

December 4, 2012

The Gallipolis City Commission met in regular session on Tuesday, December 4, 2012, at 7:00 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. He reminded the Commissioners of the dinner on Friday evening, beginning at 6 p.m.

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  
 Stephanie Filson, Gallipolis Daily Tribune  
 Tony Gallagher                      Ronnie Lynch                      Marvin Vanderberg  
 Claudia Miller                      Dottie Chestnut                      Keith Elliott  
 Joy Elliott

Commission received the minutes of the November 20, 2012 meeting prior to this meeting. There was one correction to the minutes. During the discussion of Resolution No. R2012-26, Mr. Finney was the one who asked if Mr. Wallis could vote on the emergency resolution, not Mr. Wallis. There being no other corrections, objections, or additions, these minutes were approved as corrected.

The City Manager reported on the following:

- Mound Hill Road Repair – Foill’s bid received a good evaluation from our engineer. We have received good reports on their work for others. The contract will be signed on Thursday. They hope to complete the work in ninety days if the weather cooperates.
- We received a check from FEMA for \$21,320, their portion of the cost of the storm-related damages this summer.
- Administrative Offices – The EIFS on the outside of the building is now done. The fleur-de-lis is not the same as the one on the Justice Center, so it may need to be re-done. The contractor needed to do some extra work on the lot to fill in some cisterns. The City Manager negotiated that price down to \$14,000. He has made it clear to them that they cannot just do extra work and send us a bill. They must get all changes approved before proceeding with work. They need to put in an electrical box for \$3,500. They need to do some concrete and stone work around the perimeter of the parking lot. Mr. Finney will bring the change orders for this work to the next meeting. Ms. Landers commented that funds would be available for these changes.
- Mr. Finney provided a copy of the City’s flooding/severe storm mitigation plan to the Commissioners prior to the meeting. He told them that he needs a motion to approve the plan. If the Commission desires to change it later, they can do so. Mr. Wallis made a motion to approve the plan, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.

- The plaque for the Justice Center will cost \$1,100. Mr. Finney is considering putting this purchase in next year's budget.
- Mr. Finney asked the Commission when they wished to have their first meeting in 2013. New Year's Day falls on the first Tuesday, which is the regularly scheduled meeting day according to our Charter. After some discussion, the Commissioners decided to meet on Thursday, January 3, 2013.
- Mr. Finney said that there have been two recent issues with water service. The first concerns the church on Bastiani, which is having a problem with water pressure. Mr. Walters is meeting with them tomorrow to discuss their problem. There is a new line nearby that could be accessed for their service. The other water service issue concerns a resident on Mill Creek Road who is on GDC's water system. She is a resident of the city and would like to be on our water system. We are looking at providing that service for her.
- First Friday meeting will be this Friday at 8 a.m.

The City Auditor announced that the November Financial Statement was not available in time for this meeting. Mr. Finney has been working with the department heads to get a second draft of the budget ready for the Commission. We are still awaiting numbers from some departments, particularly from the court. The first draft was the Alternate Tax Budget, which the Commission received and approved in October.

Ms. Landers presented the following list of donations for acceptance:

- \$25 from Chapman & Burris, CPAs to the police department in memory of Ms. Janice McKenzie. (8/2/12)
- \$500 from McDonalds to the police department (9/18/12)
- \$2,592.64 from Volunteer Energy Solutions, Inc. for community donation in the VESI Fund (10/18/12)
- \$950 from the Elks Lodge for a replacement flag for Fortification Hill (10/30/12)

Mr. Cozza made a motion to accept these donations, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.

The following purchase orders over \$3,000 were presented for approval of payment:

- \$4,384 from Northpointe for annual COMPAS license (Probation)
- \$2,592.64 from the Treasurer of the State of Ohio for WPCF annual Discharge Fee
- \$21,826.75 from Travelers Insurance for quarterly premium payment (Property/Liability Insurance)

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

Ms. Landers asked if there were any questions regarding appropriation changes on tonight's agenda. The largest was for the Law Library, which receives one-half the revenues from State Highway Patrol fines that the City receives. Ms. Landers stated that this is a good thing to increase because it means that we get to keep more for our half as well. There were no other questions.

The City Solicitor stated that he has recently filed code signage violations with the court. He requested executive session for pending legal matters.

There was presented and read to the Commission as an emergency an Ordinance No. O2012-83 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH GALLIA COUNTY FOR EQUIPMENT AND LABOR.** Mr. Wallis

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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. O2012-84 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR ASPHALT, LIMESTONE AND BEDDING SAND**. 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. O2012-85 entitled **AN EMERGENCY ORDINANCE SETTING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES FOR THE CALENDAR YEAR 2013**. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Wallis. 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. O2012-86 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR THE MOUND HILL CEMETERY ROAD LANDSLIDE REPAIR (ORIGINAL ENTRANCE) PROJECT**. 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. O2012-87 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2012-07, AS AMENDED BY ORDINANCE NO. O2012-20, AS AMENDED BY ORDINANCE NO. O2012-28, AS AMENDED BY ORDINANCE NO. O2012-34, AS AMENDED BY ORDINANCE NO. O2012-49, AS AMENDED BY ORDINANCE NO. O2012-51, AS AMENDED BY ORDINANCE NO. O2012-54, AS AMENDED BY ORDINANCE NO. O2012-68, AS AMENDED BY ORDINANCE NO. O2012-73, AS AMENDED BY ORDINANCE NO. O2012-76, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2012**. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Wallis. 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. O2012-88 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GALLIA COUNTY FOR THE BOARDING OF PRISONERS**. Mr. Finney told the Commissioners that he is in discussions with the County regarding the increase in the per diem price from \$50 just a few years ago to \$70, an increase of 29% in just three years. Chief Patterson is looking at costs in neighboring counties. In spite of our objections, we must sign the contract by January 1<sup>st</sup>. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Wallis. 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. O2012-89 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE GALLIA COUNTY COMMISSIONERS FOR PAYMENT OF LEGAL SERVICES TO THE CITY'S INDIGENT CITIZENS**. This contract is for the same amount as last year. Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. There was discussion of who decides whether a person qualifies for indigent services. Mr. Salisbury informed the Commissioners that the standard for indigence is set by state statute, and the judge in the court decides whether the person qualifies. The standard is much lower than it was at one time,

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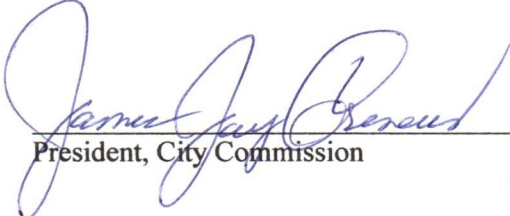
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allowing many more people to qualify. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Cozza made a motion to enter executive session for pending legal matters, seconded by Mr. Johnson. Prior to leaving the room, Ms. Filson requested permission to address the Commission regarding her recent article in the newspaper. Commission entered executive session. Upon completion of executive session, Commission returned to regular session. Ms. Filson was invited to address the Commission. She apologized for using the adjective "meager" in describing the employee bonuses. She said that she had very little time to write the article and perhaps chose the wrong word. She meant to convey that the bonuses were smaller than in recent years because of budget constraints. She added that she did not intend to offend the Commissioners or Ms. Landers. She also asserted the need for the press to remain independent in their reporting. President Cremeens accepted her apology on behalf of the Commission and Ms. Landers.

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

  
Clerk, City Commission

  
President, City Commission