

October 5, 2010

The Gallipolis City Commission met in regular session on Tuesday, October 5, 2010, at 7:00 p.m. in the Meeting Room of the old 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  
 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                      Tony Gallagher                      Marvin Vanderberg  
 Clint Patterson                      Bob Marchi                      Randy Breech  
 Caroll Snowden                      Stephen Hawkins                      Claudia Miller  
 Kay Kerr

Commission received the minutes of the September 21, 2010 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Mr. Marchi was granted *Privilege of Floor*. He asked why the City was advertising to hire a civil engineer when there have been no raises for City employees for two years. Mr. Finney said that the City needed help on sewer projects at Cruzet and Berger and on Olive Street. Those two projects alone would cost the City \$80,000 in engineering fees for an outside consultant. There are numerous other jobs that a Civil Engineer could do, such as GIS work in mapping the sewer system. President Cozza pointed out that even though the employees did not receive a pay increase last year, they did receive a large Christmas bonus, were shielded from increases in their share of the medical insurance, and receive 100% employer-subsidized medical treatment at Quickcare. Mr. Marchi stated that the City could not afford a full-time Civil Engineer. There is not enough steady work to keep one busy. Mr. Finney said that this position, plus around \$15,000, would replace one that is retiring at \$42,000 in 2011. Mr. Finney added that the City spends an estimated \$100,000 annually on outside engineering.

The City Manager reported on the following:

- The Spruce Street Project is nearing completion. The road was paved today. Two driveways that sank were filled today. The walk-through is set for Wednesday. Some seeding remains to be done. The annexation paperwork must be sent out to residents.
- Davis Hall should be completed by the end of next week. The contractor has done a good job so far. He should begin fill work tomorrow.
- The water problem on Eastern Avenue is on hold until the owner of the pond returns from Canada.

- The America in Bloom Symposium was a very worthwhile trip, with many good ideas. Gallipolis did not win in any of the individual categories, but did maintain its four-bloom status. The value of the consulting is well worth the cost of participation.
- Hedgewood Drive has dropped about a foot this year. City workers put in some choke to keep someone from going over the hill, but that is only a temporary fix. The section in question is three hundred, ninety feet long. It is twenty feet down to the base. The County Engineer is going to take a look at it to see if he has any suggestions on how to go about repairing it. Cost to repair properly could run \$500,000 or more, according to earlier estimates.
- The road going up onto Mound Hill Cemetery is in need of some repairs.
- Mr. Finney looked into insurance coverage of City listed property to assure that all property is insured. He dropped replacement coverage on the old city building. It is now covered only for contents.
- At the ODOT meeting, Farm Road was listed for 2012, but that was actually an error because it is the only listed project not being funded by the State.
- Eagle Scout Travis Shaver pressure washed the entrance to Pine Street Cemetery, re-did and painted the gate, and decorated with artificial flowers. He did a superb job and deserves recognition.
- Public Information Officer Training is still set for October 19th to the 21<sup>st</sup> in Columbus. Mr. Finney will be coming back for the Commission meeting.
- We still have the EPA issue at Fourth Avenue and Olive Street. It was thought that we would need to install a lift station, but in doing camera work on the line today, they found what appears to be a break in the line, which may be the cause of the overflow down on Spruce Street Extension.
- We need to amend tonight's agenda to add the Marine Corp fund drive on October 16<sup>th</sup> to the approved list of those allowed to conduct "boot drives" (by ordinance) at the Wal-Mart intersection.
- After looking into the matter, Mr. Finney has determined that the road to Dave's American Grill is not owned by the City, but it is very active and highly visible, especially with the new VA Clinic. People assume that it is a public road. The City has been patching it. The cost to pave would be around \$12,000. The property owners could be assessed, but it would require a survey to properly apportion ownership interest. The City Solicitor suggested having the property owners pay for a survey so they could deed the road to the City. Regardless, there would need to be an ordinance to enter into contract for maintenance of a privately owned road.
- The estimated cost is \$8,000 to pave the 100 yards of Birch Lane.

The City Auditor presented the September Financial Statement for approval. Mr. Johnson made a motion to approve the September Financial Statement, seconded by Mr. Wallis. Upon voice vote on the motion, all votes were yes.

An invoice for \$22,362.50 from B & C Communications for COPS Grant radio equipment was presented for approval of payment. Mr. Wallis made a motion to approve payment, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.

