

November 18, 2014

The Gallipolis City Commission met in special session on Tuesday, November 18, 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:

M. Eugene Greene, Interim City Manager
Adam R. Salisbury, City Solicitor
Annette M. Landers, City Auditor/Clerk/Treasurer
Ronnie Lynch Mary Lee Marchi Nancy Childs
Rebecca Viall Bill Gene Johnson Janet Johnson
Randy Breech Keith Elliott Joy Elliott
Brett Bostic Matt Champlin Dottie Chestnut
Claudia Miller Karen Smith Nathan Evans

Commission received the minutes of the November 4, 2014 meeting prior to this meeting. Mr. Brown noted an error in Mr. Pugh's name on page 2 of the minutes. There being no other corrections, objections, or additions, these minutes were approved as corrected.

President Wallis granted *Privilege of Floor* to Chief Elliott, who wished to talk about the memorial wall that they asked to erect at the Fire Department. Their committee came up with a design, submitted at a prior meeting. The design includes a cast bell. He asked the Commission's approval of the design. Mr. Gallagher made a motion to accept the design of the wall, as submitted, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes. The wall could be moved if the fire station ever changes location.

Privilege of Floor was next granted to Ms. Janet Johnson, representing the Historic Preservation Review Board (the Board). She asked if the Commission had time to review the material that she submitted to them at their prior meeting. She was told that Mr. Pugh's appeal had been dropped.

The Interim City Manager reported on the following:

- Chickamauga Creek Water Line Repair – All taps and valves are in place and Waugh Construction is testing the line now. After they fill in the hole, they will landscape the construction site.
- Elks Club's request to place a flag pole close to the curb in front of their building – Mr. Bostic and Mr. Greene met with them and approved their request.
- County Budget Commission – Mr. Greene, Ms. Landers, Mr. Gallagher, and Mr. Lynch met with the County Budget Commission last Wednesday to discuss the 2015 Alternate Tax Budget and the economic condition of the City. He said that some good news came from the discussions concerning the disposition of the money remaining in the TIF Fund.

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- The WWTP Improvements Project pre-construction meeting was held last Wednesday afternoon. Construction is expected to begin around the first of the year.
 - City's website – Departments have been asked to contribute to the update of their portions of the website, which was brought up as a concern during *Privilege of Floor* at our last meeting.
 - Cruisers – The canine cruiser is lacking only one part before it can be placed into service, perhaps next week.

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

Ms. Landers went over several of the resolutions and ordinances on tonight's agenda to explain their purpose. These included:

- R2014-23 – Repealing support of Phase 2 Farm Road.
- O2014-62 – Temporary Appropriations were amended to remove the TIF Fund appropriations for 2015, which are being transferred to the General Fund in 2014 instead.
- O2014-68 – Directing the transfer of the balance in the TIF Fund to the General Fund and dissolving account.
- O2014-69 – Community Investment payments of \$3,000 to each of the six non-profits. Commissioners discussed making monthly payments in 2015 from the General Fund to the John Gee Black Historical Society and the Gallia County Historical Society, the two groups most likely to have to shut their doors if they do not receive additional assistance.
- O2014-70 - \$500 bonuses to each of the full time employees and appointed officials.
- O2014-71 – New pay ordinance, which includes a 3% pay increase, retroactive to January 1, 2014, to match the increase given to municipal court employees at the first of the year. In the interest of transparency, she reported that also in the ordinance is a \$2,950 retroactive increase for the Assistant Purchasing Agent, bringing her annual pay to \$5,000. The custodian position is being raised to a higher pay range to more reflect his duties. The WWTP Superintendent is receiving a 3% increase retroactive to his beginning date of January 1, 2014. The City Manager salary is not receiving a 3% increase due to the fact that he was just hired on October 13, 2014. The City Solicitor's salary is also not receiving an increase due to the fact that it is set by contract every three years.
- O2014-72 – Appropriation Change Ordinance. Ms. Landers went over all of the changes included in this ordinance, due to the fact that the Commission had very little time to review their packets.
- O2014-74 - \$5,000 contract with the Ohio Rural Community Assistance Program (RCAP) to handle disbursement requests for the City from the various funding sources for the WWTP Improvements Project.
- O2014-75- First reading on repeal of the payback of \$32,000 to the Municipal Court memorialized in O2013-27.

The City Solicitor requested executive session to discuss the buying and selling of property and personnel issues for Police Employees and Handbook.

Mr. Cremeens thanked everyone for their telephone calls and visits during his recovery from surgery. He talked about the need for a more clear vision between the Historic Preservation Review Board and the Commission. This was followed by a lengthy discussion of past business relating to said

appeal and the function of the Board. President Wallis suggested that the Commission meet with the Board to clarify the scope of their authority as delegated to them by the Commission.

Mr. Johnson reported on the progress of the Gallipolis in Lights Committee. There is one week until the lighting in the Park. They hope to test the system on Saturday. He encouraged everyone to come out and enjoy the activities scheduled for the lighting ceremony.

Mr. Brown mentioned several areas needing attention in the City. The 1100 block of First Avenue needs to have brush cleaned up. Mr. Greene replied that he has spoken to the responsible land owners regarding this. Four decorative poles in the downtown area are not working. Mr. Brown asked if replacement parts have been ordered. Mr. Greene said that he would check into the matter, but that all of the poles on First Avenue need attention.

