

November 20, 2012

The Gallipolis City Commission met in special session on Tuesday, November 20, 2012, at 7:00 p.m. at the Gallia County Convention & Visitors Bureau, 61 Court Street, having complied with Section 9 of the City Charter.

Commission President James Jay Cremeens called the meeting to order and gave the invocation.

Upon roll call, the following members were present:

James Jay Cremeens, President  
 Steven E. Wallis, Vice-President  
 Michael W. Brown, Member  
 James A. Cozza, 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  
 Stephanie Filson, Gallipolis Daily Tribune  
 Cletus Harder                      Ronnie Lynch                      Marvin Vanderberg  
 Claudia Miller                      Dottie Chestnut                      Keith Elliott  
 Joy Elliott

Commission received the minutes of the November 6, 2012 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- Mound Hill Road Repair – Bids were opened today at noon. Foill, Inc. (Waverly) bid \$706,270.83. U.S. Bridge (Cambridge) bid \$717,660.65. The bids have gone to our engineer for evaluation.
- Mound Hill Alternate Access Road – The second appeal has gone out to FEMA.
- Hedgewood Drive – Bids were due on November 20<sup>th</sup> at noon, but no bids were received. This project will need to be re-bid.
- Administrative Offices – EIFS is going on the outside of the building. Drywall and ductwork are going up inside.
- There was an armed robbery at Third & Vine. Everything stolen was recovered and a man was captured and put in jail.
- Funding for Atlas marketing work – The committee is requesting something in the minutes to document the City's pledge of \$20,000 for the first year and \$10,000 each for the second and third years of work. Mr. Johnson made a motion to have an ordinance prepared to obligate the City for \$20,000 in the first year and \$10,000 each year for the second and third years of the marketing project with Atlas, seconded by Mr. Cozza. President Cremeens asked the City Auditor if the City could afford this level of funding. She said that she believed that we could. Upon voice vote on the motion, all votes were yes.
- Mr. Finney will be out of the office for vacation on Monday, Tuesday, and Wednesday following the Thanksgiving weekend.

Mr. Finney recommended that Mr. Tommy Vaughn and Ms. Mary Lee Marchi be appointed to the City Park Advisory Board. Ms. Carolyn Wasch was recommended for the Sinking Fund Board. Mr. Johnson made a motion that Mr. Tommy Vaughn be appointed to the City Park Advisory Board, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes. Mr. Johnson made a motion that Ms. Mary Lee Marchi be appointed to the City Park Advisory Board, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes. Mr. Johnson made a motion that Ms. Carolyn Wasch be appointed to the Sinking Fund Board, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

Mr. Finney told the Commissioners that he had the Streets Department install two 15 minute restricted parking signs in front of the Justice Center in response to the request from Evans Moore Real Estate at the November 6<sup>th</sup> meeting.

The City Auditor presented a liquor license transfer request from JBRB Properties, LLC, 215 Upper River Road to Jars 1, Inc., DBA Buffalo Wild Wings & Grill & Bar, 215 Upper River Road. Mr. Johnson made a motion not to request a hearing, seconded by Mr. Cozza. Upon voice vote on the motion, all votes were yes.

Ms. Landers also went over the appropriations changes on tonight's agenda, highlighting the largest increases and reductions. The increases in the General Fund are covered by greater than expected revenues from income taxes and estate taxes.

The City Solicitor stated that he has been working on Code violations and a case in criminal court involving the Intoxilyzer 8000 machine. He is also negotiating with the insurance company on the expenses involved in demolition and clean-up of the old Thomas Building.

Mr. Wallis stated that during the recent election, Precinct 5 passed measures to allow liquor licenses for restaurants, but not for carry-outs. These measures go into effect immediately. This will open up more opportunities for restaurants to come into the area.

Mr. Wallis also said that when he attended the opening of Buffalo Wild Wings, he heard Gallipolis' name being mis-pronounced. He suggested that the residents might enjoy a mock trial to allow local groups to present evidence on the correct pronunciation of our name, with a panel of "judges" making a final ruling to officially declare the correct pronunciation. Ms. Filson suggested timing the event to coincide with the French Art Colony's exhibit called "Old News" in January 2013.

