

November 1, 2011

The Gallipolis City Commission met in regular session on Tuesday, November 1, 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
 Ronnie Lynch Dottie Chestnut Tony Gallagher
 Claudia Miller Marvin Vanderberg Clint Patterson

Commission received the minutes of the October 18, 2011 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- FEMA has arrived in the County. They had their first meeting with local government representatives on Friday. They toured the six City sites on Monday: Hedgewood Drive, sewer line slip on Allen Drive, new Cemetery access road, old Cemetery access road, slip at top of Mound Hill, and Chillicothe Road sewer line and slip. FEMA plans to be on-site in the County for about three weeks.
- Street paving – The contractor completed paving First Avenue today. They still need to stripe the street. Striping continues on Second Avenue.
- Auxiliary Fire Station – More stone has been placed at the side of the road. The automatic garage door opener still needs to be fixed.
- Justice Center – The contractor is working on the rebar, gravel, and stone. Rain has been a problem. It cost \$117,000 for soil replacement and compaction. They hauled 1750 loads of soil. The City is having bi-weekly meetings with the contractor.
- Cox Property – The City now owns the Cox property.
- Davis Hall property – The County Commission is going forward with the purchase of the property.
- Mr. Finney will be attending an OVRDC meeting on December 6th at 10:30 a.m.
- A public workshop on Marcellus and Utica Shale is scheduled for Wednesday, November 16th, at 7 p.m. at the Buckeye Hill Career Center.
- There was an accident involving a police cruiser on the 800 block of Second Avenue. It did \$5,000 damage to the vehicle, but no one was injured.
- Administrative Offices – Mr. Finney has been putting some new thoughts into the design, such as having public restrooms on the alley end of the building, which would be entered from the street.

This would address the need for public facilities in the downtown City Park area. The restrooms would be constructed as vandal-proof as possible. They would be locked around 9 p.m. Mr. Finney is looking at the larger footprint to allow more flexibility for present as well as future needs.

- A "Shelter in Place" DVD will be shown at the next meeting.

Mr. Finney presented a letter from Chief Patterson requesting approval of the appointment of Mr. Chris Johnson as Reserve Officer with the Gallipolis Police Department. Mr. Wallis made a motion to approve the appointment, seconded by Mr. Johnson. During discussion, Chief Patterson told the Commissioners that there are usually twelve to fifteen reserve officers. These officers usually have other jobs with the court or the County. Upon voice vote on the motion to approve this appointment, all votes were yes.

The City Auditor presented an invoice for \$18,008.91 from Waste Management for approval of payment. The invoice was dated 10/1/11 (Saturday). The purchase order was dated 10/3/11 (Monday). Mr. Cremeens made a motion to approve payment, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes.

Ms. Landers provided information on how the "tax lien sale" that the County Treasurer plans to conduct will work. President Cozza had asked for this information. Ms. Landers spoke to Terry Short in the County Auditor's office. Ms. Short has been attending the planning meetings. She said that in November, the County Treasurer will send letters out to delinquent property owners, warning them to either pay or sign payment plans. Those who do not respond will receive certified letters in December, telling them that unpaid accounts will be sold. O.V. Funding, LLC is only interested in properties appraised at \$25,000 or higher. They will purchase the property taxes receivable, plus any special assessments, at 100% of the face value. Money collected will be distributed with the first half distributions in March or April of 2012.

The City Solicitor informed the Commission that he filed a number of complaints last week. Of the people being pursued for income tax delinquencies, so far only one has decided to hire a lawyer to contest the case in court. The others are in discussion, have paid, or are making arrangements for payment plans.

Mr. Johnson went over some of the goals developed by the Gallia County Strategic Planning Group.

President Cozza encouraged all residents to vote on Election Day, which is next Tuesday, November 8th.

There was presented and read to the Commission for a first reading a Resolution No. R2011-22 entitled **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT AND SERVICES FOR USE BY THE CITY IN THE CALENDAR YEAR 2012 AS HEREIN DESCRIBED.** Mr. Johnson made a motion to suspend the rules and adopt this resolution on first reading, seconded by Ms. Bailey. Upon roll call to suspend the rules and adopt this resolution on first reading, all votes were yes.

