

May 23, 2011

The Gallipolis City Commission met in special session on Monday, May 23, 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 (arrived ten minutes late)
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
Seth Montgomery, Green Township Trustee President
Ronnie Lynch Clint Patterson

President Cozza welcomed Green Township Trustee President Seth Montgomery to the work session on their fire protection contract renewal. He asked if Mr. Montgomery would be able to speak for the other Green Township Trustees. Mr. Montgomery said that he would. President Cozza spoke about the expense of false alarms, which is causing some to consider charges for multiple false alarms. He added that the townships had seemed to prefer paying an additional 5% of their fire levy proceeds rather than having their residents charged for multiple false alarms. Mr. Montgomery responded that the Green Township Trustees seemed in favor of such an arrangement.

Mr. Cremeens asked if the Green Township trustees had any interest in establishing their own fire department. Mr. Montgomery said that they did not due to the fact that they own very little land to build upon and they have forty-one miles of road to maintain. He added that they might be interested in having a satellite station. Mr. Cremeens responded that the other townships would be upset if we showed preference in placing a satellite station in Green Township.

Mr. Wallis brought up the topic of fire department runs to accidents. The fire department has acquired a lot of new equipment that allows a higher level of response for accidents, not just fire runs. The County supplies this service for the entire county, but the City is increasingly called in for mutual aid. The cost of providing this additional level of response needs to be addressed at some time. President Cozza suggested inviting the Fire Chief in to talk about this topic.

After some additional discussion, it was decided to increase the portion of the fire levy payable to the City to 85%. This amount will be included in the contract submitted to the Green Township trustees.

The City Manager showed slides of the various projects being undertaken by the City. The first project highlighted was the asbestos removal at the old City Building. Mr. Finney showed that the contractor is doing a thorough job, stripping down to the bare floors. He showed the areas needing additional works, which are included in Change Order 1 on tonight's agenda. The next project shown was the new Cemetery

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Road at Mound Hill. Mr. Finney said that they were hoping to put down the gravel over the next couple of days. The grade on the new road is no steeper than on the old road; it just looks steeper because it has no trees and is straight, not curved like the old road. There will be a 15 mph speed limit on the new road. If the weather prevents completion of the new road in time for Memorial Weekend traffic, the streets department will need to assign flaggers to work the road over the weekend. As soon as the new road is complete, Mr. Finney intends to have U.S. Bridge come in to start the work on the slip at the top of Mound Hill. It has slipped a little more with the additional rain. The maintenance crew is scheduled to replace the manhole on Allen Drive this week and put in a line to the lift station. All of these areas will be included in our application for disaster assistance under the County's recent disaster declaration. In addition, Mr. Finney is including Hedgewood Drive, sewer repair from a slip on private property on Chillicothe Road, and the section of riverbank on private property along First Avenue. The drilling on Hedgewood Drive is nearing completion.

The City Manager requested executive session for discussion of pending legal issues regarding property.

Mr. Johnson made a motion to accept a 2001 Ford 350 from the Gallia County Board of Commissioners for one dollar and other valuable consideration, seconded by Mr. Cremeens. The vehicle was acquired as a drug forfeiture. Mr. Johnson asked where the dollar for these types of purchases comes from. He also asked what the other valuable consideration was. Ms. Landers said that the dollar is often just donated on the spot because it is such a small amount. The "other valuable consideration" is a legal phrase that is really meaningless in practical terms. Upon voice vote on the motion, all votes were yes.

Mr. Johnson made a motion to accept a 2002 Buick Century from the Gallia County Board of Commissioners for one dollar and other valuable consideration, seconded by Mr. Cremeens. Upon voice vote on the motion, all votes were yes.

The City Auditor presented for approval an invoice for \$17,972.82 from Waste Management for April refuse pickup. The invoice was dated May 1, 2011; the purchase order was dated May 2, 2011. Mr. Wallis made a motion to approve payment, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes. The refuse contract is up for renewal this fall. Mr. Finney said that a representative from Waste Management is coming in this week to discuss any issues. Bids for a new three-year contract will be solicited sometime in June.

Mr. Johnson and Ms. Bailey confirmed the time for the strategic planning meeting tomorrow night, which is set for 6 p.m. at the Visitors Center.

Mr. Wallis said that he has been attending the County communications meetings, discussing radios, antennas, and other communications issues. Law Enforcement and EMS are on the more modern MARCS system, but the fire department is not yet. Mr. Johnson agreed that we need to plan for newer technology, adding that pagers are old technology. Mr. Wallis emphasized the need to coordinate our purchases with the County's plans in order to create a unified system and not be left holding old technology.

