

March 16, 2021

The Gallipolis City Commission met in virtual special session on Tuesday, March 16, 2021, at 6:00 p.m., at the Gallipolis Municipal Building, 333 Third Avenue, having complied with Section 9 of the City Charter and Emergency Ohio Sub House Bill 197.

Commission President Cody Caldwell called the meeting to order.

Upon roll call, the following members were present:

Cody C. Caldwell, President (remote access)
 Michael Fulks, Vice President (in person)
 Michael W. Brown, Member (in person)
 Albert "Tony" Gallagher, Member (remote access)
 T. Beau Sang, Member (remote access)

Others attending were:

Theodore R. Lozier, City Manager (in person)
 Brynn S. Noe, City Solicitor (remote access)
 Annette M. Landers, City Auditor (in person)
 Gene Greene, Gallia County Commissioner (in person)
 Kayla Hawthorne, Gallipolis Daily Tribune (remote access)
 Ronnie Lynch (in person) Marvin Ours (remote access)
 Courtney Cummons (remote access) Jeff Boyer (remote access)
 Greg Hall (remote access) Scott Foote (in person)
 Lynette Mangus (in person) Bill Mangus (in person)
 Bryan Parker (in person) Justin Preece (in person)
 Eric Robbins (in person) Dirk Disantis (in person)

Commission received the minutes of the March 2, 2021 meeting prior to this meeting. President Caldwell asked that the minutes be corrected on page 2 to show that he had asked that the 2020 review document be released to the public. There being no other corrections, objections, or additions, these minutes were approved as corrected.

Privilege of Floor was granted to Mr. Scott Foote, owner of Zach & Scott's Restaurant, to speak on food truck vendors. Mr. Foote thanked Commissioners for allowing him to speak. He also thanked whoever was responsible for not getting his street shut down during recent Columbia Gas work.

Mr. Foote challenged the idea that food truck vendors bring in business. He said that it actually cuts the tax base and lures people from town to follow the vendors to their home locations. Mr. Greene said that he has nothing against food trucks, but that our restaurants are already suffering from the pandemic. Food trucks can "cherry-pick" customers and hours. They also benefit from city water, electricity, and other services. Mr. Gallagher related that he has spoken to many restaurant owners and they say that food trucks hurt their businesses. He favors removing wording that excludes vendors from paying during special events.

This was followed by discussion of the events that typically host food trucks. Mr. Disantis stressed that the actual question is how to work with local businesses to stimulate the economy. Mr. Fulks suggested that we conduct a round-table meeting for interested individuals. Mr. Lozier offered to set up such a meeting. Mr. Sang and other Commissioners expressed their support for our brick and mortar stores and the need to find balance. President Caldwell thanked everyone who came.

Gallia County Commissioner Gene Greene was next recognized for *Privilege of Floor*. Mr. Greene asked to meet in executive session for legal matters.

The City Manager thanked everyone for their thoughts and prayers during his recent bereavement and reported on the following:

- The 2020 Review Summary final version was in the Commission packets and can go into the public record. He gave a brief thumbnail report, mentioning the loss of Scott Allison and the toll that COVID took on our 2020 operations.
- Revenues remain fairly steady, but expenses continue to rise. Options to address this going forward will be a topic for the work session next week.
- With the advent of spring, maintenance crews are gearing up for work. Six city lights need to be repaired or replaced. This began a brief discussion of lights that are out. Some are the responsibility of AEP. The Police Department reports these as they notice them.

The City Auditor presented the February 2021 Financial Statement for approval. Mr. Gallagher made a motion to approve the February Financial Statement, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

The following invoice over \$3,000 was presented for approval of payment:

- \$4,199.98 from BWC for monthly premium. Inv: 2/26/21. PO: 3/1/21.

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

The City Solicitor requested executive session for pending legal matters.

Mr. Brown went down a list of matters that he would like to see addressed:

- Uneven bricks in the street left by R & R Pipeline.
- Bricks that look ready to fall out of the old Dean & Barry Pain building.
- 821 Second Avenue has a sidewalk with a 6" drop, which necessitates him detouring into the street to avoid. He noted that he has been mentioning this for the past four years with no apparent action.
- 720 Third Avenue has a car that parks frequently across the sidewalk in violation of Code. This also sends pedestrians into the street.
- Mr. Dave McCoy reported that someone has been walking a large, unleashed dog that is doing its business on the sidewalk. The City Solicitor suggested that Mr. McCoy report this to the police when he sees it happening. Otherwise it would be difficult to trace the offender.


Mr. Sang said that a person stopped by his office last week to discuss business and occupancy permits. Ms. Courtney Cummons joined in the discussion to describe her issues. Mr. Sang said that he wants clarity on codes and to assure that things are business-friendly.

There was presented and read to the Commission for a second reading an Ordinance No. O2021-04 entitled **AN ORDINANCE TO SET APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021**. Mr. Fulks made a motion to adopt this ordinance on second reading, seconded by Mr. Sang. 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. O2021-05 entitled **AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS**. Mr. Gallagher made a motion to adopt this ordinance on second reading, seconded by Mr. Brown. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2021-06 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR CHEMICALS AND QUICKLIME.** Mr. Brown made a motion to adopt this ordinance as an emergency, seconded by Mr. Sang. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Fulks made a motion to enter executive session to discuss pending legal matters, with the possibility of business after executive session, seconded by Mr. Brown. Upon roll call to enter executive session for pending legal, all votes were yes. Upon conclusion of executive session, Commission returned to special session. There being no further business to come before the Commission, the meeting was adjourned.



Clerk, City Commission



President, City Commission