

March 6, 2012

The Gallipolis City Commission met in regular session on Tuesday, March 6, 2012, at 7:00 p.m. in the Gallipolis Municipal Courtroom on Olive Street, having complied with Section 9 of the City Charter.

Commission Vice-President Steven Wallis called the meeting to order and gave the invocation.

Upon roll call, the following members were present:

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 L. Fellure, Assistant City Solicitor		
Amber Gillenwater, Gallipolis Daily Tribune		
Michelle Miller, Gallia Hometown Herald		
Tony Gallagher	Ronnie Lynch	Brent Grace
Bette Null Horan	Kevin Plantz	Tyson Hodges
Jim Johnson	Jeremy O'Dell	Nathan Frazee
John Elliott	Dean Mays	Dwain Beaver
Brea Martin	Jonathan Elliott	Joy Elliott
Jonathan VanMeter	Tim Blake	Jim Blake
Jeremy Bryant	Dottie Chestnut	Keith Elliott
Jim Eutsler	Marvin Ours	Kenny Cremeens
Jacob Nolan	Tim NeeCamp	James D. Taylor
Robert Gordon	Robert L. Northup	Bill Gene Johnson
Claudia Miller	Gary Fenderbosch	Janet Johnson
James Pierce	Mrs. James Pierce	Bob Cassity
Betsy Bevins	Dick Moore	

Commission received the minutes of the February 18th, February 21st (two meetings), February 28th, and March 3rd, 2012 meetings prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Mr. Dick Moore was recognized for *Privilege of Floor*. He read a statement to the Commission in which he listed his concerns with the fire department. He specifically was concerned over the change in the station firefighter's hours, the attempts to remove the former fire chief (culminating in his resignation), and the failure to approve the City Manager's selected replacement. He also complained that the department was still using a 32-year old pumper truck. He asked the Commission to direct the City Manager to look into ways to man the fire station 24/7. He also requested that all spending on the fire department and fire levy be placed in one portion of the City's financial statement. Vice-President Wallis thanked him for addressing the Commission and said his comments would be taken into consideration.

The City Manager reported on the following:

- FEMA disaster team – FEMA will cover the work at the top of Mound Hill. Mr. Finney expects to hear back about the old road this week.
- Justice Center – They are working on the interior wall between the Court and Police Department.
- There will be a public meeting for residents on March 19th concerning the Henkle sewer line improvements.
- Demolition of houses – The houses on Second and Third Avenue are now demolished.
- BTS is having their Grand Opening on March 14th at 1:59 p.m. The new banners are in.
- Mr. Finney attended the first day of The Ohio City/County Management Association's conference in Columbus. He said he got some good ideas while there.
- CMI is having training on their new software in Marietta on March 13th. He and the City Auditor plan to attend.
- OVRDC will be meeting in Georgetown, Ohio, on Thursday, March 29th. Dinner begins at 6 p.m.
- The U.S. Fish & Wildlife Service is willing to pay the City \$7,200 for our portion of Gallipolis Island. The other property owner wants to retain mineral rights on his property.
- Bob McCormick Road has another water leak. We plan to put in around 600 feet of water line down the hill from the present line. Mr. Finney sent letters to the local media and posted information on our website concerning repairs.
- PUCO has ruled that AEP must reduce their rates back, but they are delaying doing so. We should see lower rates soon.
- Fire Chief – Mr. Finney submitted Keith Elliott's name again as fire chief. Mr. Cozza made a motion to approve the appointment of Keith Elliott as Fire Chief, seconded by Mr. Johnson. Mr. Wallis questioned the City Manager about how the job was posted at the fire department. Mr. Finney answered that when the new ordinance went into effect, the job was posted once. It had been posted initially before the new ordinance was adopted. Upon voice vote on the motion, Mr. Cozza and Mr. Johnson voted yes. Mr. Brown and Mr. Wallis voted no. The motion failed. Mr. Finney again requested direction from the Commission as to how he should proceed. Mr. Wallis told him that the City Manager and City Commission should work together to reach a conclusion. Upon further question, Mr. Wallis said they would set a time to get together as soon as possible. Mr. Johnson objected, saying that he could not make it to many special meetings due to his work schedule. He added that the City Manager had already presented a viable candidate and it should have been taken care of tonight. The City Manager announced that he would be appointing Keith Elliott as Acting Fire Chief, effective March 7, 2012.

Mr. Johnson made a motion to approve the appointments of Alice Orr and Dave Tawney to the Shade Tree Committee, seconded by Mr. Brown. Upon voice vote to approve the motion, all votes were yes.

Mr. Finney told the Commission that the old Cox property must dry out before it can be filed and compacted. Until then, it needs to be barricaded.

