

October 4, 2011

The Gallipolis City Commission met in regular session on Tuesday, October 4, 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  
 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                      Dottie Chestnut                      Tony Gallagher  
 Fred Holmes                      Claudia Miller                      Clint Patterson

Commission received the minutes of the September 20, 2011 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Privilege of Floor was granted to Mr. Fred Holmes of Volunteer Energy Solutions, Inc. Mr. Holmes explained about regulations governing the establishment of electric aggregates and the cap that AEP has proposed. If we wish to take advantage of electric aggregation for our residents, we would need to have two public hearings at least two weeks apart, plus designate of supplier by ordinance. During discussions, Mr. Wallis said that he would need to abstain from discussions and voting, since he is an employee of AEP. Once it is enacted, it must be approved by PUCO, which can be a lengthy process. Since the legislation must have two readings, it will be unlikely that we could have everything ready for inclusion in this 2012's approved communities, but we could go ahead and enact everything to begin our program in 2013. Mr. Holmes will send a sample ordinance to the City Solicitor to begin the process. Passage of the ordinance does not obligate the City to participate if the Commission decides that the rates offered would not benefit the residents.

The City Manager reported on the following:

- The FEMA disaster team still has not come to Gallia County, but is expected at any time.
- 518 Second Avenue- Soil replacement and compaction continues. The contractor is doing a great job. They are hoping to finish this week.
- Cox Building- The City has paid for the Cox property. OVB is retaining in escrow the money paid by the insurance company for demolition. They will pay the contractor when the work is completed.
- There will be another presentation on Marcellus Shale in Jackson on October 6, 2011. The Commissioners were encouraged to attend.
- The owner of the property behind Sherwin Williams is cleaning up the area discussed at the last meeting.

- Station Firefighter- Mike Null was recommended for the position by the City Manager. He can start on October 24<sup>th</sup>. Mr. Cremeens made a motion to approve this appointment, seconded by Mr. Wallis. Upon voice vote to approve this appointment, all votes were yes.
- Mr. John Allen was recommended to fill the position on the Planning Commission. Mr. Johnson made a motion to approve the appointment of Mr. Allen to the Planning Commission, seconded by Mr. Cremeens. Upon voice vote on the motion, all votes were yes.
- Mr. Finney will be out of town from Wednesday through Sunday to attend the America In Bloom Symposium. He will not be able to attend the First Friday meeting on Friday at 8 a.m.
- The Planning Commission will be meeting on Monday evening to discuss the County's plans for the Davis Hall property.
- Thursday, October 13<sup>th</sup> will be the Mayor's Partnership meeting.
- At 3 p.m. on Friday, October 14<sup>th</sup>, Governor Kasich will be speaking at the Bob Evans Hall Auditorium in Rio Grande.

There was a lengthy discussion of demolition of properties. Mr. Finney informed the Commission that in the last month there had been no progress by the property owner in addressing the problems at the old Libby Hotel. The City Solicitor advised that the liability should the building fall down and injure or kill someone is a greater concern than the cost to the City to tear the unsafe portion of the building down. It is estimated that the cost would be \$50,000 to \$60,000. Mr. Finney has asked the State Engineer to come down as an outside expert and (possibly) condemn the property. Other specific properties discussed were the Young property and the property at 716 Third Avenue. Demolition costs could exceed \$97,000 for the several properties under consideration. Ms. Landers said that the City would be hard pressed to pay for these demolitions, with so much money advanced out to other funds. We must take care of the public safety threat, but the others will need to wait until we get some funding back or receive the money for the Davis Hall lot from the County.

Mr. Finney showed a parcel map of the site for the new administrative offices. He also showed a possible layout of the building, which would face the parking lot. We will need to have a public hearing before going to bid.

The City Auditor presented an invoice for \$12,978.60 from B & C Communications for approval of payment. It is for pagers for the Assistance to Firefighters Grant. Mr. Cremeens made a motion to approve payment, seconded by Mr. Wallis. Upon voice vote on the motion, all votes were yes.

Ms. Landers presented a Liquor License Transfer request from Ponderosa Park Music Company, Salem, OH to Tolson Enterprises, Inc., 1601 SR7 S. This is the TREX transfer requested at an earlier meeting for the Marathon Station at the Wal-Mart Plaza. Mr. Johnson made a motion not to request a hearing, seconded by Mr. Cremeens. Upon voice vote on the motion, all votes were yes.

The 2012 Alternate Tax Budget was presented for approval. Mr. Johnson made a motion to approve the 2012 Alternate Tax Budget, seconded by Mr. Wallis. Upon voice vote on the motion, all votes were yes.

The City Solicitor said that his report on the Cox property and Davis Hall were already covered in the City Manager's report. Concerning annexation, we need certification of the surveys done to certify that at least 5% of the properties that we wish to annex are contiguous to the City. This certification must be done for properties on Spruce Street Extension and for the golf course. Mr. Salisbury is working on securing the necessary certifications.

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Mr. Johnson reminded the Commission that they still must give an answer to Our House regarding their request to close off the alley next to the museum because of damage from salt. The City Solicitor said that his opinion still stood that the City would be opening itself to lawsuits from affected property owners, claiming a loss of property value, should we close off the alley. Our House was supposed to talk to someone in Columbus about alternative measures they could take to mitigate the damage.

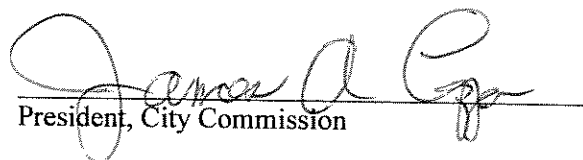
Mr. Johnson also announced that the next meeting of the Strategic Planning Committee will be next Tuesday evening. He will report on their ideas at the next Commission meeting. He also said that the Chilifest had good attendance, but that the road closure signs were ignored by some. Mr. Finney agreed that this is a recurring problem when the road is closed off for events.

Because of the absence of one of the Commissioners, the emergency resolution and ordinances on tonight's agenda will be postponed to the next meeting.

There was presented and read to the Commission for a first reading an Ordinance No. O2011-98 entitled **AN ORDINANCE AMENDING ORDINANCE NO. O2009-23, AUTHORIZING AND DIRECTING THE CITY AUDITOR TO MAKE PRIOR PERIOD REVENUE ADJUSTMENTS FOR THE YEARS FROM 1994 TO 2007 IN THE WATER POLLUTION CONTROL FUND AND WATER POLLUTION CONTROL REPLACEMENT & IMPROVEMENT FUND FOR THE CITY OF GALLIPOLIS, OHIO.** Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Wallis. Upon voice vote to place this ordinance on first reading, 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