

September 20, 2011

The Gallipolis City Commission met in special session on Tuesday, September 20, 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 Bob Poling Tony Gallagher
 Roma Wood Claudia Miller Marvin Vanderberg

Commission received the minutes of the September 6, 2011 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

President Cozza read and presented to Chief Poling a proclamation, declaring the week of October 9th to the 15th as Fire Prevention Week in the City of Gallipolis.

The City Manager reported on the following:

- The FEMA disaster team is still in Lawrence County with no firm date on when they will arrive in Gallia County.
- The County has submitted a sketch of a building for the Davis Hall lot to go before the Planning Commission on October 10th.
- There was an 11.2% increase overall on health insurance rates. Mr. Finney showed a spreadsheet of increases over the last three years. He also showed and discussed the employee share over the same time period. Ordinance O2011-94 on tonight's agenda amends the employee share to change with the second payroll in September 2011. He said that he intends to meet with the employees soon to explain the increase to them.
- 518 Second Avenue- Soil has been replaced and compacted down to around nine feet in the front of the lot. They had to put stone in one corner. They are doing 20 foot sections at a time. Mr. Johnson asked how far they were going above grade and who would be doing the footers. Mr. Finney said that they are going two inches above grade. Kinsale will do the footers as part of their contract.
- Cox Building- The City Solicitor has been in contact with Eric Mulford, who is working on the paperwork for the property owner. The sale should take place as soon as the insurance settlement money is secured for demolition of the house.

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- Mr. Finney attended the Mayor's meeting in Chillicothe, as planned. They talked about the anticipated boom to local economies from Marcellus shale drilling. On October 6th, there will be a presentation in Jackson on Marcellus shale. The Commissioners were encouraged to attend.
- It will cost \$8,000, plus labor, to have our own crew replace the water line on Garfield, which was a significant savings to the City.
- Mr. Fred Holmes of Volunteer Energy Services Inc. would like to address the topic of electric aggregation for city residents at the next Commission meeting. The City already has an ordinance in place, authorizing the establishment of an opt-out electric energy aggregation program.
- Mr. Finney will attend an OPWC meeting in Piketon tomorrow. He will also attend the OVRDC annual meeting on September 29th.
- Spruce Street Annexation- Property owners who have already signed for annexation have been requesting the lower in-town residential rates. Mr. Salisbury gave the opinion that it would be legal to go ahead and extend the lower rates to those who have signed on.
- Mr. Finney has received a complaint about violation of the handicapped parking restrictions. This person has asked that the City consider enacting a larger fine for such violations, from the present \$25 to \$250. After some discussion of the issue, Commissioners seemed to favor leaving the fine as is and increasing police enforcement.
- Carquest's open house is set for 11 a.m. on September 30th. Commissioners were encouraged to attend.
- The annual Bass Tournament is this Saturday and Sunday. There are around eighty participants registered to attend. The 300 block of First Avenue will be blocked off for the event.
- Mr. Finney requested executive session for two legal/property issues and one personnel issue/station firefighter.

The City Auditor presented a donation of \$1,000 from Janice McKenzie for the Police Department. Mr. Cremeens made a motion to accept this donation, seconded by Mr. Johnson. The Police Department plans to purchase a taser with this donation. Upon voice vote on the motion, all votes were yes.

Ms. Landers went over the changes contained in the appropriations change ordinance (O2011-85). She also explained that Ordinance No. O2011-90 was to set up an account at US Bank for the money from the construction bonds. The account will pay no interest, but will also have no fees for services. Since the construction period is expected to be expedited, this arrangement should benefit both parties. It was also one of the factors in receiving such a low interest rate on the bonds. The closing for the bonds is set for September 30th. Semiannual payments will be \$85,491.30, due June 1 and December 1 of each year.

Ms. Landers informed the Commission that she would be taking a vacation day on Friday, September 23, 2011. She also requested to attend two trainings as days worked: the OAPT Conference on October 5th to 7th and an Ohio Society of CPAs training in Athens on November 9th. The OAPT Conference is the one that Ms. Landers attends each year to receive her required CPIM training. The expenses for this conference are included in her budget. She will pay the costs associated with attending the Ohio Society of CPAs training. Mr. Wallis made a motion to approve attendance of these trainings as days worked, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.

The City Solicitor requested executive session for legal matters. He emphasized that the purchase of the Cox property would be completed at such time as is most advantageous to the City.

Mr. Cremeens mentioned a problem with tall grass behind the Sherwin Williams store. Steps are being taken to deal with that problem. Mr. Wallis asked if the City owned the right of way from Chestnut Street to the walking trail. It is in need of attention. Mr. Finney is looking into the matter.

Mr. Johnson reported that the next Strategic Planning Committee is set for Tuesday evening, September 27th. They plan to break into five interest areas, one of which is Gallipolis. The group is seeking more people to provide input.

