

September 1, 2015

The Gallipolis City Commission met in regular session on Tuesday, September 1, 2015, at 7:00 p.m. at the Gallipolis Municipal Building, 333 Third Avenue, having complied with Section 9 of the City Charter.

Commission President Steven Wallis called the meeting to order and gave the invocation.

Upon roll call, the following members were present:

Steven E. Wallis, President  
 Albert "Tony" Gallagher, Member  
 W. Matthew Johnson, Member  
 Michael W. Brown, Member, arrived shortly after the minutes were approved.

Others attending were:

M. Eugene Greene, City Manager		
Adam R. Salisbury, City Solicitor		
Annette M. Landers, City Auditor/Clerk/Treasurer		
Karen Sprague, Gallia County Administrator		
Dean Wright, Gallipolis Daily Tribune		
Ronnie Lynch	Clint Patterson	Randy Burgett
Bette Horan	Mary Lee Marchi	Joy Elliott
Barbara Epling	Keith Elliott	Jamie Cain
Keith A. Sheets	Kevin Plants	Robbie Jacks
Mike Fulks	Robert L. Northup	Brent Saunders
Jeremy O'Dell	April Nolan	Christi L. Johnson
Carol O'Rourke	Janet Johnson	B.G. Johnson
Ron Adrian	Randy Breech	Karen Smith
Bill Gilkey	Keith Ward	Bruce Swift
Bob Hood	Dwain Beaver	

President Wallis explained that the agenda would need to be modified somewhat from the printed order to allow a better flow of business to come before the Commission tonight.

*Privilege of Floor* was extended to Ms. Karen Sprague, Gallia County Administrator, for the Fair Housing Hearing. Ms. Sprague explained that this hearing is mandated because of the CDBG funding received by the village. She detailed the protected statuses and the mandated protections provided by agencies serving these protected people. She provided a website address for more information. She added that a separate section of ORC deals with landlord/tenant relationships. Ms. Sprague also briefly reported on the status of the 588 Slip Repair on the right hand side of the bridge over Chickamauga Creek. There was a bid opening on June 4<sup>th</sup>. The bid was awarded on June 18<sup>th</sup> and the contract signed on June 27<sup>th</sup>. The County paid their portion on August 13<sup>th</sup>, the County paid E.L. Robinson 90% for their engineering work and the City paid their 10% on August 28<sup>th</sup>. The City will be reimbursed for this from the TID grant. She also enumerated the funding sources. There will be around \$78,000 remaining after the project for additional work in the area, such as sidewalk work or paving. President Wallis thanked Ms. Sprague for her efforts on our behalf.

Commission received the minutes of the August 18, 2015 meeting prior to this meeting, which were amended (page 1: 600 block of First Avenue changed to 600 of Fourth Avenue) prior to the meeting.



Corrected minutes were distributed to all Commissioners. There being no other corrections, objections, or additions, these minutes were approved as amended.

President Wallis read the resignation of Mr. James Jay Cremeens from the Gallipolis City Commission. He stated that if the Commission does not appoint a replacement within ten days, it goes to the Sinking Fund Board. He commended Mr. Cremeens on his service to the City over the past five decades as a police officer, volunteer firefighter, and on the Commission, serving as member, president, and vice-president. Mr. Gallagher said that he did not think we should try to appoint anyone tonight to give Commissioners time to consider appropriate candidates. Mr. Johnson and Mr. Brown both agreed with Mr. Gallagher.

President Wallis opened the floor for nominations to the now-vacant seat of Vice-President. Mr. Johnson nominated Mr. Gallagher, seconded by Mr. Brown. Upon affirmation of the motion by the raising of the right hand, all votes were yes.

*Privilege of Floor* was granted to Mr. Randy Burgett, who wished to discuss the City's pit bull ordinance, saying that it gave the wrong message. He asked the Commission to consider rescinding the breed-specific ordinance in conformity with such moves recently on the county and state level. President Wallis told him that the Commission appreciated his input and would take his request under consideration.

President Wallis announced that members of the Gallia-Meigs Major Task Force had requested *Privilege of Floor* to speak to the Commission on sensitive security matters, which would require that discussions be held in executive session. Mr. Gallagher made a motion to enter executive session for security matters, seconded by Mr. Brown. Upon roll call to enter executive session for security matters, all votes were yes. At the suggestion of Mr. Johnson and agreement of the rest of the Commission, the Commissioners, appointed officers, Police Chief Patterson, and Task Force members went to another room to allow the large crowd in attendance to remain comfortably seated in the meeting room. Upon completion of executive session, Commission returned to regular session.

The City Manager reported on the following:

- The State Route 588 Slip Repair project will begin very soon. He is still working to get a couple more estimates for additional work in the project area.
- Mr. Johnson inquired at the last meeting about the poles on First Avenue at the City Park. The maintenance workers have gone through, checking and repairing the ground wires to assure that there is no shock hazard for those using electricity. They plan re-inspect periodically.
- The pool is now closed with attendance up for this year over last year. Mr. Greene said he was proud of the job they did this year.
- There is a dumpster at the corner of Second and State for the renovation of the old OVB building.
- Work at the WWTP, which started very slowly, is now really picking up speed and coming along well.
- Mr. Bostic has requested permission to attend a historical preservation class in Columbus. He does not have enough money left in his budget to pay the \$750 cost of registration, hotel, and meals. Mr. Gallagher made a motion to approve funding for this cost, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.
- To inform Commissioners with information on what has happened in the City, Mr. Greene would like to e-mail the Commissioners to keep them up to speed. He asked that they be sure to check their e-mail periodically for these updates.

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

- \$28,565.76 from CT Consultants for WWTP Upgrade. Invoice: 6/23/15. PO: 8/14/15.



