

July 22, 2010

The Gallipolis City Commission met in special session on Thursday, July 22, 2010, at 6:00 p.m. in the Meeting Room of the Gallipolis Municipal Building, 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
 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 | Bette Null Horan |
| Jo Ann Davis | Clint Patterson | Polly Wetherholt |
| Jon Lynch | Caroll Snowden | Bob Marchi |
| Randy Breech | Bobbie Holzer | Bill Davis |
| Roma Wood | Russell Wood | Dow Saunders |

Commission received the minutes of the July 6, 2010 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

President Cozza read from the Sunshine Law concerning the right to attend public meetings, which does not include the right to speak at a public meeting. He said that the Commission extended "Privilege of Floor" as just that...a privilege.

Privilege of Floor was granted to Mr. Robert Marchi. Before Mr. Marchi spoke, President Cozza asked to take a moment to present him with a resolution thanking him for his years of service to the Commission. Mr. Marchi said he wished to confirm some rumors that he had heard about this Commission. The first rumor was that the Commission was selling the Davis Hall property and the parking lots to the County for \$465,000. He said that the City paid \$700,000 to \$800,000 for the property and improvements, so this amounted to selling the property for two-thirds of its value. He complained that the present Commission has given away the City sewer system and now they are giving away its property. He added that they should not run for County Commissioner "on the backs of the citizens of Gallipolis." During discussion, President Cozza told Mr. Marchi that the price of the property across the street was still under negotiations.

Mr. Randy Breech requested executive session for discussion of his contract.

Ms. Jo Ann Davis, a member of Elizabeth Chapel Church, was granted *Privilege of Floor*. She said that Elizabeth Chapel Church wished to "throw their name in the hat" for a portion of the bed tax. She said that the 350 members of the church contribute to the local economy by patronizing the businesses in town and eating at the restaurants. President Cozza told her that the ordinance concerning the bed tax was removed from tonight's agenda. The Commission will discuss her request with legal counsel.

Gallipolis City Commission

July 22, 2010

Page 2

Mr. Russell Wood requested a sewer tap for a house he owns on Fourth Avenue. He said that there were two sewer taps there already, but he is being charged again for another. Mr. Finney is looking into his problem. He also asked if there was any grant money left for demolition. Mr. Finney told him that the grant ran out June 30th, but they are trying to get more funding.

The City Manager reported on the following:

- The move to the new administrative offices went fairly well. There were some problems with the phones, but those have been resolved now.
- The Spruce Street Project may run over into August. The City may need to seek liquidation damages from the contractor per our contract in order to pay for additional engineering oversight time. He still needs the annexation acceptance letters to finish all of the legal work with the property owners.
- Twenty-three houses were demolished under the County grant for a total of \$94,000.
- Asbestos abatement on Davis Hall begins on Monday, July 26. It should take two weeks. Demolition is expected to begin on August 23rd.
- The trash dumpster for 2 ½ Alley came in today. It should be hooked up and ready to use by tomorrow. This will allow all of the other dumpsters and mess to be removed from the alley.
- The City has received word that the OPWC Mill Creek Road Paving Grant was awarded.
- The City Manager is currently negotiating electric rates. Expected savings range from \$20,000 to \$30,000 per year, which would be locked in at a three year fixed rate. As long as rates continue to rise, the City would benefit from locking in rates. VESI is interested in offering residential electricity as well.
- The culvert on Burkhart Lane was replaced last Friday. This was a joint project between the City and Gallipolis Township.
- Traffic and exit lines have been painted on Eastern Avenue.
- The annual City Pool Party is scheduled for 7 p.m. on August 16th. All employees, elected officials, committee members, volunteer firefighters, and their guests are invited.
- The road leading to Dave's American Grill needs some repairs. Mr. Finney is seeking quotes.
- The OPWC Paving Grant application for next year, due in September of this year, will be for the road between SR 7 and Birch Lane. Mr. Finney asked for input from the Commissioners for major projects to submit for possible OPWC grant finding.
- Mr. Finney has been negotiating for health insurance for the coming year. They originally came in at a 26% rate increase due to our claims history. Mr. Finney is hoping to avoid a rate increase by making changes in the out-of-pocket and deductibles. He expects to have more information for the next meeting.

