

August 2, 2016

The Gallipolis City Commission met in regular session on Tuesday, August 2, 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. 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
 Dean Wright, Gallipolis Daily Tribune
 Dan Risco, Ohio State Treasurer's Office
 James Allen, Gallipolis Township Clerk
 Ronnie Lynch Jon Lynch Sam Hatcher
 Marvin Vanderberg Jeff Boyer Randy Breech
 Steve Pullin

Commission received the minutes of the July 19, 2016 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Mr. Dan Risco was granted *Privilege of Floor* to announce the launch of the City of Gallipolis and Gallipolis Township on the Ohio Treasurer's Ohio Checkbook website. Mr. Risco gave a short history of OhioCheckbook.com, a website created and launched in December 2014 by the Treasurer of State's office to provide online access to the state's spending information. In April of 2015, local governments and schools were invited to place their own information on the state's website at no cost to them, with the first group going live in September of 2015. There are now approximately 4,000 local entities on the website, with more in process. Interest is quite high. Mr. Risco demonstrated the features of the website for those present. Several of the Commissioners expressed their support for the program and pleasure in providing this service to enhance transparency in government for our residents.

The City Manager reported on the following:

- City crews have been busy the last few weeks. They are currently in the middle of a project to replace 200 feet of 6" water main on State Rt. 141. This is part of the County's sewer project and will cost the County about \$14,000.
- The City is working on figures for GDC to go onto the City water system. They had a major water leak over the weekend, losing all of the water from their reservoir. They had to switch to City water for a couple of days and are now looking at tapping into the 16" water main on Mill Creek Road. It is 140 lbs. at the tap, which is sufficient for their fire sprinkler system.
- ODNR sent word that the \$150,000 Capital Improvement award for our Community Recreation Project for the Gallipolis City Park was awarded. Mr. Greene thanked Rep. Ryan Smith for his

assistance in obtaining this grant. Without the aid of our local legislators, we would never be able to do projects like this. The project is to restore the Bandstand, Kerr Monument, and complete the electrical upgrade all the way around the City Park. There is no match required on the \$150,000 grant, but there is about a \$6,000 match on a smaller, separate grant for some of the electrical work.

- The new Code Enforcement Ordinance, adopted at the prior meeting, is already producing results, with four cases going to court, thirteen letters written for violations, and four new contractor licenses.
- The City Park Yard Sale is set for Saturday, August 20th. Sales of spaces began yesterday, with over half of the spaces already sold in the first two days.
- The City is very busy right now with all of the new projects being undertaken at the same time we are dealing with lower manpower and budgetary and safety constraints. Mr. Greene asked for patience while we all work together to reach our goals.
- The Police Department is spending a lot of time transporting prisoners to and from jails in other counties. This takes officers off the road and leaves the City without adequate coverage at times. It costs the City not only in housing costs for the prisoners, but in wages (including overtime), fuel, tires, and wear & tear on the vehicles. At times, it seems as though we are a taxi service for prisoners when our mandated goal must be the protection of our residents. Also, attacks on Police officers across the country are up by 78% this year. It is not safe to have a single officer on duty as we must at times. Our officers need proper back-up, training, and equipment. This will not be possible without the funding from the Police Levy.
- The ODNR sent an e-mail today approving Pullins Excavating as the contractor for the Riverfront Improvements Project. The bids were opened Thursday, July 28th, and Pullins Excavating was the lowest of the three bids received at \$792,250. Pullins Excavating has a good work record from prior work with the City. Mr. Greene said that he has known of this company's work since the 1970's and has had no bad reports on them. He recommended that the Commission award the project to them. He invited Mr. Hatcher and Mr. Pullins to speak for Pullins Excavating. Mr. Hatcher said that they were pleased to work with the City and promised to use local contractors and vendors as much as possible. He encouraged open communication and input from City officials to assure our satisfaction with their work. They hope to begin work sometime between August 16th and September 1st, with completion around Thanksgiving. Mr. Greene said that they need to adopt legislation as an emergency to save valuable construction time. There was some discussion of the spread between bids. The engineering estimate on the project was \$845,000, which brings this bid within the percentage margin normally expected for bids. Mr. Hatcher said that our project works well with the type of work they are best suited to do and at a time that is ideal for them, so they pursued it aggressively. Mr. Fulks made a motion to accept Pullins Excavating as the contractor for the project, seconded by Mr. Brandeberry. On voice vote on the motion, all votes were yes. Mr. Greene also talked about disposal of the estimated 8,000 cubic yards of dirt from the project that must be dumped somewhere, preferably back in the floodplain. He would like to dump the excess soil around the ballfield approximately six blocks from the construction site for eventual use to raise the road on Spruce Street Extension. The contractors agreed that this was acceptable for them. It would not take them out of their way, being closer than their proposed dump site.