- \$19,749.16 from OVB for Fire Station Bond payment. Invoice: 7/6/15. PO: 8/3/15.
- \$3,440.18 from Walter Drane Co. for Codified Ord update. Invoice: 7/9/15. PO: 8/6/15.
- \$29,569.48 from CT Consultants for WWTP Upgrade. Invoice: 7/14/15. PO: 8/14/15.
- \$44,688.46 from BWC for workers comp premium. Invoice: 7/17/15. PO: 8/6/15.
- \$4,840.75 from AEP for street lights. Invoice: 7/29/15. PO: 8/3/15.
- \$19,660.08 from Waste Management for July refuse. Invoice: 8/1/15. PO: 8/3/15.

Mr. Brown made a motion to approve payment, seconded by Mr. Gallagher. Upon voice vote on the motion. All votes were yes. Ms. Landers offered to update the Commissioners' Codified Ordinance books for them if they would bring them by and drop them off.

Ms. Landers presented Liquor License and Liquor Agency transfers from MANV International, LLC dba Smokin' Robs, 1525 Eastern Avenue, Gallipolis to S. P. Jobs, dba Smokin' Robs (same address). She asked Chief Patterson if he had any concerns. Since the transfer involves just a name change and not a change in management, there were no concerns. Mr. Gallagher made a motion not to request a hearing, seconded by Mr. Johnson. Upon voice vote on the motion, all votes were yes.

The August Financial Statements will go out with the next meeting's packets.

The City Solicitor remarked on the Walter Drane online, which offers a searchable electronic version of our charter and codified ordinances. He gave a report of the most recent meeting with Code Enforcement. He identified 338 Second Avenue as a property of particular concern due to lack of cooperation or communication by the owner. They are now forced to look at misdemeanor charges, which is not the best outcome for any concerned. Other properties were discussed, many of which have been discussed in the past. Mr. Salisbury invited any concerned citizens to attend the meetings to bring their own issues before the group.

Mr. Johnson thanked Ohio Valley Bank for their plans to restore the old OVB Bank building at the corner of Second Avenue and State Street. Also, the ribbon cutting ceremony for River City Manufacturing is to be held around noon on Friday, September 4th. It is open for the public.

Mr. Gallagher thanked his fellow Commissioners for appointing him as vice-president.

President Wallis mentioned that the City is considering the annexation of property that we own located outside the current corporate limits. This will be a topic of a future work session. We need to research whether the parcels border the City for the required percentage.

Commissioners discussed when to schedule the next work session and meeting to select a replacement Commissioner. They decided to meet next on Thursday, September 3<sup>rd</sup>, at 7 p.m.

President Wallis introduced a discussion on fees in the parks. He explained that the City is looking at the extra services that we provide such as overtime in the General Fund. The goal is not to place a burden on anyone or to discourage events, but to ease the strain to limited City resources. Mr. Brent Saunders admitted that he was the one who contacted Mr. Wallis about the invoice that the Hoops Project received following their recent event. He said that he just wanted to assure that these fees are uniformly applied to all. The website says that the fees must be paid in advance, but these are being billed after the event. Mr. Greene answered that he started enforcing the policy, which has actually been in place and is printed on the back of the application, with the Hoops Project and the car show. The printed policy allows the City to recoup excess costs incurred as a result of events, such as when we must hire city workers to come in for overtime to pick up trash from an event. If the event's sponsors tidy up after an event, there is no excess cost incurred. Porta-johns have always been invoiced. Mr. Johnson stated that the Hoops Project had not



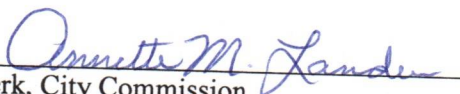
made any money from the event. Their goal was to bring people out to the downtown. Ms. Karen Smith agreed, adding that the City was receiving money from the additional business generated for downtown businesses. These events encourage future tourism from return visits to town by those who enjoyed the event. She thought the City should not discourage the people sponsoring an event by sending a bill for services, but did agree that if the City was having to pay for trash pick-up, then perhaps that would not be unreasonable to invoice. She is concerned that organizers might not get enough in profits to allow any additional expenses. President Wallis concluded the discussion by stating that this topic should be discussed further in a work session to attempt to find a suitable answer, which addresses the City's financial needs and our desire to encourage events. Perhaps a deposit could be collected to defray such costs.

There was presented and read to the Commission for a second reading an Ordinance No. O2015-34 entitled **AN ORDINANCE SETTING RATES FOR SOLID WASTE COLLECTION AND DISPOSAL FOR EACH RESIDENTIAL CUSTOMER OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Johnson made a motion to adopt this ordinance on second reading, seconded by Mr. Brown. 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. O2015-35 entitled **AN ORDINANCE AMENDING ORDINANCE NO. O2007-54, AS AMENDED BY O2013-02, AUTHORIZING AND DIRECTING PAYMENTS FROM WATER, WATER POLLUTION CONTROL, AND SANITATION FUNDS OF GALLIPOLIS TO THE GENERAL, M & R STREETS, WATER, AND WATER POLLUTION CONTROL FUNDS OF GALLIPOLIS FOR SERVICES PROVIDED.** Mr. Johnson made a motion to adopt this ordinance on second reading, seconded by Mr. Gallagher. 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. O2015-37 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF THE GALLIPOLIS CITY SCHOOL DISTRICT.** Mr. Johnson made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. Mr. Wallis confirmed that the contract now contains the amendments they had added. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

Mr. Gallagher made a motion to enter executive session for discussion of legal matters, purchasing and selling of property, seconded by Mr. Brown. Upon roll call to enter executive session for legal/purchasing & selling of property, all votes were yes. Upon conclusion 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