

**MINUTES – REGULAR SESSION**

**PORTSMOUTH CITY COUNCIL MEETING**  
 Monday September 26, 2016  
 6:00 P.M.

The City Council of the City of Portsmouth, Ohio met in regular session on Monday September 26, 2016 at 6:00 p.m., in the Council Chambers of the Municipal Building.

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 <sup>st</sup> Ward
Jo Ann Aeh	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
Thomas K. Lowe	6 <sup>th</sup> Ward

Also present was City Solicitor John Haas, Auditor M. Trent Williams and City Clerk Diana Ratliff.

Council dispensed with the reading of the Journal for the regular session of September 12, 2016 on a motion by Councilman Kevin E. Johnson. The motion carried viva voce: **VOTE: ayes 6 – nays 0.**

There was no public hearing.

**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 Section 125.03(d) - Procedures to Determine the Lowest and Best Bid for Construction of Public Improvements of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #86-16**  
**Amending**  
**Section**  
**125.03 (d)**  
**Procedures**  
**for lowest**  
**and best bid**

The clerk gave a **third reading**, to an Ordinance amending Section 705.02 - Application and Issuance of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #87-16**  
**Amending**  
**Section**  
**705.02**  
**Application**  
**and Issuance**

The clerk gave a **third reading**, to an Ordinance amending Section 705.05 - Transferability of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #88-16**  
**Amending**  
**Section 705.05**  
**Transferability**

The clerk gave a **third reading**, to an Ordinance amending Section 705.09 - Renewal to Persons Discharged from Armed Services of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #89-16**  
**Amending**  
**Section**  
**705.09**  
**Renewal to**  
**persons**  
**discharged**  
**from Armed**  
**Services**

The clerk gave a **third reading**, to an Ordinance amending Section 705.10 - Revocation of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #90-16  
Amending  
Section 705.10  
Revocation**

The clerk gave a **third reading**, to an Ordinance amending Section 705.11- Billiards and Pool of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Councilman Kevin E. Johnson explained for the benefit of those in attendance, that Council was cleaning up the old ordinances that have been on the books for many years.

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

**Ord. #91-16  
Repealing  
Section 705.11  
Billiards and  
Pool**

The clerk gave a **third reading**, to an Ordinance repealing Section 705.13- Roller Skating of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #92-16  
Repealing  
Section 705.13  
Roller Skating**

The clerk gave a **third reading**, to an Ordinance repealing Section 705.14- Bowling Alleys of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #93-16  
Repealing  
Section 705.14  
Bowling  
Alleys**

The clerk gave a **third reading**, to an Ordinance repealing Section 705.15- Shooting Galleries of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #94-16  
Repealing  
Section 705.15  
Shooting  
Galleries**

The clerk gave a **third reading**, to an Ordinance repealing Section 705.16- Dance Halls of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #95-16  
Repealing  
Section  
705.16 Dance  
Halls**

The clerk gave a **third reading**, to an Ordinance repealing Section 705.17- Night Clubs of the Codified Ordinances of the City of Portsmouth, Ohio.

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

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

**Ord. #96-16  
Repealing  
Section 705.17  
Night Clubs**

The clerk gave a **third reading**, to an Ordinance repealing Section 705.18- Itinerant Street Musicians of the Codified Ordinances of the City of Portsmouth, Ohio.

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

**Ord. #97-16  
Repealing  
section 705.18  
Itinerant  
Street  
Musicians**

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 705.19 - Pushcarts for Collecting Junk of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilman Kevin E. Johnson motioned that the 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 Section 705.20 - Household Movers; Fee; Records and Reports of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilman Kevin E. Johnson motioned that the 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 **second reading**, to an Ordinance amending Section 705.22 – Second-Hand Automobile Dealers of the Codified Ordinances of the City of Portsmouth, Ohio.

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

Councilman Kevin W. Johnson stated that for the purpose of the audience he explained that many of the ordinances were being amended to change the wording from Mayor to City Manager.

