

September 2, 2014

The Gallipolis City Commission met in regular session on Tuesday, September 2, 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  
 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		
Ronnie Lynch	Keith Elliott	Joy Elliott
Ed Swisher	Meagan Barnes	Marvin Vanderberg
Mary Lee Marchi	Randy Breech	Mike Fulks
Shari Rocchi	Christi Johnson	Michelle Miller
Samantha Simmons	Pat Tackett	Melissa Davis
Karen McCarty	Jodie Penrod	Lance Clifford
Jimmy Wiseman		

Commission received the minutes of the August 19, 2014 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

*Privilege of Floor* was granted Ms. Meagan Barnes. She said that she wished to speak about the departure of Randy Finney. She began by thanking Mr. Finney, calling him "a person who holds it all together." She spoke of him as a mentor and a person of vision, who worked tirelessly for the City. She asked who the Commissioners could get to replace him. She asserted that she and many others, who have been engaged in activities to build up the City, are too discouraged to continue without his leadership. She concluded by asking, "What are we going to do now?"

Mr. Randy Breech spoke next. He spoke of his long relationship with the City, working on many projects. Randy Finney has been the best City Manager that he has worked with. Because of his great confidence in the management of the City under Mr. Finney, Mr. Breech has engaged in several projects to build up the City with new businesses, the most recent being his multi-million dollar building downtown. He said that he was not very proud of some of the Commissioners and would have to think carefully before engaging in any other projects in the City.

President Wallis noted that Mr. Finney's resignation was not demanded by the Commission. In fact, they have not yet discussed or acted upon his resignation. He observed that the City Manager's job is very tough, being on-call at all times. At five years of service, Mr. Finney has persevered longer than most City Managers. The Commissioners do not have a plan in place for replacing him. He assured those present that the Commission would not rush into this, but would set up an interview process. He

explained that conditions have changed greatly over the last four decades, with the population falling from over 6,000 residents to around 3,200 today. Likewise, funding has greatly decreased with recent changes on the state level.

Mr. Cremeens remarked that Mr. Finney will probably go down in the history books as one of our finest City Managers, even regularly going out on police and fire runs. He went on to state that he and Randy have sometimes locked heads, but have been able to apologize and go forward. We have been blessed for the past five years and appreciate his service.

Mr. Johnson stated that he was not happy. He was left out of e-mails that went out to everyone else on the Commission, one even going to Ms. Landers. He said that his opinion is that the Commission's job is to put the right people in place to manage the business of the City and let them do their jobs. Mr. Finney is the right person as City Manager and he needs to stay. Mr. Johnson went on to read some excerpts from an e-mail where the writer spoke of needing to fire the City Manager. He asked, "Who wants to do his job in a hostile environment?" Mr. Johnson made a motion not to accept the resignation of Randy Finney. There was no second at this time.

Ms. Jodie Penrod observed that the history of not retaining a City Manager longer than five years was indicative of a problem with our organization.

Mr. Gallagher noted that he is the "new kid on the block" as Commissioner. Mr. Finney has worked with him, dropping whatever he was working on and welcoming him into his office any time he has come to him. He described himself as very upset that Randy is leaving. He went on to say that he was happy to see that so many residents care.

Ms. Michelle Miller complained that what she would like to hear from the Commission is not complacency that he is leaving, but the question, "What can we do to keep him?" Speaking on behalf of the businesses, community, and volunteers, we want to keep him.

Mr. Finney thanked everyone for coming, but stated that he needed to leave.

Mr. Brown apologized for being barely able to talk due to illness. He praised Mr. Finney as "very good to work with," adding that he has been "one of our best City Managers" and has "really gotten things done." He asked for input from residents in making a selection of a new City Manager, stressing that we are facing an extremely tight year financially.

The City Manager reported on the following:

- Electric aggregation opt-out letters were sent out. Mr. Finney is looking at the possibility of the City facilities opting out and bidding out our rates separately, as discussed at an earlier meeting. Such a move could possibly save the City \$10,000 to \$30,000 annually.
- Bids for the Chickamauga Creek Main Water Line Repair Project are on the agenda this evening. Waugh Excavating submitted the lowest bid at \$124,167.
- The WPC Facility Improvements Project is out to bid. Bids were due on September 4<sup>th</sup>. This has now been extended to September 11<sup>th</sup>. The RPIG \$500,000 grant has been delayed, but will be submitted tomorrow.
- EMH & T looks good on the quotes for an engineering firm for the five-year sewer upgrade.
- Mr. Finney reminded Commissioners of the OVRDC full commission meeting in Jackson on Friday, September 19<sup>th</sup> at 11 a.m., with lunch following at noon.

