

June 15, 2021

The Gallipolis City Commission met in virtual special session on Tuesday, June 15, 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 (in person)
Michael C. Fulks, Vice President (in person)
Michael W. Brown, Member (in person)
Albert "Tony" Gallagher, Member (in person)
T. Beau Sang, Member (remote access)

Others attending were:

Theodore R. Lozier, City Manager (in person)
Brynn S. Noe, City Solicitor (in person)
Annette M. Landers, City Auditor (in person)
Kayla Hawthorne, Gallipolis Daily Tribune (remote access)
Ronnie Lynch (in person) Randy Breech (in person)
Jeff Boyer (in person) Jenny Tipple (in person)
Michael Saunders (in person) James Roush (in person)
Marvin Ours (remote access) Karen McCarty (remote access)

Commission received the minutes of May 18 and June 1, 2021 prior to this meeting. Mr. Fulks made a motion to accept the May 18 minutes, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes. Mr. Gallagher made a motion to accept the June 1 minutes, seconded by Mr. Fulks. Upon voice vote on the motion, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2021-18 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR FUNDING UNDER THE COMMUNITY CORRECTIONS ACT FOR JAIL AND PRISON DIVERSION PROGRAM FUNDS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT IF THE GRANT IS AWARDED.** Mr. Fulks made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. 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. O2021-19 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR FUNDING UNDER THE VICTIMS OF CRIME ACT AND STATE VICTIMS ASSISTANCE ACT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT IF THE GRANT IS AWARDED.** Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Fulks left to attend another event.

Mr. James Roush was recognized for *Privilege of Floor*. He said that he wanted to discuss problems with the storm sewer on SR588. Rain runs off the hill and floods the storm sewer. The culvert there is rusted out. He asked if the City can help by cleaning out and repairing the culvert. He also asked about speed limits coming into town. He wanted to know why it is 35 mph where he lives. Since it is a State

Route, is there someone at the State he can contact? The final item he mentioned was the deplorable state of some of the houses on Chillicothe Road. In discussion, the City Manager said that he is aware of the problem with storm run-off and looking into what we can do to help. The City Solicitor talked about the Land Bank that the County is establishing, which will help with disposing of properties such as the ones on Chillicothe Road. A Land Bank would have the authority to acquire properties that are tied up with multiple liens. The burned house on Chillicothe Road is at the top of Code Enforcement's list, but it has liens and property taxes that make it ideal for resolution by the Land Bank. It will take some time to get the Land Bank up and running.

Mr. Randy Breech was next recognized for *Privilege of Floor*. He complained that the sinkhole situation in 2 ½ Alley has been mismanaged. It is now twenty-four feet deep with no steel plate over it. This is a dangerous situation. He is worried about utilities. The 12 inch corrugated line is rusted and inadequate to handle the run off from the buildings. He asked if there is any money available from grants or the American Recovery Plan Act. The City Manager agreed that it is a very dangerous situation and informed him that it will be repaired and filled in tomorrow. The sinkhole was barricaded off and was being monitored as the situation evolved over the weekend. The hole continued to enlarge over a period of hours. All utilities (AEP, Columbia Gas, and Suddenlink) have been consulted to ensure worker and public safety. As for his complaint of not being kept informed, Mr. Lozier said that they had thought that he was just reporting a problem and had not realized that he wanted to be kept informed. They were way too busy dealing with the crisis.

Mr. Lozier added that we are getting ready to sign a contract with RCAP to digitize our water, sewer and storm sewer systems, which will open up opportunities for future infrastructure grants.