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 705.25 – Peddlers of Goods Carried by Hand 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 705.26 - Peddlers of Goods Carried in Vehicles of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the three reading rule in the interest of efficiency and in accordance with Section 10 of the Charter. She explained that the ordinance doesn't affect the public, it eliminated a charge and she doesn't believe anyone would object.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

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

Councilman Kevin W. Johnson agreed that there were a number of these ordinances in which the only thing changing was the wording from Mayor to City Manager. Councilwoman Aeh stated in the history that she had with the city, the only time that they ever went in to double digits was when there wasn't a quorum and had to carry over an agenda to the next meeting. She said that the Solicitor has said that on some of these, they were unconstitutional and it would be unnecessary to give it three readings and in others it was changing Mayor to City Manager which would be in conflict with the Charter if it weren't changed. She said that if there was an ordinance that would cost the public more money or change a time, it should have three readings, but these don't require three readings. Councilman Kevin E. Johnson said he was the lone "no" vote, he explained that he believed in transparency and understood that it was a "no brainer" but felt that they owed it to the citizens to go three readings. Councilman Meadows said that he generally voted "no" on waiving the readings, but he agreed with Councilwoman Aeh that it was a matter of expediency and most of these, there was no argument.

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

**Ord. #98-16  
Amending  
Section 705.19  
Pushcarts for  
Collecting  
Junk**

**Ord. #99-16  
Repealing  
Section 705.20  
Household  
Movers, Fees,  
Records and  
Reports**

**Ord. #100-16  
Repealing  
Section 705.26  
Peddlers of  
Goods carried  
in Vehicles**

The clerk gave a **second reading**, to an Ordinance repealing Section 705.27- Peddler's Licenses; Reduced Fees in Certain Cases of the Codified Ordinances of the City of Portsmouth, Ohio.

**Ord. #101-16  
Repealing  
Section 705.27  
Peddlers  
License  
Reduced fees  
in certain  
cases**

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **second reading**, to an Ordinance repealing Section 705.28- Restrictions on Hucksters and Peddlers of the Codified Ordinances of the City of Portsmouth, Ohio.

**Ord. #102-16  
Repealing  
Section 705.28  
Restrictions  
on Hucksters  
and Peddlers**

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

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

Councilman Lowe asked if Council could bundle the rest of these together and the reply was that the Charter doesn't allow for that and they must be read one at a time.

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

The clerk gave a **second reading**, to an Ordinance amending Section 705.29 – Street Vendors 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 705.31 – Itinerant Vendors; License; Fee of the Codified Ordinances of the City of Portsmouth, Ohio.

**Ord. #103-16  
Amending  
Section 705.31  
Itinerant  
Vendors,  
License and  
Fees**

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **second reading**, to an Ordinance amending Section 705.33 – Open Markets 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 709.02 – Posting Prohibited in Certain Cases of the Codified Ordinances of the City of Portsmouth, Ohio.

**Ord. #104-16  
Amended  
Section 709.02  
Posting  
Prohibited in  
Certain Cases**

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **second reading**, to an Ordinance repealing Section 709.14 –Scattering Billboard Offal of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 6 ayes – 0 nays, the rules were suspended.**

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

Councilman Kevin W. Johnson asked the audience (college kids) if they knew what “offal” was and received no answer, Councilman Meadows explained that the definition was “entrails” meaning intestines and in discussing the meaning, and the only logical explanation was the waste removed from billboards when they stripped the old sign off and put the new sign up.

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

The clerk gave a **second reading**, to an Ordinance amending Section 709.15 – Marking, Posting on City Property of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **second reading**, to an Ordinance repealing Chapter 711 – Ambulances and Transport Vehicles of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **second reading**, to an Ordinance repealing Chapter 733 – Fortunetelling of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **second reading**, to an Ordinance amending Section 735.03 – Hours; Sunday Sales Prohibited 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.**

Ord. #105-16  
Repealing  
Section 709.14  
Scattering  
Billboard  
Offal

Ord. #106-16  
Amending  
Section 709.15  
Marking,  
posting on city  
property

Ord. #107-16  
Repealing  
Chapter 711  
Ambulances  
and Transport  
Vehicles

Ord. #108-16  
Repealing  
Chapter 733  
Fortunetelling

The clerk gave a **second reading**, to an Ordinance amending Section 735.07 – License Required; Fee 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 **first reading**, to an Ordinance amending Section 737.03 – Issuance of License; Fee; Term; Renewal 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 737.05 – Interpretation of Chapter; Revocation of Licenses of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance repealing Chapter 741 – Mechanical of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance repealing Section 709.08 - Identification of Printer and Distributor on Handbill of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 4 ayes–2 nays (K. E. Johnson, T. Lowe), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance repealing Section 709.09 – Distributors; License and Fee of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

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

Councilman Kevin E. Johnson asked Solicitor Haas if this was the only one that he had found to be unconstitutional? Solicitor Haas said there were others.

