

August 30, 2011

The Gallipolis City Commission met in special session on Tuesday, August 30, 2011, at 5:00 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
 Judge Margaret Evans, Gallipolis Municipal Court
 Amber Gillenwater, Gallipolis Daily Tribune
 Ronnie Lynch Clint Patterson Tony Gallagher
 Douglas Cowles Claudia Miller Marvin Vanderberg
 Michael Smith

Commission received the minutes of the August 16, 2011 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- The City Park Yard Sale was well received. Thirty-five vendors set up.
- The chip and seal work on the cemetery road is done. Mr. Finney reported that a couple of issues must be resolved before he pays the contractor.
- FEMA has not made it to our county yet. There is no word on when they may arrive.
- The County wants a variance before buying the Davis Hall property. Mr. Salisbury said that the City cannot build those conditions into a deed. The State Building Code requires building at least ten feet from the property line unless very strict guidelines are followed by the builder, such as fire-rated walls and no windows. The Planning/Zoning Committee can grant variances to City Code requirements on a case by case basis, but cannot over-rule State law.
- Soil test results for 518 Second Avenue are expected in on Thursday, with work beginning soon thereafter.
- The owner (Tolson Enterprises LLC) of the Marathon station at the Wal-Mart Plaza has requested a letter of endorsement from the City Commission for a TREX transfer of liquor license. This would allow a liquor license from another county to be purchased and transferred for economic development use in Gallia County. Mr. Johnson made a motion to approve such a letter, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes.
- The committee looking into the lease of administrative office space has visited two sites: the Warehime Building and the old First National Bank. They plan to make additional visits this week.

- The architectural design group for the Industrial Park plans to meet after the CIC meeting on Thursday. Mr. Cremeens volunteered to attend this meeting.
- Mr. Finney referred the matter of how to structure payment of the Station Firefighter to Mr. Slowik, the lawyer in Columbus who assisted with the revision of our Employee Personnel Policy Manual. His firm specializes in labor law. Mr. Slowik said that if there are fewer than five paid firefighters, the law specifically for firefighters allows the payment of straight time for all hours, including those over 40 per week. Mr. Finney would like to pay the new position \$10 per hour for 40 hours per week. It would be up to the employee whether to respond to calls after hours. When not on-call, a volunteer would be designated to respond to the station to pick up the truck. The residence would be available for use by the Station Firefighter, which usage would benefit the employer. There being no objections to this plan, an ordinance will be prepared for the next meeting. Copies of the new ordinance will be sent to the townships, but the changes should not impact their service.
- Health Insurance renewal: Medical Mutual, our current provider, was the only bidder on our health insurance. They began with a 20% increase, but after intense negotiations agreed to lower this to a 12.8% increase with a \$30/visit co-pay or 11.8% increase with a \$40/visit co-pay. Currently employees have a \$20/visit co-pay. Increasing the office visit co-pay should encourage greater usage of the nurse practitioners. Mr. Johnson made a motion to increase the co-pays to \$40/visit, seconded by Mr. Cremeens. Upon voice vote on the motion, all votes were yes.

The City Auditor presented the following invoices over \$3,000 for approval of payment:

- \$17,972.82 from Waste Management for July refuse pickup. PO dated 8/3/11; Invoice dated 8/1/11.
- \$19,749.16 from Ohio Valley Bank for fire station bond payment. PO dated 8/3/11; Invoice dated 7/19/11.
- \$58,360.37 from Ohio Bureau of Workers Comp for premium. PO dated 8/10/11; Inv. Dated 8/4/11.

Mr. Johnson made a motion to approve payment, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes.

Ms. Landers requested approval of lists of code violators and delinquent utility accounts for certification to the County Auditor. Mr. Johnson made a motion to approve the lists for certification, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes.

