new City Flag, she presented Council with a copy of the proposed flag.

MISCELLANEOUS BUSINESS AND REPORTS:

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

1. She received from the Auditor via e-mail on June 15, 2015, the following Combined MTD/YTD reports for the period ending May 31, 2015: Expense, Revenue, Fund and Appropriations.
2. She received the Codified Ordinance Replacement Pages and the invoice for the updates.
3. She received a brochure reminding of the upcoming Bannon Park Classic full court double elimination outdoor basketball tournament that will be held on July 3rd through July 5th in Bannon Park.
4. She received from the Ohio Division of Liquor Control a request for a Hearing regarding a new permit application for the Dollar General Store located at 6135 Harding Avenue, Sciotoville, Ohio. The hearing will be held on July 6, 2015 at 10:30 a.m. at the Scioto County Department of Jobs and Family Services.
5. She thanked the Bicentennial Committee for all their hard work in putting together the new city seal.

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 – Manager Allen reported the following:

1. His written report can be found on the City's website.
2. He attended a Peter Kageyama session, he was a speaker who speaks about cities and the love of cities. He also attended a SOPA Board meeting and attended the Sunshine Law training in Cincinnati. He advised that all department heads and office staff would receive the training within the next year.
3. He reminded Council of the contract with ODOT for resurfacing State Route 139 which the City's portion was \$31,000 and that bumped up the resurfacing budget to \$260,000
4. The pavement striping will be done on Gay Street, Offnere Street and Gallia Street in Sciotoville and there will be some other smaller areas that will be striped.
5. The Fire Department installed storz fittings on the fire hydrants in the downtown district. This will make it easier to put the hose on the hydrant should there be a fire.
6. There will be some changes in the Utility Billing office, as the Supervisor will be retiring in July. He also will be bringing to Council some other recommendations for that office.
7. He advised Council that there are groundhog problems on the floodwall and the city is working with the Army Corp of Engineers to help with a solution.
8. The floodwall certification was sent to FEMA and only one item was left open which was the sinkhole at the #2 Pump Station. Director Duncan was getting estimates on that repair and checking with ODOT for the possibility of assistance in paying for the repairs.
9. The sewers in North Moreland that are 18 inches in diameter or less are being cleaned and televised.
10. The Service Department was working on weeds on U.S. 52. They have disconnected electric service to the stage on the Riverfront in case of high water. The Branch Rickey work has been completed and was done in time for the Gene Bennett tournament. They also checked the football stadium lights while they were there to make sure they were in good working order. The street sweeper was being repaired after it encountered \$3,000 worth of work to get it functioning correctly. A review of the fleet will be conducted to see which trucks will have plows and salt spreaders attached.
11. Two part time dispatchers were hired. Names are being processed in the Police Department for new hires. Chief Ware spoke regarding additional training for Police Officers that was being proposed as mandatory by the State to be paid for by the remaining local government funding, if the State budget passes. He anticipates that the standards for law enforcement would go up and some of the training would be paid for by the State. Councilman Kevin W. Johnson stated that we need to be prepared if it passes and include this in our budget.

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

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. Prior to Council meeting he had passed around copies of the Sunshine Law Training Agenda and a disc for Council to review and advised that he had attended the records training.
2. He distributed a cash position report to Council and reviewed the numbers.
 - a. This year we are down \$76,000 between the General Fund and Capital Improvement Fund compared to this time last year.
 - b. General Fund - \$778,000, Streets -\$8,000, Water \$400,000, Sewer-\$339,000, Sanitation \$346,000, Insurance -\$143,000.
3. He attended the Gene Bennett baseball tournament and advised that the coaches and tournament director were very appreciative of all the improvements made at Branch Rickey.

The City 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 reported that he had witnessed a vehicle going the wrong way south on Gay Street at a very high speed, fortunately there was no traffic going north at that time. He suggested “Wrong Way” signs that make the driver aware that they are going the wrong way.

2nd Ward – Councilman Saddler reported the following:

1. He thanked the Bicentennial Committee for bringing forward suggestions for the City Flag and suggested adopting particular colors for the City of Portsmouth such as Ashland, Ky had done.
2. He thanked the City Manager and the Service Department for installing the swing set seats in all the Parks and he's had many emails thanking him for raising the money to purchase the seats and he thanked them for providing trash cans for their Movie Night at Mound Park.

3rd Ward – Councilman Kevin E. Johnson reported that he had some residential complaints that he had passed onto the City Manager.

4th Ward – Councilman Kalb had no report.

5th Ward – Councilman Meadows reported that he had concerns regarding the time frame on the Utility Billing and commented that it was a short time window from the time it was received to the time it was due and if you're out of town it would be easy to miss that window of time to pay.

6th Ward – Councilman Kleha reported

The meeting adjourned at approximately 6:45 p.m. on a motion by Councilman Kevin W. Johnson.

City Clerk

Acting Mayor