Ms. Landers presented the 2011 Alternate Tax Budget for adoption. Mr. Wallis made a motion to adopt the 2011 Alternate Tax Budget, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.

Ms. Landers reported that she attended the ethics training in Columbus on September 17<sup>th</sup>, but did not attend the training in Charleston on the 28<sup>th</sup>, due to other pressing business. She asked approval of her attendance of the Ohio Association of Public Treasurer's Conference, including an extra day of training

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for the Certified Public Funds Investment Manager designation, in Columbus on October 12<sup>th</sup> – 15<sup>th</sup>. Cost of the Conference is \$150, plus \$125 for the CPFIM training and test, and \$129 per night for three nights of lodging. Mr. Johnson made a motion to approve attendance of the conference and training, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes.

The City Solicitor distributed drafts of a contract with Breech Engineering, which the City Manager can use in negotiations. He also gave the City Manager annexation materials for Spruce Street residents and reviewed the annexation process for the Commissioners. He said that he does not expect any problems from the County or the Township.

Mr. Salisbury requested an amendment of the agenda to include personnel matters regarding City employees in tonight's executive session. Mr. Johnson made a motion to amend the agenda as requested, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes.

President Cozza proclaimed that October 3<sup>rd</sup> through the 9<sup>th</sup> is Fire Prevention Week. He encouraged residents to install smoke detectors on all levels of their homes and to change the batteries of those already in place.

President Cozza asked the City Solicitor to look into a request that he received from an attorney from Columbus, representing a client who wishes to purchase a liquor permit from another political subdivision and bring it in as a "transfer exempt permit." The lawyer was requesting a letter from the Commission approving the transfer. The Solicitor will look into the matter and report at the next meeting.

Mr. Wallis said that the issue of changing this area from dry to wet would require a vote. Half of the precinct is dry. However, just making it wet would not guarantee a license would be available. Mr. Breech said that national chains can get a license anywhere it is wet, but it is more difficult for others.

There was presented and read to the Commission as an emergency a Resolution No. R2010-19 entitled **AN EMERGENCY RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR DEMOLITION AND ASBESTOS ABATEMENT OF THE FORMER GALLIPOLIS MUNICIPAL BUILDING 518 SECOND AVENUE.** Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Wallis. Mr. Finney stated that this would be a good time to go to bid, with contractors still looking for work. Upon roll call to adopt this resolution as an emergency, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2010-62 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH GALLIA COUNTY TO FURNISH EMERGENCY MANAGEMENT SERVICES.** Mr. Wallis made a motion to suspend the rules and adopt this ordinance on the first reading, seconded by Ms. Bailey. 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. O2010-63 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ISSUE PERMITS TO CHARITABLE ORGANIZATIONS TO SOLICIT FROM THE OCCUPANT OF A VEHICLE PURSUANT TO CHAPTER 371.06(B)(2) OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO.** Ms. Bailey made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. This ordinance gives permission for the Marine Corp, various veterans groups, Gallipolis Police and Fire Departments, Lions Club, and Shrine Club to conduct "boot drives" at Wal-Mart intersection for the period October 16 to December 31, 2010.

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Mr. Salisbury informed the Commissioners that they would incur no liability in granting such permission. 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. O2010-64 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS WITH BREECH ENGINEERING TO PERFORM PROFESSIONAL SERVICES RELATED TO THE DESIGN OF A NEW MUNICIPAL COURT AND ADMINISTRATIVE BUILDING FOR THE CITY OF GALLIPOLIS, OHIO.** Mr. Johnson made a motion to amend the title of this ordinance from "enter into contract" to "enter into contract negotiations," seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes. Discussion of this ordinance emphasized that the Commissioners wished to reserve the right to review and accept or reject any contract negotiated. Mr. Johnson made a motion to adopt this ordinance as amended, seconded by Ms. Bailey. Upon roll call to adopt this ordinance as amended, all votes were yes.

Mr. Johnson made a motion to enter executive session to discuss legal issues concerning the purchase or sale of property as set forth in ORC Section 121.22(G)(2) and personnel issues related to City employees as set forth in ORC Section 121.22(G)(1), seconded by Ms. Bailey. Upon roll call on the motion, all votes were yes. Prior to entering executive session, President Cozza informed those present that the Commission might be taking action following executive session. Upon completion of executive session, Commission returned to regular session.

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

  
Clerk, City Commission

  
President, City Commission