Proposals for financing of the new Justice Center, Auxiliary Fire Station/Cemetery Office, and purchase of the Cox property in the amount of \$2,342,000 were opened on Monday, August 29th, at noon. Three proposals were received. The low bid for 20-year financing was from US Bank at 3.91%. Ohio Valley Bank submitted the lowest bid for 25-year financing at 4.49%. Ms. Landers said that both bids were excellent and came in below Ohio CAF's posted rates for this week of 5.07% for a 25-year bond and 4.73% for a 20-year bond. In comparing OVB's rate with US Bank's, the City would pay \$13,039.56 more annually with US Bank, but would save \$545,604.05 in interest over the life of the loan. Both banks specified a pre-payment penalty if pre-paid in the first 10 years. There was some discussion of the ramifications of that. President Cozza wanted to know if the City could re-finance if they found themselves in trouble due to changes in future revenue streams. Ms. Landers responded that she could not guarantee the City's safety under every eventuality, but it was her opinion that we could comfortably make the payments with what we currently know. The payment that we will need to make under US Bank's amortization schedule is only \$100 more semi-annually than the payment Ms. Landers projected in an earlier amortization schedule, which showed that the new debt service would simply replace current debt service as it matures. This is the best deal we could hope to get on rates. Mr. Johnson made a

motion to prepare an ordinance accepting US Bank's 20-year 3.91% rate, seconded by Mr. Cremeens. Upon voice vote on the motion, all votes were yes.

Mr. Schwallie, our bond counsel, will prepare the ordinance(s) for the September 6th meeting. Ms. Landers asked if everyone would be present at that meeting and at the September 20th meeting (for an appropriations change ordinance for additional court grant money). All of the Commissioners responded that they knew of no reason they would be absent.

Ms. Landers went over the Schedule of Second Half Tax Settlement. She said that only two delinquent utility accounts were collected and one mowing account. The other collections were as anticipated. There were no questions from the Commissioners on the settlement sheet.

The City Solicitor reported that Ohio Valley Bank and Mr. Bennett are nearing agreement concerning the Cox Property. He expects to complete the purchase in the next couple of weeks.

Mr. Johnson announced that the City will be hopping with activity this weekend. The Ohio River Live Music Festival and the Native American Pow Wow are both scheduled. The forecast is for good weather through Saturday.

The Strategic Planning Committee is meeting at 6 p.m. this evening. They have formalized their mission statement and are getting into some real discussions that could benefit everyone in the County.

Mr. Johnson said that he has received some complaints, which he will discuss later with the City Manager.

Mr. Johnson made a motion to enter executive session to discuss legal issues per ORC 121.22(G)(2), seconded by Mr. Cremeens. Upon roll call to enter executive session, all votes were yes. Upon completion of executive session, Commission returned to special session.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-70 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO CONTRACT FOR HOSPITALIZATION, MEDICAL, AND MAJOR MEDICAL, DRUG AND DENTAL INSURANCE COVERAGE FOR FULL-TIME EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS OF THE CITY OF GALLIPOLIS, OHIO**. 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. O2011-71 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO CONTINUE TERM LIFE INSURANCE COVERAGE FOR EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS OF THE CITY OF GALLIPOLIS, OHIO**. Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. 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. O2011-72 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LETTER OF AGREEMENT WITH OHIO QUICKCARE LLC FOR HEALTHCARE SERVICES FOR CITY OF GALLIPOLIS EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS**. Mr. Cremeens made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

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There was presented and read to the Commission as an emergency an Ordinance No. O2011-73 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED FOR THE FOURTH AVENUE RESURFACING PROJECT.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Ms. Bailey. The grant request is from Pine to Vine, requiring a 35% local match. 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. O2011-74 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR SOLID WASTE COLLECTION AND DISPOSAL.** Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Mr. Finney said the services remain the same, but the cost per ton for the dumpsters is less. 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. O2011-75 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR THE CONSTRUCTION OF THE GALLIPOLIS JUSTICE CENTER COMPLEX (A NEW MUNICIPAL BUILDING TO HOUSE THE GALLIPOLIS MUNICIPAL COURT AND MUNICIPAL LAW ENFORCEMENT OFFICES).** Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Kinsale Corporation, Chester, Ohio had the lowest bid at \$1,467,334 for the all-brick exterior option. Mr. Breech told the Commissioners that construction could begin as early as three weeks from now. The contractor plans to hire many local workers. He understands that the City does not want many change orders and is selecting his subcontractors with that in mind. Anyone with a reputation for excessive change orders will not be hired. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

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


Clerk, City Commission


President, City Commission