

August 6, 2019

The Gallipolis City Commission met in special session on Tuesday, August 6, 2019, 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. The VFW Post #4464 Honor Guard posted the colors and led in the Pledge of Allegiance. 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			
Brynn S. Noe, City Solicitor			
Annette M. Landers, Auditor/Clerk/Treasurer			
Dean Wright, Gallipolis Daily Tribune			
Ronnie Lynch	Ted Lozier	Jerry Davis	Arron Taylor
Randy Breech	Joy Elliott	Dottie Chestnut	Dave McCoy
Jim Love	Keith Elliott	Michael W. Brown	Keith Jeffries
Jozie Roberts	Chris Roberts	Jeff Boyer	Charles Huber
Bobette Braxton	Allie Braxton	Mary Lee Marchi	Rick Howell
R. W. Jenkins	Robbie Jenkins	Bill Mangus	Henry Maynard
Bryan Vance	Michael Giese		

Commission received the minutes of the July 16, 2019 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Privilege of Floor was granted to Mr. Bill Mangus and other members of the VFW Post #4464 Honor Guard. Mr. Mangus reviewed the history of contacts between the group and the City Commission, dating back to 2016. The group is asking again to display weather resistant photo banners of veterans and active duty service members in the area of the City Park. They would hang for one week prior to each of five holidays: Vietnam Veterans Day (March 30), Memorial Day (last Monday in May), Independence Day (July 4), POW/MIA Day (Third Friday in September), and Veterans Day (November 11). All costs associated would be borne by the VFW and donors.

There ensued a fairly lengthy discussion, with Mr. Mangus pointing out the success of similar projects elsewhere (such as Grove City), local community support for this project, and some examples of the rich local military history dating back to the Civil War. He questioned the Commission's support for the project. Mr. Wallis responded that the Commissioners have always been generally favorable toward the project, but had asked from the outset, out of respect for all of the veterans groups, for their sign-off on the project. Mr. Mangus had offered to collect these signatures and return with the signed petition. So far, this has not been provided, nor has any explanation been given for why it has not. Pastor Michael Giese gave an impassioned appeal to approve the project, even without the consensus of all of the veterans' organizations.

Mr. Mangus also described how the banners would be hung and how little they would weigh. Ms. Noe advised him that the City's concern was not the weight of the banners and hardware, but the force that the wind could exert, in essence making the banners into sails. Another concern in past discussions was the possibility that other groups could demand access to hang their own banners on the poles. Ms. Noe offered to contact Grove City's law director to see what restrictions they have in place to prevent such wholesale usage. Mr. Greene, himself a Vietnam War veteran, asked if they had considered that some veterans could object due to post traumatic stress triggered by such a large display all around the park. He offered to erect two more poles at the Doughboy Monument, which could be used year-round. President Fulks emphasized that the Commission is supportive. They should continue talks with the City Manager after the Solicitor gathers more information from Grove City.

Mr. Jerry Davis, representing the Gallipolis Railroad Freight Station Museum, was next recognized for *Privilege of Floor*. He gave an update on their restoration efforts. He said that they have framed up and are installing HVAC for two bathrooms. They are insulating and cooling the office, which they hope to have open soon. They are not officially open for business yet, but have conducted many impromptu tours for folks that drop by, including around 300+ school students. They have enjoyed great support.

They have applied for a federal Transportation Alternative Program (TAP) grant through the Ohio Department of Transportation. They should hear by this fall whether they have been awarded the \$625,000 requested. This grant would pay for restoration of several areas, including the circus car, a box car, and the remainder of the station's interior. They can use their current \$125,000 grant from the Ohio General Assembly as a match for the federal grant. The TAP grant requires that they be under the auspices of a local government in order to receive funding. They are asking the City to provide that oversight by establishing a fund to handle receipts and expenditures related to the grant.

Ms. Landers thanked Mr. Davis for his presentation, made on very short notice. Resolution R2019-04 establishing the Gallipolis Railroad Freight Station Museum is on tonight's agenda. It will be handled just like Gallipolis in Lights. Commissioners expressed their pleasure with and support for the work that the group is doing.

Mr. Randy Breech was granted *Privilege of Floor*. He said he wished to address various code and downtown planning issues, many of which he had brought before the Commission at prior meetings. The first two items concerned lack of parking spaces in the municipal parking lots and the problematic nature of diagonal parking of longer vehicles on State Street. Mr. Greene told him that the City has been working on many of the issues that he has brought up. One of the problems with parking along State Street is that employees and contract workers at the businesses there insist on parking in the closest spaces.

