

August 7, 2018

The Gallipolis City Commission met in regular session on Tuesday, August 7, 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

Others attending were:

M. Eugene Greene, City Manager		
Adam R. Salisbury, City Solicitor		
Annette M. Landers, Auditor/Clerk/Treasurer		
Dean Wright, Gallipolis Daily Tribune		
Joshua W. Bodimer, President, Gallia Co. CIC		
Ronnie Lynch	Roma Wood	Marvin Vanderberg
Pamela Hopkins	Samantha Proffitt	Ivan L. Hurt
Keith Elliott	Joy Elliott	Randy Breech
Nan Harder	Cletus Harder	Jeff Boyer

Commission received the minutes of the July 17 & 23, 2018 meetings prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Ms. Pamela Hopkins was recognized for *Privilege of Floor*. Ms. Hopkins said that a light pole in the 300 block of Second Avenue fell over onto her car, cracking the windshield and damaging the hood and front of the car. She stated that the police report notes that a plate on the pole had rusted away and the bolt had come through, which she attributed to lack of maintenance on the part of the City. She said that she had asked the City Manager to have the City pay for her repairs, but he had refused to talk to her when she mentioned getting legal advice from someone's secretary.

Mr. Salisbury explained to Ms. Hopkins that the City was not permitted to talk to her once Mr. Greene believed that she had brought in legal counsel. He stated that there are issues of sovereign immunity that come into play in these cases. He went on to say that the matter had been referred to our insurance carrier and their response, based on the set of facts presented to them, was that the City was not negligent pertaining to the loss. The set of facts being presented tonight is somewhat at variance from what had been presented initially. The initial report indicated that someone was pushing on the pole at the time it fell. Ms. Hopkins was now saying that the person securing his bicycle to the pole with a chain could not have pushed on it hard enough to make it fall. Ms. Nan Harder, present at tonight's meeting, said that she was a witness. She said she was in her car positioned at a 45 degree angle in a parking space directly across Second Avenue from the site. This put her in a direct line of sight to the light pole in question. She said she saw a man and a bicycle on the sidewalk and the post laid over on the car with the flower pot out in the street. Mr. Salisbury concluded that, while the Commission was not unsympathetic to her case, they have a responsibility to not spend the citizens' money in a way that is contrary either to the facts presented or to the decisions of our insurance carrier.



Mr. Josh Bodimer, President of the Community Improvement Corporation, was granted *Privilege of Floor*. He made a proposal for economic development for the City and the County, reviewing in detail their strategic plan. He asked for a commitment from the City of \$10,000 for 2018 and \$20,000 for each year from 2019 through 2022 to help fund the hiring of an executive director for the CIC. They are asking the County for an identical commitment. Ms. Landers asked that the CIC reconsider the notion that Gallipolis, which is now a village receiving the same amount of local government funding as every other village in Gallia County, should be expected to continue to share in such projects as equal partner with the County. She suggested that they consider taking their appeal to other villages (and townships) that would benefit from their plans. Commissioners will consider his request.

Ms. Roma Wood asked to speak for *Privilege of Floor*. Ms. Wood asked if we had decided that landlords could get utility bills sent to the service addresses. Mr. Greene said that bills can be sent either to the landlord or to the service address, but not to both. He emphasized that if landlords want the bills sent to the service addresses, they will still be responsible for tracking those bills, either on-line or by another method, and making sure that payments are received on time. Any landlords wanting this service will need to submit a written request that specifies the addresses they want to include in their request. Ms. Wood expressed satisfaction with this arrangement.

The City Manager reported on the following:

- Code Enforcement Officer Brett Bostic attended the 2018 Ohio Floodplain Management Conference in Columbus last week. He has also been working on vacant properties.
- The burned house on Third Avenue beside the newspaper office has been torn down and the property sold.
- The maintenance crew has been busy on water/sewer lines, flushing fire hydrants, lift station repairs, fixing streets, and cleaning in the parks and cemeteries.
- The old generator from the Water Treatment Plant sold for \$12,200 and has been removed.
- The fire department's driveway paving is completed for this year. They plan to repair additional sections as needed.
- The large tree on Mill Creek that has been the topic of discussion at several meetings has been cut down and disposed of on-site. It was not only a roost for buzzards, but had become a safety concern due to dead portions falling onto the street below.
- We will be using this year's paving grant to pave Fourth Avenue and Ohio Avenue. We need to delay paving Third Avenue because the gas company plans more work that will tear up the pavement on Third. We can pursue additional grant funding after the first of the year.
- There is an ordinance on tonight's agenda to close Haskins and Canaday Park between the hours of 11 p.m. to 5 a.m. daily. This is an effort to address sanitation and safety concerns from people partying or sleeping in the parks all night long, leaving trash and sometimes drug-related debris for scheduled users of the parks to contend with the next day. It is not practical to close the City Park, so it was not included in the ordinance.
- Mr. Greene showed a white board that he keeps in his office, which lists all of the projects the City is working on and the status of each. He invited Commissioners to call him anytime with any questions they might have.