There was presented and read to the Commission for a first reading a Resolution No. R2011-23 entitled **A RESOLUTION APPROVING THE RESOLUTION OF THE GALLIA, JACKSON, MEIGS, VINTON JOINT SOLID WASTE MANAGEMENT DISTRICT TO AMEND THE SOLID WASTE MANAGEMENT PLAN TO LOWER THE FEE STRUCTURE.** Mr. Johnson made a motion to suspend the rules and adopt this resolution on first reading, seconded by Mr. Cremeens.

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President Cozza said that he has been attending the meetings in Wellston concerning this. He explained that it affects the fees charged to dumpers. The fees fund the activities of the solid waste district. Upon roll call to suspend the rules and adopt this resolution on first reading, all votes were yes.

There was presented and read to the Commission for a first reading a Resolution No. R2011-24 entitled **A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO REGISTER THE CITY OF GALLIPOLIS AS A PARTICIPANT IN THE 2012 AMERICA IN BLOOM CONTEST**. Mr. Johnson made a motion to suspend the rules and adopt this resolution on first reading, seconded by Ms. Bailey. Upon roll call to suspend the rules and adopt this resolution on first reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-95 entitled **AN EMERGENCY ORDINANCE TO DEDICATE MOUND HILL ROAD AS A PUBLIC STREET FROM STATE ROUTE 141 (PORTSMOUTH ROAD) TO MOUND HILL CEMETERY AND FORTIFICATION HILL IN GALLIPOLIS, OHIO**. Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Ms. Bailey. The City Manager said that he has talked to the County Engineer and will insert the description when he receives it from the County. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2011-102 entitled **AN ORDINANCE TO APPROVE THE PLAN OF OPERATION AND GOVERNANCE FOR THE CITY OF GALLIPOLIS, OHIO, ELECTRIC AGGREGATION PROGRAM**. Mr. Johnson made a motion to adopt this ordinance on second reading, seconded by Ms. Bailey. Upon roll call to adopt this ordinance on second reading, Mr. Wallis abstained due to his employment with AEP. Mr. Cremeens voted no due to lack of information. Ms. Bailey, Mr. Johnson, and Mr. Cozza voted yes. Ordinance No. O2011-102 was adopted on second reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2011-103 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**. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Cremeens. Mr. Finney explained that this ordinance requires yearly approval. The Senior Resource Center was added to the list this year. Mr. Cremeens expressed concerns about the safety of those collecting as well as the possible pressure on people to donate. Chief Patterson said that those collecting stand in the center section and do not solicit from those who do not roll down their windows. Mr. Salisbury advised that Commissioners who are members of these organizations need not abstain from voting since their membership would not create a conflict. 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. O2011-104 entitled **AN EMERGENCY ORDINANCE DEEDING REAL PROPERTY TO HOLZER HEALTH SYSTEMS**. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Wallis. President Cozza said that Mr. Brent Saunders contacted him recently regarding a piece of property that was deeded to the City back in the 1970's. When the City deeded it back to Holzer, a small piece of that property was inadvertently omitted from the legal description. This was not discovered until the recent merger between the Hospital and Clinic. They need this small piece deeded back to them in order to complete the merger. 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. O2011-105 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER**

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INTO AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES WITH THE FLOYD BROWNE GROUP FOR THE WATER POLLUTION CONTROL FACILITY IMPROVEMENTS PROJECT FOR CAPACITY INCREASE UPGRADE. 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 for a first reading an Ordinance No. O2011-106 entitled **AN ORDINANCE SETTING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES FOR THE CALENDAR YEAR 2012.** Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Cremeens. Upon voice vote to place this ordinance on first reading, all votes were yes.

President Cozza explained that it is necessary to adjourn the regular meeting now and re-convene in a special meeting for executive session. We were not to have executive session in the meeting adopting Resolution R2011-23, amending the Solid Waste Management Plan. There being no further business to come before the City Commission, the meeting was adjourned.


Clerk, City Commission


President, City Commission