

September 3, 2019

The Gallipolis City Commission met in regular session on Tuesday, September 3, 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. 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	Jeff Boyer
Randy Breech	Joy Elliott	Dottie Chestnut
Bobbi Montgomery	Keith Elliott	Michael W. Brown
Mark Blair	Roma Wood	Claudia Miller
Nikki Culwell & daughters		

Commission received the minutes of the August 6 and 24, 2019 meetings prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Privilege of Floor was granted to Mr. Mark Blair, resident of 741 First Avenue, to speak about the section of Pine Street from First Avenue to the river that the City vacated for use as a street back in May of 2002 (O2002-49). The prior owners had planned to build a house on the parcel that they own next to the City's property. When Mr. Blair constructed his deck, he learned that a portion of it extends over onto the City's property. He asked the City to allow his lawyer to prepare a deed to transfer ownership to him for this 10-foot section of the vacated parcel. He asked Commissioners to allow this transfer of ownership, all expenses to be borne by him. Commissioners asked him to direct his lawyer to do this.

The City Manager reported on the following:

- City crews have been cleaning up after the storm last week. Several trees were damaged in the City Park. Crews worked there over the weekend and on the 100 block of First Avenue.
- We are still working with Workers Comp to update our safety program. Mr. Roy Jones from 911 was here last week to train on first aid, CPR, and the use of an AED machine. About half of our employees received training.
- ODOT made some repairs to the SR588 slip last week, which made that area much safer. They will return to make more permanent repairs when the project receives approval from the State. That work will involve closing the road to drive pilings along the slip.
- Rumpke will be taking over the trash service for City residents next month. They will be moving some of their equipment to town in the next couple of weeks. Mr. Greene asked the public to bear with us during the transition process.

- The new parking lot on the 500 block of Second Avenue is almost finished. The contractor is leveling and compacting the area. AEP will move the electric pole, which is now in the middle of the lot, to the side of the lot.
- Mr. Greene has been checking with other towns to see what their policies are for gas, electric, phone, or other contractors that tear up City streets in completing their work. He plans to bring an ordinance soon that would make them responsible to re-pave rather than just patch if more than a certain percent of the pavement is torn up.

Ms. Nikki Culwell and her daughters were invited to come forward to receive a proclamation designating the month of September as Childhood Cancer Awareness Month in honor of her daughter, Mariah, a childhood cancer survivor. Mariah could not be present tonight, but sent her sisters as her representatives. President Fulks read the proclamation and expressed the Commission's best wishes and prayers for their family.

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

- \$4,518.45 from BWC for monthly premiums for August and September. Invoices: 7/26/19 & 8/30/19. POs: 8/1/19 & 9/3/19.
- \$19,749.16 from OVB for semi-annual payment on fire station bond. Inv: 7/31/19. PO: 8/1/19.
- \$4,019.57 from Walter Drane Co. for Codified Ordinance update. Inv: 7/29/19. PO: 8/5/19.
- \$7,651 from US Bridge for additional timber decking (Spruce St Bridge). Inv: 7/31/19. PO: 8/1/19.
- \$4,912.06 from AEP for July street lighting. Inv: 7/30/19. PO: 8/1/19.
- \$14,647.20 to Chris Howell (refund of insurance money deposited in Fire Loss Recovery Fund for 2027 Chatham). Inv: 8/23/19. PO: 8/26/19.

Mr. Wallis made a motion to approve payment, seconded by Mr. Caldwell. Mr. Caldwell asked about the money for the timbers. Ms. Landers explained that this was for extra timbers needed due to an error in the original calculation. Mr. Greene said that most of this is covered by FEMA money. Upon voice vote on the motion, all votes were yes.

Ms. Landers informed Commissioners that she will be attending the Ohio Treasurer's CPIM training in Cincinnati on September 12th. She has taken this required training for several years on-line, but cannot find enough hours this year in classes that she has not already taken in prior years.

Some of the ordinances on tonight's agenda include:

- O2019-25 approving replacement pages. This is the annual update that the Walter Drane Company does for us. Ms. Landers offered to update the Commissioners' books if they drop them by her office.
- O2019-26 & 27 have to do with the new refuse contract with Rumpke and setting new rates for each of the four years of the contract period. Ms. Landers provided a handout for everyone present that showed rates under the present contract as well as under the new contract. The administrative costs that the City charges were reduced somewhat to soften the impact on customers in the new contract period. They will be doing recycling as well, included in the fee. Rumpke is preparing a flyer for our customers to explain their services.
- O2019-28 is the contract with the State for the SR588 slip repair. Our share on this project is \$8,508.88, which is also included in the appropriations change ordinance on tonight's agenda.
- O2019-29 is an appropriations change ordinance. Net change to the General Fund is zero. The City Manager and City Auditor discussed funding needs within these departments decided to reduce the Volunteer Firefighters' line by \$3,500 and Housing of Prisoners by \$4,000 and increase flower waterers, Project Engineer, and Administrative Secretary by \$2,500 each. M&R Streets has the additional \$8,508.88 for the SR588 Street repairs. The Airport Road CDBG project is complete and can be reduced by \$1,703.50 for actual expenses incurred. Additional amounts were

appropriated in Water & Sewer billing for the Office Assistant to reflect the actual proportion of work being done in this department by the employee (was 25% when hired, now 50% based on actual workload).

