

October 6, 2015

The Gallipolis City Commission met in regular session on Tuesday, October 6, 2015, at 7:00 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
 Albert "Tony" Gallagher, Vice-President
 Michael W. Brown, Member
 Michael C. Fulks, Member
 Matthew Johnson, Member

Others attending were:

M. Eugene Greene, City Manager		
Adam R. Salisbury, City Solicitor		
Michelle L. Clonch, City Assistant Auditor/Clerk		
Dean Wright, Gallipolis Daily Tribune		
Ronnie Lynch	Mary Lee Marchi	Keith A. Sheets
Keith Elliott	Clint Patterson	Randy Finney
Joy Elliott	Shari Rocchi	Angela Rocchi
Lance E. Clifford	Jerry Smith	Marvin Vanderberg
Lori Young	Paula Williams-Wray	

Commission received the minutes of the September 22, 2015 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Mr. Randy Finney, representing Gallipolis in Lights, was granted *Privilege of Floor*. Mr. Finney brought several items before the Commission. First, he asked for help from city workers this year in putting up some new banners on light poles and installing lights and decorations on the bandstand. Next, he asked about liability coverage for their volunteers and insurance on and storage space for the decorations, lights, and fixtures. He said that because donations were made to a city fund and expenses were paid from that fund, he thought that should mean that the decorations belong to the City. If that is true, they can be insured by the City. He asked that the Commission look into that issue. He would also like help from the City in repairing some old, vintage decorations. A vendor in Kentucky has submitted a quote of \$4,800 for the work. Mr. Finney suggested using the VESI community reinvestment donations to help fund this work.

President Wallis thanked the committee for all of the work that they do, which he said really lights up the town and makes us look good. He explained that the City is attempting to eliminate the expense of the storage unit on Pine Street due to severe budgetary concerns, which makes it difficult for the City to provide storage. He asked for clarification on what fixtures they were wanting to get repaired. Mr. Finney answered that these were the old lighted figures that were used in the park before Gallipolis in Lights and have been in storage for a number of years. Mr. Finney has spoken to our insurance agent about property and liability coverage as a rider on the City's policy. Mr. Saunders should have a quote ready in a couple of days. President Wallis again thanked the committee for their efforts and asked them to work with the City Manager when that information becomes available.

Mr. Jerry Smith, representing Volunteer Energy Services Incorporated, was next to receive *Privilege of Floor*. He presented the Commission with a check for community reinvestment of \$3,745.56 from their gas aggregation program with the City. He also left a Customer Information Agreement for the City Manager to sign to allow VESI, as our aggregator, to buy a customer list from Columbia Gas of Ohio. This allows them to identify potential customers for the program. President Wallis thanked him for coming.

Last to be recognized for *Privilege of Floor*, Mr. Keith A. Sheets spoke on behalf of Mr. Bill Mangus, Commander of VFW Post 4464, concerning the posters brought before the Commission at the last meeting. Mr. Mangus will try to get to the next meeting to show examples of the posters.

The City Manager reported on the following:

- Work on the SR 588 Slip is now underway and should take three weeks to complete.
- The gas company is planning work at the intersection of Third and Locust Street. They will let us know in time to notify the schools for bus traffic.
- The City is conducting a survey of employees for spousal coverage.
- City crews are flushing water hydrants next week. It had been set for this week, but had to be postponed due to work on a pump at the water treatment plant.
- Crews have also been brush-hogging all over town.
- Mr. Lynch recently attended a tax seminar on HB5. Mr. Lynch asked to hire an outside consultant at a cost not to exceed \$1,900 to amend our ordinances to comply with the new requirements as well as incorporating customized language as allowed. Money is available in another line in the Tax Department's budget that can be moved into professional services for this purpose. We are facing a tight schedule to get everything in place for the first of the year. Mr. Gallagher added that there was a discussion at the same tax seminar about legislation introduced to exempt non-residents working inside a municipality from paying that municipality's income tax. Several in attendance were convinced that it would not get through the legislature. If it would ever make it through, Mr. Lynch stated that it would reduce our tax revenues by at least \$1,000,000 to below \$500,000. President Wallis remarked that with the other challenges that the State has put upon the municipalities through cuts imposed over the past couple of years, this would be impossible to survive. We are already struggling to find ways to continue services for our residents. This is a hot topic at almost every meeting as we seek ways to increase revenues and reduce expenses. President Wallis remarked that Mr. Lynch might be sent to Columbus to oppose the legislation if it looks like it might be passed. Mr. Gallagher made a motion to contract for this service, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.
- Mr. Greene asked to have executive session to discuss personnel and property.