- Work will begin next week to change the traffic pattern around the City Park to two-way. We will need to alert the public of the change. President Wallis suggested the use of a "pattern change" sign.
- ODOT plans to meet concerning Phase 2 of Farm Road on Thursday, September 4<sup>th</sup>, at 2:30 p.m.
- We have received about thirty applications for the position at the garage.
- Mr. Finney is looking at hiring a part-time worker in the Utility Billing Office.
- Some of the workers at the Maintenance Garage have been getting their licenses recently.
- Income tax revenues are down this year \$160,000 from 2012 and \$80,000 from 2013. This is due to downsizing at GDC and the closing of Infocision, as well as the aggregated downsizing or closings of many smaller businesses. On a positive note, GKN is beginning to hire under their tax incentive subsidized plant expansion program. There has also been interest recently expressed in opening additional strip malls inside the City.

The City Auditor detailed Ordinance No. O2014-49, on first reading on tonight's agenda. This is for the GASB 34 Look-alike Statements, which the Auditor of State's Local Government Services division has been preparing for us over the last several years. Their contract calls for up to \$7,250 for the 2014 statements, which are expected to include items for another Single Audit of federal awards expenditures due to federal money we expect to receive for the WPC Plant Improvements Project, and \$4,500 for 2015. The amounts for 2014 and 2015 may be switched depending upon when the federal money is expended.

The City Solicitor reported that there was a protest one week ago by animal rights groups concerned about the court cases involving the Gallia County Animal Shelter. Mr. Salisbury invited them inside and spoke to them about the plea deal, addressing rumors that have been floating about on the internet. This served to address their concerns and dispel any misinformation that they had received.

Mr. Salisbury requested executive session to discuss pending lawsuits.

President Wallis introduced the topic of the resignation of the City Manager, saying that the Commission must take formal action. (On August 26<sup>th</sup>, Mr. Finney submitted a letter of resignation, effective on October 6, 2014, to the Gallipolis City Commissioners via the Clerk of Commission.) Mr. Johnson made a motion not to accept the resignation of the City Manager, seconded by Mr. Gallagher. Upon consultation, the City Solicitor stated that this action would not be binding upon the City Manager, as he could not be forced to serve if he chose to leave. Upon voice vote on the motion, three Commissioners (Mr. Gallagher, Mr. Johnson, and Mr. Cremeens) voted yes, one abstained (Mr. Brown), and one voted no (Mr. Wallis).

Mr. Cremeens asked about water rates. Mr. Finney answered that the conversion to the new software has been "a disaster." July's billing, due in August, was late and contained many errors.

President Wallis asked again about the ethics training that the County is offering on October 11<sup>th</sup>. Mr. Finney responded that he still plans to do a 15 to 20 minute training for the Commissioners.

Mr. Finney also mentioned that a plaque for the Administrative Offices would cost \$1,100, but that there does not seem to be any money currently available for this purpose.

There was presented and read to the Commission as an emergency a Resolution No. R2014-17 entitled **AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR ODNR NATUREWORKS OFFICE OF REAL ESTATE PROGRAM FINANCIAL ASSISTANCE FOR ADDING ELECTRICAL SERVICE TO THE**

**CITY PARK.** Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Gallagher. Upon roll call to adopt this resolution as an emergency, all votes were yes.

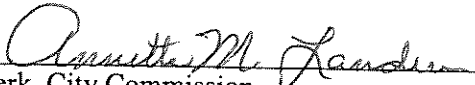
There was presented and read to the Commission for a second reading an Ordinance No. O2014-48 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ISSUE PERMITS TO CHARITABLE ORGANIZATIONS TO SOLICIT FROM THE OCCUPANT OF A VEHICLE PURSUANT TO CHAPTER 371.06(B)(2) OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Brown made a motion to adopt this ordinance on second reading, seconded by Mr. Johnson. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission as a first reading an Ordinance No. O2014-49 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE LOCAL GOVERNMENT SERVICES SECTION OF THE STATE AUDITOR'S OFFICE (GASB-34 LOOK-ALIKE STATEMENTS) FOR FISCAL YEAR 2014 AND 2015.** 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. O2014-50 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR THE CONSTRUCTION SERVICES TO REPAIR THE MAIN WATER LINE IN CHICKAMAUGA CREEK.** Mr. Brown 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 as an emergency an Ordinance No. O2014-51 entitled **AN EMERGENCY ORDINANCE ADOPTING AN ANTI-DISPLACEMENT AND RELOCATION PLAN FOR THE CITY OF GALLIPOLIS.** Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Mr. Johnson asked the purpose of this ordinance. Mr. Finney explained that it was required for the RPIG grant funding of the WWTP Improvements Project. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Cremeens made a motion to enter executive session to discuss pending lawsuits, as requested by the City Solicitor, seconded by Mr. Brown. Upon roll call to enter executive session as stated, 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