

May 2, 2017

The Gallipolis City Commission met in regular session on Tuesday, May 2, 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
 Roger P. Brandeberry, Member
 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	Fran McEwen
Roma Wood	Marvin Vanderberg	Jeff Boyer
Bradie Angell	Joy Elliott	Keith Elliott
Claudia Miller	Dottie Chestnut	Brittany Beman
Mindy Caldwell	Cody Caldwell	

Commission received the minutes of the April 4, 2017 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Privilege of Floor was granted to Ms. Brittany Beman, President of the Gallipolis Junior Women's Club and spokesperson for the newly-formed Gallipolis City Pool Improvement Committee of the Gallipolis Foundation, to speak on the topic of the Gallipolis City Pool. First, Ms. Beman gave a little history of the pool. The Gallipolis Junior Women's Club spearheaded the drive to pass a special levy to build the swimming pool about thirty years ago. The group remains dedicated to assuring the continued operation of the pool as a safe and healthy recreational resource for our residents, particularly the youth. Mr. Brandeberry noted that during the short time between the closing of the old pool and the drive to construct a new pool, Gallipolis lost a young person who drowned while swimming in the river. That was a large factor in the push to fund the present pool.

The Gallipolis Foundation is a new non-profit formed to address concerns of vital importance to the community. Although their efforts at present are focused on the pool, they may branch off into other areas as need arises. Their first project will be to replace the pool's filtration system, a project estimated at around \$54,000. They would like to have funding in place to complete that project for the 2018 season. The second project they have identified is the area that used to be the kiddie pool. The group is actively seeking grants. They have also set up an account at The Ohio Valley Bank and a "GoFundMe" account for donations, which are tax deductible. In addition to seeking grants and donations, the group plans a variety of fundraisers over the next few months. The group is on Facebook and there was an article in the newspaper last week announcing the formation of their group. Commissioners thanked Ms. Beman and her group for their efforts.

The City Manager reported on the following:

- The Maintenance Garage has been busy filling pot holes, mowing, and restoring peoples' yards that were damaged during repairs to our water and sewer lines over the winter. Some people from the community are planning to have a Community Clean-up Day this Saturday beginning at 9 a.m. to help our crew get the pool ready to open.
- Code Enforcement has sent out sixteen letters for property maintenance violations.
- In the Utility Billing Office, the most recent list of accounts 45 days in arrears was very short, consisting of about five accounts. When we first instituted our tighter policy for shut-offs, the list was several pages long.
- The Police Department has lost another officer to a better-paying position elsewhere. The department is down to only eight patrolmen, plus the detective and Chief. Mr. Greene expressed grave concern that unless the income tax levy passes this fall, we will continue losing officers as they seek better pay and less stress elsewhere. The ones we have left now are terribly overworked due to short staffing and an ever-increasing workload.
- The recent fishing tournament at the Parkfront went very well. There was plenty of room for parking and weighing in. Everyone loved the new facilities and they are eager to return for more events. Several groups are interested in renting the amphitheater this summer.
- The Fire Department had a company come in last week to test their hoses. That testing is now completed.
- Ms. Bradie Angell is now working with the City Manager on projects. She compiled a list, updated as of last Friday and included in the Commission packets, to track progress. This will soon be expanded to include the tracking of costs.
- For an extra \$2,500 in local cost, the City can expand the Street Light Replacement Project to include extra replacement lights at the Walmart and K-Mart intersections. Commissioners expressed their support for this change. There will be an ordinance brought to the next meeting.
- Reminder: The Mayors' Meeting is set for Thursday, May 11th at 6 p.m. at the Bossard Library. The topic will be "criminal justice." Chief Boyer, the City Solicitor, and other local law enforcement and judicial officials will be attending.
- Mr. Greene requested a short executive session to discuss buying, selling, and/or leasing of property.

