

May 6, 2014

The Gallipolis City Commission met in regular session on Tuesday, May 6, 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
 Amber Gillenwater, Gallipolis Daily Tribune

Ronnie Lynch	Clinton Patterson	Marvin Vanderberg
James W. Roush	Richard Moore	Jon Lynch
Nancy Mullins	Joy Elliott	Keith Elliott
Janet Johnson	Bill Gene Johnson	Gary Fenderbosch

Commissioners received the minutes of the April 22, 2014 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Privilege of Floor was granted to Ms. Nancy Mullins representing the Holzer Heart Run & Walk. She thanked Bev Dunkle, Randy Finney, the Commission, Chief Patterson, police officers, and Dave Walters and his crew for their help in making the event safe and successful.

Mr. James Roush spoke next, expressing his concern over the speed limit on State Route 588. He would like to see it lowered to enhance safety, especially in the area of Texas and Burkhart Roads. He would like to see more of a police presence in the area to enforce present speeds, if nothing else. Mr. Finney spoke of his ongoing concerns for that section of SR 588. So far, his efforts to have the State reduce the speed limit along that stretch have been counterproductive. The State is now saying that, as a result of their studies, the limit should be raised there. Mr. Finney is still trying to get it lowered. Mr. Roush said he was grateful for the efforts that the City Manager has been making. He also commended the storm drain improvements.

The City Manager reported on the following:

- On May 14th, Congressman Johnson is having a meeting in St. Clairsville, starting at 8:30 a.m.
- The slip on State Rt. 588 at the bridge will cost around \$229,000 to repair. Gallia County Administrator Karen Sprague is trying to get some CDBG grant money for us. Representative Ryan Smith is planning to talk to ODOT about some funds for us, as well. The repair plan calls for a stabilizing wall. President Wallis asked if we would be allowed to straighten out the creek bed to help keep pressure off the one side. Mr. Finney would need to look into that question.
- Mr. Finney distributed a calendar of events in response to Commissioners' requests.

- Mr. Finney and Mr. Lynch attended the tax reform meeting that Senator Peterson held in Chillicothe yesterday. They went prepared with figures for what our tax department would lose in revenue from the proposed changes, which is estimated to be \$50,000 to \$80,000.
- Representatives from the governor's office will be at the Industrial Park tomorrow to look over the CIC sewer line project site.
- Mr. Finney received an e-mail concerning our portion of Gallipolis Island today. The West Virginia Land Trust is interested in acquiring the island, restoring it, and eventually deeding it over to the U.S. Fish & Wildlife Service. The owner of the other section of the island now seems interested in transferring his ownership to them. If the City decides to act on the request, we would need to have a new ordinance. The island has lost ½ acre in seven years.
- E.L. Robinson is meeting on May 20th concerning the amphitheater. After this meeting, they will schedule public hearings on the project.
- We need someone to present the Nurses' Week Proclamation at Holzer on Thursday, May 8th, at 8 a.m. Mr. Cremeens or Mr. Brown might be able to do this. Mr. Gallagher will be attending an 11 a.m. event at Goodwill Industries.
- Mr. Finney plans to be out of the office on May 16th.
- Executive Session was requested for two issues regarding land.

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

Mr. Johnson made a motion not to request a hearing on a new liquor license request from French Art Colony, seconded by Mr. Gallagher. Mr. Finney said that the license request was likely due to additional events scheduled for this year. Upon voice vote on the motion, all votes were yes.

Ms. Landers made a statement of certification as to the maximum maturity of bonds and bond anticipation notes in regard to the issuance of \$445,000 of bonds for fire equipment, certifying that the estimated life/usefulness of the equipment being purchased is at least five years, and the maximum maturity of the bonds is ten years, and the maximum maturity of bond anticipation notes is fifteen years, assuming compliance with ORC 133.22. The ordinance authorizing the issuance of the bond anticipation notes is on tonight's agenda. The Ohio Valley Bank submitted the lower interest rate (3.66% fixed rate for 15 years, payable semi-annually) of the two bids received. Wesbanco was the other bidder, offering 3.69%.

The City Solicitor commented on two U.S. Supreme Court decisions upholding the right to open council meeting with prayer and upholding an ordinance making it illegal to rent to illegal immigrants.

