

March 1, 2011

The Gallipolis City Commission met in regular session on Tuesday, March 1, 2011, at 7:00 p.m. in the Gallipolis Municipal Courtroom on Olive Street, having complied with Section 9 of the City Charter.

Commission President James Cozza called the meeting to order and gave the invocation.

Upon roll call, the following members were present:

James A. Cozza, President  
 James Jay Cremeens, Vice-President  
 Lori F. Bailey, Member  
 W. Matthew Johnson, Member  
 Steven E. Wallis, Member

Others attending were:

Randall J. Finney, City Manager  
 Adam R. Salisbury, City Solicitor  
 Annette M. Landers, City Auditor/Clerk/Treasurer  
 Amber Gillenwater, Gallipolis Daily Tribune  
 Ronnie Lynch                      Tony Gallagher                      Clint Patterson  
 Marvin Vanderberg                Dottie Chestnut                      Bette Null Horan  
 Jon Lynch                            John Allen                                Roma Wood  
 Polly Wetherholt                  Bob Marchi

Commission received the minutes of the February 15 and 22, 2011 meetings prior to this meeting. Mr. Wallis asked that the minutes of February 15<sup>th</sup>, page 1, second bullet point under City Manager's report be changed to state the proposed location of a combined cemetery office and fire truck bay would be at the foot of Mound Hill near the Sexton's home. There being no other corrections, objections, or additions, these minutes were approved.

President Cozza opened the public hearing on the proposed 2011 Budget. He said that if questions and issues extend beyond the half hour allocated for the hearing, arrangements would be made to continue the process on another date. He went on to state that the department heads, the City Manager, and the City Auditor have worked very hard to keep budget requests to a minimum in recognition of the tough economic times.

First to request the floor, Mr. Marchi questioned the inclusion of around \$3 million dollars of bond proceeds in the New Municipal Building Fund, citing Sections 26 and 27 of the Charter regarding certification of funds by the City Auditor. Mr. Salisbury responded that the act of placing an item in the budget is not obligating the funds. That is not done until an ordinance is adopted to go out for bonds or solicit bids for construction. Following extended discussion, Mr. Marchi said he was just concerned about bankrupting the City. President Cozza said that the Commission would not borrow nor have the Auditor certify more than necessary to build the new building, which will likely be far less than \$3 million.

The City Manager took a few minutes to go over some of the projects that the City is planning for the year, which were included in the Capital Expenditures summary page. Mr. Allen asked why the expenditures for the New Municipal Building Fund were less than the estimated revenues. Mr. Cozza

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answered that both revenues and expenditures are not known at this point, so projected numbers will not exactly match until actual figures are known and the budget can be adjusted accordingly. These numbers represent worst case scenarios.

Ms. Roma Wood requested *Privilege of Floor* to ask about the flashing light at Second and Locust. She said that she witnessed a problem there. Mr. Finney said he planned to look into the issue again. Right now there are flashing lights at certain times of the day at Second and Locust and at Third and Pine. The light flashes all of the time at Third and Cedar.

The City Manager reported on the following:

- February Town Hall Meeting – Eight people attended. The next meeting is scheduled for March 21<sup>st</sup>. If attendance is very low, he plans to go to quarterly meetings. He may discontinue the meetings if attendance does not warrant.
- City Building – Evans Enterprises has offered to rent storage space in the old Odd Lots Building on Pine Street for \$250/month. An ordinance for this is on tonight's agenda. Plans are to auction off any excess serviceable furniture or other items. Opening for bids for abatement is scheduled for March 30<sup>th</sup>.
- The Board of Elections has agreed to move the polling place from Mill Creek Road to the Fire Station.
- The inventory of signs has been completed. There are 700 signs in the City. Some have been removed as unnecessary. It will cost \$5,500 to \$5,600 to replace around 100 signs that were in bad condition. This was better than anticipated.
- The City-wide Yard Sale is scheduled for Saturday, May 14<sup>th</sup>, with rain date of May 21<sup>st</sup>.
- Mr. Finney will be out for a personal day on Monday. Mr. Woodall will provide coverage.

The City Auditor requested permission to attend a seminar on March 8<sup>th</sup> in South Charleston. It is entitled "Communication Skills for Women." Two other women employees are attending the same training the following day in Huntington. Ms. Landers said that this seminar is included in the package that she purchased with her own money and would cost the City nothing but her time away. Mr. Wallis made a motion to approve her attendance as time worked, seconded by Mr. Cremeens. Upon voice vote on the motion, all votes were yes.

Ms. Landers reminded Commissioners of the Tax Incentive Review Council Meeting this Thursday, March 3<sup>rd</sup>, at 1 p.m. in the Gallia County Commission meeting room. They will discuss tax abatements and the TIF on the Wal-Mart Plaza. Commissioners are welcome to attend.