President Cozza said he and the City Manager looked at the Lafayette Hotel with Steve Chapmen. He said that the Commission needed to look into what to do with the remaining administrative offices now that the plans for the Justice Center are mostly settled.

There was presented and read to the Commission as an emergency a Resolution No. R2011-11 entitled **AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO FIRE PROTECTION AGREEMENT WITH THE TOWNSHIP OF GREEN, GALLIA**

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COUNTY, OHIO. Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Ms. Bailey. Upon roll call to adopt this resolution as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency a Resolution No. R2011-12 entitled **AN EMERGENCY RESOLUTION URGING STRONGER FUNDING SUPPORT FOR THE OHIO CONSUMER'S COUNCEL.** Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Wallis. Mr. Finney explained the purpose of the Ohio Consumers Counsel, which advocates for Ohio consumers on issues that arise with utility providers. The Ohio legislature is considering budget cuts of 50%. They have asked for our support in the form of a resolution to be sent to the Ohio House and Senate. Upon roll call to adopt this resolution as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-42 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2011-12, AS AMENDED BY ORDINANCE NO. O2011-23, AS AMENDED BY ORDINANCE NO. O2011-36, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2011.** Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Ms. Landers explained the appropriations changes. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-43 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2011-13, AS AMENDED BY ORDINANCE NO. O2011-24, AS AMENDED BY ORDINANCE NO. O2011-37, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Cremeens. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-44 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AUTHORIZE AND FUND CHANGE ORDER NO. 1 WITH RAINBOW ENVIRONMENTAL SERVICES FOR ASBESTOS ABATEMENT FOR THE FORMER GALLIPOLIS MUNICIPAL BUILDING.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Ms. Bailey. The extra work will cost \$11,880. Mr. Finney explained that Thermal Solutions missed the extra layers of tile and a boiler when they did the original investigation of the building. There are no expectations of any other change orders for this project. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-45 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE AND SELL BY BID REAL PROPERTY KNOWN AS PARCEL NO. 007-555-016-00 (KNOWN AS DAVIS HALL PROPERTY).** Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Mr. Finney confirmed that the minimum acceptable bid was set at \$175,000. There was also discussion of the work remaining to be done on the site. The maintenance crew cannot complete the work until the rain stops enough to allow the soil to dry. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-46 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR FUNDING FOR AN OFFICE OF CRIMINAL JUSTICE (OCJS) PROBATION GRANT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT IF AWARDED.** Mr. Cremeens made a motion to adopt this ordinance as an emergency, seconded by Mr.

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Wallis. Ms. Landers told the Commissioners that the local matching funds for this grant would come from the Court Probation Fund. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-47 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR A COMMUNITY ORIENTED POLICING SERVICES (COPS) SECURE OUR SCHOOLS (SOS) GRANT AND TO ENTER INTO AGREEMENT IF AWARDED.** Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Chief Patterson was asked to explain the purpose of this grant. Chief Patterson told the Commission that the grant was for the City schools. They will provide the 50% local match. Ms. Landers told the Commissioners that the City would need to advance the money for the grant, but not for the local match, until we are reimbursed. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-48 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR A COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM GRANT AND TO ENTER INTO AGREEMENT IF AWARDED.** Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Chief Patterson told the Commission that this was the same grant for which we applied last year and the year before, but did not receive. It pays the personnel costs of an additional officer for three years, with the local government required to pay for the full costs of the fourth year. Ms. Landers said that she had discussed this requirement with the City Manager and they agreed that it would be best to set aside money incrementally in the first three years to fund the fourth year. That would make it less of a burden on that year's budget. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-49 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR FUNDING UNDER THE VICTIMS OF CRIME ACT AND THE STATE VICTIMS ASSISTANCE ACT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT IF AWARDED.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Cremeens. Mr. Finney explained that this was a renewal of Susan Grady's grants. The City and County share on the local match. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Johnson made a motion to enter executive session to discuss pending legal/property issues as set forth in ORC 121.22(G)(2), seconded by Ms. Bailey. President Cozza announced that there would be no business to follow executive session. Upon roll call to enter executive session, all votes were yes. Upon completion of executive session, Commission returned to special session. There being no further business to come before the City Commission, the meeting was adjourned.


 Clerk, City Commission


 President, City Commission