There was presented and read to the Commission for a second reading a Resolution No. R2012-22 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 2013 AS HEREIN DESCRIBED.** Mr. Johnson made a motion to adopt this resolution on second reading, seconded by Mr. Cozza. Upon roll call to adopt this resolution on second reading, all votes were yes.

There was presented and read to the Commission for a second reading a Resolution No. R2012-23 entitled **A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO REGISTER THE CITY OF GALLIPOLIS AS A PARTICIPANT IN THE 2013 AMERICA IN BLOOM CONTEST.** Mr. Johnson made a motion to adopt this resolution on second reading, seconded by Mr. Brown. 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. R2012-25 entitled **AN EMERGENCY RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS**

Gallipolis City Commission

November 20, 2012

Page 3

**DETERMINED BY THE BUDGET COMMISSION OF GALLIA COUNTY AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** Mr. Wallis made a motion to adopt this resolution as an emergency, seconded by Mr. Johnson. 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. R2012-26 entitled **AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO GRANT AN EASEMENT TO AMERICAN ELECTRIC POWER (AEP) FOR ELECTRIC SERVICE FOR ADMINISTRATIVE OFFICES AT THE NEW GALLIPOLIS MUNICIPAL BUILDING, 333 THIRD AVENUE, GALLIPOLIS, OHIO.** Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Cozza. Mr. Finney asked the City Solicitor if Mr. Wallis could vote on this, since AEP is Mr. Wallis' employer. Mr. Salisbury said that it would be legal as long as the easement was for the benefit of the City, not to benefit AEP. Mr. Finney and Ms. Landers both affirmed that the easement was for the City's benefit in expeditiously obtaining utility services for the new Administrative offices. 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. R2012-27 entitled **AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO GRANT AN EASEMENT TO AMERICAN ELECTRIC POWER (AEP) FOR ELECTRIC SERVICE FOR HEMLOCK DRIVE, GALLIPOLIS, OHIO.** Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Brown. Mr. Finney and Ms. Landers affirmed that this easement was for the City's benefit in expediting the connection of utility service to a residential property that will become part of our property and income tax bases. 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 an Ordinance No. O2012-76 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2012-07, AS AMENDED BY ORDINANCE NO. O2012-20, AS AMENDED BY ORDINANCE NO. O2012-28, AS AMENDED BY ORDINANCE NO. O2012-34, AS AMENDED BY ORDINANCE NO. O2012-49, AS AMENDED BY ORDINANCE NO. O2012-51, AS AMENDED BY ORDINANCE NO. O2012-54, AS AMENDED BY ORDINANCE NO. O2012-68, AS AMENDED BY ORDINANCE NO. O2012-73, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2012.** Mr. Wallis 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. O2012-77 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2012-08, AS AMENDED BY ORDINANCE NO. O2012-21, AS AMENDED BY ORDINANCE NO. O2012-35, AS AMENDED BY ORDINANCE NO. O2012-50, AS AMENDED BY ORDINANCE NO. O2012-55, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** Mr. Cozza 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. O2012-78 entitled **AN EMERGENCY ORDINANCE AUTHORIZING PAYMENTS TO VARIOUS ENTITIES FOR COMMUNITY INVESTMENT CONTRIBUTION.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Cozza. 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. O2012-79 entitled **AN EMERGENCY ORDINANCE AUTHORIZING PAYMENT TO LOCAL COMMUNITY ENTITIES**. Mr. Wallis 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. O2012-80 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. Wallis. 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. O2012-81 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH SMARTBILL LTD. FOR UTILITY BILLING**. 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. O2012-82 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE GALLIPOLIS CITY MANAGER TO ENTER INTO AGREEMENT WITH MINTAKA FINANCIAL FOR THE LEASE OF AN ALLCOM LLC (BSB LEASING) IP PHONE SYSTEM WITH ATTACHMENTS AND ACCESSORIES FOR THE ADMINISTRATIVE OFFICES AT THE GALLIPOLIS MUNICIPAL BUILDING**. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Wallis. Mr. Finney stated that this includes the inside wiring. 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