

June 26, 2014

The Gallipolis City Commission met in special session on Thursday, June 26, 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
 Dr. David Smith, President, Gallia County Commission
 Harold Montgomery, Member, Gallia County Commission
 Amber Gillenwater, Gallipolis Daily Tribune
 Ronnie Lynch Clinton Patterson Ed Swisher
 Joy Elliott Keith Elliott Keith Sheets
 Adam Barrett Andrew Holcomb

Commissioners received the minutes of the June 3, 2014 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Privilege of Floor was granted to Dr. David Smith, President of the Gallia County Commission. He thanked the City and its employees for their work during the recent water emergency. He said that the County is working to get funds to help with the costs. He also reported on the Green Sewer Project. They have secured all required funding, but have had some issues arise in securing the necessary permits from Ohio Department of Transportation. These issues will delay the project past the construction season for this year, with the project beginning next spring at the earliest. They have around two years to use the funding. The EPA is already assessing fines, so the County is caught between two conflicting government agencies: one adding to delays (ODOT) and one fining for delays (EPA).

Mr. Finney asked Dr. Smith how many more are left to connect to the Kanuaga-Addison Sewer Project. Dr. Smith stated that around one hundred remained as of last week, but that is likely lower today. There are in excess of four hundred customers in the service area.

Mr. Montgomery said that he is serving as Chairman of the Planning Sub-committee for the Gallia, Jackson, Meigs, Vinton Solid Waste Management District. He invited the City Commissioners to ask any questions that they might have concerning adoption of the Solid Waste Management Plan, which is on tonight's agenda. There were no questions. President Wallis thanked both for coming, expressing appreciation for all that the County has done for us and the hope that we can continue the good communication and working relationship that we have established over the last few years.

The City Manager reported on the following:

- Residents have all received letters telling them that the electric aggregation agreement with Volunteer Energy (VESI) runs out in mid-August. There is a resolution on tonight's agenda to authorize the City Manager to negotiate and lock in the lowest rate he can in this highly volatile market. He plans to immediately send out bids for one, two, and/or three year contracts to the ten or so vendors listed, with the goal of sending out the best available rate he can procure to residents by the second week of July. He hopes to lock in a three-year rate.
- The city-wide yard sale is this Friday and Saturday.
- Christopher Gruber, current Chief of Police of Oak Hill, has been recommended for the position of part-time patrolman by Chief Patterson. Mr. Gruber does not believe that assuming a part-time position here will interfere with his current job. Mr. Finney requested permission to appoint him, effective two weeks ago. Mr. Johnson made a motion to approve the appointment of Christopher Gruber to the part-time patrolman position effective two weeks ago, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.
- Patrolman Mike Fulks is retiring on June 30th. Chief Patterson, carrying forward the list of prior interviews, is recommending Chris Withee for a full-time patrolman position to hire by July 1. Mr. Cremeens made a motion to approve Chris Withee for the full-time patrolman position, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.
- Included in the packets was information from the Carson & Barnes Circus regarding their request to perform in town on July 20th. Mr. Finney said that he is not really in favor, but wanted to refer the matter to the Commissioners. They would at a minimum require a space of 250' x 300'. Mr. Gallagher stated that he also did not favor in view of the many other events already scheduled. After a short discussion, there was no motion to approve this request.
- A thank you note for all of the volunteers who helped during the water emergency is being placed in the newspaper for Sunday.
- There is \$14,000 remaining in the Moving Ohio Forward Demolition Grant Program for the City to use. Mr. Finney has received requests from three property owners for additional houses to be added to the list: 656 Third Avenue (Roma Wood), 5 Portsmouth Road (Matthew & Letty Willis), and 616 Fourth Avenue (Gilbert & Sandra Milliron). In discussion about the three houses, Mr. Finney told the Commissioners that the house at 616 Fourth Ave. was not in dire need of demolition. The City has until September to finish expending grant money. All of the houses on the list already approved by the Commission have either been demolished or are being repaired by the owners. Mr. Cremeens made a motion to approve the addition of 656 Third Avenue and 5 Portsmouth Road to the approved list, seconded by Mr. Johnson. In discussion, Mr. Brown voiced his continued concern over houses going off the tax rolls. Mr. Cremeens expressed concern that some of these houses are fire traps and nuisances, posing a threat to public safety personnel and to the general public. Mr. Johnson said that many of the houses that are being demolished are valued so low as to be of little value on the property tax rolls. Upon voice vote on the motion, Mr. Brown voted no. All other votes were yes. Motion carried.
- As a result of a conversation with Mr. Gary Lewis, the resident at 942 First Avenue, Mr. Lewis submitted a sketch of his plans for the Commission to review. This sketch was distributed to the Commissioners. Mr. Brown reported that Mr. Lewis has widened the path shown to a drive. President Wallis noted that it is looking like the property in question belongs to the Federal Government, not to the City. Mr. Salisbury concurred that the Federal Government appears to have legal right to the land. The City has an interest in protecting our right of way on First Avenue, which Mr. Brown fears may be compromised by Mr. Lewis digging into the hillside. Mr. Salisbury stressed that because our property interest is in the right of way, we cannot place a lien against Mr. Lewis's property, if he damages our right of way. Our remedy would be to sue him in civil court. President Wallis suggested that Mr. Lewis be encouraged to use existing access at Olive & First. Rather than create a new road. Mr. Johnson commented that Mr. Lewis may come to realize he

has taken on a project that exceeds his competency to complete. President Wallis asked that Mr. Walters monitor for damages to our right of way interests.