Ms. Landers announced that the 2009/2010 GASB 34-compliant Financial Statements are completed and filed with the Auditor of State. They are available for inspection in the Auditor's Office, on the website, and at the Bossard Library. Commissioners received an electronic copy with their Commission packets.

The City Solicitor gave an update on Code Enforcement violations in court. Cases involving Mr. Gordon Amsbary are currently in court. Mr. J. J. McGuire's sentencing was re-scheduled due to a medical problem. Mr. Salisbury requested executive session to discuss other pending court cases. At Ms. Wood's request, Mr. Salisbury explained that the Amsbary cases are nuisance cases involving junk vehicles around the city. President Cozza added that all vehicles within the City must have current registrations, whether they are driven or not. Mr. Marchi brought up the case of clean-up of Mr. Amsbary's property. Mr. Salisbury told him that the cost of that was certified to the County Auditor for collection against his property taxes. That was outstanding since 2007. President Cozza spoke of the

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time consumed in pursuing these cases, but said that our Solicitor has been putting in the effort to successfully prosecute them.

President Cozza asked the former president of the Neighborhood Watch Program to come forward to receive a proclamation of Neighborhood Watch Appreciation Day, Monday, March 7, 2011. Mr. Gallagher acknowledged the hard work of the entire Neighborhood Watch Committee and the generosity of the City Commission in supporting and encouraging the group's efforts.

Mr. Johnson asked if there was a water leak on Route 141 in front of the vault company. Mr. Finney said he would check.

There was presented and read to the Commission for a second reading an Ordinance No. O2011-10 entitled **AN ORDINANCE AUTHORIZING THE REMOVAL FROM THE LEDGERS OF THE CITY OF GALLIPOLIS UTILITY BILLING OFFICE CERTAIN PAST DUE ACCOUNTS AS SET FORTH HEREIN**. Mr. Johnson made a motion to adopt this ordinance on second reading, seconded by Ms. Bailey. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2011-11 entitled **AN ORDINANCE ACCEPTING AND REJECTING BIDS FOR CHEMICALS AND QUICKLIME**. Mr. Cremeens made a motion to suspend the rules and adopt this ordinance on first reading, seconded by Mr. Wallis. Upon roll call to suspend the rules and adopt this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2011-12 entitled **AN ORDINANCE TO SET APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2011**. Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Cremeens. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2011-13 entitled **AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS**. Ms. Bailey made a motion to place this ordinance on first reading, seconded by Mr. Johnson. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-14 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN DOCUMENTATION FOR SALE OF REAL PROPERTY KNOWN AS PARCEL NOS. 007-555-178-00, 007-555-179-00, 007-013-025-00, AND 007-013-024-00 (KNOWN AS MUNICIPAL PARKING LOT ON 500 BLOCK OF SECOND AVENUE)**. Mr. Cremeens made a motion to table the ordinances concerning purchase and sale of property so that the five Commissioners could discuss the issue in executive session. President Cozza asked if he wished to table Ordinance Nos. O2011-14 and O2011-15. Mr. Cremeens affirmed that he did. Mr. Wallis seconded that motion. Mr. Johnson asked if it would also take in the first reading ordinances 17, 18, 19, and 20. Mr. Salisbury said he believed that it did include those as well. Upon voice vote on the motion to table all of the listed ordinances, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-16 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH EVANS ENTERPRISES FOR THE LEASE OF PROPERTY FOR OFFICE AND EQUIPMENT STORAGE FOR MUNICIPAL OFFICES**. Mr. Cremeens made

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a motion to adopt this ordinance as an emergency, seconded by Ms. Bailey. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Ms. Wood was invited to pose a question. She asked the process for selling property. President Cozza explained the process for bidding out or selling property to another governmental entity. He also explained which property the City was considering purchasing and how the two pieces would be used with the existing City Building site. Mr. Allen asked about plans the City might have to purchase and use the Miller Property. President Cozza said that those plans depend on whether the City sold the property across the street. If the City buys and decides to develop the Miller Property as a parking lot, letters will be sent to nearby property owners and a public hearing would be held. Ms. Wood encouraged the Commission to get on with the project because it is impossible to satisfy everyone.

Mr. Cremeens made a motion to enter executive session to discuss purchase and sale of property as set forth in ORC Section 121.22(G)(2) and legal issues cases as set forth in ORC Section 121.22(G)(3), seconded by Mr. Wallis. Upon roll call on the motion, all votes were yes. President Cozza announced that there would be no action following executive session. Note: The City Manager, City Solicitor, and City Auditor were excused from executive session following discussion of legal cases and prior to discussion of purchase and sale of property. Upon completion of executive session, Commission returned to regular session.

There being no further business to come before the City Commission, the meeting was adjourned.

  
Clerk, City Commission

  
President, City Commission