The Assistant City Auditor presented the 2016 Alternate Tax Budget for approval. Mr. Johnson made a motion to approve the 2016 Alternate Tax Budget, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

Ms. Clonch presented two invoices over \$3,000 for approval of payment:

- \$4,857.83 to AEP for street lights. Invoice: 8/27/15. PO: 9/1/15
- \$3,589.07 to Creative Audio Visual Group for GIL sound system. Invoice: 8/27/15. PO: 9/1/15

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

The City Solicitor requested executive session to discuss real estate, a pending lawsuit, and employee issues.

Mr. Johnson said he needed to put a small hole in the floor of the top of the bandstand to run the conduit for the new portable sound system. There are already several conduits coming through the floor. Crisenberry will be contracted to do the job. He also talked about the need for a rider on the City's insurance to cover liability in case a branch should happen to fall from the weight of the light balls in the wind or from an ice storm. There were no objections voiced for the work on the bandstand.

Mr. Johnson reported that Chili-fest was well attended, though rainy. The event likely broke even, but did not make money this year. Mr. Gallagher said he attended and everyone seemed to be enjoying themselves in spite of the weather.

Mr. Gallagher wondered if Mr. Lynch should be included in executive sessions due to his position as Acting City Manager and his need to know what is going on in case the City Manager is not available. Commissioners agreed that this would be a good idea.

There was concern voiced over whether the bandstand and the new sound system might be vulnerable to vandalism in light of the recent damage to the Kerr Monument. Mr. Johnson replied that it would take substantial effort to access the bandstand, which should serve as a deterrent. President Wallis asked the condition of the bandstand. Mr. Greene said that the bannister is not in good condition, likely due to watering of the flower baskets that have been placed there in recent years. Mr. Tom Davis has been asked to provide an estimate of the cost to refurbish the damaged areas. Mr. Johnson said he did not know where the Restore Project was in their fundraising. He thought they were seeking a couple of grants as well as private donations. Mr. Greene thought that people would readily donate to a project to restore the bandstand.

President Wallis invited anyone with ideas for increasing revenues to share them with the Commission. He congratulated the County on the \$675,000 CHIP Grant that they, along with Meigs County, recently were awarded.

There was presented and read to the Commission as an emergency a Resolution No. R2015-12 entitled **AN EMERGENCY RESOLUTION DECLARING THE AMOUNT OF JUST COMPENSATION FOR REAL PROPERTY KNOWN AS 75 CEDAR STREET PURSUANT TO O.R.C. 719.04, O.R.C. 163.04, AND O.R.C. 163.59.** Mr. Gallagher made a motion to adopt this resolution as an emergency, seconded by Mr. Johnson. Mr. Salisbury explained that these first two resolutions are the next step in the eminent domain process. The property owners will be offered zero dollars, due to the encumbrances already against the properties. 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 a Resolution No. R2015-13 entitled **AN EMERGENCY RESOLUTION DECLARING THE AMOUNT OF JUST COMPENSATION FOR REAL PROPERTY KNOWN AS 754 4TH AVENUE PURSUANT TO O.R.C. 719.04, O.R.C. 163.04, AND O.R.C. 163.59.** Mr. Brown made a motion to adopt this resolution as an emergency, seconded by Mr. Fulks. Upon roll call to adopt this resolution as an emergency, all votes were yes.

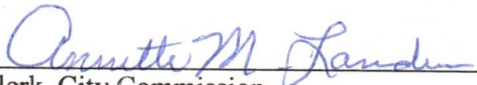
There was presented and read to the Commission as an emergency an Ordinance No. O2015-42 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH USI INSURANCE SERVICES (PEP) FOR GENERAL LIABILITY AND PROPERTY INSURANCE.** Mr. Gallagher made a motion 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 for a first reading an Ordinance No. O2015-43 entitled **AN ORDINANCE ESTABLISHING SECTION 1352 "CIVIL PENALTY FOR PROPERTY MAINTENANCE CODE VIOLATIONS" OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Fulks. Mr. Salisbury explained that under current law, a property owner cannot in bankruptcy discharge debts to government entities except in a few situations. One of these exceptions is debts for services that the government had to incur on someone's behalf. The purpose of this ordinance is to allow a civil penalty of 90% of the cost to rehabilitate a property to be assessed upon the owner. This penalty could not be discharged in bankruptcy. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2015-44 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, OHIO.** Mr. Brown made a motion to adopt this ordinance as an emergency, seconded by Mr. Gallagher. Ms. Clonch explained that this is the annual ordinance to allow organizations to raise money for their charitable projects. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Brown made a motion to enter executive session for personnel, pending lawsuits and purchase and selling of property, seconded by Mr. Gallagher. Upon roll call to enter executive session to discuss these matters, all votes were yes. President Wallis announced that there would be no business to follow executive session. Upon conclusion 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