

June 21, 2016

The Gallipolis City Commission met in special session on Tuesday, June 21, 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. Mr. Fulks led in a moment of silent meditation for the passing of two former Gallia County Commissioners. 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, City Auditor/Clerk/Treasurer
 Ronnie Lynch Mary Lee Marchi Jeff Boyer
 Jon Lynch Joy Elliott Keith Elliott
 Randy Breech Janet Wetherholt Christi Johnson
 Susan Brandeberry

Commission received the minutes of the June 7, 2016 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Ms. Janet Wetherholt was granted *Privilege of Floor*. She read aloud a letter to the editor that she wrote and plans to submit to the Gallipolis Daily Tribune. The text of this letter is as follows: "*Keep the Gallipolis City Park beautiful! My late mother-in-law, Coell Wetherholt, spoke loudly and clearly that the Gallipolis City Park should have no other structures other than the Bandstand, the Doughboy, and the Kerr Memorial, which were already there. The Dale Russell Memorial was erected against her wishes. She definitely would not be in favor of the request of the veterans or anyone else to put up signs in the park. I had three brothers who served in the US Navy in the South Pacific during World War II. I have the highest respect for anyone who went to war for us. Mrs. O.O. McIntyre donated money to build a bench around the park. This bench is frequently used. The City of Gallipolis has done a very good job of maintaining the bench. The picnic benches in the park and on the riverbank are also used on a regular basis. The six swings in the riverfront are a very welcome addition to the riverbank and in use most of the time. The Gallipolis City Park with the bandstand is very unique. The Park is a peaceful place to walk, sit and read, or picnic. It does not need any signs to take away from its natural beauty. Let's keep it that way!*"

The City Manager reported on the following:

- The City Manager and City Auditor attended the HB9 Public Records Training in Logan on Friday, June 10th. This fulfills one of the recommendations from the audit this year.
- The Police Levy has been placed on the ballot for November. Chief Boyer and his department are designing banners and handouts in support of the levy. Mr. Greene passed around a picture they are considering for the banners.

- The WPC Improvements Project is running about sixty days behind schedule. The contractor is considering putting on another crew to speed up the project.
- The Park Board has met twice concerning the request to place posters for the veterans in the City Park. They seem willing to consider a plan to allow a few along the First Avenue side on some holidays as long as they are limited to around five to seven days at a time. They would also consider approval of the use of Haskins Park since it already honors veterans. They discussed working in conjunction with the Lions Club to possibly use the sidewalk on Second Avenue. The biggest problem that they are facing is that they have not been presented a firm, written plan. They also need a letter of support from all of the veterans' groups, which the City Commission had requested. Mr. Wallis said that he sees the Park Board as the deciding body with the City Commission serving as the appeals board, if necessary. President Gallagher informed the Commission that he had contacted Attorney General Mike DeWine directly to ask for his opinion on the legal implications of granting permission for outside groups to display posters on public property. Mr. DeWine referred the matter to attorneys within his department to give a written response. The bottom line is that if the government allows one to have access, than they must allow all. To quote the e-mail, which was distributed to all of the Commissioners, "...government may place reasonable time, place and manner restrictions on the access/use of public property. However, those restrictions must be content neutral." In discussion, Mr. Johnson said that Gallipolis in Lights and others have already put banners up, so we have already set a precedent. Mr. Salisbury weighted in that both Mr. Johnson and Mr. Gallagher are correct.
- Mr. Greene asked the Commission's approval to allow a limited number (nine to ten hours/week) of hours of straight time overtime for Mr. Walters as compensation for the overly large number of hours he spends weekly on callout for such things as water line leaks. Even his workers have complained that he is undercompensated in comparison to them. The cost of this would be a maximum of around \$250/week. Mr. Johnson made a motion to approve up to ten hours per week of straight time overtime for Mr. Walters for his callouts, seconded by Mr. Wallis. Upon voice vote on the motion, all votes were yes.
- Mr. Greene read some e-mails from Michael Williams, Project Engineer for EL Robinson on the parkfront project. The State's issues have been addressed and documents approved. That project is now ready to advertise for bids beginning this Sunday.

The City Auditor informed the Commissioners that she would be out of the office on Friday, June 24th, to attend her family reunion. She has also asked for guidance from the City Solicitor concerning our exact obligations for indigent burial/cremation expenses. This is in regard to a recent invoice we received.

The City Solicitor requested executive session for legal matters: pending litigation.

Mr. Johnson encouraged people to attend the Chautauqua, now going on in the City Park. He asked where we stand on Code Enforcement being able to write tickets for code violations. Mr. Salisbury said he should be "good to go" as soon as he gets tickets printed up.

Mr. Wallis asked if everyone received the letter from HUD about Public Agency Housing Boards and their appointing bodies' responsibilities. Mr. Salisbury was asked to look at the letter to try to determine whether it even applies to us, since it calls us "City of Gallia." Ms. Landers was asked to contact Ms. Sprague at the County to see if she could shed any light on what they were talking about.

There was presented and read to the Commission for a second reading a Resolution No. R2016-02 entitled **A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A NEW CAPITAL PROJECTS FUND FOR THE CDBG GALLIPOLIS TRAFFIC LIGHT REPLACEMENT**

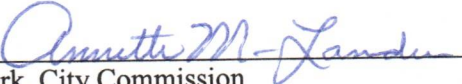
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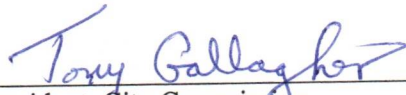
PROJECT FUND. Mr. Johnson made a motion to adopt this resolution on second reading, seconded by Mr. Fulks. Upon roll call to adopt this resolution on second reading, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2016-31 entitled **AN ORDINANCE ESTABLISHING SECTION 754 "PAWNBROKERS AND SECONDHAND DEALERS" OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Brandeberry made a motion to adopt this ordinance on second reading, seconded by Mr. Wallis. Upon roll call to adopt this ordinance on second reading, all votes were yes.

Mr. Wallis made a motion to enter executive session to discuss legal matters/pending litigation, seconded by Mr. Fulks. Upon roll call to enter executive session for pending litigation, 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