- Mr. Finney showed slides of water going into Chickamauga Creek and prints of where the water lines run. The estimated cost of doing the repair at Chickamauga is around \$150,000. The total cost of the water emergency response and repairs is estimated at \$250,000, with Ohio EMA providing 75%. He reported that we are still losing around 300,000 gal./day from a pipe that requires a custom-made valve to turn it off. They hope to have the new valve installed next Tuesday. Mr. Jeff Burger has been very helpful in volunteering his time, digging into the old prints. There have been some issues with damaged tires from a work site on Third Avenue, in particular. Mr. Finney stated that he was not in favor of getting started paying for tire repairs, citing historical response to similar complaints. He plans to initiate discussions with Ohio Rural Water about hooking up to their system at one or more possible sites: close to Long John Silvers, near Electrocraft, and at Centenary. Mr. Swisher is working on converting our drawings to PDF format. A scanner would cost around \$5,000, but the savings of doing this in-house would more than offset the cost.
- Mr. Gallagher plans to attend the seminar on opium addiction on June 30th.
- The grand opening of the River Recreation Festival is Thursday, July 3rd, at 7 p.m. The Hoop Project Court Dedication is set for Friday, July 11th, at 6:30 p.m.
- Mr. Finney is working on health insurance. He wants to have firm figures from Medical Mutual by the first or second week of July so that he can look elsewhere if rates for renewal are too high.
- Mr. Charles Lentz and Patrolman Mike Fulks would like to be commissioned as Reserve Officers. Mr. Lentz has some interesting skill sets to offer our department, with training in chemical, nuclear, and biological agents. Mr. Brown made a motion to approve Mr. Lentz and Mr. Fulks as Reserve Officers, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes.
- Mr. Finney invited Chief Elliott to make an announcement. Chief Elliott announced that he received the new brush truck yesterday and that the new pumper truck is available for inspection in the alley after tonight's meeting.

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

Ms. Landers informed the Commissioners that she will be taking some days off for vacation the first two weeks of July for a visit with her mother. She will be off on Wednesday and Thursday, July 2nd and 3rd and Wednesday to Friday, July 9th to 11th. She also mentioned that she is handwriting thank you notes on behalf of the Commission, City Manager, and employees to a list of volunteers who assisted during the water emergency.

The City Solicitor requested executive session for pending lawsuits.

President Wallis asked if the Olde Car Club will be parking on the park grounds this year. The City Manager said that they will as long as it is not too wet. They will park in the street if it is.

Mr. Finney said that he wanted to add something about America in Bloom. The judges seemed to like what they saw here, seeming not to want to leave because they stayed over some additional time. The symposium is in Philadelphia this year. He encouraged the Commissioners to consider sending both Ms. Dunkle and Ms. Canaday to the symposium.

Mr. Wallis expressed appreciation to the Gallipolis in Lights workers, who are working on assembling balls for lights tonight in the meeting room.

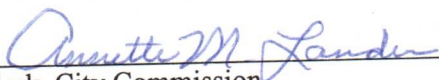
There was presented and read to the Commission as an emergency a Resolution No. R2014-14 entitled **AN EMERGENCY RESOLUTION AUTHORIZING APPROVAL OF THE DRAFT SOLID WASTE MANAGEMENT PLAN OF THE GALLIA, JACKSON, MEIGS, VINTON SOLID WASTE MANAGEMENT DISTRICT**. Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Gallagher. 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. O2014-33 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AGREEMENT FOR VISION INSURANCE COVERAGE FOR FULL-TIME EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS OF THE CITY OF GALLIPOLIS**. 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.

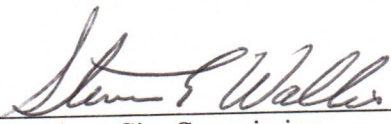
There was presented and read to the Commission as an emergency an Ordinance No. O2014-34 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH A COMPETITIVE RETAIL ELECTRIC PROVIDER FOR THE GOVERNMENTAL AGGREGATION PROGRAM AT THE BEST COMPETITIVE PRICE FOR MUNICIPAL AND RESIDENTIAL LOCATIONS**. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Gallagher. Mr. Finney plans to solicit bids from around ten vendors that he has found. He will price for one, two, and three year contracts, hoping to lock in a good three-year rate. The City Solicitor advised President Wallis that voting on this ordinance would pose no conflict for him as an employee of AEP, since the ordinance gives the City Manager the authority to choose the best competitive bid. Mr. Finney needs the ability to act quickly due to rate market volatility. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Gallagher said that the CIC will be using the building for their meetings at 6:30 a.m., beginning tomorrow.

Mr. Brown made a motion to enter executive session to discuss lawsuits, as requested by the City Solicitor, seconded by Mr. Gallagher. Upon roll call to enter executive session for pending lawsuits, 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