

July 3, 2018

The Gallipolis City Commission met in regular session on Tuesday, July 3, 2018, at 6 p.m., at the Gallipolis Municipal Building, 333 Third Avenue, having complied with Section 9 of the City Charter.

Commission President Michael Fulks called the meeting to order. Mr. Wallis gave the invocation.

Upon roll call, the following members were present:

Michael C. Fulks, President
 Steven E. Wallis, Vice-President
 Cody C. Caldwell, Member
 Albert "Tony" Gallagher, Member
 Beau Sang, 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	Cletus Harder	Marvin Ours
Michael W. Brown	Jeff Boyer	Brynn Noe
Joy Elliott	Keith Elliott	Claudia Miller

Commission received the minutes of the June 19, 2018 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on open projects as follows:

- He said there are over \$1,000,000 in projects that the City is currently working on.
- The GDC water line install is ready to begin. We have received the check from the state for \$249,423.52. Pullins Excavating is getting materials together to begin the work.
- The water plant generator project is starting, with the new back-up generator on-site.
- Our application for a \$187,227 OPWC Paving Grant was approved and work must be completed by year-end. Local match for this is \$47,000, some of which can be paid from the Water Fund due to the number of cuts to the pavement for water leak repairs.
- The Airport Road ditching and culvert replacement project has been awarded \$83,000, with no city money required. The County will be administering this grant.
- The Bandstand and Kerr Memorial refurbishments are ready to begin, with \$150,000 in ODNR Capital Improvement grant money funding the project. The City Park Electrical Improvements portion of the project has already been completed.
- We are continuing weekly meetings with FEMA on the Spruce Street Bridge project. It looks like we will get money to restore the bridge to its original condition, but none to raise it above flood level.
- The Blue Fountain Lift Station needs to be rebuilt due to the added flow from the Addison/Kanauga Sewer Project. This will cost approximately \$130,000.
- On May 25th, the Ohio EPA sent a letter to the City highly recommending that we establish emergency connections with the County system. This issue has been discussed several times in the past. We have been looking into this with Ohio Rural Water. The total cost would be in the range of \$50,000 to \$75,000, with each entity paying half.
- As we have discussed at recent meetings, all of our water, sanitary sewer, and storm sewer infrastructure need to be looked at. The City of Logan has been replacing their lines at a cost of \$1,000,000 per mile. We

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have around 30 miles inside and outside the City. We can tackle this issue in stages, but some service lines run along the same path at different depths, which would require doing everything at once in those areas to keep excavation costs at a minimum.

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

- \$5,179.09 from Gannett Fleming Engineers for Pierce case support. Inv: 5/25/18. PO: 6/20/18.
- \$5,083.63 from AEP for May street lights. Inv: 5/30/18. PO: 6/1/18.

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

Zach & Scotty's LLC, the new restaurant on Court Street, had a liquor license request for a Class D5I Permit for beer, wine & liquor consumption on premises and beer & wine sales in original, sealed containers to take off premises. The Police Department has already signed off that they have no concerns. Mr. Wallis made a motion not to request a hearing, seconded by Mr. Caldwell. Upon voice vote on the motion, all votes were yes.

Ms. Landers went over all of the legislation on tonight's agenda, explaining the purpose of each. R2018-07 is to renew the depository agreement with OVB for two more years under the same terms of service. O2018-21 renews term life and AD&D insurance for employees and elected/appointed officials at the same rates. O2018-22 contracts with Local Government Services for compilations for 2018 & 2019 at \$7,000 per year, the same rate as before. O2018-23 is appropriation changes, which Ms. Landers detailed. O2018-24 is to transfer \$160,000 from WPC Fund to 561 Fund for Blue Fountain & Walmart Lift Stations.

Related to this, Ms. Landers said that loans are available through OWDA for the \$130,000 Blue Fountain Lift Station Project. Ohio RCAP can help us apply for a five-year, low interest loan. We would need to bid the project out first and submit our application by the first of any month for consideration. Borrowing money at low interest for a qualifying project would allow us to maintain a higher reserve available for emergencies, which may not qualify for loans or grants.

Ms. Landers requested a very short executive session to discuss personnel – HIPPA protected data.

The City Solicitor reported back on the Huntington ordinance imposing civil fines for properties considered a nuisance for residents receiving two felonies in a period of twelve months. Property owners must either abate the nuisance or be subject to fines of \$100 per day. This law is likely to receive challenges for several reasons. It dissolves the landlord-tenant contract and holds an uninvolved party responsible for the illegal act of another. Also, in the case of multiple tenants, it could cause the eviction of innocent residents who just happen to live with a party involved in a felonious act. Another problem is how can the landlord abate the nuisance? Many Huntington landlords seem in favor of the ordinance because they want an excuse to break leases with troublesome tenants, but this is putting the City in possible conflict with landlord-tenant relationships and the laws protecting tenant rights.

Mr. Salisbury requested a short executive session for pending legal action.

Mr. Gallagher endorsed adding Veterans Day as a paid holiday for City employees. He said he understood that employees chose years ago to forego a Veterans Day holiday in favor of the day after Thanksgiving, but that he still feels that we should join other government offices, as well as banks and many businesses, in honoring our veterans by having the City offices closed to observe the holiday. He asked residents to let him know if they agree or disagree.

Mr. Caldwell mentioned that the Director of OPWC has requested any pictures of sinkholes in town. Mr. Sang asked if the City keeps records of fixing sinkholes. Mr. Greene answered that records are not specifically kept for sinkholes, but some time records might be available. Any such records would be incomplete and not totally accurate or reliable.

Mr. Sang said that the City has now received thirty-seven applications for City Manager. He thanked the City Manager for getting a quote to cut down the tree on Mill Creek. He said that there were two vultures on his roof this morning. Mr. Greene responded that the neighborhood is along their migratory path to Gallipolis Island and along the river.

There was presented and read to the Commission as an emergency a Resolution No. R2018-07 entitled **AN EMERGENCY RESOLUTION UPDATING PUBLIC FUNDS AGREEMENT FOR ACTIVE DEPOSITS FOR TREASURY FUNDS OF THE CITY OF GALLIPOLIS, OHIO**. Mr. Wallis made a motion to adopt this resolution as an emergency, seconded by Mr. Caldwell. Upon roll call to adopt this resolution as an emergency, all votes were yes.

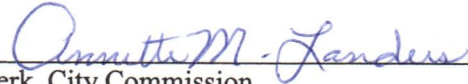
There was presented and read to the Commission for a first reading an Ordinance No. Q2018-21 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO CONTINUE TERM LIFE INSURANCE AND AD&D COVERAGE FOR EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS OF THE CITY OF GALLIPOLIS, OHIO**. Mr. Caldwell 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 for a first reading an Ordinance No. O2018-22 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE LOCAL GOVERNMENT SERVICES SECTION OF THE STATE AUDITOR'S OFFICE (GASB-34 LOOK-ALIKE STATEMENTS) FOR FISCAL YEARS 2018 & 2019**. Mr. Sang made a motion to place this ordinance on first reading, seconded by Mr. Wallis. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to Commission as an emergency an Ordinance No. O2018-23 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2018-08, AS AMENDED BY ORDINANCE NO. O2018-16, AS AMENDED BY ORDINANCE NO. O2018-18, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018**. Mr. Caldwell 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. O2018-24 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2018-09, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS**. Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Caldwell. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Wallis made a motion to enter executive session to discuss pending legal action and personnel: HIPPA-related data, seconded by Mr. Caldwell. On 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 Commission, the meeting was adjourned.


Clerk, City Commission


President, City Commission