Mr. Gallagher related that Rep. Ryan Smith recently spoke quite highly of our City Manager, Randy Finney, calling him the best city manager he had worked with, a statement which impressed Mr. Gallagher and that he wished to share.

President Wallis mentioned a letter that he received from Ohio Valley Christian School. They would like to clean up along the bike trail as a community service project. Mr. Finney offered to have the City supply them with trash bags for the project.

Mr. Finney commented that the City is receiving help from workers in the TANF program. They are currently painting benches in the City Park.

There was presented and read to the Commission as an emergency an Ordinance No. O2014-22 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR**

WATER/SEWER MAINTENANCE SUPPLIES, HYDRANTS AND METERS. Mr. Cremeens 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. O2014-23 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO APPLY, AND THE RURAL COMMUNITY ASSISTANCE PARTNERSHIP (RCAP) TO SUBMIT THE ELECTRONIC APPLICATION, FOR CDBG RESIDENTIAL PUBLIC INFRASTRUCTURE PROGRAM FUNDING TO THE OHIO DEVELOPMENT SERVICES AGENCY 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 an emergency an Ordinance No. O2014-24 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2014-13, AS AMENDED BY ORDINANCE NO. O2014-19, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014.** Mr. Brown made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Ms. Landers briefly reviewed the changes. 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. O2014-25 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2014-14, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** Mr. Gallagher 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. O2014-26 entitled **AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$445,000 OF NOTES IN ANTICIPATION OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF PAYING PART OF THE COST OF ACQUIRING FIRE EQUIPMENT AND SPECIFICALLY, A PUMPER TRUCK AND A BRUSH TRUCK, AND DECLARING AN EMERGENCY.** Mr. Cremeens 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. O2014-27 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR FUNDING UNDER THE VICTIMS OF CRIME ACT AND STATE VICTIMS ASSISTANCE ACT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT IF THE GRANT IS AWARDED.** Mr. Brown made a motion to adopt this ordinance as an emergency, seconded by Mr. Cremeens. 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. O2014-28 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE GALLIA COUNTY VETERANS COMMISSION FOR AN AGREEMENT TO GUARANTEE MAINTENANCE FOR THE VETERANS MONUMENTS IN THE GALLIPOLIS CITY PARK.** Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Cremeens. In discussion, the City Manager explained a little of the history of the escrow account that was set up for maintenance of the Doughboy Monument. The veterans have asked for access to the principal being held in the escrow account. After consulting the Ohio Attorney General's Office,

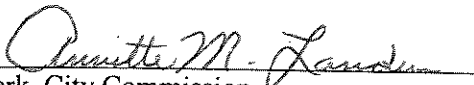
Gallipolis City Commission

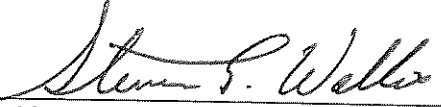
May 6, 2014

Page 4

they have obtained the written agreement of four of the county veterans' organizations. The Ohio Valley Bank, which holds the escrow account, is also in agreement with their plan. The new group is called the Gallia County Veterans Commission. They have written a new agreement that includes their intent to provide the maintenance for all three monuments in the City Park. The agreement will automatically renew every year. Mr. Gary Fenderbosch spoke for the group. He said that he favors the new agreement. Their group will carry insurance on the monuments. In order to acquire access to the escrow account, they will need the unanimous approval of the City Commission. Mr. Dick Moore also spoke in favor of the new agreement. He noted the refurbishment of the Russell Monument, which was completed at a cost of \$15,000. He also talked about the history of the Doughboy Monument, one of only 131 in existence in the country, which was recently refurbished at a cost of \$16,000. The veterans are following up on this project by having the statue washed and waxed annually. They plan to use the funds from the escrow account to help with upkeep, add or replace plaques as needed, clean, and so forth. The veterans do not want to see these monuments ever deteriorate or fall down from neglect. Mr. Cremeens stated that he wished to formally recognize our former City Commissioners present who had proudly served in their country's armed forces and are now among our honored veterans: Mr. Gary Fenderbosch, Mr. Richard Moore, and Mr. Jon Lynch. 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 buying and selling of property and pending legal cases, seconded by Mr. Cremeens. Upon roll call to enter executive session for the stated reasons, 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