The list for 2019 special assessments was presented for approval for submission to the County Auditor. Ms. Landers told Commissioners that she will be submitting it this week. Some names may be removed from the final list, depending on subsequent events, such as payments received prior to filing. Mr. Caldwell made a motion to approve the list, seconded by Mr. Sang. Upon voice vote on the motion, all votes were yes.

The City Solicitor reported that she is still trying to make contact with the Law Director from Grove City concerning their ordinances in regard to the veterans' posters and other matters.

Mr. Gallagher recognized Ms. Bobbi Montgomery who is running for State Representative. Ms. Montgomery provided some biographical information. She lives and runs a business in Jackson County.

Mr. Gallagher stated that he would like to have the officer on duty attend Commission meetings if the Chief of Police is not available. He spoke to Chief Boyer about this prior to the last meeting and Chief Boyer told him that this needed to go through the City Manager first.

Mr. Caldwell asked whether City buildings have AED's available. Mr. Greene said he has been considering getting units for the pool, Justice Center, and Municipal Building, possibly some used ones. New ones cost about \$1,000 each. Mr. Caldwell wondered about grants. Chief Elliott stated that the Fire Department has two units already that are the same style. It might be a good idea to get the same type of units for the buildings to coordinate training.

Mr. Sang suggested getting some signage in place for local attractions, such as the Our House. He will send Mr. Greene an e-mail with details to include, such as hours of operation.

Mr. Wallis said that there is a ruling by the FCC that might negatively impact our collection of franchise fees. He also asked if the opioid settlement might include our municipality. The City Solicitor offered to look into these matters.

There was presented and read to the Commission for a second reading a Resolution No. R2019-03 entitled **A 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 on second reading, seconded by Mr. Caldwell. Upon roll call to adopt this resolution on second reading, Mr. Wallis, Mr. Caldwell, and Mr. Fulks voted yes. Mr. Gallagher and Mr. Sang voted no. Resolution No. R2019-03 was adopted on second reading.

There was presented and read to the Commission for a second 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. Caldwell 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. 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. Wallis made a motion to adopt this ordinance on second reading, seconded by Mr. Caldwell. 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. O2019-25 entitled **AN EMERGENCY ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES.** 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. O2019-26 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR SOLID WASTE COLLECTION AND DISPOSAL.** Mr. Wallis 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.

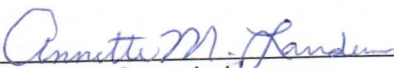
There was presented and read to the Commission as an emergency an Ordinance No. O2019-27 entitled **AN EMERGENCY ORDINANCE SETTING RATES FOR SOLID WASTE COLLECTION AND DISPOSAL FOR EACH RESIDENTIAL CUSTOMER OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Caldwell made a motion to adopt this ordinance as an emergency, seconded by Mr. Wallis. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

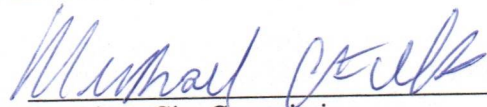
There was presented and read to the Commission as an emergency an Ordinance No. O2019-28 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO FOR THE STATE ROUTE 588 SLIP REPAIR.** Mr. Sang made a motion to adopt this ordinance 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. O2019-29 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2019-06, AS AMENDED BY ORDINANCE NO. O2019-11, AS AMENDED BY ORDINANCE NO. O2019-13, AS AMENDED BY ORDINANCE NO. O2019-15, AS AMENDED BY ORDINANCE NO. O2019-19, AS AMENDED BY ORDINANCE NO. O2019-21, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019.** 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 for a first reading an Ordinance No. O2019-30 entitled **AN ORDINANCE ESTABLISHING SECTION 1355 "DWELLING STRUCTURE REQUIREMENTS" 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. Wallis, Mr. Greene, and Mr. Caldwell each spoke briefly on the success of the work session in coming up with consistent regulations that everyone could support. Mr. Greene and Mr. Lozier described these regulations in detail. Extra copies of the ordinance were distributed to several in attendance. Upon voice vote to place this ordinance on first reading, all votes were yes.

There being no further business to come before the Commission, the meeting was adjourned.


Clerk, City Commission


President, City Commission