

July 21, 2020

The Gallipolis City Commission met in virtual special session on Tuesday, July 21, 2020, 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)
 Albert "Tony" Gallagher, Member (remote access)
 T. Beau Sang, Member (remote access)

Michael W. Brown, Member, attended by phone, beginning with reading of the legislation.

Others attending were:

Theodore R. Lozier, City Manager (in person)
 Brynn S. Noe, City Solicitor (remote access)
 Annette M. Landers, City Auditor (in person)
 Beth Sergent, Gallipolis Daily Tribune (remote access)
 Ronnie Lynch (in person) Jeff Boyer (remote access)
 Karen McCarty (remote access)

Commission received the minutes of the July 7, 2020 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- Concerning COVID-19: The Municipal Building, Police Department, and Municipal Court remain open, continuing to observe all safety protocols. With the help of the Gallia County Health Department, we are keeping watch on the currently rising number COVID-19 cases in our county.
- If we decide to have the annual Yard Sale in the Park, we will need to cut down the number of spaces (105 last year) by half and supervise the activity closely to assure adherence to safety protocols. If there are no objections, we will likely cancel this event.
- The owner of a facility outside the city limits and on our water/sewer system has contacted us about an expansion they wish to make that will require a new, larger tap with a \$50,000 sewer capacity fee. Since the 4" line will be for fire suppression, he is requesting a waiver of the capacity fee. The ordinance does not address such a waiver, so this would require discussion and legislative action before it could be granted.
- Ohio EPA has lifted the ban on water service shut-offs. We are working on offering payment plans and will have more on this at the August meeting.
- SR 588 Road Slip: We hope to hear in the next two weeks from ODOT. Mr. Lozier has talked with Mr. Troy Johnson, Transportation Director for the Gallipolis City Schools, about problems that the road closure will cause for school busses. Mr. Johnson has also sent letters to ODOT and our state representatives.
- The newspaper is doing an article on our new electric recharging stations. We had our first charge yesterday by travelers from Iowa. They enjoyed visiting the City Park and riverfront while in town. It costs \$9/hr., but most can recharge in 15 minutes to one-half hour.
- We plan to turn on the Kerr Fountain and keep it on as long as it is not misused again.
- Mr. Lozier has been contacted about Census 2020 public service announcements that can be recorded for broadcast to smart phones. This would be a good way to encourage local participation in the census.

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

- \$26,139.47 from Rumpke for June trash service. Inv: 6/17/20. PO: 7/1/20.

Gallipolis City Commission

July 21, 2020

Page 2

- \$4,239.80 from Ohio BWC for monthly premium. Inv: 6/26/20. PO: 7/1/20.
- \$225,181.31 from OWDA for WWTP debt service. Inv: 5/15/20. PO: 6/1/20.
- \$5,331 from Lexipol for annual L. E. update & training. Inv: 7/1/20. PO: 7/9/20.
- \$5,254.86 from AEP for street lighting. Inv: 6/29/20. PO: 7/1/20.

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

Ms. Landers said that the State Auditors have requested that the Commission approve the re-characterization of a couple of the transfer/advances from prior years by motion and voice vote. These had been in their notes, but had not risen to the level of materiality in the years audited. Because of an outstanding advance related to the ODNR Grant for City Park Improvements, which will not be paid back until the grant work at the Pool is completed, these advances/transfers have now become material in aggregate.

The first error concerned an \$8,800.65 overstatement of an advance back from the Cemetery to the General Fund contained in the 2013 Budget. In 2011 and 2012, the General Fund advanced a total of \$322,612.50 to the Cemetery Fund to cover upfront costs for repairs of FEMA disaster related slips of Cemetery roads. In 2012 and 2013, the Cemetery advanced a total of \$331,413.15 back to the General Fund. This error was likely caused by a calculator error (retaining a figure of \$8,800.65 from another calculation) when doing the 2013 Budget. It was not considered material at the time due to the high amount that the General Fund annually contributes in transfers to Cemetery Fund operations. The auditors have requested and Mr. Gallagher made a motion that we change \$8,800.65 of the 2018 transfers from General Fund to Cemetery Fund to an advance back to Cemeteries, seconded by Mr. Sang. Upon voice vote on the motion, all votes were yes.

