

September 16, 2014

The Gallipolis City Commission met in special session on Tuesday, September 16, 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
- Ronnie Lynch
- Keith Elliott
- Joy Elliott
- Keith A. Sheets
- Christi L. Johnson
- Mary Lee Marchi
- Janet Johnson
- Bill G. Johnson
- Randy Breech
- John H. Saunders
- Carol O'Rourke
- Nancy Mullins
- Marvin Ours
- Greg Smith
- Karen Smith
- Jonathan Elliott
- Josh Wellington
- Scott W. Saunders
- Brian D. Kirby

Commission received the minutes of the September 2, 2014 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- Chickamauga Creek Main Water Line Repair Project - Waugh Excavating has not returned their signed contract yet.
- The WPC Facility Improvements Project – Bid opening is noon on Friday, September 19<sup>th</sup>.
- An ordinance is on the agenda tonight for EMH&T to provide engineering services for the five-year sewer upgrade to separate storm water from the sanitary sewer system. This is a five million dollar construction project to be completed over a five-year period. The pricing for the engineering work was favorable, with some work to be done in-house.
- Mr. Brown and Mr. Gallagher will be attending the OVRDC full commission meeting in Jackson on Friday, September 19<sup>th</sup> at 11 a.m.
- City Park 2-way traffic – The lines on Court Street were not placed properly and may need to be corrected later. We may also need to change the parking on State Street, which seems to be causing some trouble as it was laid out.
- Mr. Finney met with ODOT concerning Phase 2 of Farm Road on Thursday, September 4<sup>th</sup>. There is another meeting set for two weeks from Monday. ODOT is looking for funding for Phase 2 of Farm Road, but with \$7.5 million needed, chances seem slim for that. If they cannot complete Phase 2, they will also lose funding to complete the bike trail that was to go in next to the road.

- Mr. Finney talked to ODOT about the slip repair on SR588. They came back with an offer of the remaining funding of \$55,000 for that project.
- The Commission needs to appoint a person to replace him on the OVRDC Executive Committee.
- Income tax revenue is down over \$80,000 from last year. The Commission needs to make a decision about whether to eliminate the Community Investment funding to the non-profits this year. They need to provide notice to the groups so that they can plan accordingly.
- Mr. Finney presented figures for our property/casualty insurance. Travelers Insurance has been our insurance carrier for several years. Their bid this year was in excess of \$94,000. Public Entities Pool of Ohio (PEP) came back with a bid of \$67,101, a significant savings, with a three-year guarantee if our loss ratio stays under 65%. They also offer lower deductibles. PEP has a maximum of \$6,000,000 per occurrence, with no maximum aggregate. Given these favorable offerings, Mr. Finney is recommending that we go with PEP, which was our insurance provider prior to Travelers.
- Mr. Brian Devin Kirby has been recommended for appointment to the Gallipolis Fire Department. Mr. Cremeens made a motion to appoint Mr. Kirby to the Gallipolis Fire Department, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes.

The City Auditor presented for approval the August 2014 Financial Statement. Mr. Brown made a motion to approve the August Financial Statement, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes.

Ms. Landers presented two invoices over \$3,000 for approval:

- \$19,158.12 from Waste Management for July refuse pick-up. Invoice 8/1/14; PO 8/20/14
- \$23,953.01 for Workers Comp premium. Invoice 8/5/14; PO 8/12/14.

Mr. Gallagher made a motion to approve payment, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

Ms. Landers enumerated the major changes included in the appropriations change ordinance on tonight's agenda, offering to answer any questions the Commission might have.

There are two ordinances on the agenda tonight to end the TIF agreement on the Gallipolis Marketplace (Walmart Plaza), beginning with Tax Year 2014, which will be distributed in 2015. The Commission has discussed this topic previously. If we wish to discontinue the TIF for the 2015 distribution year, we need to submit certified copies of these ordinances to the County Auditor's office by September 30<sup>th</sup>. Ms. Landers has been in contact with Mr. Clark at the Auditor's Office and with Ms. Marple at the Gallipolis Local School District. They are cooperating in getting everything in place for the coming year. Income tax receipts of \$815,525.39 (about \$50,000/year) have been paid from the General Fund to the schools since the inception of the TIF, per our agreement with the schools. Ms. Landers distributed a spreadsheet showing the amounts each entity is also foregoing each year in property taxes. Now that the SIB loan on Phase 1 is paid back, it is very hard to justify continuing to divert money from all of these entities to go into our TIF Fund when we will accumulate less than \$2 million over the remaining 15 years of the TIF agreement for a project (Phase 2 of Farm Road) that is now estimated at \$7.5 million. We will need to wait until ODOT decides what to do with Phase 2 before we concern ourselves with the disposition of the balance currently in the TIF Fund. If ODOT secures funding, they will need the \$368,489.27 currently in the TIF Fund to apply toward the road. Regardless of the outcome regarding the fund balance, Ms. Landers recommended proceeding with the ordinances to repeal the TIF.

