

September 22, 2015

The Gallipolis City Commission met in special session on Tuesday, September 22, 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
 Annette M. Landers, City Auditor/Clerk/Treasurer
 Dean Wright, Gallipolis Daily Tribune
 Bill Mangus, Commander, VFW Post 4464
 Ronnie Lynch Mary Lee Marchi Keith A. Sheets
 James W. Roush Clint Patterson Randy Breech

Commission received the minutes of the September 1, 3, & 8, 2015 meetings prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Mr. James Roush was granted *Privilege of Floor*. Mr. Roush said that he had read in the newspaper about the SR 588 Slip Repair project. He was concerned about possible electrical power disruptions. Mr. Greene assured him that power would not be disrupted for most residents, just briefly for those from the bridge to Hedgewood Drive. He explained that work has been pushed back one week at the request of the contractor and is to start next Monday. It should last three weeks. There will be one lane of traffic in the construction area around the bridge on State Street.

Mr. Bill Mangus, Commander of VFW Post 4464, was next to request *Privilege of Floor*. Mr. Mangus told the Commissioners that he had recently visited Lancaster, Ohio, and learned of their project to honor their residents actively serving in the armed forces by displaying posters with their pictures in their city park. He said that their local VFW post wanted to finance a similar project in our City Park for display during the summer months. They would also like to add to the display with posters of our veterans from all conflicts on Memorial Day, the Fourth of July, and Veterans Day. The posters would be attractive and constructed of attractive weatherproof material, two-sided to allow two images per poster, and about 24" x 32". Mr. Mangus passed around pictures of the posters. Mr. Brown asked to see an actual poster, if Mr. Mangus could borrow one from Lancaster. Mr. Mangus asked when the next meeting would be, so he could bring one in. Mr. Johnson said that the America in Bloom posters were around 18" x 24". He expressed support for the project, but had some concern that the display might interfere with the Gallipolis in Bloom posters or other events. Mr. Mangus said that they would start their display on the Doughboy side of the park. He thought that it would not be extensive enough to interfere with the Gallipolis in Bloom displays. He indicated a willingness to work with the City to assure that other events would not be inconvenienced. President Wallis heartily endorsed the project, adding that it

would be nice if someday in the future it could be displayed year-round in a more permanent type of fixture. He thanked Mr. Mangus for his effort in bringing the idea before the Commission.

The City Manager reported on the following:

- Work on the SR 588 Slip has been pushed back a week, as reported during *Privilege of Floor*.
- Bids for the Spruce Street Lift Station project were opened last week and an ordinance is on tonight's agenda for the lower of the two (C.J. Hughes of Huntington, WV).
- They have been working on well cleaning and pump repairs at the Water Treatment Plant. Our maintenance crews have been repairing and replacing service lines. The City has treated around 1.5 million gallons less this year compared to last year at this time due to these repairs.
- The new mower for mowing around the guardrails is doing a fine job. Mr. Greene expressed his thanks to the Commission for approving this purchase, which will save the City \$2,500 for each time we would have had to hire an outside contractor to do the same work.
- Mr. Greene especially thanked Mr. Fulks for his help in finding materials for the work on Hedgewood Drive. The residents there are very happy with the repairs, which were accomplished at a minimal cost.
- Vandals recently ripped down some of the flowers from the Gallipolis in Bloom baskets and put graffiti on the Kerr Monument. Also, some kids have been running around on the roofs along Second Avenue. When identified, the City will press charges against the perpetrators. We may look into installing cameras to monitor activity in the park.

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

The City Solicitor informed the Commissioners that Resolution No. R2015-11 was added to the agenda this evening to allow settlement of the lawsuit that the City has against the owners of the Thomas property on Second Avenue.

Mr. Fulks clarified that he will be still be seeking one of the four-year terms for Commissioner on November's ballot.

Mr. Gallagher reported that he and Mr. Brown had attended Mrs. West's 100th birthday celebration and together had presented her with the City's proclamation. He also presented the Emancipation Celebration proclamation at their 152nd annual event at Bob Evans Farm on Saturday. He added that Ms. Jackie Joyner-Kersey, the 1988 gold medal Olympic track star, gave an inspiring speech on Sunday.