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

The City Solicitor requested executive session for pending lawsuits.

Mr. Johnson asked the City Manager if the new Justice Center is out of the floodplain. Mr. Finney answered that he has twice verified (not to Mr. Johnson) that the Justice Center is out of the floodplain.

Mr. Johnson encouraged everyone present to get out and vote. He also announced that Ohio River Live plans two downtown concerts this year. The first will be on June 9th and the second on Labor Day Weekend. Mr. Cozza made a motion to support these events, seconded by Mr. Brown. French Art Colony had a fund-raiser over the weekend. Buffalo Wild Wings (liquor sales) is on the ballot today in the Fifth Precinct. The Digital River Project will meet on Thursday.

Because President Cremeens is absent, Mr. Finney requested that the emergency ordinances be read and placed as first readings.

There was presented and read to the Commission for a second reading a Resolution No. R2012-04 entitled **A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF A RETAINING WALL ON HEDGEWOOD DRIVE**. 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 first reading a Resolution No. R2012-06 entitled **A RESOLUTION IN SUPPORT OF THE FRENCH ART COLONY'S APPLICATION TO THE OHIO HISTORICAL PRESERVATION OFFICE FOR CERTIFIED LOCAL GOVERNMENT PROGRAM FUNDS FOR A FENCING PROJECT**. Mr. Johnson made a motion to place this resolution on first reading, seconded by Mr. Brown. Upon voice vote to place this resolution on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2012-09 entitled **AN ORDINANCE ACCEPTING AND REJECTING BIDS FOR CHEMICALS AND QUICKLIME**. Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Cozza. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2012-10 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE VILLAGE OF MIDDLEPORT, OHIO, FOR THE HOUSING OF PRISONERS**. Mr. Cozza made a motion to place this ordinance on first reading, seconded by Mr. Johnson. Mr. Finney told the Commission that the new facility will be opening this week. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2012-11 entitled **AN ORDINANCE AMENDING ORDINANCE NO. O2010-85, ADOPTING A CITY OF GALLIPOLIS TRAVEL REIMBURSEMENT (ACCOUNTABLE PLAN) RULES POLICY, ITEM 4, FOR MUNICIPAL EMPLOYEES AND OFFICIALS**. Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Cozza. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2012-12 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AUTHORIZE AND FUND CHANGE ORDER NO. 6 WITH THE KINSALE CORPORATION FOR CONSTRUCTION OF THE GALLIPOLIS JUSTICE CENTER COMPLEX**. Mr. Cozza made a motion to place this ordinance on first reading, seconded by Mr. Johnson. Mr. Finney told the Commissioners that the change order was to change the commodes in the holding cells to more secure

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models and to install locking cabinets. The Court is paying for wall coverings instead of paint in the lobbies and main hallways. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2012-13 entitled **AN ORDINANCE AMENDING ORDINANCE NO. O2010-77, COMPENSATION FOR SALARIED EMPLOYEES, SECTION C6(J) AND C6(K), AS AMENDED BY ORDINANCES NUMBERS O2011-01 AND O2011-79, AND SETTING COMPENSATION FOR MAINTENANCE SUPERINTENDENT AND CEMETERY SEXTON, AND SETTING AN ADMINISTRATIVE EMPLOYEES COMPENSATION PLAN AND IMPLEMENTING PROCEDURES AND POLICY STATEMENT.** Mr. Cozza made a motion to place this ordinance on first reading, seconded by Mr. Johnson. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2012-14 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN DOCUMENTS FOR THE SALE OF GALLIPOLIS ISLAND TO THE U.S. FISH AND WILDLIFE SERVICES.** 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.

There was presented and read to the Commission for a first reading an Ordinance No. O2012-15 entitled **AN ORDINANCE TO APPROVE THE MASTER AGREEMENT TO PROVIDE SERVICES FOR THE CITY OF GALLIPOLIS ELECTRIC AGGREGATION PROGRAM.** Mr. Cozza made a motion to place this ordinance on first reading, seconded by Mr. Johnson. Upon voice vote to place this ordinance on first reading, Mr. Wallis abstained. All other votes were yes.


There was presented and read to the Commission for a first reading an Ordinance No. O2012-16 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ALLOW THE GALLIA COUNTY FARMERS MARKET BOARD TO SET UP A FARMERS MARKET ADJACENT TO THE GALLIPOLIS CITY PARK.** 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.

Ms. Betsy Bevins came forward to speak to the City Manager about some issues in her neighborhood. He promised to get back with her.

Mr. Brown made a motion to enter executive session to discuss pending lawsuits, seconded by Mr. Johnson. Upon roll call to enter executive session to discuss pending lawsuits, 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