The City Manager reported on the following:

- The old pump at the pool is working well. Upgrades will be done after the end of the pool season. We were a little late in getting enough lifeguards for normal operations, so had to open with a truncated schedule (closed on Wednesdays for maintenance), but will be going to regular hours next week.
- The Police Department has hired a new part-time officer, Matt Kight. He works for the Gallia County Sheriff's Department.
- Just another note on the sinkhole. It is around thirty feet deep and is where an old cistern was located. It was around five feet in diameter and was probably capped with wood that rotted over time.
- As part of the new jail project, they want to install a 12" storm sewer line from the jail site along Second Avenue to Locust Street where it will connect to existing line. They will be doing the work at night. The project will take around three days to complete, beginning tomorrow night. Mr. Sang asked if the existing system can accommodate the added drainage. Mr. Lozier answered that we will need to look into upgrading the capacity. Mr. Sang encouraged him to seek the County's help with funding the upgrade as part of their project.
- The new wage and pay table revisions will be presented sometime soon. It has been four years since the last comprehensive pay raise. What he is looking at averages around 3%. Mr. Gallagher said that he favors including all employees. Mr. Lozier said that he is looking at such a plan, but still needs to speak to the Judge about how he wishes to handle his court personnel.
- Update on mobile food vendor ordinance public input: the proposal was generally favorably received. The general consensus was that food trucks should not be in front of restaurants. There was some thought that \$50/day is too high for special events. Comments on the cost of annual permits went both ways. Some thought \$1,500 is too high and others thought not high enough, suggesting \$2,000. Food trucks are currently parking on Court Street between First and Second Avenues. Responding to a question about how the City would handle food trucks parked on

commercial private property, such as during a grand opening event, a small fee was suggested for a permit just to allow the City to track for safety concerns. The City Solicitor stated that there is no definition of "special event" in the current ordinance. This must be addressed in the new ordinance. Mr. Sang again stressed his wish to simplify the language in the ordinance. Mr. Michael Saunders joined in discussing his particular situation.

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

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

- \$115,000 from Dagger Law for settlement agreement. Inv.: 5/18/21. PO: 6/8/21.
- \$4,199.98 from Ohio BWC for monthly premium. Inv.: 5/28/21. PO: 6/1/21.
- \$26,831.44 from Rumpke for May refuse pick-up. Inv.: 5/19/21. PO: 6/1/21.
- \$10,359.43 from OPWC for two semi-annual bond pmts. Inv.: 5/15/21. PO: 6/1/21.

Mr. Brown made a motion to approve payment, seconded by Mr. Gallagher. There was a short discussion of minor fluctuation in the Rumpke bill from month to month. Upon voice vote on the motion, all votes were yes.

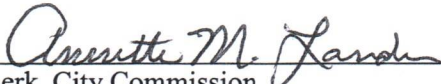
The Solicitor told Commissioners that the State order allowing hybrid (in person and remote access) meetings will end on July 1st. Some Charter municipalities are adopting an ordinance to allow hybrid meetings to continue. There was discussion on whether Commissioners want to do this for our meetings. Zoom costs \$15/month. Ms. Noe can bring an ordinance to the next meeting.

Mr. Gallagher made a motion to make the Federally-observed Veterans Day Holiday an additional paid holiday for full-time City employees, seconded by Mr. Brown. Mr. Gallagher said that the motion was tabled over 15 months ago. Ms. Noe affirmed that the motion died when it was not acted on at the next scheduled meeting. The cost would be between \$2,500 and \$10,000, depending on whether you include the \$8,000 loss of productivity for the day. Mr. Gallagher called the question and asked for a roll call vote. Upon roll call on the motion, all four Commissioners present voted yes. Mr. Gallagher thanked Commissioners.

Mr. Brown reported that the flower watering truck was seen driving on the sidewalk on Court Street. Mr. Lozier said that he will check into the matter again. He had dealt with a similar complaint just two weeks ago.

President Caldwell said that he would like to add an anti-discrimination ordinance to include gender identity and sexual orientation as protected classes. Athens has also updated their housing ordinance to include these protections. The City Solicitor responded that she will look into this.

Mr. Brown made a motion to enter executive session for personnel matters/City Auditor position description and wage rates, seconded by Mr. Gallagher. Mr. Lynch was asked to join them. Upon roll call to enter executive session for personnel, all votes were yes. President Caldwell stated that there would be no business following executive session. Upon completion 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