Ord. #109-16  
 Amending  
 Section  
 737.05,  
 interpretation  
 of Chapter,  
 Revocation of  
 Licenses

Ord. #110-16  
 Repealing  
 Chapter 741  
 Mechanical

Ord. #111-16  
 Repealing  
 Section  
 709.08,  
 Identification  
 of Printer and  
 Distributor on  
 Handbill

Ord. #112-16  
 Repealing  
 Section  
 709.09,  
 Distributors,  
 License and  
 Fee

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 repealing Chapter 729 –Distress Merchandise Sales of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

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

**Ord. #113-16  
Repealing  
Chapter 729,  
Distress  
Merchandise  
Sales**

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

Councilman Meadows explained his “no” vote for suspension of the reading rules as there was a recent controversial issue and felt more comfortable if the public had a chance to respond, however had no problem voting to repeal it. Solicitor Haas spoke but it was not audible.

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 amending Section 745.02 – Identification of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates and changing “Mayor” to “City Manager” which should have been done three years ago.

**Ord. #114-16  
Amended  
Section 745.02  
Identification**

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance amending Section 745.03 – Condition and Equipment of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates, changed “Mayor” to “City Manager”.

**Ord. #115-16  
Amended  
Section  
745.03,  
Condition and  
Equipment**

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance amending Section 745.04 – Inspection of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates, changed “Mayor” to “City Manager”.

**Ord. #116-16  
Amended  
Section  
745.04,  
Inspection**

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance repealing Section 745.08 – Schedule of Rates of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**Ord. #117-16  
Repealed  
Section  
745.08,  
Schedule of  
Rates**

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance repealing Section 745.12 – Taxicab Stands of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance repealing Section 745.13 – Taxicab Stations of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance amending Section 745.19 –Application of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates, changed from one department to another department.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

Councilman Kevin W. Johnson motioned that the 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 **first reading**, to an Ordinance amending Section 745.20 – Issuance or Bond 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 745.21 – Issuance of License; Records of the Codified Ordinances of the City of Portsmouth, Ohio.

Councilwoman Aeh moved to suspend the rule requiring an Ordinance be read on three separate dates.

**The role was called. VOTE: 5 ayes – 1 nays (K. E. Johnson), the rules were suspended.**

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

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

Ord. #118-16  
Repealed  
Section 745.12,  
Taxicab Stands

Ord. #119-16  
Repealed  
Section 745.13  
Taxicab  
Stations

Ord. #120-16  
Amended  
Section  
745.19,  
Application

Ord. #121-16  
Amended  
Section 745.21  
Issuance of  
License,  
Records

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 perform maintenance work to the substructure on bridge SCI 52 24.96 (SFN 7301561) within the corporation limits of the City.

**Ord. #122-16  
Approval for  
ODOT to  
perform  
maintenance  
work on the  
Sciotoville  
bridge**

Councilman Kevin W. Johnson moved to waive the three reading rule.

**The role was called. VOTE: 6 ayes – 0 nays, the rules were suspended.**

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

Councilman Kevin E. Johnson said he voted “yes” to suspend the rules because this was a perfect example of where it was needed. Councilwoman Aeh said she had check with Clerk Ratliff to see if there was a date, but the only date was for the work to begin in 2017.

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 a Resolution accepting the amounts and rates as determined by the Budget Commission of Scioto County, Ohio, authorizing the necessary tax levies, and certifying the same to the Auditor of said County.

**Res. #15-16  
Amounts &  
Rates set by  
Budget  
Commission of  
Scioto County**

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

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

The clerk gave a **first reading**, to a Resolution authorizing the City of Portsmouth to prepare and submit an application to participate in the Ohio Public Works Commission state capital improvement and / or local transportation improvement program(s) and to execute contracts as required.

**Res. #16-16  
Prepare and  
submit  
application for  
OPWC**

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

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**

There was no one present that wished to address Council on items not on the agenda.

**MISCELLANEOUS BUSINESS AND REPORTS:**

**City Clerk’s Report** – City Clerk Ratliff had no report,

**City Manager’s Report** – City Manager Allen had no report do to absence, his written report can be found on the city’s website.