The City Auditor presented the March Financial Statement for approval. Mr. Wallis made a motion to approve the March Financial Statement, seconded by Mr. Fulks. There was a short discussion of the condition of the General Fund, which seems to be holding pretty steady. Mr. Wallis asked that his appreciation be conveyed to the department heads for their efforts to contain costs. Ms. Landers warned the Commission not to be too elated when they see the April Financial Statement, which will be in their next meeting packet. The balance in the General Fund looks even better on it, but they need to take into account that the debt service on the buildings, due June 1st, does not show yet on it. Upon voice vote on the motion, all votes were yes.

There were three invoices over \$3,000 for approval of payment:

- \$5,624.57 from BWC for monthly workers comp premium. Inv: 3/31/17. PO: 4/3/17
- \$4,991.36 from AEP for street lights. Inv: 3/29/17. PO: 4/3/17
- \$20,937.45 from Waste Management for March refuse. Inv: 4/1/17. PO: 4/3/17

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

Ms. Landers provided each Commissioner with spreadsheets breaking down the first half Property Tax distribution, as well as detailing which special assessments were collected and which remain uncollected. General Fund received property taxes of \$83,614.31 this year, with Fire Levy receiving \$74,658.15. This is slightly less than was received first half last year, but this is not necessarily indicative of any reduction since many who fail to pay during first half catch up in the second half.

Related to the issue of special assessments was the question of whether we can place special assessments against properties sold at sheriff's sales. Mr. Wood had stated that it was against Ohio Revised Code to do so, but the City Solicitor and City Auditor were seeking the relevant code sections, which were recently found and provided for the Commissioners tonight (ORC743.04(A)(2)(b)). Because of this restriction, Ms. Landers said she culled the list of accounts outstanding to remove any sold at sheriff's sale and having balances remaining. The list also includes those special assessments that were stripped by the County of some or all of the tax encumbrances on the property after failing to get a bidder at a first sheriff's sale. These accounts are all included in a special write-off ordinance on first reading on tonight's agenda. There is a spreadsheet attached to the ordinance detailing which accounts and dollar amounts are involved, as well as the date of the sheriff's sale for each. Ms. Roma Wood advised that if the accounts could be turned in to the clerk at the sheriff's office prior to the sale, they could possibly be collected at that time. She said that other entities are doing this successfully. Ms. Landers responded that the ladies in the Utility Office have tried to do that before, but had been told they could not. However, it is worth trying again since there has been a change of administration. The County Auditor takes special assessment only once per year in early September.

We will need to do an emergency appropriation change ordinance at our next meeting. Since May has five Tuesdays, this could be done on the 16th, the 23rd, or the 30th. We already know that Mr. Fulks will not be able to attend on the 16th. Commissioners decided to meet on May 23rd at the earlier hour of 5 p.m. to better accommodate some of the Commissioners. Mr. Brandeberry and Mr. Johnson will not be able to attend the regular meeting on June 6th.

The City Solicitor noted the demolition of the Last Chance Carryout. This property and the one at 75 Cedar Street can now go to public auction. Ms. Wood spoke up with a question about some property on Fourth Avenue. After determining that the property in question is privately-owned, she was told that the City is not involved with its demolition or sale.

Ms. Fran McEwen asked permission to pose two concerns. First, she was concerned over the large number of rats that she has observed in the area of Court St. & Third Ave. She asked if there was some way to eradicate this problem. Mr. Brandeberry agreed that the problem seems to be worsening. Mr. Greene stated that on the Parkfront, they had put rat poison down the rats' holes. That is not possible in a paved area, nor is it advisable to leave poison where pets could gain access. Her second issue was with speeders near her home. Mr. Greene stated that this was an outgrowth of the police staffing shortage due to funding cuts. The department just lost another officer who left for a higher-paying position elsewhere. This is exactly the problem that we have been warning of in our appeals to the voters for an increase in the income tax. It is only going to get worse unless people get out and vote for the levy. Ms. McEwen said she understood the lack of staffing, but was there a license for her to do something herself? Mr. Brandeberry and Chief Boyer both responded with an emphatic no.

