

May 18, 2021

The Gallipolis City Commission met in virtual special session on Tuesday, May 18, 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)  
Kayla Hawthorne, Gallipolis Daily Tribune (remote access)  
Ronnie Lynch (in person)                      Keith Elliott (remote access)  
Erin Buckley (in person)                      Jeff Boyer (remote access)  
Lori Fisher (in person)                      Karen McCarty (remote access)  
Elisha Biland (in person)

Commission received the minutes of the May 4, 2021 meeting prior to this meeting. There being no corrections, objections or additions, these minutes were approved.

The City Manager reported on the following:

- Vehicles on the bike path: Mr. Sang and Mr. Lozier met with the O.O. Park District last week to present some ideas for signage, bollards, and break-away posts, which they are considering. The City painted the crosswalk at Mill Creek. We plan to place some signage there, as well. Mr. Sang added more details of the materials suggested and related costs. He said that the Park District is supposed to get back with us by next Friday.
- The pool is filled, pumps are on, and chemicals are being adjusted for opening on May 29<sup>th</sup>.
- The emergency tie-in with Gallia Rural Water has been completed on McCormick Road just past the church. Two more sites are being considered for tie-ins.
- The Solid Waste Management District sent a card to thank the Commission for supporting the Solid Waste Management Plan. It has been approved by the Ohio EPA.
- The American Rescue Plan actual distribution is expected to be less than originally announced. We are still receiving updated guidance on how these dollars can be spent. Funds should be coming in the next few weeks.
- The fire department is getting two new volunteers: Patrolman Chris Walker and Patrolman Jacob Elberfeld from our Police Department. All equipment inspected (ladders, hoses, pumps, etc.) passed inspection. Chief Elliott was asked to attend Green Township's meeting. They have requested a satellite station to be located within their township. Details would need to be worked out, but it would seem to provide many benefits.

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

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

- \$4,961.07 from OVB for parking lot BAN. Inv: 4/14/21. PO: 5/3/21.
- \$14,561.39 from OVB for 2013 Road Bond. Inv: 4/14/21. PO: 5/3/21
- \$4,199.98 from Workers Comp for monthly premium. Inv: 4/30/21. PO: 5/3/21.
- \$26,775.85 from Rumpke for April refuse pick-up. Inv: 4/22/21. PO: 5/3/21.

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

Ms. Landers gave a brief overview of the appropriation changes in Ordinance No O2021-16 on tonight's agenda. Changes were made in the Fire Department for \$6,180.70 for bunker gear and fire hose that insurance is paying for. The Station Firefighter's residence needs to replace the HVAC unit, which is about 20 years old. The \$7,081 cost is being split 50/50 between the Fire Department budget in the General Fund and Fire Levy Fund. The ARP Grant is having \$348,606 appropriated for this year's estimated distribution. M&R Streets, Water Line Maintenance, and Sewer Line Maintenance increases are for items left out of the original budget. Cemetery Fund needs \$2,000 more for utilities.

The City Solicitor informed Commissioners that the VOCA Grant, which saw funding cut by 30% for this year, is being cut an additional 30% for the coming year. Ms. Noe is looking for supplemental sources for funding either from the County or from other grants. These cuts would be devastating to our program.

Ms. Noe also talked about the Charter change on tonight's agenda, which is needed to assure alignment with Ohio Revised Code. This will be presented to voters in the November election. An informational letter will be sent to voters prior to the election.

Mr. Fulks recused himself from any discussion on O2021-15 as an interested party. He left the room. There was presented and read to the Commission for a first reading an Ordinance No. O2021-15 entitled **AN ORDINANCE VACATING A PORTION OF THE ALLEY AND RIGHT OF WAY FOR CEMETERY ROAD WHICH WAS NEVER DEVELOPED BY THE CITY**. Mr. Sang made a motion to place this ordinance on first reading, seconded by Mr. Brown. In discussion, Mr. Brown asked where this alley is located. Mr. Lozier explained that it is at the end of Hedgewood Drive, but there is no actual road there. There was once a thought of extending the cemetery up in that area, but it was never done. Mr. Fulks owns all of the property surrounding the alley. Upon voice vote to place this ordinance on first reading, four votes were yes, with Mr. Fulks recused. After the vote, Mr. Fulks re-joined the meeting.