Mr. Brown noted that he received a compliment today on the cleanliness of the City's public restrooms. He wanted to pass that along to our custodian.

President Wallis mentioned that RCAP had sent notice of upcoming free trainings available. He encouraged employees and officials to attend these educational events.

President Wallis also spoke of continuing efforts to find an answer on whether municipalities could assess a sales tax. The Attorney General did respond to the City Solicitor's request for information, saying that they had issued no opinions on that topic. They referred us to the Ohio Municipal League. Mr. Wallis said that he needs some help to understand the wording of the information they provided. Specifically, he would like to know the section number of Ohio Revised Code to cite in advocating that the State legislature make changes to allow more options for municipalities with population under 10,000.

Concerning the request that we review our pit bull ordinance in light of recent changes at the State level, Mr. Wallis clarified that the State modified their rules because they felt that they did not have jurisdiction in such matters, but that it should be addressed on the local level. In discussion, Mr. Brown said he had been contacted by only one resident on the matter and that resident was not in favor of repealing our ordinance. Mr. Gallagher said he had received nine e-mails asking the Commission not to change our law. Mr. Johnson said that he understood the views of both sides of the issue. Pit bulls have gotten a bad rap, but many are not treated well and can become overly aggressive. The issue was postponed indefinitely.

There was presented and read to the Commission as an emergency a Resolution No. R2015-10 entitled **AN EMERGENCY RESOLUTION IN SUPPORT OF THE OHIO VALLEY BANK'S APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR HISTORIC PRESERVATION TAX CREDIT AWARD FOR A REHABILITATION PROJECT**. Mr. Johnson made a motion to adopt this resolution as an emergency, seconded by Mr. Brown. 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. R2015-11 entitled **AN EMERGENCY RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO RESOLVE THE CLAIMS MADE BY THE CITY OF GALLIPOLIS IN GALLIA COUNTY COURT OF COMMON PLEAS CASE NUMBER 14-CV-069**. 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. O2015-38 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AUTHORIZE AND FUND CHANGE ORDER NO. 1 WITH MECHANICAL CONSTRUCTION CO. INC. FOR MODIFICATIONS FOR THE WATER POLLUTION CONTROL IMPROVEMENTS PROJECT**. Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. Mr. Greene explained that the change order is to move a 12" water main from under a building. President Wallis added that the City must take some blame for this engineering error because our prints were terrible. We will gain from the better prints we will have once the project is completed. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

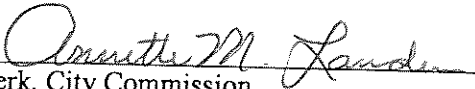
There was presented and read to the Commission as an emergency an Ordinance No. O2015-39 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR HIGHWAY DE-ICING SALT, CALCIUM CHLORIDE, AND COLD MIX**. Mr. Brown made a motion to adopt this ordinance as an emergency, seconded by Mr. Gallagher. 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. O2015-40 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR SPRUCE STREET LIFT STATION PUMP REPLACEMENT**. Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. Mr. Greene informed the Commissioners that the low bid was \$113,900. Ms. Landers explained that although the lowest bid exceeded the engineer's estimate by a large enough percentage to normally require the City to re-bid with a revised engineer's estimate, the project is considered critical enough that an exigency exists. This lift station provides critical service to the hospital and is in danger of failing. Mr. Greene stated that if it failed, we would have no choice but to allow raw sewage to go into the creek, which would bring down the wrath of the EPA. The risk posed from delay warrants declaration of an exigency. 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. O2015-41 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2015-16, AS AMENDED BY ORDINANCE NO. O2015-24, AS AMENDED BY ORDINANCE NO. O2015-29, AS AMENDED BY ORDINANCE NO. O2015-36, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015.** Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. Ms. Landers detailed the changes for the Commission. 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 – police department staffing 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 special session.

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


Clerk, City Commission


President, City Commission