President Cozza asked Mr. Wood if there was still interest in building a subdivision on his property out on Spruce Street Extension. Mr. Wood answered that he was not sure what the gentleman's plans might be now that the housing market is down and financing is so difficult to access. This led into a discussion of annexation requirements on Spruce Street. Four property owners have not yet agreed to annexation. Mr. Bill Davis asked what happens if someone refuses to annex and hook onto the sewer. He was told that if the property, not just the structure, is within 200 feet of the sewer line, then, according to law, the property owner must annex and connect.

The City Auditor informed the Commissioners that \$1,000 was added to the appropriations ordinance for recreational supplies, which will be funded by the recent donation from Bob Evans Farms.

Ms. Landers said that she would be out of the office from Tuesday, July 27th to Friday, July 30th for medical reasons. Shelly Tate will be in charge in her absence.

The City Solicitor requested executive session for legal matters.

President Cozza announced that the City received a plaque for their support of the Ohio Chautauqua recently held in the City Park.

There was presented and read to the Commission for a second reading an Ordinance No. O2010-39 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BLAIR BUILDERS FOR THE LEASE OF PROPERTY FOR STORAGE AND PARKING FOR MUNICIPAL OFFICES.** Mr. Cremeens 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 second reading an Ordinance No. O2010-40 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH JOBS AND FAMILY SERVICES FOR THE LEASE OF PROPERTY FOR MUNICIPAL OFFICES.** Mr. Wallis made a motion to adopt this ordinance on second reading, seconded by Mr. Cremeens. President Cozza explained the agreement for those attending. He said that the City would be supplying water and sewer and would pay a portion of the electric bill in exchange for the use of offices in the unoccupied wing of the building. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2010-41 entitled **AN ORDINANCE AMENDING ORDINANCE NO. O2010-09, AS AMENDED BY ORDINANCE NO. O2010-24, AS AMENDED BY ORDINANCE NO. O2010-34, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010.** Mr. Cremeens 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 second reading an Ordinance No. O2010-42 entitled **AN ORDINANCE AMENDING ORDINANCE NO. O2010-10, AS AMENDED BY ORDINANCE NO. O2010-25, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** Mr. Wallis 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 second reading an Ordinance No. O2010-43 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.** Ms. Bailey made a motion to adopt this ordinance on second reading, seconded by Mr. Cremeens. Upon roll call to adopt this ordinance on second reading, all votes were yes.

Mr. Carroll Snowden was granted permission to speak. Mr. Snowden questioned whether the Commission was in violation of the Sunshine Law in going into executive session without specifying the reason. President Cozza said that the reason for executive session was specified as "Personnel issues as set forth in ORC Section 121.22(G)(1) and legal issues as set forth in ORC Section 121.22."

Mr. Dow Saunders asked to address the Commission. He asked if any consideration had been given to tearing down the existing City Building and building on that site. President Cozza answered that it was discussed and the conclusion was that using the current site would require the purchase of additional property between the City Building and Wiseman Insurance. Mr. Saunders encouraged the Commission to involve the public. President Cozza assured him that there have been many discussions, but that no contracts have been signed. The public is still very much involved.

Ms. Roma Wood stated her concern about parking for customers if the City Building, with all of the additional employees, moves downtown. Mr. Marchi agreed that parking would be a concern. President Cozza said that there are grant dollars available for parking garages. He added that a transformer would need to be moved if the new building went downtown.

Gallipolis City Commission

July 22, 2010

Page 4

Ms. Bailey made a motion to enter executive session to discuss personnel issues as set forth in ORC Section 121.22(G)(1) and legal/land contract issues as set forth in ORC Section 121.22, seconded by Mr. Cremeens. President Cozza announced that there would be no business following executive session. Upon roll call to enter executive session, all votes were yes. Commission came back out of executive session into special session. Mr. Salisbury invited members of the public to return to the meeting room.

Mr. Cremeens made a motion to enter executive session to discuss legal issues involving imminent court actions and purchase and selling of real property, seconded by Mr. Wallis. Upon roll call to enter executive session for these stated legal matters, all votes were yes. Mr. Johnson arrived shortly after Commission re-entered executive session. Upon completion of executive session, Commission returned to special session.

President Cozza announced that the Commission would be meeting next for a work session on the new municipal building at 6:30 p.m. on August 3, 2010, in the Municipal Courtroom on Olive Street. The work session will be followed by the regular meeting, also in the Municipal Courtroom.

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


Clerk, City Commission


President, City Commission