

April 19, 2016

The Gallipolis City Commission met in special session on Tuesday, April 19, 2016, 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. Chief Elliott gave the invocation.

Upon roll call, the following members were present:

Albert "Tony" Gallagher, President
 Michael C. Fulks, Vice-President
 Roger P. Brandeberry, Member
 W. 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
 Ronnie Lynch Joy Elliott Brett Bostic
 Dallas Love Keith Elliott Harmony Campbell
 Mary Lee Marchi

Commission received the minutes of the April 5, 2016 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- The street sweeper is down for repairs because the computer went out on it. We hope to get it back up and running as soon as possible.
- The City is checking into illegal dumping on Spruce Street Extension. Violators will be fined when caught.
- The ordinance to increase the income tax by 1% is on the agenda again tonight for the November election. Also on tonight's agenda is the ordinance on food trucks inside city limits.
- The public auction of the Last Chance Carryout and 75 Cedar Street will be held this Saturday, April 23rd at the Justice Center, 518 Second Avenue. Both properties will have a set minimum bid. There is a sign at the carryout advertising the auction, as well as the notices in the newspaper.
- Mr. Bostic and the City Manager have been discussing how to come up with money for demolition of dilapidated structures on properties that the City plans to sell. They would like to take the money from the sale of properties and put it in a special fund for that purpose. Mr. Brandeberry asked that they put the money net of any expense involved into the fund so that money paid out could be reimbursed to the General Fund. Ms. Landers said that the total expenses could never be repaid because the Thomas Property cost so much more to remediate than we ever recouped from it. Mr. Fulks made a motion to set up a separate fund for this purpose, seconded by Mr. Brandeberry. Upon voice vote on the motion, all votes were yes.

Mr. Greene introduced the topic of the old train station from last meeting. Mr. Jim Love is here this evening to discuss the sale of the old train station on Third Avenue to his non-profit group for restoration as the Gallipolis Railroad Freight Station Museum LLC. Mr. Love said that the station is 115 years old. It is fairly sound structurally, but would need repair to the roof, which the Amish have quoted at

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\$25,000. The Hocking Valley Railroad in Nelsonville is interested in backing their project with the donation of rolling stock. Others wish to contribute memorabilia. The group would like to use a box car for birthday parties to encourage interest from the younger set. It will take four to five years to complete the renovations. Their group has bylaws, which they have provided to the City. Membership will cost \$25/year. They are also going out for grants. The venue can accommodate three to four train cars. They believe that they can draw from a 70 mile radius. All of the Commissioners spoke favorably of the project, with Mr. Brandeberry calling it a worthy cause. It seemed the general consensus that the City would be willing to sell it for \$1 with a clause that ownership would revert to the City should the project go "belly up." Also, they should not use the property for collateral against any debt. The City Solicitor was asked to draw up the necessary legislation to transfer ownership.

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

Ms. Landers went over reports of the first half property tax distribution and special assessments collected and outstanding. General Fund received \$84,964.18 and the Fire Levy Fund received \$75,939.64. We received \$5,904.09 from utility account special assessments and \$1,134.22 from code violations and demolitions, as well as small amounts for interest and penalties. Ms. Landers provided detailed spreadsheets for the Commissioners to examine, pointing out a few of the more interesting entries. She noted that one very old assessment from back in 2004 was collected this time. Over \$100,000 has been collected for the utility department since collection efforts began over a decade ago.

The City Solicitor said that he is still working on the traffic diversion program for the City. He requested a short executive session for discussion of pending litigation.

Mr. Brandeberry observed that it was nice to see construction in town. Mr. Greene reported that Speedway is waiting on their tanks and then construction will go forth very quickly. The State still has the plans for the Riverfront Project. ODNR will come down soon to discuss Phase III. On the current project, they want grooves cut in the boat launch, which we will do. Even with the delay, the bid process and all of the other pre-construction steps will be pushed forward as quickly as possible to allow for project completion by fall.

The emergency ordinances on tonight's agenda will need to be placed on first reading tonight. They can be adopted as emergencies at the next meeting if everyone is present.

There was presented and read to the Commission for a first reading an Ordinance No. O2016-20 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AUTHORIZE AND FUND CHANGE ORDER NO. 5 WITH MECHANICAL CONSTRUCTION CO. INC. FOR MODIFICATIONS FOR THE WATER POLLUTION CONTROL IMPROVEMENTS PROJECT.** Mr. Brandeberry made a motion to place this ordinance on first reading, seconded by Mr. Fulks. There was discussion of the cost of the change order. Mr. Greene explained that it was to change out the pipe and that money was still available in contingencies for the additional cost. 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. O2016-21 entitled **AN ORDINANCE DIRECTING THE GALLIA COUNTY BOARD OF ELECTIONS TO PLACE ON THE BALLOT FOR NOVEMBER 8, 2016, THE ISSUE OF A 1% LEVY ON INCOME TAX FOR THE PURPOSE OF PUBLIC SAFETY OPERATIONS AND CAPITAL EXPENSES.** Mr. Fulks made a motion to place this ordinance on first reading, seconded by Mr. Brandeberry. There was discussion of the amount of the levy and whether a public hearing should be held prior to adoption of an ordinance. Commissioners decided to follow the leading of the City Manager in

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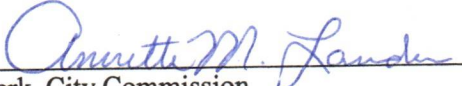
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setting the levy amount and in the timing of public hearings. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2016-22 entitled **AN ORDINANCE ESTABLISHING SECTION 712 "MOBILE FOOD VENDING" OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO**. Mr. Brandeberry made a motion to place this ordinance on first reading, seconded by Mr. Fulks. There was a lengthy discussion of the rules for vendors, with the City Solicitor explaining the rules in detail. Vendors must apply for a license and for one of the three spots on the Park side of First Avenue (\$1,500/ license), a spot at the ballfields (\$750), or a spot at the swimming pool (\$750). Licenses for use on private property will cost \$200. These must also be inspected and registered with the tax department. Ms. Campbell was invited to voice her concerns, which she said she was reluctant to do, but did so at their urging. She said her concern was that after working hard to bring this about, she might not get a spot in the lottery. She had also hoped to pay the fee over time, not up front. Commissioners understood her concerns, but had no ready solution for her. In the interest of fairness to all, they felt that the lottery was the most evenhanded way of choosing among multiple applicants for the few spots available. Mr. Bostic said that he doubted it would be an issue because the County only has 20 registered mobile vendors and many of these are only interested in special events. He estimated that only four would be applying in this first year. Upon voice vote to place this ordinance on first reading, all votes were yes.

Mr. Fulks made a motion to enter executive session to discuss pending litigation, seconded by Mr. Johnson. Upon roll call to enter executive session, all votes were yes. Upon completion 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