

March 18, 2014

The Gallipolis City Commission met in special session on Tuesday, March 18, 2014, at 7:00 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  
 James Jay Cremeens, Vice-President  
 Michael W. Brown, Member  
 Albert "Tony" Gallagher, Member  
 W. Matthew Johnson, Member

Others attending were:

Randall J. Finney, City Manager  
 Adam R. Salisbury, City Solicitor  
 Annette M. Landers, City Auditor/Clerk/Treasurer  
 Keith Elliott                      Ronnie Lynch                      Mary Lee Marchi  
 Joy Elliott                              Marvin Vanderberg

Commissioners received the minutes of the February 27 and March 4, 2014 meetings prior to this meeting. Ms. Landers went over some corrections that she made to the February 27<sup>th</sup> minutes prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

A second Public Hearing on the 2014 Proposed Budget, on the agenda tonight, was not required and, therefore, not convened. Everyone present this evening was present at the required public hearing on March 4<sup>th</sup>. Ms. Landers went over an amendment that she made to the budget to add a payment on one of the OWDA loans for the WWTP project. She did not have the figures for that loan when she submitted the budget earlier. There is one payment due this year on July 1<sup>st</sup>.

The City Manager reported on the following:

- The Water Office will be closed tomorrow for CMI training and software conversion to their Utility Authority software. Training will continue on Thursday and perhaps Friday, but the office will be open for business on both of those days.
- The owner of 934 Second Avenue has requested to be added to the list for demolition. The house has no floor and is in bad shape. There have been complaints from the neighbors. Commissioners discussed this house, as well as some houses near the Tribune office. Mr. Johnson made a motion to include the house at 934 Second Avenue on the approved list for the demolition grant, seconded by Mr. Cremeens. Upon voice vote on the motion, Mr. Brown voted no. All other votes were yes.
- The Family and Children First Council says they need a letter from the City Solicitor stating that we will not donate the \$1,000 annual fee that they have been assessing. Mr. Salisbury will send them a letter. Mr. Finney added that we might want to consider a donation sometime in the future when our financial situation allows because they do more than he realized in outreach to the schools and community.
- Mr. Finney would like to use some of the VESI Community Reinvestment money to have a small building built for equipment storage at the ball fields near the Water Treatment Plant. This use of

- the funds falls within the parameters of public purpose for the use of funds donated to the VESI Fund. The Court has agreed to pay half of the estimated \$1,400 cost. Mr. Gallagher made a motion to designate \$700 of the VESI money for our share of the cost of a storage building, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.
- Along the same lines, Mr. Finney would also like to use \$5,600 of the VESI money to purchase two rims to use during the Hoops Project and for other similar events. For this year's Hoops Project, the committee hopes to get 100 teams involved in the three-day event to be held July 11 – 13. They are seeking sponsorships for the courts that will be used. By purchasing two rims, the City would be sponsoring one court. The hoops have breakaway rims for safety. Gallagher made a motion to designate \$5,600 of the VESI money for the cost of two portable rims, seconded by Mr. Brown. Upon voice vote on the motion, Mr. Johnson abstained due to his involvement in the project. All other votes were yes.
  - In answer to a question posed at the last meeting, Mr. Finney has found that there is wireless internet available in the City Park. They plan to erect a sign to recognize the sponsors.
  - The new Gallia County website for economic development is at [www.growgallia.com](http://www.growgallia.com). He also encouraged the Commissioners to sign up for storm-related alerts on [www.nixle.com](http://www.nixle.com).
  - A private citizen has requested the use of city-owned bleachers for a wedding. They will provide transport to move them and make a small donation to the City for the use. Mr. Salisbury advised getting a waiver signed. There were no objections to this usage.
  - Rep. Ryan Smith called with the very good news that \$100,000 has been placed in the State's appropriations for our park front amphitheater. This will pay for the engineering and construction of that phase of the project. This does not definitely guarantee funding, but it is fairly certain to be funded at this stage of the process. Three other Gallia County entities are also in line for funding: French Art Colony (\$100,000), The Ariel Theatre (\$100,000), and University of Rio Grande (\$987,000).
  - The OVRDC banquet is this Friday. Mr. Brown and Mr. Gallagher are attending. Mr. Finney will not be able to attend due to family health issues, which necessitate taking Thursday and Friday off. Mr. Swisher will be attending in his place.
  - There is a free economic development meeting tomorrow. Melissa Clark and Harold Montgomery plan to attend from the County. Mr. Finney plans to attend, if nothing interferes. AEP is interested in helping fund a study if the County and City decide to pursue it.
  - Mr. Cremeens asked whether the City Manager had asked Chillicothe's mayor for more information on their effort to reduce the cost of housing of prisoners by citing violators, whenever possible, on state law rather than city ordinances. Mr. Finney said that Chillicothe's mayor has not attended the last couple of meetings of the Mayors' Partnership.

