

November 4, 2014

The Gallipolis City Commission met in regular session on Tuesday, November 4, 2014, at 6:00 p.m. at the Gallipolis Municipal Building, 333 Third Avenue, having complied with Section 9 of the City Charter.

Commission President Steven Wallis called the meeting to order and gave the invocation.

Upon roll call, the following members were present:

Steven E. Wallis, President
 Michael W. Brown, Member
 Albert "Tony" Gallagher, Member
 W. Matthew Johnson, Member

Others attending were:

M. Eugene Greene, Interim City Manager
 Adam R. Salisbury, City Solicitor
 Annette M. Landers, City Auditor/Clerk/Treasurer
 Michael Johnson, Gallipolis Daily Tribune

Ronnie Lynch	Mary Lee Marchi	Marvin Vanderberg
Beverly Dunkle	Keith A. Sheets	JoAnn Nibert
Rebecca Viall	Bill Gene Johnson	Janet Johnson
Randy Breech	Keith Elliott	Dave Walters

Commission received the minutes of the October 7 & 10, 2014 meetings prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

President Wallis granted *Privilege of Floor* to the Gallipolis in Bloom Committee, represented by Ms. Bev Dunkle and Ms. Kim Canaday. Ms. Dunkle thanked the Commission for allowing them to participate for the ninth straight year. This year, the City won the Overall Impression Outstanding Achievement Award, Best in Population Category (3,501 – 4,500), Best Volunteer Recognition Program Outstanding Achievement Award, and received four blooms (up from three blooms last year and out of a possible five). The community profile that they submitted was highly praised and has been edited for distribution at the Gallia County Visitors' Center. Ms. Dunkle said that the judges gave us one of the best evaluations that we have ever received, with attainable goals for the future. Mr. Brown, who also attended the symposium, said that the program of workshops at this year's event was fantastic. President Wallis praised the efforts of the Gallipolis in Bloom Committee, saying that their efforts make Gallipolis look great.

Privilege of Floor was next granted to Mr. Randy Breech, representing Mr. Robbie Pugh as his property owner in an appeal of findings of the Historic Preservation Review Board concerning signage for Mr. Pugh's new business, Pip and Hud's. The board ruled that his proposed outdoor signage, two six foot tall, LED lighted signs of a kitten and a turtle, was not appropriate. Mr. Breech said that he had served on the original board, along with Mike Brown, and that he felt that they had gotten too far away from their original scope of authority. He asserted that the original board members received training in Columbus, but the current board makes all decisions with no formalized training. Our downtown is falling apart around us, with nothing being done to address adjoining buildings that continue to decay to a dangerous degree. He declared that he was not just mad about the decision on the signs, but mad about the system. In discussion, Ms. Nibert spoke for the board, defending their decision as carefully deliberated, using the

guidelines set for them. Mr. Brown expressed his support of the board. Mr. Johnson sought compromise, asking not to be held hostage over a couple of six foot tall characters on the outside of a building. Mr. Gallagher stated that he did not agree with the board's decision because of economic concerns. He was in favor of allowing the signs rather than to discourage businesses from locating in town. President Wallis spoke in favor of allowing more time to seek compromise. He encouraged the matter to be tabled until all five commissioners could be present. Mr. Johnson agreed, adding that a vote this evening was likely to go against Mr. Pugh, since his vote to abstain, which must be counted as a no-vote, would ensure a deadlock of the Commission with, at best, a two to two vote. Mr. Gallagher made a motion to table the appeal to the next meeting, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.

Mr. Keith Sheets asked if there had been any thought about placing a notice board outside of the building to alert people of meeting dates and times. He said that the website is not current. President Wallis thanked him for his suggestion, observing that any signage we would use must also be approved for use in the historic district. Ms. Landers offered to add his name and telephone number to the list of those she contacts when scheduling changes are made for Commission meetings.

The Interim City Manager reported on the following:

- The new cruisers are in Cross Lanes getting outfitted. At least one should be on the road by next week.
- Court Street striping has been re-done to correct earlier flaws.
- 850 Sewer Project – Melissa Clark is finalizing grant funding for that project.
- Mr. Walters has found a source for road salt for the winter, which is in short supply this year.
- The flower planting in the City Park went well.
- The Gallipolis in Lights crew, which includes Commissioner Matt Johnson, began last week installing the Christmas lights in the City Park.
- The Chickamauga Creek Water Line Replacement Project is almost complete, thanks in large part to the efforts of Mr. Walters and his workers.
- November 11th is the date for this year's Veterans' Day Parade.