Next, Mr. Johnson pointed out that the upper surface of the new sidewalk at the Riverfront Project is failing, likely the result of a bad batch of concrete. Mr. Greene responded that he has brought this to the contractor's attention. It seems that the concrete froze while curing in spite of the use of concrete blankets to protect it. The sidewalk involved was an add-on to the project, costing \$25,000. Mr. Greene was not sure yet what the contractor will need to do to fix the problem. He might be able to coat it with epoxy to avoid having to rip it all out and re-pour.

Mr. Johnson voiced concern over the wording of the proposed guidelines for renting the Park for events charging an admission fee. The proposal sets the amount due to the City at 10% of the gross. He asked what happens if there is no profit for the event. Ms. Caldwell also expressed concern for non-profits giving up part of their fundraising proceeds. Mr. Greene explained that the wording came from Pt. Pleasant's contract for their facility. This is just a beginning for discussion. Some events will have alcohol, requiring more security. These events need to pay for the officers' overtime. Mr. Wallis expanded on the cost that these events place directly on the over-burdened and under-funded General Fund for officers and clean-up. Charging a portion of the ticket sales could provide a way to survive until we have a levy in place to relieve the General Fund. Everyone agreed that the City needs to somehow break-even on these events. Mr. Brandeberry suggested charging a deposit that could be retained if the organizers do not clean up after an event.

President Gallagher asked if those renting the City Park can bring in a food truck. This has been an area of contention on the past. Mr. Greene and Mr. Salisbury both responded that they could, but that they must follow all of the regulations pertaining to them.

There was presented and read to the Commission as an emergency an Ordinance No. O2017-15 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, AS AMENDED BY ORDINANCE NO. O2017-08, AMENDING SECTION A4, COMPENSATION FOR SALARIED EMPLOYEES, AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION.** Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Mr. Salisbury explained to the Commission that the Assistant Solicitor, Amber Fellure, has resigned. This ordinance makes the Assistant Solicitor position an hourly one. He went on to say that he does not intend to fill this position for the remainder of the year, but to hire as needed on a per diem basis. He publicly thanked Ms. Fellure for her service and wished her success in her future endeavors. 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. O2017-16 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH HOLZER CLINIC LLC HEALTHCARE SERVICES FOR CITY OF GALLIPOLIS EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS.** Mr. Johnson stated that he must abstain from voting due to his employment with Holzer. Mr. Fulks made a motion to place this ordinance on first reading, seconded by Mr. Brandeberry. Upon voice vote to place this ordinance on first reading, Mr. Johnson abstained. All other votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2017-17 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH CT CONSULTANTS FOR AMENDMENT NO. 4 FOR THE GALLIPOLIS WPCF HEADWORKS AND WPCF IMPROVEMENTS.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Wallis. 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. O2017-18 entitled **AN ORDINANCE AUTHORIZING THE REMOVAL FROM LEDGERS OF THE CITY OF GALLIPOLIS UTILITY BILLING OFFICE AND CODE ENFORCEMENT CERTAIN PAST DUE ACCOUNTS AS SET FORTH HEREIN.** Mr. Fulks made a motion to place this ordinance on

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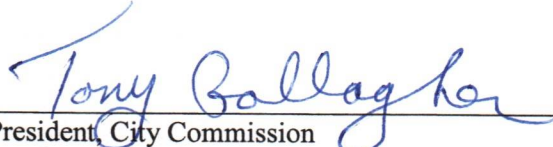
first reading, seconded by Mr. Brandeberry. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2017-19 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR WATER/SEWER MAINTENANCE SUPPLIES, HYDRANTS AND METERS.** Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Fulks. 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. O2017-20 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO RENEWAL RENTAL AGREEMENT WITH PITNEY BOWES, INC. FOR MAILING MACHINE AND SCALES.** Mr. Wallis made a motion to place this ordinance on first reading, seconded by Mr. Johnson. 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 buying, selling, and leasing of property, seconded by Mr. Wallis. 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