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

Ms. Landers said that Ms. Lori Webb from the Auditor of State's office called today to inform her that the City will need to have a complete audit of the 2013 financial statements as part of the Single Audit of federal awards in excess of \$500,000. Ms. Webb estimated the cost would be similar to our usual biennial audit cost, which would put it at around \$36,000. This cost is due to the more extensive work required for the Single Audit. That was the bad news, since this was definitely not included in our budget considerations. Ms. Landers went on to relate that Ms. Webb told her of a 2009 AOS bulletin, which allows the cost of an audit to be apportioned to each of the operating funds of a governmental entity. This should allow us to enact an ordinance to assess a prior period expense adjustment for the audit expenses incurred in 2010, 2011, and 2013 (for 2009, 2010, and 2012 financial statements) on those funds affected by this bulletin. It

will also allow us to charge funds for audit expenses in the current year and going forward. According to rough calculations, this will more than cover the additional audit costs for this year.

The City Solicitor informed the Commission that his work with the County has recently increased due to the animal cruelty allegations. This has fortunately coincided with a slack period in city cases. Mr. Amsbary is set for trial one week from today for in excess of forty code violations.

Mr. Gallagher told about the cancer benefit, for the daughter of a Charleston, WV police officer, which he attended on Saturday. It was held at the Elizabeth Chapel Church gym. Members of the Gallipolis Police Department and Gallipolis Volunteer Fire Department donated their time to support the effort. He said that everyone enjoyed the games. There were t-shirts available for sale that said "Cops for Cancer 2014."

There was presented and read to the Commission as an emergency a Resolution No. R2014-06 entitled **AN EMERGENCY RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR SPRUCE STREET LIFT STATION UPGRADE.** Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Brown. Mr. Finney explained that this was to eliminate a wet well, which posed a safety issue, at an estimated cost of \$125,000. They sent out the PTI (Permit to Install) this week. Upon roll call to adopt this resolution as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency a Resolution No. R2014-07 entitled **AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO REQUEST BIDS FOR A LOAN FOR THE PURCHASE OF A NEW PUMPER FIRE TRUCK AND A NEW BRUSH TRUCK.** Mr. Cremeens made a motion to adopt this resolution as an emergency, seconded by Mr. Brown. Upon roll call to adopt this resolution as an emergency, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2013-10 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE OHIO ATTORNEY GENERAL'S OFFICE FOR ADDITIONAL MOVING OHIO FORWARD GRANT PROGRAM FUNDS.** Mr. Johnson made a motion to adopt this ordinance on second reading, seconded by Mr. Gallagher. Upon roll call to adopt this ordinance on second reading, Mr. Brown voted no. All other votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2014-11 entitled **AN ORDINANCE TO APPROVE THE PLAN OF OPERATION AND GOVERNANCE FOR THE CITY OF GALLIPOLIS NATURAL GAS AGGREGATION PROGRAM.** Mr. Finney explained that there was a timing issue that compelled the City to adopt this ordinance as an emergency. After some open consultation between the City Solicitor and Mr. Wallis, Mr. Wallis decided that he was not aware of a conflict of interest arising from his employment with AEP, which would require him to abstain from voting on this ordinance. Mr. Gallagher made a motion to amend this ordinance for adoption as an emergency, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes. Mr. Gallagher made a motion to adopt this amended ordinance as an emergency, seconded by Mr. Johnson. Upon roll call to adopt this amended ordinance as an emergency, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2014-12 entitled **AN ORDINANCE AMENDING ORDINANCE NO. O2010-077, AS AMENDED BY ORDINANCE NO. O2011-01, AS AMENDED BY ORDINANCE NO. O2011-79, AS AMENDED BY ORDINANCE NO. O2012-66, AS AMENDED BY ORDINANCE NO. O2013-21, AMENDING C6(C), COMPENSATION FOR SALARIED EMPLOYEES, ASSISTANT VOLUNTEER FIRE CHIEF AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION.** Mr.

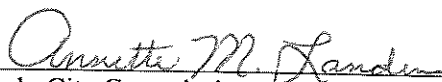
Creameens made a motion to adopt this ordinance on second reading, seconded by Mr. Brown. Mr. Finney stated that he still did not favor doing this as he feels that there is a conflict of interest for some in voting for this. Mr. Salisbury advised that there is sometimes a need to recuse yourself from voting due to an actual conflict of interest and sometimes just from the appearance of a conflict of interest. Upon roll call to adopt this ordinance on second reading, Mr. Johnson and Mr. Gallagher voted no. All other votes were yes.


There was presented and read to the Commission for a second reading an Ordinance No. O2014-13 entitled **AN ORDINANCE TO SET APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014**. Mr. Johnson made a motion to amend the ordinance to include the OWDA loan with first payment due July 1, 2014, seconded by Mr. Brown. Mr. Johnson made a motion to adopt this amended ordinance on second reading, seconded by Mr. Brown. Upon roll call to adopt this amended ordinance on second reading, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2014-14 entitled **AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS**. Mr. Brown made a motion to adopt this ordinance on second reading, seconded by Mr. Gallagher. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2014-15 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE VILLAGE OF MIDDLEPORT, OHIO, FOR THE HOUSING OF PRISONERS**. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Gallagher. Mr. Gallagher asked the daily rate for this contract. Mr. Finney responded that it is \$60 per night, but there is cost to transport on top. Upon roll call to adopt this ordinance as an emergency, 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