

December 6, 2011

The Gallipolis City Commission met in regular session on Tuesday, December 6, 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
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
Michael W. Brown, Commissioner-elect
Lloyd E. Danner, Gallipolis Township Trustee
C. Ronnie Carmichael, Gallipolis Township Trustee
Harry Dean Brownell, Gallipolis Township Trustee
Robert Rothgeb, Addison Township Trustee
Wanda Waugh, Clay Township Clerk
Amber Gillenwater, Gallipolis Daily Tribune
Tony Gallagher Clint Patterson Marvin Vanderberg
Roma Wood Dwain Beaver John Elliott
Jeremy O'Dell Dean Mays Jim Johnson
Jonathan Van Meter Bradley S. Harris

Commission received the minutes of the November 15th and December 1, 2011 special meetings prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

President Cozza opened the discussion on the township fire protection agreements by welcoming the township representatives to the meeting. Mr. Wallis reviewed some of the concerns discussed at the last meeting with the townships, such as false alarm runs and runs that fall outside of the realm of "fire protection." These types of runs increase our costs and also raise legal issues if anything would arise from runs outside of the scope of our contracts. After considerable discussion, the representatives from Clay and Addison Townships said that their Board of Trustees had discussed the issue and decided that they could agree to pay an additional 5% of their Fire Levy proceeds for continuation of their present services. Gallipolis Township Trustee Lloyd Danner stated that they were relatively happy with their fee as is, but agreed to a 5% increase. (Gallipolis Township does not have a Fire Levy.)

Mr. Johnson made a motion to appoint Ms. Robin Lane to the Recreation Board, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes.

Mr. Johnson made a motion to appoint Ms. Lorie Neal to the Park Advisory Board, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes:

The City Manager reported on the following:

- FEMA disaster team – There is no word back yet on funding. Mr. Finney plans to call again tomorrow.
- Justice Center – The contractor is working on drainage, which is running \$42,000 so far. Ms. Roma Wood asked that the City Manager check the drainage carefully because it is backing up right now onto adjacent properties.
- New Cemetery Road – The road has slipped a little more since the last report. Triad's estimate for core drilling was \$8,900. CTL has not come down yet to make an estimate. The weather next week is expected to be better.
- The Charter calls for an organizational meeting to elect officers on January 2nd at 8 p.m.
- The Fire Department's Christmas dinner is Tuesday, December 13th at 6 p.m.
- Fire Chief – Mr. Poling has resigned as Fire Chief. Mr. Finney would like to clean up the ordinance for selecting a fire chief. He showed a slide with the old wording stricken and new wording in red. There was considerable discussion, especially on the subject of years of service required for the position. President Cozza asked that the City Manager meet with Mr. Wallis and Mr. Cremeens to try to come up with wording that could pass as an emergency and allow Mr. Finney to fill the position soon.

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

The donation of \$3,631.26 from Volunteer Energy Services was presented for acceptance. Ms. Bailey made a motion to accept this donation, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.

An invoice for \$18,609.78 from Waste Management for October refuse pickup was presented for approval of payment. The invoice was dated 11/1/11; the purchase order was dated 11/2/11. Mr. Wallis made a motion to approve payment, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes.

Ms. Landers presented two liquor license transfer requests: from Halfhills Tavern to J. D. Hill, Inc., both at 234 Third Avenue, and from Speedway Beverage LLC to Speedway LLC, both at 801 Second Avenue. Chief Patterson reported no concerns with these transfers. Mr. Wallis made a motion not to request a hearing on the Speedway transfer, seconded by Ms. Bailey. Upon voice vote on the motion, all votes were yes. Ms. Bailey made a motion not to request a hearing on the Halfhill to J. D. Hill transfer, seconded by Mr. Wallis. Upon voice vote on the motion, all votes were yes.

The City Solicitor requested executive session to discuss lawsuits.

There was presented and read to the Commission for a first reading a Resolution No. R2011-26 entitled **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO FIRE PROTECTION AGREEMENTS WITH THE TOWNSHIPS OF ADDISON, CLAY AND GALLIPOLIS OF GALLIA COUNTY, OHIO.** Mr. Wallis made a motion to place this resolution on first reading, seconded by Ms. Bailey. The City Manager will place the correct wording into the contracts to show the increased percentage from 80% to 85%. Upon voice vote to place this resolution on first reading, all votes were yes.

There was presented and read to the Commission for a first reading a Resolution No. R2011-27 entitled **A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A NEW SPECIAL**

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REVENUE FUND (OCJS MRT PROBATION GRANT). Ms. Bailey made a motion to place this resolution on first reading, seconded by Mr. Wallis. Ms. Landers informed the Commissioners that this grant is a court grant, which will be matched from special court funds. Upon voice vote to place this resolution on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2011-115 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH GALLIA COUNTY FOR THE BOARDING OF PRISONERS.** Ms. Bailey made a motion to place this ordinance on first reading, seconded by Mr. Wallis. Mr. Finney told the Commissioners that the daily rate had gone from \$55 to \$60. The work release center has been saving the City money on housing. Upon voice vote to place this ordinance on first reading, all votes were yes.


There was presented and read to the Commission for a first reading an Ordinance No. O2011-116 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.** Ms. Bailey made a motion to place this ordinance on first reading, seconded by Mr. Wallis. Ms. Landers told the Commissioners that these accounts were handled as they have been in the past, with property owners paying for consumption of their tenants, but not for late fees or shut off fees. The list also includes some bankruptcies. She offered to go over any accounts on the list that they might wish to discuss in greater detail. Total write-offs for this year are \$2,468.67, all within the enterprise funds. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2011-117 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE GALLIA COUNTY COMMISSIONERS FOR PAYMENT OF LEGAL SERVICES TO THE CITY'S INDIGENT CITIZENS.** Mr. Wallis made a motion to place this ordinance on first reading, seconded by Ms. Bailey. There was a discussion of the increase in cost. The City Solicitor informed the Commission that the guidelines for who could receive indigent defense had been relaxed to the point that almost anyone now qualifies. If we did not have this contract, we would be responsible for 100% of the legal defense for indigent cases at whatever rates the lawyers charge. Upon voice vote to place this ordinance on first reading, Mr. Cozza voted no. All other votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2011-118 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE A GENERATOR FOR THE GALLIPOLIS JUSTICE CENTER.** Ms. Bailey made a motion to place this ordinance on first reading, seconded by Mr. Wallis. Mr. Finney told the Commissioners that the generator is natural gas and diesel. The judge is paying the cost from her special court funds. Upon voice vote to place this ordinance on first reading, all votes were yes.

Mr. Wallis made a motion to enter executive session to discuss legal (lawsuit) issues as set forth in ORC Section 121.22(G)(3), seconded by Ms. Bailey. Upon roll call to enter executive session, all votes were yes. President Cozza announced that there would be no business 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