

August 21, 2018

The Gallipolis City Commission met in special session on Tuesday, August 21, 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		
Annette M. Landers, Auditor/Clerk/Treasurer		
Dean Wright, Gallipolis Daily Tribune		
Ronnie Lynch	Roma Wood	Marvin Vanderberg
Mary Lee Marchi	Jerry Davis	Michael W. Brown
Keith Elliott	Joy Elliott	Randy Breech
Jeff Boyer	Diana Love	Claudia Miller
Dottie Chestnut	Brent Bolin	Bill Davis

Commission received the minutes of the August 7, 2018 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Privilege of Floor was granted to Mr. Jerry Davis, Vice-President of the Board of Directors for the Gallipolis Railroad Freight Station Museum. Prior to the meeting, Mr. Davis had set up a display of pictures showing the progress his group is making on refurbishing the building and grounds. He thanked Mr. Greene, Ms. Landers, and the Commissioners for their support and extended an invitation to come by and see the improvements first-hand. The museum received a \$125,000 grant and is currently working with Mr. Randy Breech and a lady from the state facilities group to develop plans for electrical work and bathrooms. They now own the building two doors down, which they are using for storage.

For the outside, they already have a caboose and have acquired a 1945 steam engine, which will be delivered soon. Track has already been laid for these pieces. Some retired welders have volunteered to reassemble the engine. They have plans in the works to get another caboose and a 50 ton, 86 foot long stainless steel car that belonged to the Ringling Brothers Barnum & Bailey Circus.

Many people have volunteered their services. The Ohio Historical Connection has offered to help with displays. Numerous people have offered railroad memorabilia. A model train group, which currently meets in Charleston and has members throughout the tri-state area, would like to hold some of their meetings here. Public interest is very high. People are constantly dropping by to tour the facilities, even in its unfinished condition.

President Fulks praised the group for the fantastic job they are doing and the great community support they are inspiring. Mr. Davis stated that they are trying to keep everything as historically accurate as possible. The roof work was done with slate and copper nails. They are trying to locate enough star

bricks to restore the floors to their original state. He asked anyone with knowledge of where they might find these bricks to please get in touch with them. Mr. Greene asked if they have retrieved the bricks that the City has stored at the Maintenance Garage. Mr. Davis said they plan to get them when the electrical work is finished.

Mr. Greene introduced Mr. Brent Bolin of Gallia County Rural Water, attending tonight's meeting to discuss a tie-in between the City and county water systems. The City has been on an EPA watch list since the big water leak at Chickamauga Creek in the summer of 2014. A tie-in would get us off of that list. The two water systems run close in three places: on McCormick Road, close to Wilcoxon Chiropractic, and in Centenary. Mr. Bolin said that they have vaults available and are submitting plans. Mr. Greene said that the cost to tie in on McCormick Road would run around \$25,000 for each entity. The EPA requires meters to track gallons flowing from one system to the other, but this could be advantageous in tracking water to turn in for any future FEMA disaster reimbursements. Mr. Bolin agreed that they would also be looking at this primarily as mutual aid and not as a revenue generator. Mr. Greene emphasized that our biggest concern is assuring that the hospital and the nursing homes have uninterrupted service. That is the reason they would like to begin with the McCormick Road tie-in. All of the Commissioners agreed that the City should go ahead with tie-ins, beginning with the one at McCormick Road.

The City Manager reported on the following:

- Code Enforcement has four cases going to court.
- The Maintenance crew has been busy cleaning and painting curbs and sidewalks and repairing water and sewer lines. They are looking at replacing water meters a few at a time. They are now past their expected life, which is ten years.
- The swimming pool has been shut down for the season and will be winterized soon.
- The Water Treatment Plant is doing lead and copper samples. So far, all have come back good.
- AT&T has been working on the phone lines at the Water Plant and Fire Department.
- The boiler at the Wastewater Plant will be shut down for a couple of weeks for inspection and the generator has been serviced. The gas company will be checking on-site for leaks soon.
- We are losing our summer help as students return to school.
- The Police Department has been very busy the last few weeks. Calls and crime seem to rise faster than our department can take care of. Mr. Greene said he hopes that the public knows that we are doing all we can with the officers that we have available. There have been 5,000 calls so far this year. Chief Boyer read some statistics on the types of calls received. There was some talk about charging for false alarms, which our department does not do at present. Mr. Wallis noted that we do not have enough officers available to proactively patrol the streets. Almost all of our resources are used in responding to calls and follow-up with court. Mr. Greene added that sometimes the court requests the presence of a uniformed officer to help control a violent offender appearing before it. Our Police Department also does over twenty merchant checks per night for their paid night watchman service. Everyone joined in expressing thanks to the department for the work that they do to keep our town safe.
- Pullins Excavating is on-site for the GDC Water Line Project, which is about 25% complete now. We have been working on obtaining easements.
- Mr. Greene said that the State has two wells that they are willing to sign over to us if we want them. A man that he spoke to at the Ohio EPA said that it would be no problem to take over the wells. It would just involve some paperwork. Cleaning the old wells would cost much less than having to dig a new one. The EPA suggests using the wells occasionally to keep them in good shape rather than just capping them until needed. We currently have three wells, which we clean every three to four years. This would give us five wells to draw upon. It seemed the consensus of the Commission that the City should go ahead and acquire ownership of the wells whether we tie in right away or not.

- Mr. Greene requested a short executive session for personnel.