Mr. Breech went on to talk about the deplorable condition of buildings next to some of his properties, complaining that Code Enforcement has "done nothing" to address these issues and that property values are negatively impacted. He went on to detail a few specific infractions on Court Street and the 300 block of Second Avenue, which are all in the Historic District. Ms. Noe noted that the Code Enforcement Officer is not present tonight to respond to these complaints. Lack of funding remains a huge issue, as everyone is aware. The City has been working on a list of priorities. Mr. Greene added that there is activity going on behind the scenes that the public is not aware of.

Mr. Wallis asked Mr. Breech to be fair. The City been working on some of these issues for years. Ms. Noe pointed out that some date back to Mr. Breech's own days of contracting/volunteering his expertise to the City. President Fulks noted that legal matters in process cannot be openly discussed. Parking is at a premium. Mr. Sang said that he can testify that Code is working on these issues. He suggested installing parking meters as a way to control parking problems. Mr. Greene said that meters cost about \$2,500 each.

They were taken out years ago at the request of the downtown merchants. As an alternative to meters, Mr. Sang suggested looking into a kiosk style parking system.

Mr. Robbie Jenkins thanked City employees for their help in dealing with clean-up and the homeless on some property near some storage buildings that he owns.

The City Manager reported on the following:

- The City has extended the pool season a couple of weeks to August 11, 2019.
- Maintenance crews have been busy patching pot holes in the streets, trimming trees, and mowing along the roadsides. They finished the storm drain at First & Locust. They have also been working with the Workers' Comp on the inspection of City properties.
- Code Enforcement Officer Brett Bostic and Project Engineer Ted Lozier have been working on a plan for property maintenance and vacant buildings. There is a related grant that Mr. Lozier is looking into.
- The Planning Commission, lacking a quorum, had to table their discussion of the 1,000 square foot rule for new housing construction.
- Every evening, we have a back-up of traffic at Third Avenue and State Street. Mr. Greene proposed creating turn lanes on Third Avenue, which would require sacrificing two parking spaces. If we did the same thing at Third and Cedar, it could help school busses. The police department seems okay with this solution. In discussion, Commissioners agreed that such decisions were within the scope of the City Manager's authority.
- We received notice that applications for next year's paving grants are due by 10/8/19 in the County Engineer's Office. We have used these grants for the past few years for paving within the City. Mr. Lozier has been looking into using a new type of slurry mix that others have successfully used to cut paving costs per mile from \$100,000 to \$27,000. The new mix holds up for around eight years. Commissioners expressed concern over the gas company's cuts in the City's streets. They are supposed to patch these places, which could take some time. There was discussion of whether they could be made to pave rather than just patch, particularly in areas of extensive cuts or cuts to newly paved streets. President Fulks suggested looking into how other towns handle this problem.
- Mr. Greene requested executive session for legal matters.

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

One invoice over \$3,000 was presented for approval of payment:

- \$5,120.73 to AEP for June street lights. Invoice: 6/28/19. PO: 7/1/19.

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

Ms. Landers explained the purpose of Resolution R2019-05 and Ordinances O2019-23 & 24. The resolution is to appoint Whitney Vilfer as Assistant Treasurer to replace Shirley Beaver, who has retired. This appointment would make Ms. Vilfer one of five approved signers for our bank accounts. She would also be authorized for certification of funds or invoices under \$3,000. We still require two signatures on all checks. Ordinances O2019-23 & 24 would increase the senior discount from \$0.67/month to \$2.00/month each for water and sewer residential customers. This would be the first increase since 2002, when the senior discount was initially adopted to cushion seniors from the impact of a rate increase adopted that year. Since then, the discount has lost all relevance and has become an embarrassment to offer new seniors signing for service. She and Mr. Greene have been considering an increase for some time. She thanked Mr. Lozier for his valuable input into their discussions.

Ideally, we would set the discount at a percentage of the minimum bill, so it would go up automatically as rates go up. However, our minimums for water and sewer inside and outside rates yield widely varying percentages for the increase to \$2 that we would like to give this year (inside water: 11%, inside sewer: 13.8%, outside water: 6%, and outside sewer: 7.7%). We must set it at a dollar amount to be consistent across all categories.

The benefits of the increase are as follows:

1. Provides a more meaningful discount for our valued senior citizens,
2. Would directly offset the cost of water leak insurance, allowing more of our seniors to take advantage of this valuable protection, and
3. Would offset a portion of the expected increase in refuse pick-up for the new contract period, beginning in October.

The cost to the city would be approximately \$6,800 more per year for the Water Fund or 0.4% of our \$1,694,000 annual water collections. For the Sewer Fund, it would be approximately \$5,125 more per year or 0.3% of our \$1,640,000 annual sewer collections. Commissioners agreed that this was a minimal negative impact compared to the added value for our senior customers.