**Mayor’s Report** – Mayor Kalb wished the City Clerk a Happy Birthday.

**City Solicitor** – Solicitor Haas reported the following:

1. He thanked Council for waiving the rules and bringing the agenda down from 47 items to 8 items.
2. He said there were two items that he would like included on the agenda at the next meeting. The first one was an alley behind Speedway at Gallia and Kendall Streets as they want to expand and build a new building. They own the property on the other side of the alley behind them, but the alley was never formally accepted by the City of Portsmouth even though it had been maintained by the City and been used as an alley for years. In order to proceed vacating the alley so that Speedway could expand, the City must first accept the alley. Once the City accepted the alley, a conversation about vacating the alley could begin. They must first go to the City Planning Commission and if the Commission recommended to vacate the alley, then it would come to Council. The second item he believed was given to his office by Mr. Allen regarding Bike Routes and supporting Ohio Department of Transportation to proceed with the proposed bike route. Councilwoman Aeh asked if the rules could be suspended on the alleyway to expedite the process of accepting it into the City of Portsmouth. Solicitor Haas said “yes” on accepting the alley but “no” on vacating it. The problem lies with getting a clear title to the property and in order to do that, the City must first accept the alley and then propose to vacate.

The City 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 reported the following:

1. He said that he had a routine matter to be added on the Council Agenda for the next meeting. He requested to prepare legislation for the solicitation of bank depositories or city funds for the next five years which was required by the ORC to be done every five years. He explained that it was offered to all local banks and welcomed all of the banks within the City of Portsmouth to be designated as a Public Depository for the City of Portsmouth. Councilman Kevin E. Johnson asked Solicitor Haas if it was alright to accept the proposed legislation in this manner as opposed to going onto the City Manager's agenda. Solicitor Haas responded that years ago, items were showing up on the Council Agenda that had not been on the Manager's/Mayor's Agenda and his predecessor Solicitor Mike Jones determined that everything had to go through the City Manager's/Mayor's Conference Agenda before it went onto Council's agenda as a first reading. There were items on the Council agenda as a first reading that City Council had never discussed and that needed work. He said that Council had been made aware of these items through the reports and that was acceptable.

The City 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**

**1<sup>st</sup> Ward** – Councilman Kevin W. Johnson reported the following:

1. He wished the Clerk a Happy Birthday.
2. He had mentioned to the City Manager about an item missing from his reports regarding the Police Impound and asked him to begin including that in his report.

**2<sup>nd</sup> Ward** – Councilwoman Aeh had reported the following:

1. She received a telephone call about a pothole that exists in the alley behind P.I.D.C., it's a north/south alley and it was deep enough that the bumpers on newer cars were being impacted. She said it was reported to the Service Department.
2. She wished the Clerk a Happy Birthday.

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

1. He wished the Clerk a Happy Birthday who also shares a birthday with his son Kalan who turned "4" today.

**4<sup>th</sup> Ward** – Councilman Kalb reported the following:

1. He wished Mr. Johnson's son a happy birthday as well as the Clerk.
2. He said that all of the outside lights at Mound Park had been broken out of the shelter house, part of a tree was torn down, and they took a hammer to the lights over the door and the electric meter.

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

1. He said along with everyone else, he wished the Clerk a happy birthday.
2. He had reported a couple of times during Council meetings, a couple of issues within his ward which had not been addressed. He received a disturbing call from the lady on Daniels Drive that nothing had been done and she hadn't heard from anyone. He said that he would try to email the City Manager as everyone had suggested to see if that helped and if not he would come back to Council seeking a directive for the City Manager to handle these issues.
3. He brought up again about the signage for the Truck Routes and hadn't received any type of correspondence as to why it hadn't been done.

**6<sup>th</sup> Ward** – Councilman Lowe reported the following:

1. He received complaints about high weeds within the 5<sup>th</sup> Ward and he wasn't sure exactly where it was other than it was on Dorman Drive between the City limit and the County (along Pleasant Avenue)
2. Happy Birthday to Miss Diana.
3. He congratulated the East Tartans on their undefeated season and ranked #1.
4. He wanted everyone to know that he took his job very seriously and he received an email about possibly cutting some trees in the 6<sup>th</sup> Ward and he wanted to let Solicitor Haas know that he followed the rules by the book and he had some information on who did possibly cut the trees in the 6<sup>th</sup> Ward and would pass it along. He would not do anything to embarrass his constituents or City Council.

The meeting adjourned at approximately 7:05 p.m. on a motion by Councilman Kevin E. Johnson.