

February 21, 2013

The Gallipolis City Commission met in special session on Thursday, February 21, 2013, at 6:00 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
 Amber Gillenwater, Gallipolis Daily Tribune
 Tony Gallagher Ronnie Lynch Keith Elliott
 Claudia Miller Dottie Chestnut Clint Patterson
 Sandee Saxon

Commission received the minutes of the February 5, 2013 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 – There are now one hundred pilings in. They had to drill down very deep for several of the pilings, which were not reflected on the engineer's drawings. Therefore they will need to have a change order to cover the added expense, which was estimated to be at least \$160,000 more.
- Hedgewood Drive – The bid for the section that FEMA is participating on came in at \$180,000 from Suburban. The bid has been sent to our engineer for evaluation. FEMA has been contacted for approval and about concerns of further damage to the road approaching the work site during construction.
- Administrative Offices – Horizon has delayed installation of the phone lines, which is unacceptable. Mr. Finney has been in contact with them to get the work completed in time for our move in on March 7th. They spliced wires on Monday and plan to come in next week to finish the job. Furniture is to be delivered tomorrow and assembled next week. They still need to paint and stripe the parking lot and fix the fleur de leis. Commissioners discussed when to schedule the Grand Opening. They tentatively set the date and time for Tuesday, March 19th at 6:30 p.m.
- A letter was sent to residents about the Notify Now system, move to the new building, and changes in the Utility Department invoices, on-line access to account information, and acceptance of credit card payments. Included in the mailing was a sample invoice, which has caused a great deal of confusion for those who thought that it was an actual bill. The confusion has resulted in a flood of telephone calls to City offices.
- Spruce Street Lift Station – Over the weekend, the Spruce Street Lift Station flooded, ruining two motors. Some of the excess was dumped into the creek. They had to pump waste to a manhole on Fourth Avenue

at a cost of \$2,000/day. The damage has been turned in to our insurance company. C.I. Thornburg is consulting on the matter to give us some ideas of how to address the problem.

- Atlas Marketing – The meeting last week went well. There will be another meeting on March 6th. Mr. Finney encouraged some of the Commissioners to attend if they could.
- Mr. Finney will meet with OVRDC tomorrow, Friday, February 22nd. OPWC ranked the City first on a grant and 0% loan.
- Mr. Finney is meeting with KLSS tomorrow. They are interested in moving a new business into town and are exploring what the community has to offer. Mr. Finney has been looking into tax incentives that the City could consider creating. Waverly has a tax credit incentive program. Salem gives a flat rate of up to 50% of the employee payroll withholding, based on total payroll. Mr. Finney has prepared an ordinance that combines the best parts of both programs. During discussion, the Tax Administrator, Mr. Ronnie Lynch, was asked to comment on the program. He said that he thought it was a good idea to offer the tax incentives as proposed in the combined ordinance. All three ordinances are on tonight's agenda, but the one recommended is Ordinance O2013-13. Mr. Finney is requesting passage as an emergency to allow him to include the tax incentive in discussions with KLSS tomorrow. He added that the ordinance could be refined later as needed.
- Mr. Finney recommended Mr. Tom Danner to serve on the Board of Zoning Appeals. Mr. Johnson made a motion to appoint Mr. Tom Danner to the Board of Zoning Appeals, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

The City Auditor informed the Commission that Ordinance No. O2013-05, creating Special Revenue Fund 275, Police Special Equipment Fund, is necessary to fulfill new requirements by the Auditor of State that these types of funds be established at the highest level of authority by ordinance rather than by resolution. This fund was established by Resolution No. R2012-18 on July 28, 2012.

Ms. Landers also announced that the 2011 & 2012 GASB-34 Look-alike Statements are now complete and are posted on our website on the City Auditor page under "unaudited financial statements." The biennial financial audit is almost complete. They are finished with field work and are working on their report, which should be ready for release sometime in April or May.

Bond proposals were opened at noon on Tuesday. Ms. Landers discussed the proposals with Mr. Schwallie and Commissioner Mike Brown before selecting Ohio Valley Bank's 15 year, 3.55% proposal as the best and most responsive. Conditions contained in the only other bid disqualified it from consideration. Pursuant to passage of the bond ordinance, Ms. Landers formally read to the Commission her Certificate as to Maximum Maturity of Bonds.

The City Solicitor reported a favorable decision on the breathalyzer case, which has been pending since October of 2011. Mr. Salisbury said that he put in 100 hours on the case, but that it was time well spent because it would help us with all future similar cases.

Mr. Johnson shared a note of thanks from Ms. Sara Sheets of Our House for the City's donation. He also spoke about a meeting with the Appalachian Development Corporation. They believe that Ohio is well placed to attract some of the manufacturing jobs that are expected to return to the United States in the coming years. Ohio is within a one-day drive from sixty percent of the U.S. population. We need to place ourselves in position to sell our area to potential businesses. Mr. Finney added that we need to determine how we can gain more river traffic.