There was presented and read to the Commission for a first reading an Ordinance No. O2021-17 entitled **AN ORDINANCE FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO SECTION 9, MEETINGS, OF THE CHARTER OF THE CITY OF GALLIPOLIS, OHIO**. Mr. Gallagher made a motion to place this ordinance on first reading, seconded by Mr. Sang. 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. O2021-16 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2021-04, AS AMENDED BY O2021-07, AS AMENDED BY ORDINANCE NO. O2021-11, SETTING 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 as an emergency, seconded by Mr. Sang. Upon roll call to adopt this ordinance as an emergency, all votes were yes. At this point, Ms. Noe was excused from the meeting for another engagement.

Ms. Erin Buckley of the "First Friday" committee was recognized for *Privilege of Floor*. She said that she was here to address concerns and advocate for food trucks for the First Friday events. Discussion began with the question of who was objecting to First Friday and the food trucks. Mr. Sang responded that the Commission is not aware of anyone being against First Friday. Ms. Lori Fisher stated that there have been some complaints about the food trucks from some of the merchants. First Friday is only six days per year. President Caldwell stated that there were complaints about the trucks on Court Street.

Discussion then turned to concerns for public safety for food trucks on Second Avenue, with people congregating along a state highway where children could dart into traffic. Ms. Buckley responded that people crossing Second Avenue all day would seem to present more of a danger. Mr. Fulks said that he thinks First Friday is a great idea for stimulating interest in the downtown area. He and other Commissioners have attended and supported the event from the beginning. He objected to people getting on Facebook to call out people. One of the business owners has complained that a food truck set up right in front of his business without any prior consultation with him. This pretty much shut him down.

This led to further discussion of the need for a designated coordinator to serve as a go-between for the City, merchants, and First Friday planners and vendors. It will take at least a couple of months for the City to revise the template for mobile vendors, which means that people will need to be patient as a compromise is hammered out. From here, talk

went to involving more merchants. There will be a roundtable discussion for merchants and other interested parties, including residents, sometime in July. In the meantime, the mobile vendors will continue to park on Court Street across from Central Supply. President Caldwell expressed the Commission's appreciation to the First Friday committee members.

Mr. Gallagher made a motion to add the Veterans Day Holiday to the paid holidays for City employees, seconded by Mr. Brown. Mr. Fulks asked if this had been tabled at an earlier meeting. Ms. Landers offered to look into the old minutes to see if and when it had been tabled. No further action was taken on the motion.

Mr. Sang said that he finds the idea of a fire station in Green Township intriguing. Mr. Lozier responded that Chief Elliott will work with township trustees to advise them in plans for such things as heating, door size, and location. The City will need to decide whether to take an existing truck to garage in any new facility.

President Caldwell remarked that some public entities are incentivizing employees getting the COVID vaccine. This has become a somewhat controversial subject, but some municipalities are offering gift cards to vaccinated employees. Mr. Gallagher added that Walmart is giving a \$75 incentive to their vaccinated employees. Mr. Sang pondered the legality of using taxpayer dollars for this purpose.

Mr. Lozier stated that we will be opening our doors to the public on June 2<sup>nd</sup>. Masks will not be required anymore. However, Zoom meetings will continue as an option for any Commissioners or the public who feel a need for continued social distancing.

Mr. Brown asked when Columbia Gas and R&R Pipelines will come to get their black dams from the storm drains. They have been bursting and spilling their contents, which seem to be wood chips, into the storm drains. Mr. Lozier noted that a good time for interested Commissioners to meet with them to discuss concerns would be before their next project phase begins. Mr. Sang suggested creating a list of concerns with a deadline to address them. Other Commissioners agreed with this plan, with the added stipulation that any further permits would hinge upon how they address these concerns.

Mr. Brown asked if the stage for the Gospel Sings would be placed in the parking area or within the City Park. He said that the park is getting torn up by vehicles driving through the grass. This led to a discussion of the siting of the stage, with consensus that vehicles must be kept out of the park and that the stage must be placed so that it does not stick out into traffic.

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

  
Clerk, City Commission

  
President, City Commission