The second error concerned transfers and advances between the Court Probation Fund #285 and the OCJS Probation Grant Fund #254. In 2009, 2010, 2011, and 2012, Fund #285 transferred a total of \$42,116.95 to Fund #254. Upon completion of the grant in 2013, I budgeted to advance the remaining balance of \$9,191.20 in Fund #254 back to Fund #285 as the sponsoring fund. This should have been characterized as a residual equity transfer, not an advance back. The auditors have requested and Mr. Fulks made a motion that we re-characterize the 2013 advance of \$9,191.20 from Fund #254 to Fund #285 from an advance to a residual equity transfer, motion seconded by Mr. Sang. Upon voice vote on the motion, all votes were yes.

Ms. Landers reviewed legislation on tonight's agenda. R2020-03 is to establish a separate fund for \$9,940 of CARES Act money that the Municipal Court is receiving for a Remote Technology Grant. O2020-22 is to award a \$62,532 bid to the Shelly Co. for an OPWC paving grant for Vine and Locust Streets. This is part of a grant that is already in our 2020 Budget. O2020-23 is the update of our Codified Ordinances that the Walter Drane Company does for us each year. O2020-24 is an appropriations change ordinance that includes a \$6,714.77 BWC Grant for the Fire Department for safety gear, additional funding for M&R Streets (\$5,000), Water (\$8,000), and Sewer (\$8,000) Funds for unemployment costs, and the \$9,940 for Court CARES Act funded E-search & E-subpoena software.

President Caldwell said that he has received a complaint from a resident about the condition of Hedgewood Drive. Mr. Lozier informed him that we plan to fix any major pot holes with millings from the road paving projects.

Mr. Sang noted that we have heard at several meetings now that ODOT should have news for us on the SR588 slip repairs. Mr. Lozier told him that he intends to reach out to them again this week to learn the status of the project. However, even if funding is approved, it will likely be next year before work can be completed. The project may require acquisition of additional Right of Way, which could delay the project more. ODOT's website has a December 2020 completion date for a portion of the project, but that does not mean that the whole, expanded project will be completed. ODOT does still plan to install a retaining wall.

Led off by Mr. Sang, Commissioners discussed the City Park Yard Sale some more. Mr. Lozier said that it is typically held the third weekend of August, with spots going on sale on August 1st. Commissioners discussed options, such as reserving spaces, but delaying payment until we know for sure if we can hold the event. Some of the Commissioners favored just cancelling. The City Solicitor pointed out that we need to consider our possible liability for a city-sponsored event. Commissioners agreed to wait until the next meeting in two weeks to decide whether to cancel or go forward. Mr. Lozier said that the Hoops Project sponsors are trying to decide whether to go forward with their event. Gospel Sings are going on in the Park.

Commissioners discussed the Work Session held last night. Mr. Lozier reported that he has surveyed the downtown area with Columbia Gas and they have identified about twenty locations that might require coverings. If they decide to go that route (using coverings), they would offer a selection of two or three designs and would involve the Planning Commission/Historic Review Board in resolving any issues with Columbia Gas. We have received an extension on our paving grant until after the Columbia Gas Project is completed. Mr. Lozier said that he felt the work session went well. Columbia Gas has a better understanding of our issues with aesthetics now.

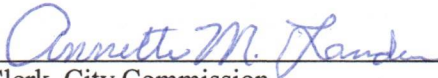
Mr. Brown joined the meeting at this point by speaker phone. There was presented and read to the Commission as an emergency a Resolution No. R2020-03 entitled **AN EMERGENCY RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A NEW SPECIAL REVENUE FUND (CARES ACT REMOTE TECHNOLOGY GRANT FUND)**. Mr. Fulks made a motion to adopt this resolution as an emergency, seconded by Mr. Sang. Upon roll call to adopt this resolution as an emergency, Mr. Brown voted no. All other votes were yes. R2020-03 was placed on first reading

There was presented and read to the Commission as an emergency an Ordinance No. O2020-22 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR THE MILLING AND PAVING OF VARIOUS CITY STREETS**. Mr. Sang made a motion to adopt this ordinance as an emergency, seconded by Mr. Fulks. Upon roll call to adopt this ordinance as an emergency, Mr. Brown voted no. Mr. Gallagher abstained. All other votes were yes. O2020-22 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-23 entitled **AN EMERGENCY ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES**. Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Fulks. Upon roll call to adopt this ordinance as an emergency, Mr. Brown voted no. All other votes were yes. O2020-23 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-24 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2020-06, AS AMENDED BY ORDINANCE NO. O2020-11, AS AMENDED BY ORDINANCE NO. O2020-12, AS AMENDED BY ORDINANCE NO. O2020-20, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020**. 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, Mr. Brown voted no. All other votes were yes. O2020-24 was placed on first reading.

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


Clerk, City Commission


President, City Commission