President Cozza said he had received a question of whether there would be any grandfathering allowed under the sign ordinance. Mr. Finney answered that there would not. Mr. Cozza also asked if the County was allowed to lease space on their tower on Fortification Hill without the City receiving any extra revenue. Mr. Finney said he was looking into that matter already, but did not have an answer yet.

There was presented and read to the Commission for a second reading an Ordinance No. O2011-81 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE LOCAL GOVERNMENT SERVICES SECTION OF THE STATE AUDITOR'S OFFICE (GASB-34 LOOK-ALIKE STATEMENTS) FOR FISCAL YEARS 2011, 2012, AND 2013.** Mr. Johnson made a motion to adopt this ordinance on the 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 as an emergency an Ordinance No. O2011-85 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2011-12, AS AMENDED BY ORDINANCE NO. O2011-23, AS AMENDED BY ORDINANCE NO. O2011-36, AS AMENDED BY ORDINANCE NO. O2011-42, AS AMENDED BY ORDINANCE NO. O2011-50, AS AMENDED BY ORDINANCE NO. O2011-57, AS AMENDED BY O2011-59, 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. 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. O2011-86 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH SEXTON'S EXCAVATING FOR SOIL REMOVAL AND FILL AT 518 SECOND AVENUE.** Mr. Cremeens made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Mr. Finney informed the Commissioners that they declared an exigency in order to begin work immediately. The cost is \$52,000, maybe less. Mr. Johnson asked about the methods used, as well as testing. 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. O2011-87 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AUTHORIZE AND FUND CHANGE ORDER NO. 1 WITH HOON, INC. FOR CONSTRUCTION OF THE REMOTE FIRE STATION AND CEMETERY OFFICE.** Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Mr. Johnson asked the purpose of the change order. Mr. Finney answered that it was to pay his municipal income taxes because the contractor was not aware of this cost. Mr. Johnson responded that he should have been if he does business in Ohio. Mr. Finney said that all future bid solicitations will contain wording informing those bidding of these costs. The power company still must move the electric pole, which is scheduled for around October 5th. 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. O2011-88 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY**

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MANAGER TO AUTHORIZE AND FUND CHANGE ORDER NO. 1 WITH THE KINSALE CORPORATION FOR CONSTRUCTION OF THE GALLIPOLIS JUSTICE CENTER. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Cremeens. Mr. Finney informed the Commission that this was for the \$11,000 performance bond, which they opted to have included. 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. O2011-89 entitled **AN EMERGENCY ORDINANCE REJECTING PROPOSALS FOR LEASE OF OFFICE SPACE FOR MUNICIPAL ADMINISTRATIVE DEPARTMENTS.** 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.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-90 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER, CITY AUDITOR AND CITY SOLICITOR TO SIGN A MASTER SERVICE AGREEMENT FOR GOVERNMENTAL ENTITIES TO ESTABLISH A CONSTRUCTION BOND ACCOUNT.** 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. O2011-91 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TRAVELERS INSURANCE COMPANY FOR GENERAL LIABILITY AND PROPERTY INSURANCE.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Cremeens. Mr. Finney said that bids were received from PEP, Travelers, and Government Underwriters. Traveler's was not the lowest, but their coverage was better. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2011-92 entitled **AN ORDINANCE ACCEPTING AND REJECTING BIDS FOR HIGHWAY DE-ICING SALT, CALCIUM CHLORIDE, AND COLD MIX.** Mr. Cremeens made a motion to suspend the rules and adopt this ordinance on first reading, seconded by Mr. Johnson. 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 as an emergency an Ordinance No. O2011-93 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AS THE OFFICIAL WITH JURISDICTION (OWJ) FOR THE FARM ROAD PHASE II PROJECT.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Ms. Bailey. Mr. Cozza asked what this ordinance was about. Mr. Finney told him that it gives signatory power to sign documentation related to the Farm Road Phase II Project. This will help move things along. The next item they need to do is to buy 7.5 acres from O.O. McIntyre Park District for the bike path. It does not mean that funding is now available for road construction. 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. O2011-94 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2005-56, AS AMENDED BY ORDINANCE NO. O2006-42, AS AMENDED BY ORDINANCE NO. O2007-43, AS AMENDED BY ORDINANCE NO. O2008-36, AS AMENDED BY ORDINANCE NO. O2008-55, AS AMENDED BY ORDINANCE NO. O2009-42, SECTION 2(C), SETTING EMPLOYEE'S PORTION OF PAYMENT FOR HOSPITALIZATION, MEDICAL AND MAJOR MEDICAL INSURANCE.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr.

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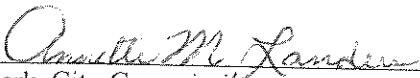
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Cremins. Mr. Finney said that this ordinance corrects an error in not increasing the employee share last year to match the formula contained in this ordinance. It also incorporates wording approved by voice vote at the last meeting, allowing the delay of implementation to the second payroll in September 2011. 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 legal issues, property and personnel, as set forth in ORC 121.22(G)(1) and (2), seconded by Ms. Bailey. 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