

December 3, 2013

The Gallipolis City Commission met in regular session on Tuesday, December 3, 2013, at 7:00 p.m. at the Gallipolis Municipal Building, 333 Third Avenue, 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
 Carrie Gloeckner, Gallia Hometown Herald
 Tony Gallagher Keith Elliott Jonathan Elliott
 Ronnie Lynch Joy Elliott Sue Wise
 Mary Lee Marchi

Commission received the minutes of the November 19, 2013 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

During *Privilege of Floor*, Mr. Tony Gallagher complimented the lights in the City Park. President Cremeens agreed, adding that around 250 to 300 people, including himself and Mr. Cozza, attended the lighting ceremony on Wednesday evening in the park.

The City Manager reported on the following:

- HB5 meeting in Athens – Mr. Lynch and Mr. Finney attended the HB5 meeting in Athens. It was well attended. Their tax administrator did a good job of documenting and presenting concerns, which their senator seemed to receive well.
- It cost \$2,459 for the County to cut brush for us, as requested by the Commission. They were unable to take their tractor on the hillside at the cemetery, but did a good job on the areas that they could reach.
- Our House Museum has requested the use of the bucket truck for access to their roof. One of our employees would be present on the ground. Mr. Salisbury advised that we would need waivers from them to satisfy our insurance carrier.
- Someone is looking at the possibility of putting a parking lot on the Thomas Clothiers property, to be used as parking for the old G.C. Murphy Building. They would like to have traffic enter from Second Avenue and exit into the alley behind. The owner is requesting a curb cut from the City. Commissioners discussed the matter, citing several facts. The City has a lien on the property for demolition costs. The Zoning ordinances allow this use for the property and require the City to supply a curb cut when requested. The Commissioners agreed that the property owner should be told that the Commissioners would consider his request if he comes to them with a

tenant for the G.C. Murphy Building. Mr. Cremeens asked if the owner of the old Ohio Valley Bank building was planning to demolish the building, as he had heard rumored. Mr. Finney answered that there were no plans that he knew of for this.

- Mr. Casey Clarey has been selected for hire in the Gallipolis Police Department. He is currently serving as an officer with the Rio Grande Police Department. Mr. Wallis made a motion to hire Mr. Clarey, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.
- There was an incident at the Fire Station where a juvenile drove a personal car, owned by one of the volunteers into the fire station wall, damaging the old brush truck, a block wall, and the garage door. The volunteer involved has been reprimanded.
- Mr. Finney requested executive session to discuss personnel in the police and maintenance departments, salaries, and land purchase.
- Mr. Finney recommended the appointment of Mr. Tom Moore to the Recreation Board. Mr. Johnson made a motion to this effect, seconded by Mr. Cozza. Upon voice vote on the motion, all votes were yes.

The City Auditor briefly discussed changes in the appropriations and transfer ordinances on tonight's agenda.

Mr. Wallis asked about plans for a plaque for the Administration Building. Mr. Finney responded that there are plans for one.

Mr. Johnson commended the City Manager for his involvement in setting up the lights in the park. He remarked that there are 118 trees in the park, a figure that surprised many, and quipped that the committee learned a lot about what not to do for next year.

There was presented and read to the Commission as an emergency a Resolution No. R2013-11 entitled **A RESOLUTION STRONGLY OPPOSING THE PASSAGE OF HB 5 BY THE OHIO GENERAL ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL LOSS OF REVENUE, AND DECLARING AN EMERGENCY.** Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Wallis. Mr. Lynch was invited to comment on the hardship that this bill would create. He emphasized the burdensome, unfunded mandates contained within the bill, especially upon smaller municipalities. 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. O2013-67 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. President Cremeens stated that the Commissioners would like to give more. They plan to review the matter on a quarterly basis to determine if more funding can be provided to those groups most in need. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2013-70 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. Wallis made a motion to adopt this ordinance on second reading, seconded by Mr. Brown. 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. O2013-72 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR ASPHALT, LIMESTONE AND BEDDING SAND**. 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. O2013-73 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH COMPANAGEMENT, INC., FOR CONSULTATION AND ADMINISTRATION WITH RESPECT TO WORKERS' COMPENSATION MATTERS**. 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.

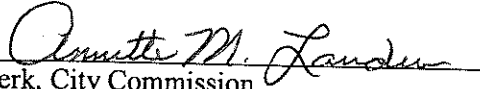
There was presented and read to the Commission as an emergency an Ordinance No. O2013-74 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH VOLUNTEER ENERGY SERVICES (VESI) INC. AS A COMPETITIVE RETAIL ELECTRIC PROVIDER FOR MUNICIPAL LOCATIONS**. 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, Mr. Brown, Mr. Cozza, Mr. Johnson, and Mr. Cremeens voted yes. Mr. Wallis abstained. Ordinance No. O2013-73 was placed on first reading. Commissioners discussed whether to hold a second meeting in December for a second reading on this ordinance. President Cremeens suggested that the second meeting not be held unless absolutely necessary. Mr. Brown will be out of town and Mr. Wallis must abstain. Any other absences would make passage at a second meeting impossible. Since this ordinance is just a continuation of a contract already in place, it could be adopted on second reading at the first meeting in January, retroactive to December. This seemed agreeable to all.

There was presented and read to the Commission as an emergency an Ordinance No. O2013-75 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH GALLIA COUNTY FOR EQUIPMENT AND LABOR**. 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. O2013-76 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2013-16, AS AMENDED BY ORDINANCE NO. O2013-23, AS AMENDED BY ORDINANCE NO. O2013-30, AS AMENDED BY ORDINANCE NO. O2013-45, AS AMENDED BY ORDINANCE NO. O2013-49, AS AMENDED BY ORDINANCE NO. O2013-54, AS AMENDED BY ORDINANCE NO. O2013-60, AS AMENDED BY ORDINANCE NO. O2013-65, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2013**. Mr. Brown 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. O2013-77 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2013-17, AS AMENDED BY ORDINANCE NO. O2013-31, AS AMENDED BY ORDINANCE NO. O2013-47, AS AMENDED BY ORDINANCE NO. O2013-55, AS AMENDED BY ORDINANCE NO. O2013-61, AS AMENDED BY ORDINANCE NO. O2013-66, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS**. Mr. Cozza 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.

Mr. Johnson made a motion to enter executive session to discuss personnel (salaries) and legal matters (demolition and purchase of property) per ORC 121.22, seconded by Mr. Wallis. Upon roll call to enter executive session, 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