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

- \$12,251.25 from Bob's Market for Christmas lights. Invoice 3/5/14. P.O. 9/25/14.
- \$10,343.47 from CT Consultants for Headworks engineering. Invoice 8/18/14. P.O. 10/17/14.
- \$65,100 from CT Consultants for WWTP Upgrade engineering. Inv. 8/18/14. P.O. 10/17/14.
- \$19,158.12 from Waste Management for Aug. refuse pickup. Invoice 9/1/14. P.O. 9/18/14.
- \$5,910 from CT Consultants for Headworks engineering. Invoice 9/12/14. P.O. 10/17/14.
- \$15,500 from CT Consultants for WWTP Upgrade engineering. Inv. 9/12/14. P.O. 10/17/14.
- \$4,737 from Northpointe for Court COMPAS license. Invoice 9/12/14. P.O. 10/8/14.
- \$12,500 from GJM Brd of Mental Health for MAT services. Inv. 9/15/14. P.O. 10/8/14.
- \$16,500 from State for MARCS services 2012 – 2014. Invoice 10/1/14. P.O. 10/8/14.

Mr. Gallagher made a motion to approve payment of these invoices, seconded by Mr. Brown. Mr. Salisbury explained the COMPAS court probation tracking program. Upon voice vote on the motion, all votes were yes.

Ms. Miranda Johnson of the Gallia County Chamber of Commerce contacted us yesterday regarding the Legislative Roundtable to be held at the December 5th First Friday at the OVB Annex, 143 Third Avenue. They would like to have some of the City Commissioners and the City Manager participate. Senator Peterson, Representative Ryan Smith, and the County Commissioners have also been invited to participate. Doors will open at 7:30 a.m., with the roundtable beginning at 8 a.m. It should last one to one and a half hours. Mr. Brown and Mr. Gallagher volunteered to represent the City.

Holzer Health & Wellness Center, 725 Second Avenue, will be having their campaign kick-off on Saturday, November 8th, at 10 a.m. They are requesting that those attending RSVP to the telephone number on the invitation.

The Budget Commission Hearing is 10:30 a.m., November 12th, in the second floor meeting room at the Gallia County Courthouse. This will be for the 2015 Alternate Tax Budget. Commissioners and the public are welcome to attend.

On the agenda tonight is the request from the family of Thelma & Emmett Patterson for "Satisfaction of Mortgage" on the small residual mortgage that we hold for their property. Ms. Landers described the basis of the appeal, which is that Emmett has passed away and Thelma is now in a nursing home. The property is subject to a lien from the federal government, which would take priority over ours. The projected sale price of the property is only \$16,000, which is not sufficient to cover all expenses. Since this mortgage was through the CHIP Grant program, we did not lend the money ourselves, but the small residual mortgage of 3,746.10 would be payable to the City to go in a special fund for low income housing rehabilitation. The mortgage contract allows the Commission to forgive the debt in the case of death or serious health impairment of one or more of the mortgagors.

Also on the agenda for tonight is the first reading on the 2015 temporary appropriations and the write off of this year's delinquent water/sewer accounts.

Ms. Landers asked the Commission if they wished to go forward with the Employee Christmas Dinner, which is set for December 5th, at the Elks' Lodge. The dinner usually costs around \$1,400, with several funds sharing the cost. Commissioners expressed their desire to have the dinner, with the usual entrée selections of prime rib and chicken breast.

The City Solicitor requested executive session to discuss the buying and selling of property and civil lawsuits pending.

Mr. Gallagher stated that he has had some telephone calls from residents, complaining of leaves not being picked up by City crews. Also, there was a complaint about the parking situation at the corner of Olive & Fourth. Regarding the parking complaint, Mr. Gallagher said that he told the person that the parking there is legal. Regarding leaf pick-up, Mr. Greene answered that the leaf truck was out some last week, but that the crews have been busy fixing water line breaks. President Wallis agreed that such emergency work must take priority over leaf pick-up. He asked for patience on the part of residents.

Mr. Gallagher asked if anyone knew the opening date for the new Jiffy Lube. Mr. Greene said that they have been working on the inside of the building. Mr. Breech interjected that they are hoping to open in mid-December.

