

March 7, 2017

The Gallipolis City Commission met in regular session on Tuesday, March 7, 2017, at 6:00 p.m. at the Gallipolis Municipal Building, 333 Third Avenue, having complied with Section 9 of the City Charter.

Commission President Tony Gallagher called the meeting to order. Mr. Wallis gave the invocation.

Upon roll call, the following members were present:

Albert "Tony" Gallagher, President  
 Michael C. Fulks, Vice-President  
 W. Matthew Johnson, Member  
 Steven E. Wallis, Member

Others attending were:

M. Eugene Greene, City Manager  
 Adam R. Salisbury, City Solicitor  
 Annette M. Landers, Auditor/Clerk/Treasurer  
 Dean Wright, Gallipolis Daily Tribune  
 Ronnie Lynch                      Randy Breech                      Jon Lynch  
 Mary Lee Marchi                  Jeff Boyer                          Marvin Vanderberg  
 Cletus Harder                      Joy Elliott                          Keith Elliott  
 Cody Caldwell

Commission received the minutes of the February 21, 2017 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- He met with the new owners of Gavin. They seem to be community minded.
- Weather permitting, the Maintenance Garage will be filling pot holes. They put some stone on the flood escape route in case Spruce Street Extension floods. They're also looking at upgrading the lift station at the Regency Motel to handle the additional load from Route 7. This is a proactive measure to avoid any trouble with the EPA.
- Last week's storm generated 5 million gallons in a 30 hour period to be processed at the new Wastewater Treatment Plant. The EPA monitored the plant during the storm and it handled the flow very well.
- The Number 9 well at the Water Treatment Plant is scheduled to be cleaned either this month (March) or April. This has been needed for some time. We are just waiting for a quote.
- The Police Department has been very busy this month between their regular duties and training. Our new canine officer will be going for ten weeks of training soon, which will make staffing levels even worse. Chief Boyer added that there was another overdose death, making 17 overdoses with 2 deaths so far this year.
- The Fire Department has had 33 fire runs so far this year. This is in addition to smoke scares, false alarms, and accident responses. Chief Elliott said they did ladder testing yesterday. Everything passed. They will be re-rated this year, too, which will affect homeowners' insurance rates. Mr. Greene said that they will be instituting a new policy regarding training for new firefighters, which costs \$450. The City will continue to pay for the training, but with the

requirement that the firefighter must serve for a set period of time or repay the cost of training. Commissioners were in agreement with this policy.

- Code Enforcement and the Fire Department have been inspecting buildings in town, in some cases accompanied by the City Solicitor.
- The first event in the City Park will kick off the 2017 season on March 18<sup>th</sup>.
- The Utility Billing Department is making definite progress against inactive accounts with consumption. Several months ago, the list had 129 accounts listed. Today's list had only five.
- Several individuals and organizations, including the Junior Women's Club, are interested in helping raise funds for the swimming pool. County Administrator Karen Sprague delivered a packet to apply for CDBG Grant money, which can be combined with donations as a local match. If we receive funding, we can begin work after the pool closes this season. This support is very encouraging. The CDBG funding could also be used for a splash pad, just not in the Park because of its historic and archeological restrictions.

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

Ms. Landers presented the following invoices over \$3,000 for approval of payment:

- \$32,458.39 from Pullins Excavating for the Riverfront Project. Invoice: 2/6/17. PO: 2/14/17
- \$4,962.48 from AEP for street lights. Invoice: 1/30/17. PO: 2/17/17
- \$8,800 from Allcom for annual service agreement renewal. Invoice: 2/12/17. PO: 2/14/17

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

The City Solicitor provided a legal update for Commissioners as follows:

- The appeal of the Ohio Supreme Court decision in the State vs. Gonzoles case resulted in a reversal. This decision had required removal of all fillers from drugs prior to weighing them to determine the severity of a charge. The reversal means that removal of fillers is no longer required.
- Police in Washington Courthouse and some other municipalities have taken to charging those overdosing with inducing panic. This was purportedly done to allow for tracking of overdoses as there is no database of these cases. Mr. Salisbury questions using this charge, but agrees that we do need a good way to track overdoses statewide. President Gallagher asked if past history can be brought up in prosecution. Mr. Salisbury answered that it could not be brought up at trial, but could be at sentencing.
- OVI lookback is changing from six years to ten years. This will make license suspensions much broader.
- Animal cruelty is becoming a felony. Also the definition of a companion animal is changing to be more inclusive.
- HB47 gives judges access to prescription drug databases.
- Our case appropriating the old Last Chance property now has four responses. Mr. Salisbury plans to negotiate with these parties through their attorneys. Their defenses are limited because they did not file responses earlier.

