

February 5, 2019

The Gallipolis City Commission met in regular session on Tuesday, February 5, 2019, at 6 p.m., at the Gallipolis Municipal Building, 333 Third Avenue, having complied with Section 9 of the City Charter.

Commission President Michael Fulks called the meeting to order. Mr. Wallis gave the invocation.

Upon roll call, the following members were present:

Michael C. Fulks, President  
 Steven E. Wallis, Vice-President  
 Cody C. Caldwell, Member  
 Albert "Tony" Gallagher, Member  
 Beau Sang, Member

Others attending were:

M. Eugene Greene, City Manager  
 Brynn S. Noe, City Solicitor  
 Annette M. Landers, Auditor/Clerk/Treasurer  
 Dean Wright, Gallipolis Daily Tribune  
 Ronnie Lynch                      Randy Breech                      Jeff Boyer  
 Diana Love                          Dottie Chestnut                      Claudia Miller

Commission received the minutes of the January 22, 2019 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- The Maintenance Department has been dealing with some frozen lines and many water leaks. They have also been very busy salting streets and parking lots. Pot holes are being filled as personnel are available. The river has been up so much that there has been no way to stay ahead of the trash and mud on the parkfront.
- A contractor was hired to spread the dirt on Spruce Street Extension.
- Code Enforcement has been working with the City Manager on property maintenance issues. Code has also been working with new construction and issuing permits. Mr. Greene read a list of activities from Code Enforcement and the sports programs.
- The Sewer Plant seems to be running well. The Water Plant is working with the Utility Billing Department on coming up with a list of one hundred addresses of residents that will allow their water to be tested periodically for lead and copper levels.
- Columbia Gas will begin their project soon, replacing lines on Third Avenue.
- The new dumpster for the businesses on Second Avenue will be delivered sometime this week or early next week at the new location in the parking lot across Third Avenue.
- The City should be hearing soon about paving grant money for this year.
- Chief Boyer talked about training for our department in the new Cellbrite cell phone software.

The City Auditor presented a request for liquor license transfer from Cail Management dba Cliffside Golf Course to Gallipolis Ohio Links Foundation LLC dba Cliffside Golf Course. Mr. Wallis made a motion not to request a hearing, seconded by Mr. Caldwell. Upon voice vote on the motion, all votes were yes.

Ms. Landers reminded everyone that petitions to run for City Commissioner are due at the Board of Elections and her office on Thursday, February 21, 2019.

Mr. Paul Kulwinski from the Ohio Division of Liquor Control contacted Ms. Landers today concerning our request for a hearing that we sent to them back in August of 2018. He said that they have a huge backlog of hearing requests and are now ready to get this one scheduled. He wanted to know if the Commission still wanted a hearing or if they want to dismiss their request. Since the concern back in August was that there would be an increase in police calls under the new management, Mr. Greene said that he had asked Chief Boyer to look into police calls to this business. Chief Boyer said that police activity has not been any more than at other such establishments. Mr. Wallis made a motion to dismiss the request for a hearing, seconded by Mr. Caldwell. Upon voice vote on the motion, all votes were yes.

Ms. Landers distributed draft copies of the 2019 Budget. She said that it was the first time in several years that the departmental budget requests did not exceed estimated resources without revisions. She said that the CCA Grant figures are still being revised and will be in place before the public hearing. Commissioners discussed when to hold the public hearing and first reading on the 2019 Budget and whether to have departmental work sessions prior to the hearing. Ms. Landers and Mr. Greene asked Commissioners to look the budgets over and let them know by this Friday morning if they have any questions or need follow-up with any of the department supervisors. We can call a budgetary work session for Tuesday, February 12<sup>th</sup>, if needed. The goal would be to have the public hearing and first reading on February 19<sup>th</sup>, followed by the second reading on March 5<sup>th</sup>. The budget goes into effect fifteen days after adoption, which puts it in place before the April 1<sup>st</sup> deadline.

Mr. Gallagher asked that we get the information out to the public about how to run for City Commissioner. Some information has already been released.

There was presented and read to the Commission for a second reading an Ordinance No. O2019-04 entitled **AN ORDINANCE AMENDING CHAPTER NO. 925.07(b),(1)(A) AND (2)(A), SEWERS, RATES, SEWER SERVICE CHARGES (INSIDE CITY AND OUTSIDE CITY), OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Caldwell made a motion to adopt this ordinance on second reading, seconded by Mr. Wallis. Upon roll call to adopt this ordinance on second reading, all votes were yes.

Mr. Sang made a motion to suspend the 3% automatic water rate increase for 2019, seconded by Mr. Caldwell. Mr. Greene encouraged Commissioners to revisit the issue of increases each year. Upon voice vote on the motion, all votes were yes.

Mr. Randy Breech questioned the Commission's decision to withdraw their request for a hearing on the liquor license transfer from Uncle Kenny's to Court Street Tavern, intimating that there was something going on behind the scenes that the Commission did not want made public. Ms. Landers responded that the original decision to request a hearing had been made after open discussion at a public meeting back in August. She had not mentioned the names again tonight because she did not wish to cause unnecessary public humiliation for anyone if Commissioners decided that there was no basis for a hearing.

Mr. Breech said he was very upset that the Commission would decide to allow a license transfer for a business that is operating in such a dilapidated building. This was followed by discussion of whether the state of the building could be a legal objection for a liquor license transfer or whether that would be a separate Code Enforcement issue. The City Solicitor found some language in ORC that might allow for that as an objection, but the state of the building would need to be investigated to determine if it could apply in this case. Mr. Greene will begin the process of investigating this matter. In the meantime, Mr. Wallis made a motion to rescind the Commission's prior motion to dismiss the request for a hearing, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes.

  
 Clerk, City Commission

  
 President, City Commission