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

- \$13,563 from Bob's Market for lights, cords, etc. for G.I.L. Invoice: 4/11/16. PO: 7/1/16
- \$19,932.98 from CT Consultants for WWTP Improvements Project. Invoice: 4/21/16. PO: 6/17/16
- \$19,532.18 from CT Consultants for WWTP Improvements Project. Invoice: 5/23/16. PO: 6/17/16

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- \$4,921.67 from AEP for street lights. Invoice: 5/27/16. PO: 6/1/16
- \$4,927.64 from AEP for street lights. Invoice: 6/28/16. PO: 7/1/16

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

Ms. Landers presented a list of special assessments to take to the County Auditor. This is a list of delinquent, inactive water/sewer/refuse accounts that remain unpaid after collection efforts. Some of the accounts on the list had signed payment agreements that were not adhered to. All were contacted by letter and followed up on by telephone if available. As in past practice, approved by prior Commissions, write-offs were provided under certain guidelines, such as for tenants' late and shut off fees, tenants' consumption beyond the period when we should have shut off service, and some instances involving death, bankruptcy, and other hardship. Mr. Wallis commented that the list was not as high in dollar amount as some he has seen in the past. Ms. Landers said that she is continuing efforts to collect until the deadline approaches at the end of August, so the list may get smaller. Mr. Wallis made a motion to approve the list, seconded by Mr. Fulks. Upon voice vote on the motion, all votes were yes.

The City Solicitor requested executive session for pending lawsuits. He also reported on the OML's Ohio Municipal Attorney Association's annual training that he and Ms. Fellure attended. Ms. Fellure concentrated on the criminal track, while he attended those on the civil track. The course content was relevant to many issues coming before the courts and affecting local law enforcement. Mr. Salisbury plans to use the information and videos he obtained to train the Police Department on *Use of Force*, among other issues.

Mr. Brandeberry asked if Mechanical Construction agreed to the plan for mitigation of damages caused by the missing their deadline for completion of the WWTP Improvements Project. Mr. Greene said that they did and that the new agreement is being written up for them to sign.

Mr. Brandeberry informed the City Manager that the big tree on the Parkfront is half dead and infested with rodents. He wondered if removal of the tree could be included in the Parkfront project. Mr. Greene said that Mounts Tree Service has already quoted \$1,500 to cut the tree down, but that he could look into the other possibility.

There was presented and read to the Commission for a first reading an Ordinance No. O2016-35 entitled **AN ORDINANCE TO APPROVE THE PLAN OF OPERATION AND GOVERNANCE FOR THE CITY OF GALLIPOLIS NATURAL GAS AGGREGATION PROGRAM**. Mr. Johnson made a motion to place this ordinance on first reading, seconded by Mr. Brandeberry. Mr. Wallis said that he must abstain as he has done in the past. Upon voice vote to place this ordinance on first reading, Mr. Wallis abstained. All other votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2016-36 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2016-12, AS AMENDED BY ORDINANCE NO. O2016-18, AS AMENDED BY ORDINANCE NO. O2016-24, AS AMENDED BY ORDINANCE NO. O2016-34, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016**. Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Ms. Landers explained the proposed changes. Mr. Wallis commended the Police Department for their efforts to contain costs of housing of prisoners by diverting some offenders to the City's community service work program. This does tie up some additional time for officers administering the program, which places an additional strain on the department's manpower. Passage of the Police Levy is essential to supply much-needed funding. Upon roll call vote 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. O2016-37 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2016-13, AS AMENDED BY ORDINANCE NO. O2016-19, AS AMENDED BY ORDINANCE NO. O2016-25, AUTHORIZING THE CITY AUDITOR TO TRANSFER OT ADVANCE FUNDS.** Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Johnson. Upon roll call vote 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. O2016-38 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR THE GALLIPOLIS RIVERFRONT IMPROVEMENTS PROJECT.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Brandeberry. Upon roll call vote to adopt this ordinance as an emergency, all votes were yes.

President Gallagher requested that City Officials take a moment for a group photo around the Ohio Checkbook.com sign.

Mr. Wallis made a motion to enter executive session to discuss pending lawsuits, seconded by Mr. Fulks. Upon 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 City Commission, the meeting was adjourned.


Clerk, City Commission


President, City Commission