President Cremeens reported on the recent Ohio Municipal League Luncheon, which was attended by Mr. Wallis, Mr. Brown, and himself. He said that they made many good contacts. In addition to meeting with our legislative representatives, they were able to sit with officials from Athens and Belpre and share ideas with them.

Mr. Brown commended our Cemetery Sexton, Mr. Ed Waggoner, for his exemplary service to one of our families during very hazardous conditions where the funeral procession could not get to the top of Mound Hill. Mr. Waggoner personally provided transport to get their loved one to the resting place.

Mr. Brown also congratulated our City Manager, Mr. Randy Finney, on receiving the annual Bud & Donna McGhee Community Service Award at the recent Chamber of Commerce banquet.

There was presented and read to the Commission as an emergency an Ordinance No. O2013-05 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A NEW SPECIAL REVENUE FUND (POLICE SPECIAL EQUIPMENT FUND)**. 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. O2013-06 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR CHEMICALS AND QUICKLIME**. 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. O2013-07 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR FUNDING FOR AN OFFICE OF CRIMINAL JUSTICE (OCJS) JUSTICE ASSISTANCE GRANT FOR LAW ENFORCEMENT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT IF AWARDED**. Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Chief Patterson told the Commission that this was leftover recovery money in the amount of \$30,000. He is still working on a list of items to request with it. 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. O2013-08 entitled **AN EMERGENCY 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**. 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. O2013-09 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CREATION OF THE GALLIPOLIS JOB CREATION INCENTIVE PROGRAM AND APPROVING CERTAIN ADMINISTRATIVE PROCEDURES**. 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 no. Ordinance No. O2013-09 was defeated.

There was presented and read to the Commission as an emergency an Ordinance No. O2013-10 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CREATION OF THE GALLIPOLIS JOBS TAX CREDIT PROGRAM AND APPROVING CERTAIN ADMINISTRATIVE PROCEDURES**. 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 no. Ordinance No. O2013-10 was defeated.

There was presented and read to the Commission as an emergency an Ordinance No. O2013-11 entitled **AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$353,175 OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COST OF CONSTRUCTING STREET AND ROAD IMPROVEMENTS IN THE CITY, AND DECLARING AN EMERGENCY**. Mr. Wallis made a motion to designate this ordinance as an emergency, seconded by Mr. Brown. Upon roll call on the motion, all votes were

yes. Mr. Wallis made a motion to adopt this emergency ordinance, seconded by Mr. Brown. Upon roll call to adopt this emergency ordinance, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2013-12 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WASHINGTON COUNTY FOR THE BOARDING OF PRISONERS.** Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. In discussion, Commission learned that the contract rate is the same as last year, \$60/prisoner/day. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

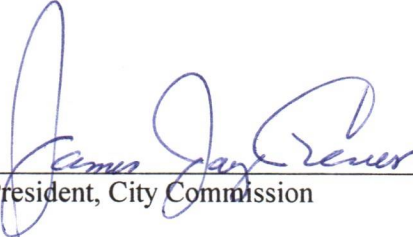
There was presented and read to the Commission as an emergency an Ordinance No. O2013-13 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CREATION OF THE GALLIPOLIS JOB CREATION INCENTIVE PROGRAM AND APPROVING CERTAIN ADMINISTRATIVE PROCEDURES.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Ms. Landers told the Commissioners that she and Mr. Finney had trimmed the budget to the point that it can now be adopted. She is still working on the FEMA Fund. She discussed the possibility of paying off the SIB loan this year and perhaps discontinuing the TIF on Farm Road. Currently, we bring in \$98,000 into the TIF Fund. For the TIF agreement, the General Fund pays the schools half of the income tax receipts for the businesses in the Wal-Mart Plaza, around \$50,000 to \$54,000 per year. The General Fund and the Fire Levy also lose around \$4,500 each in property taxes. Ms. Landers expressed concern about accruing large amounts in the TIF Fund, with no Phase 2 in the near future. The money in the TIF Fund can be used for re-paving Phase 1 of Farm Road and as seed money for Phase 2. After a short discussion, the Commission gave her permission to discuss the topic with the County Auditor to get his opinion on whether it would be an item of contention for us to continue with the TIF. The public hearing and first reading on the budget will be at the March 5th meeting. It will need to be adopted as an emergency on second reading on March 19th.

Mr. Wallis made a motion to enter executive session to discuss employee (injury) personnel issues, seconded by Mr. Brown. Upon roll call to enter executive session, all votes were yes. Upon completion of executive session, Commission returned to special session.

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


Clerk, City Commission


President, City Commission