Mr. Brown said that he would like to have a meeting to talk about historic preservation. He emphasized that too many building have been torn down. Gallipolis is the third permanent settlement in this portion of the country. We could have been another Williamsburg had we handled historic preservation better.

There was presented and read to the Commission for a second reading a Resolution No. R2014-22 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 2015 AS HEREIN DESCRIBED.** Mr. Brown made a motion to adopt this resolution on second reading, seconded by Mr. Gallagher. Upon roll call to adopt this resolution on second reading, all votes were yes.

There was presented and read to the Commission as an emergency a Resolution No. R2014-23 entitled **AN EMERGENCY RESOLUTION REPEALING RESOLUTION NO. R2002-41, A RESOLUTION IN SUPPORT OF PHASE 2 OF THE ALTERNATE ACCESS ROUTE KNOWN AS FARM ROAD.** Mr. Johnson 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. O2014-62 entitled **AN ORDINANCE SETTING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES FOR THE CALENDAR YEAR 2015.** Mr. Johnson made a motion to amend this ordinance to remove the TIF dollars, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes. Mr. Gallagher made a motion to adopt the amended ordinance on second reading, seconded by Mr. Johnson. Upon roll call on the motion, all votes were yes.

There was presented and read to the Commission for a second 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 adopt this ordinance on second reading, seconded by Mr. Johnson. Mr. Gallagher asked the purpose of the ordinance, which Ms. Landers explained as the annual write-off ordinance of accounts negotiated according to guidelines formulated over the years. 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. O2014-64 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. Gallagher made a motion to adopt this

ordinance as an emergency, seconded by Mr. Brown. Lieutenant Champlin explained that this contract saves money for us on certain prisoners because they have their own medical staff on-site. They are using this facility for long-term commitments. So far, two of our prisoners have been taken to this facility. 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. O2014-65 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. 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. O2014-66 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN DOCUMENTS FOR THE RELEASE OF A MORTGAGE AS DESCRIBED HEREIN.** Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. 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. O2014-67 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AUTHORIZE CHANGE ORDER NO. 1 WITH WAUGH EXCAVATING FOR ADDITIONAL EXCAVATION WORK FOR THE CHICKAMAUGA CREEK WATER LINE REPLACEMENT PROJECT.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. 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. O2014-68 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY AUDITOR TO TRANSFER FUNDS FROM THE TAX INCREMENT FINANCING (TIF) FUND TO THE GENERAL FUND AND DISSOLVE SAID ACCOUNT.** 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. O2014-69 entitled **AN EMERGENCY ORDINANCE AUTHORIZING PAYMENTS TO VARIOUS ENTITIES FOR COMMUNITY INVESTMENT CONTRIBUTION.** 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. O2014-70 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE PAYMENT OF A BONUS TO ALL PERMANENT FULL-TIME EMPLOYEES AND ALL APPOINTED OFFICIALS.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. 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. O2014-71 entitled **AN EMERGENCY ORDINANCE SETTING COMPENSATION FOR MUNICIPAL EMPLOYEES AND APPOINTED OFFICIALS, AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. 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. O2014-72 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2014-13, AS AMENDED BY ORDINANCE NO. O2014-19, AS AMENDED BY ORDINANCE NO. O2014-24, AS AMENDED BY ORDINANCE NO. O2014-30, AS AMENDED BY ORDINANCE NO. O2014-37, AS AMENDED BY ORDINANCE NO. O2014-47, AS AMENDED BY ORDINANCE NO. O2014-56, AS AMENDED BY ORDINANCE NO. O2014-59, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014.** Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. 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. O2014-73 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2014-14, AS AMENDED BY ORDINANCE NO. O2014-25, AS AMENDED BY ORDINANCE NO. O2014-31, AS AMENDED BY ORDINANCE NO. O2013-57, AS AMENDED BY ORDINANCE NO. O2013-60, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. 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. O2014-74 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH OHIO RURAL COMMUNITY ASSISTANCE PROGRAM (RCAP) FOR PROFESSIONAL SERVICES FOR THE WATER POLLUTION CONTROL FACILITY IMPROVEMENTS PROJECT.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Gallagher. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as a first reading an Ordinance No. O2014-75 entitled **AN ORDINANCE REPEALING ORDINANCE NO. O2013-27, DECLARING OFFICIAL INTENT WITH RESPECT TO REIMBURSEMENT OF TEMPORARY ADVANCES MADE FOR CAPITAL EXPENDITURES FOR THE CITY OF GALLIPOLIS, OHIO, TO BE MADE FROM SUBSEQUENT BORROWINGS.** Mr. Johnson 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.

Mr. Brown made a motion to enter Executive Session to discuss police employees handbook and buying and selling of property, seconded by Mr. Brown. President Wallis announced that there might be a voice vote on the handbook issue following executive session. Upon roll call to enter executive session, all votes were yes. Upon completion of executive session, Commission returned to special session.

Mr. Cremeens made a motion to direct the City manager to delete Section 417 of the Police Department's Handbook and bring it into conformity with the regular employee handbook, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

There being no further business to come before the City Commission, the meeting was adjourned.

Asst. Michelle L. Clorch
Clerk, City Commission

Steve P. Walker
President, City Commission