Mr. Johnson said that he has been thinking a lot about what happened at the last meeting with the Commission voting down the splash pad in the City Park. He said that it sends a message that we are not as progressive as we are wanting to be. The crowd at the meeting before last was largely here in support of the splash pad. Many people have recently joined the Downtown Revitalization Project because of their interest in the splash pad. At the same time, people are looking at the proposed 1% income tax

increase and wondering why they should support it if our attitudes show a lack of interest in our future by clinging too hard to our history. Mr. Johnson spoke some about some difficulties that his petition for office has encountered. Regardless of what happens with it, he said he believes that people have time on their side to see change come about. There was some back and forth discussion between Mr. Johnson and President Gallagher about needing to make a motion and get a second to bring this issue (the splash pad) back up. Even lacking a second, Mr. Johnson said he might just bring it up at every meeting to make a point.

Mr. Johnson complained that it seemed planned that those opposing all showed up and the City Manager and Commission President asked for a motion at the last meeting. Several spoke up to assure him that there had been no coordinated effort. Ms. Landers said she had received a call on the day of the meeting from a resident asking if the Downtown Revitalization Project was scheduled for Privilege of Floor. This person went on to say that those opposed were trying to decide whether they should call around and get a group to attend. Ms. Landers answered that no one was scheduled for Privilege of Floor and, while everyone is always welcome to attend any meeting, there was no reason to believe that the topic would be discussed. As far as she knew, no one coordinated between the people coming out and what happened at the meeting. Mr. Greene said that he was hopeful that the Downtown Revitalization Project group would not be discouraged from working with the City to get CDBG grant money for the pool and a splash pad. It just cannot be in the City Park. Mr. Johnson concluded by observing that the scales have to balance somehow between restoration and demolition & replacement in order for this town to grow into the future.

There was presented and read to the Commission for a second reading an Ordinance No. O2017-06 entitled **AN ORDINANCE TO SET APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017.** Mr. Wallis made a motion to adopt this ordinance on second reading, seconded by Mr. Johnson. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2017-07 entitled **AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** Mr. Johnson made a motion to adopt this ordinance on second reading, seconded by Mr. Fulks. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2017-08 entitled **AN ORDINANCE AMENDING ORDINANCE NO. O2014-71, AS AMENDED BY ORDINANCE NO. O2015-04, AS AMENDED BY ORDINANCE NO. O2015-23, AS AMENDED BY ORDINANCE NO. O2015-61, AS AMENDED BY ORDINANCE NO. O2016-29, AMENDING SECTION C6, COMPENSATION FOR SALARIED EMPLOYEES, AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION.** Mr. Wallis made a motion to adopt this ordinance on second reading, seconded by Mr. Johnson. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2017-09 entitled **AN ORDINANCE ACCEPTING AND REJECTING BIDS FOR CHEMICALS AND QUICKLIME.** Mr. Fulks made a motion to place this ordinance on first reading, seconded by Mr. Wallis. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2017-10 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AUTHORIZE AND FUND CHANGE ORDER NO. 8 WITH MECHANICAL CONSTRUCTION CO. INC FOR MODIFICATIONS FOR THE WATER POLLUTION CONTROL**

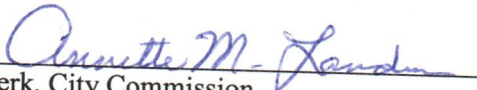
Gallipolis City Commission

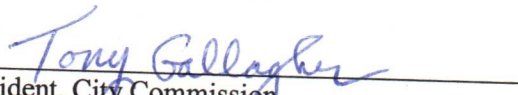
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**IMPROVEMENTS PROJECT.** Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Fulks. Upon voice vote to place this ordinance on first reading, all votes were yes.

Mr. Wallis made a motion to enter executive session to discuss legal matters/property, seconded by Mr. Fulks. Upon roll call on the motion, all votes were yes. Upon completion 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