Mr. Bill Davis, present at tonight's meeting, expressed concern about the Spruce Street Bridge. He wanted to know when it would be fixed, citing safety concerns for the residents. Mr. Greene answered that the City is meeting weekly with FEMA, but, as with all federal agencies, the process is very slow. FEMA will not raise the bridge above the level that it was prior to the flood event. Mr. Walters has suggested using steel flooring on the bridge, but that would cost the General Fund \$79,000 that it does not have. The county used to take care of all of the bridges, but that is no longer the case. We must just wait for the process with FEMA to grind its way to completion.

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

- \$6,263.41 from Workers Comp for monthly premium. Invoice: 7/27/18. PO: 8/1/18
- \$19,749.16 from OVB for Fire Station Bond semi-annual pmt. Inv: 7/3/18. PO: 8/1/18

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

Ms. Landers reported that she faxed to the Division of Liquor Control the request for a hearing for the liquor license transfer from Uncle Kenny's to Court Street Tavern. We have not received any response yet.

Ms. Landers detailed the changes in appropriations and transfers contained in Ordinance No. O2018-28 and 29 on tonight's agenda. These included a net increase of \$1,311.17 for additional audit work; increase of \$24,000 for tax refunds; increase of \$30,000 for housing of prisoners, offset by reductions of \$22,000 in the patrolman line and \$8,000 in police medical insurance line (agreed to by Chief Boyer); appropriations for the OPWC Paving Grant; additional \$5,000 for IT Administrator in Court Computer; \$5,050 additional in Water Administration for CMI work on Utility interface for water deposits; and \$2,909.14 in WPC Administration for court costs on the Pierce case. Ms. Landers emphasized that for the paving grant, we are taking 70% of the required 20% local match from Water and 30% from WPC for the Fourth Avenue portion of the grant. On Ohio Avenue, there are no utility cuts in the street, so it is totally matched from M&R Streets. These allocations are based on discussions with Mr. Walters and Mr. Greene. Fourth Avenue has extensive water and sewer line cuts to the entire street. Since these funds have never shared in the cost of repaving the streets that are damaged from accessing the pipes under them, we are having them bear the entire cost of the 20% match for Fourth Avenue this time. In future, we will include them in the allocations when there is damage to the streets from repairs to their infrastructure beneath. Ms. Landers invited questions regarding this and pointed out that in approving the appropriations, Commissioners would also be approving the allocations to Streets, Water, and Sewer.

Mr. Gallagher invited people to come to a Spaghetti Dinner fundraiser at the Catholic Church this Saturday.

Mr. Sang stated that a recent e-mail from the Ohio Municipal League talked about a US Supreme Court ruling allowing the collection of sales tax on internet sales. The announcement had language about municipalities being included in those able to collect the tax. Mr. Sang wondered if we could access this revenue source now. In discussion, there was some skepticism expressed that municipalities in Ohio could be included, since the right to assess sales tax is available to Ohio's counties, but not to municipalities (which are allowed to assess an income tax). Ms. Landers said she would look into the matter if Mr. Sang could send her the link to the article.

Mr. Sang asked whether the condemnation of the house on Mill Creek resulted from the City's newly enacted International Property Code. Mr. Greene responded that the property owner must bring it up to Code or demolish it. Mr. Sang asked if the City is still inspecting sidewalks and notifying property

owners of their responsibility to make repairs. Mr. Greene answered that we do still send letters, but we do not fix them and assess it to their property taxes. We now take them to court.

As a final topic, Mr. Sang brought up the search for a new City Manager, asking whether the Commission should set a date for another work session. Mr. Greene responded that he will do as the Solicitor and give a two-week notice when he is ready to leave. Mr. Wallis suggested saving further discussion of this personnel matter for executive session.

There was presented and read to the Commission as an emergency a Resolution No. R2018-08 entitled **AN EMERGENCY RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE BUDGET SURPLUS IN MUNICIPALITIES**. Mr. Wallis made a motion to adopt this resolution as an emergency, seconded by Mr. Caldwell. Ms. Landers explained that the Ohio Municipal League has asked all municipalities to adopt this resolution to send to Governor Kasich. Mr. Wallis talked about the detrimental effect that cuts in state funding have had on Ohio's municipalities, causing severe cuts to essential safety programs. Upon roll call to adopt this resolution as an emergency, all votes were yes.

There was presented and read to the Commission for a second 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 adopt this ordinance on second reading, seconded by Mr. Sang. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission for a second 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. Caldwell made a motion to adopt this ordinance on second reading, seconded by Mr. Sang. Mr. Sang asked if the ordinance includes the skate park and the ball courts. Mr. Greene answered that they are concentrating on the shelters. He also spoke of the need to do something to discourage people from relieving themselves in the City Park. Upon roll call to adopt this ordinance on second reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2018-27 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR THE MILLING AND PAVING OF VARIOUS CITY STREETS**. 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. O2018-28 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2018-08, AS AMENDED BY ORDINANCE NO. O2018-16, AS AMENDED BY ORDINANCE NO. O2018-18, AS AMENDED BY ORDINANCE NO. O2018-23, 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. Wallis. 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. O2018-29 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2018-09, AS AMENDED BY ORDINANCE NO. O2018-24, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS**. Mr. Wallis made a motion to adopt this ordinance as an

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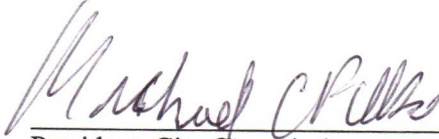
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emergency, seconded by Mr. Sang. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2018-30 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR BANDSTAND RESTORATION**. 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.

Mr. Wallis made a motion to enter executive session to discuss personnel relations, 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 special session. There being no further business to come before the Commission, the meeting was adjourned.


Clerk, City Commission


President, City Commission