Mr. Johnson mentioned problems with the dumpster in the parking lot being used by people who are not authorized, who just put their trash inside the fence. The Elks' Club has asked for an answer from Code Enforcement on their request to place a flag pole on Second Avenue in front of their building. Gallipolis in Lights has finished installing lights along First Avenue. They hope to complete the work over the next two weekends, so that they can test the lighting prior to the lighting ceremony. The lighting ceremony is scheduled for November 26th, at 6 or 7 p.m. There will be many events around the park that night, including free carriage rides.

Mr. Gallagher said that he was amazed at the people who participated in the events in the City Park on Trick or Treat night. The Wounded Goose gave out hundreds of free hotdogs. The Baptist Church gave out free popcorn. FM 93.1 gave out free drinks and broadcast from the park. Several others participated.

Mr. Harder and Mr. Breech talked about a scheduled electrical outage on Thursday from 9 a.m. to 3 p.m. in the vicinity of Breech's new building. Work will include removing an old pole.

There was presented and read to the Commission as an emergency a Resolution No. R2014-22 entitled **AN EMERGENCY 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 2015 AS HEREIN DESCRIBED.** Mr. Brown made a motion to place this resolution on first reading, seconded by Mr. Johnson. Upon voice vote to place this resolution on first reading, all votes were yes.

There was presented and read to the Commission as a first reading an Ordinance No. O2014-62 entitled **AN ORDINANCE SETTING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES FOR THE CALENDAR YEAR 2015.** Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Gallagher. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission as a first reading an Ordinance No. O2014-63 entitled **AN ORDINANCE AUTHORIZING THE REMOVAL FROM THE LEDGERS OF THE CITY OF GALLIPOLIS UTILITY BILLING OFFICE CERTAIN PAST DUE ACCOUNTS AS SET FORTH HEREIN.** Mr. Gallagher made a motion to place this ordinance on first reading, seconded by Mr. Johnson. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2014-64 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HIGHLAND COUNTY SHERIFF'S OFFICE FOR THE HOUSING OF PRISONERS.** Mr. Brown made a motion to place this ordinance on first reading, seconded by Mr. Gallagher. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2014-65 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2010-77, AS AMENDED BY ORDINANCE NO. O2011-01, AS AMENDED BY ORDINANCE NO. O2011-79, AS AMENDED BY ORDINANCE NO. O2012-13, AS AMENDED BY ORDINANCE NO. O2012-66, AS AMENDED BY ORDINANCE NO. O2013-01, AS AMENDED BY ORDINANCE NO. O2013-21, AS AMENDED BY ORDINANCE NO. O2014-04, AS AMENDED BY ORDINANCE NO. O2014-20, AS AMENDED BY ORDINANCE NO. O2014-29, AS AMENDED BY ORDINANCE NO. O2014-38, AS AMENDED BY ORDINANCE NO. O2014-41, AMENDING SECTION A2, COMPENSATION FOR APPOINTED OFFICIALS, AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION.** Mr. Gallagher made a motion to place this ordinance on first reading, seconded by Mr. Brown. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2014-66 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN DOCUMENTS FOR THE RELEASE OF A MORTGAGE AS DESCRIBED HEREIN.** Mr. Brown made a motion to place this ordinance on first reading, seconded by Mr. Gallagher. Upon voice vote to place this ordinance on first reading, all votes were yes.

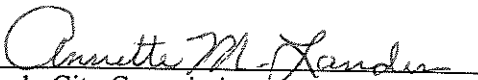
There was presented and read to the Commission as an emergency an Ordinance No. O2014-67 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AUTHORIZE CHANGE ORDER NO. 1 WITH WAUGH EXCAVATING FOR**


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ADDITIONAL EXCAVATION WORK FOR THE CHICKAMAUGA CREEK WATER LINE REPLACEMENT PROJECT. Mr. Brown made a motion to place this ordinance on first reading, seconded by Mr. Johnson. Mr. Greene explained that the work was for three days extra excavation involved in trying to find the old line. Upon voice vote to place this ordinance on first reading, all votes were yes.

Mr. Gallagher made a motion to enter Executive Session to discuss buying and selling of property and civil lawsuits, seconded by Mr. Brown. Upon roll call to enter executive session, all votes were yes. 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