Mr. Greene told Commissioners that Mr. Lozier has been looking into AEP's program for electric car charging stations. The program would totally reimburse the cost of two charging stations. One could go outside this building where the dumpster used to be and the other might be placed at the library or some other suitable site. The hour required for charging a vehicle could ideally be spent at nearby businesses.

The City Solicitor reported that she and Mr. Salisbury attended the Ohio Municipal Attorneys' Association (OMAA) conference, as planned. They made many valuable contacts there, in addition to hearing from many knowledgeable speakers.

The City received notice from the Division of Liquor Control that our appeal of the liquor license transfer for the establishment on Court Street was denied.

Ms. Noe requested executive session for legal matters.

Mr. Sang stated that there are references to Ohio Revised Code in the Charter section dealing with the Sinking Fund. He said that the Commission would need to be careful to comply with ORC in any changes they make to the rules for the Sinking Fund. Ms. Noe responded that in any matter that the Charter is silent, the Ohio Revised Code rules.

Mr. Caldwell said that Mr. Pugh told him the Hoops Project went well and thanked all of the City officials and employees who helped. Mr. Gallagher pointed out that there is still paint from the event on First Avenue. Mr. Greene responded that they used a material that should eventually wash off in the rain.

There was presented and read to the Commission as an emergency a Resolution No. R2019-03 entitled **AN EMERGENCY RESOLUTION REPEALING RESOLUTION NO. R2014-21, AND APPOINTING TED LOZIER AS ACTING CITY MANAGER IN THE ABSENCE OR INCAPACITY OF THE CITY MANAGER.** Mr. Wallis made a motion to adopt this resolution as an emergency, seconded by Mr. Caldwell. Mr. Sang questioned why this was being done. Mr. Greene explained that Mr. Lynch has done a good job in this role, but Mr. Lozier, as our new Project Engineer, needs the authority to address issues on the job site. Mr. Lynch cannot leave his office to go out onto the job site. Mr. Greene said he is pleased with how well he and Mr. Lozier have been working together. Mr. Sang responded that he felt Mr. Lozier needed more experience with the City's departments before undertaking such a role. Mr. Greene stated that Mr. Lozier probably has more experience than anyone in

this room. Mr. Wallis noted that the Project Engineer position has always been appointed as Acting City Manager. The current appointment is further complicated by the fact that Mr. Lynch is actually a contractor now, not a city employee. Mr. Wallis called the question. Upon roll call to adopt this resolution as an emergency, Mr. Wallis, Mr. Caldwell, and Mr. Fulks voted yes. Mr. Gallagher and Mr. Sang voted no. Resolution No. R2019-03 was placed on first reading.

There was presented and read to the Commission as an emergency a Resolution No. R2019-04 entitled **AN EMERGENCY RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A NEW SPECIAL REVENUE FUND (GALLIPOLIS RAILROAD FREIGHT STATION MUSEUM)**. 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 as an emergency a Resolution No. R2019-05 entitled **AN EMERGENCY RESOLUTION AMENDING RESOLUTION NO. R2003-02, SECTION 2, APPOINTING WHITNEY R. VILFER AS ASSISTANT TREASURER**. Mr. Caldwell made a motion to adopt this resolution as an emergency, seconded by Mr. Sang. Upon roll call to adopt this resolution as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2019-22 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER OR ACTING CITY MANAGER TO ENTER INTO CONTRACT WITH ODOT FOR MUNICIPAL BRIDGE INSPECTION PROGRAM**. Mr. Caldwell made a motion to adopt this ordinance as an emergency, seconded by Mr. Sang. Mr. Greene explained that this ordinance allows the State to inspect all bridges in the City with over a 10 foot span. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2019-23 entitled **AN ORDINANCE AMENDING SECTION 921.05(G)(1) OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO, PROVIDING A DISCOUNT FOR WATER CUSTOMERS OVER 65 YEARS OF AGE**. Mr. Wallis 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. O2019-24 entitled **AN ORDINANCE AMENDING SECTION 925.07(G)(1) OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO, PROVIDING A DISCOUNT FOR SEWER CUSTOMERS OVER 65 YEARS OF AGE**. Mr. Sang made a motion to place this ordinance on first reading, seconded by Mr. Caldwell. Upon voice vote to place this ordinance on first reading, all votes were yes.

Mr. Wallis made a motion to enter executive session for pending legal matters, seconded by Mr. Sang. Upon roll call on the motion, all votes were yes. President Fulks announced that there would be no business following executive session. 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