Mr. Salisbury requested executive session to discuss two items of legal matter.

Mr. Gallagher said that he agreed with Mr. Finney about the parking lines on State Street being problematic. He also said that a man working the Farmers Market had asked him why we no longer have Wi-Fi available in the City Park. Mr. Finney said that he intended to check into the matter.

There was presented and read to the Commission as a second reading an Ordinance No. O2014-49 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE LOCAL GOVERNMENT SERVICES SECTION OF THE STATE AUDITOR'S OFFICE (GASB-34 LOOK-ALIKE STATEMENTS) FOR FISCAL YEAR 2014 AND 2015.** Mr. Johnson 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. O2014-43 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR ENGINEERING AND CONSTRUCTION SERVICES TO REPAIR THE MAIN WATER LINE IN CHICKAMAUGA CREEK AS AMENDED.** Mr. Brown made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Mr. Finney explained that this ordinance and the next two ordinances were adopted earlier, but contained errors. 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. O2014-44 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR DEVELOPING PLANS AND ENGINEERING DRAWINGS FOR AMPHITHEATER AND OUTDOOR SEATING AS AMENDED.** 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. O2014-45 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS ENGINEERING SERVICES FOR SLIP REPAIR ON STATE ROUTE 588 AS AMENDED.** 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. O2014-52 entitled **AN EMERGENCY ORDINANCE REPEALING ORDINANCE NO. 97-139, AUTHORIZING A TAX INCENTIVE AGREEMENT WITH THE GALLIPOLIS CITY SCHOOL DISTRICT WITH RESPECT TO THE EXEMPTION OF CERTAIN PARCELS, GALLIPOLIS MARKETPLACE, FROM REAL PROPERTY TAXATION PURSUANT TO SECTION 5709.40 OF THE OHIO REVISED CODE.** Mr. Brown 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. O2014-53 entitled **AN EMERGENCY ORDINANCE REPEALING ORDINANCE NO. 97-141, DECLARING IMPROVEMENTS TO PARCELS OF REAL PROPERTY LOCATED IN THE CITY OF GALLIPOLIS, OHIO, GALLIPOLIS MARKETPLACE, TO BE A PUBLIC PURPOSE UNDER SECTION 5709.40 OF THE OHIO REVISED CODE, EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION, REQUIRING THE OWNERS OF STRUCTURES LOCATED ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES PURSUANT TO SECTION 5709.42 OF THE OHIO REVISED CODE, AUTHORIZING A SERVICE AGREEMENT AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY, ESTABLISHING A TAX INCREMENT EQUIVALENT FUND.** Mr. Brown 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. O2014-54 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH EVANS, MECHWART, HAMBLETON AND TILTON (EMH&T) FOR PROFESSIONAL ENGINEERING SERVICES FOR DEVELOPING PLANS, ENGINEERING DRAWINGS, AND OVERSEEING CONSTRUCTION FOR GALLIPOLIS SANITARY SEWER AND STORM WATER SEPARATION PROJECTS OVER THE NEXT 5 YEARS.** 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. O2014-55 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH USI INSURANCE SERVICES (PEP) FOR GENERAL LIABILITY AND PROPERTY INSURANCE.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. Mr. Finney stated that Travelers Insurance would continue to handle any claims outstanding under our old insurance. 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. O2014-56 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2014-13, AS AMENDED BY ORDINANCE NO. O2014-19, AS AMENDED BY ORDINANCE NO. O2014-24, AS AMENDED BY ORDINANCE NO. O2014-30, AS AMENDED BY ORDINANCE NO. O2014-37, AS AMENDED BY ORDINANCE NO. O2014-47, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014.** Mr. Gallagher 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. O2014-57 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2014-14, AS AMENDED BY ORDINANCE NO. O2014-25, AS AMENDED BY ORDINANCE NO. O2014-31, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** 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.

Mr. Gallagher made a motion to enter executive session to discuss civil claims/cases pending and vacation pay, seconded by Mr. Brown. Upon roll call to enter executive session as stated, 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.

  
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Clerk, City Commission

  
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President, City Commission