

April 20, 2021

The Gallipolis City Commission met in virtual special session on Tuesday, April 20, 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 C. 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)
 Jeff Boyer (remote access) Karen McCarty (remote access)

Commission received the minutes of the April 6, 2021 meeting prior to this meeting. There being no corrections, objections or additions, these minutes were approved.

The City Manager reported on the following:

- There have been two deaths in the last week of people with ties to City government. Mr. Richard Brown, a prior Commissioner, died last week. Mr. Tom Beaver, a former volunteer firefighter and husband of retired employee Shirley Beaver, passed away over the weekend. Condolences and prayers were extended to the families and friends.
- To follow up on some questions from prior meetings, Mr. Sang had asked the reason for the increase in the March natural gas bill. According to our aggregator, Volunteer Energy (VESI), this was a one-time extra charge that PUCO allowed to be passed onto customers due to the Polar Vortex that hit Texas where VESI's well heads are located. This natural disaster forced VESI to go onto the market to buy gas supplies for customers at the inflated winter rates. Another issue recently brought to light was some customers have been unwittingly switched to other suppliers and have been subject to their higher rates. Customers should check their gas and electric bills to confirm that VESI (gas) and SOPEC who contracts with AEP Energy (electric) are listed as their providers. Residents should call our offices for assistance if they detect a problem. Mr. Gallagher talked about his own experience with this and thanked Mr. Lozier for his help in resolving the issue.
- Barring any unforeseen problems, opening day for the swimming pool will be Saturday, May 29th.
- The boat docks will be put in sometime in the next several days.
- Next week, ODOT and the City will be jointly performing site inspections of ODOT's two 2020 projects on SR588.
- Mr. Lozier is working with ODOT engineers on back plating for the traffic lights along Eastern Avenue. This should help with the problem of sun glare that was discussed at an earlier meeting.

The City Auditor presented the following invoices over \$3,000 for approval of payment:

- \$4,400 from Gallia Co. Auditor for 1st quarter indigent defense. Inv: 3/26/21. PO: 4/1/21.

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- \$4,199.98 from BWC for monthly premium. Inv: 3/26/21. PO: 4/1/21.
- \$4,971.07 from AEP for street lights. Inv: 3/29/21. PO: 4/1/21.
- \$26,849.97 from Rumpke for March trash service. Inv: 3/16/21. PO: 4/1/21.
- \$4,497.65 from Smith Buick for cruiser repairs. Inv: 3/10/21. PO: 4/13/21.
- \$5,000 from Henschen for annual e-file and paper on demand fees. Inv: 4/6/21. PO: 4/13/21.

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

Ms. Landers highlighted some of the new legislation on tonight's agenda. R2021-02 establishes a separate fund, as required by law, for money received from the American Rescue Plan Act. O2021-11 amends appropriations to add such items as additional overtime for system-wide water meter replacements, water and sewer projects left out of the 560 & 561 funds, and a late-arriving invoice for a paving grant match from last year's Court, Vine, and Locust repaving project. O2021-12 increases the transfer from the Water Fund to the 560 Fund for water projects.

Mr. Gallagher asked if we would be replacing the speed bumps in the Public Use Area. Mr. Lozier answered that we will be monitoring the situation and might put in some mobile speed bumps. The speed bumps that the Shelly Company installed last year as a favor to us were temporary in nature and not expected to withstand winter snow removal work.

Mr. Sang spoke about vehicles daily using the bike trail and the risk to public safety, especially for children, which this poses. He has been voicing concerns over this for several years, but the problem persists in spite of some efforts in the past to install cones or plastic barriers. These have not stood up well over time. He would like to see better signage, not only to warn drivers to stay off the bike path, but to direct them to the ball fields. One of the difficulties discussed was that the City does not own much of the adjoining property. O. O McIntyre Park District owns some of the property and has been cooperative in the past, setting up plastic barriers. The City Solicitor and Police Chief discussed some of the difficulties and legalities of enforcement. Ms. Noe pointed out that violators can be ticketed for driving on an area that is not a road. Another consideration discussed is the need to preserve ready access for emergency responders should the need arise. Mr. Lozier said that he will discuss the problem with the Park Superintendent.

President Caldwell asked if the street sweeper is tearing up the road on Hedgewood Drive. Mr. Fulks asserted that the problem was not caused by the street sweeper, although he should probably skip some sections to keep from doing further damage. Something else has caused this problem.

Mr. Brown said that a resident told him that pick-up trucks are speeding on the 1000 and 1100 blocks of Second Avenue to Mill Creek. He also said he's received complaints about employees parking in front of the businesses on Second Avenue. In discussion, it was suggested that business owners should forbid their employees from taking these prime spaces.

There was presented and read to the Commission for a second reading a Resolution No. R2021-01 entitled **A RESOLUTION APPROVING THE DRAFT SOLID WASTE MANAGEMENT PLAN OF THE GALLIA, JACKSON, MEIGS & VINTON SOLID WASTE MANAGEMENT DISTRICT**. Mr. Fulks made a motion to adopt this resolution on second reading, seconded by Mr. Brown. Upon roll call to adopt this resolution on second reading, Mr. Gallagher abstained. All other votes were yes.

There was presented and read to the Commission for a first reading a Resolution No. R2021-02 entitled **A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A NEW SPECIAL REVENUE FUND AMERICAN RESCUE PLAN (ARP ACT)**. Mr. Brown made a motion to place this

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resolution on first reading, seconded by Mr. Sang. Upon voice vote to place this resolution on first reading, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2021-09 entitled **AN ORDINANCE AUTHORIZING SETTLEMENT PAYMENT**. Mr. Gallagher made a motion to adopt this ordinance on second reading, seconded by Mr. Brown. Upon roll call vote 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. O2021-10 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE USDA COMMUNITY FACILITIES (CF) LOAN/GRANT PROGRAM**. Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Fulks. Mr. Lozier explained that the grant is for self-contained breathing apparatus (SCBA) for the Fire Department. 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. O2021-11 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2021-04, AS AMENDED BY ORDINANCE NO. O2021-07 SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021**. 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.

There was presented and read to the Commission as an emergency an Ordinance No. O2021-12 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2021-04, AS AMENDED BY ORDINANCE NO. O2021-05 AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS**. Mr. Gallagher 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.

There was presented and read to the Commission for a first reading an Ordinance No. O2021-13 entitled **AN ORDINANCE VACATING A PORTION OF THE ALLEY RUNNING EAST-WEST LOCATED BETWEEN FIRST AND SECOND AVENUE**. Mr. Fulks made a motion to place this ordinance on first reading, seconded by Mr. Sang. Ms. Noe explained that the City Charter allows for two readings and a majority affirmative vote on this type of permanent measure. Upon voice vote to place this ordinance on first reading, Mr. Brown voted no. All other votes were yes.

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


Clerk, City Commission


President, City Commission