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

Two invoices over \$3,000 were presented for approval of payment:

- \$5,709.41 from Workers Comp for monthly premium. Invoice: 6/29/18. PO: 7/2/18



- \$3,363 from Topes Furniture for a custom desk/cabinet for the court. Inv: 6/29/18. PO: 7/9/18

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

A liquor license transfer request was received from Uncle Kenny's, 47 Court Street to Court Street Tavern, 47 Court Street. In discussion, Police Chief Boyer said that he had some concerns with the transfer. Mr. Wallis made a motion to request a hearing, seconded by Mr. Caldwell. Upon voice vote on the motion, all votes were yes. Ms. Landers said she would send the request for a hearing, but could not answer questions about what to expect at one because there had not been any requests opposed since she has been in office.

The City Solicitor requested executive session for pending legal matters.

Mr. Gallagher made a motion to make Veterans Day an additional paid holiday for the employees of the City of Gallipolis, seconded by Mr. Caldwell. In discussion, Mr. Gallagher stressed several points. Our veterans deserve to be honored on this day with the closure of our offices to the regular business of the City. Most other governmental units, banking institutions, and so forth recognize the day as a paid holiday. The City cannot afford pay increases and bonuses for employees. An extra day off would be a little something extra for the employees. The cost to the City in overtime for employees called out or scheduled at holiday pay would run around \$2,000 to \$2,500. According to information Mr. Gallagher had gathered, the decision to give up the Veterans Day holiday in favor of the day after Thanksgiving was made about 40 years ago. No employee now on the payroll had any say in that decision.

Mr. Wallis stated that he is concerned about another day of non-productivity. Even with the relatively small cost in overtime, the City is already contending with a lack of matching funds for grants or to help fund other worthy projects. The Commission must watch all dollars and use them to the greatest benefit for our taxpayers. He suggested that if the employees want to negotiate for this holiday, they would be welcome to bring their proposals before the Commission. At this point, Mr. Gallagher called the question, asking for a roll call vote. Upon roll call on the motion to add Veterans Day as a paid legal holiday for the employees of the City of Gallipolis, Mr. Gallagher voted yes. All other votes were no.

There was presented and read to the Commission for a first reading an Ordinance No. O2018-25 entitled **AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES**. Mr. Wallis 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.

There was presented and read to the Commission for a first reading an Ordinance No. O2018-26 entitled **AN ORDINANCE ESTABLISHING SECTION 539.03 "HASKINS PARK AND CANADAY PARK CLOSED 11:00 P.M. TO 5:00 A.M." OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO**. Mr. Wallis made a motion to place this ordinance on first reading, seconded by Mr. Caldwell. Mr. Caldwell noted that this is a small step toward conquering a larger problem. Mr. Greene agreed saying that he does not know what to do to take care of the problem. Gallipolis needs a homeless shelter. Residents are finding needles and trash in the parks and on the playgrounds. Mr. Salisbury agreed, adding that this is a health, sanitation, and safety issue. He stressed that homelessness is not a crime. This ordinance is to keep people out of areas that we cannot police during the hours that personnel are not available. There was some additional talk about benches that are constructed to discourage people lying down on them. This ordinance should cut down on vandalism. Upon voice vote to place this ordinance on first reading, all votes were yes.

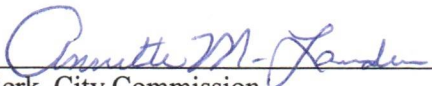
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There was presented and read to the Commission for a first reading an Ordinance No. O2018-27 entitled **AN ORDINANCE ACCEPTING AND REJECTING BIDS FOR THE MILLING AND PAVING OF VARIOUS CITY STREETS**. Mr. Caldwell made a motion to place this ordinance on first reading, seconded by Mr. Wallis. Upon voice vote to place this ordinance on first reading, all votes were yes.

Mr. Wallis made a motion to enter executive session to discuss personnel/employee relations and pending legal matters, 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.

  
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Clerk, City Commission

  
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President, City Commission