

September 4, 2018

The Gallipolis City Commission met in regular session on Tuesday, September 4, 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		
Adam R. Salisbury, City Solicitor		
Annette M. Landers, Auditor/Clerk/Treasurer		
Dean Wright, Gallipolis Daily Tribune		
Ronnie Lynch	Roma Wood	Russell Wood
Claudia Miller	Dottie Chestnut	Michael W. Brown
Keith Elliott	Joy Elliott	Randy Breech
Kathy Baker	Angelia Gilkey	Brent A. Saunders
Lisa Browning	David Browning	

Privilege of Floor was extended to Ms. Kathy Baker to speak on high grass at Mound Hill Cemetery. Ms. Baker said that she lives in Middleport, but has relatives buried in the Holzer Addition of Mound Hill Cemetery. She said that she was at the cemetery last week to visit her family's graves and was very disturbed by the high grass and dead grass clippings around and on their monuments. She stated that, when no cemetery personnel came to mow, she went home and got her own lawnmower to mow her family's plot. She distributed several pictures that she took for the Commissioners to see. She said that she felt that it is very disrespectful of the City not to take better care of their dead.

Mr. Greene said that he had met with Ms. Baker and agreed with her that the cemeteries are not where they should be this year. This summer has been very wet, which has caused the grass everywhere to grow faster. The cemeteries just lost two of their seasonal workers who returned to school. There used to be thirty-five workers in the maintenance department, which includes the cemeteries, back in the 1970's. That number has decreased greatly over the years with budget cuts. The cemeteries have fewer than two workers assigned there full-time, with two to three seasonal laborers for the summer. On the day that Ms. Baker was at Mound Hill, our remaining workers were at Pine Street assisting at a funeral. Another factor affecting the cemetery budget is that the cemeteries are filling up and are less and less able to support themselves from sales. He said that the only solution he could see would be to spray herbicide around the monuments because the mowers cannot get that close and we do not have the resources to keep up with the weed-eating.

Mr. Caldwell mentioned that the performance audit that we had performed several years ago had suggested contracting out the mowing for parks and cemeteries. He asked if this had been looked into. Mr. Greene was not sure, since that audit was done before he was City Manager. Mr. Wallis stated that many of the recommendations coming out of that audit were found to be impractical when explored further. Most likely it would cost more to contract out this type of work. It would also make it harder to control the timing of the mowing to coincide with special events, etc.

Ms. Lisa Browning was next recognized for *Privilege of Floor*. Ms. Browning said that she and her husband, David, live at 2103 Chatham. Mr. Greene read aloud a letter that Ms. Browning and the neighbors had all signed, describing deplorable conditions of a rental house located at 2033 Chatham. It described the unsanitary, roach-infested conditions that their elderly neighbor has been living in and the effort to get officials involved. The problem has been so bad that the infestation has spread to other houses in the neighborhood, causing the neighbors great expense in spraying and health concerns for their own families. City Code Enforcement, the Gallia County Health Department, and Adult Protective Services converged on the property to remove the lady by ambulance for medical evaluation and to declare the property unfit for human habitation. The owner has had an exterminator spray the property once, but neighbors are concerned that she will not follow through with recommended additional treatments. The letter concludes by asking that Commissioners pass an ordinance requiring inspections of rental housing or houses that have a written complaint.

Ms. Browning praised the response that she received from Code Enforcement and the City Manager, as well as other agencies involved. Mr. Salisbury pointed out that there are already several remedies available for these types of situations, both civilly and criminally. Elder abuse is already a crime. Being deprived of the quiet enjoyment of your property can be actionable in civil court. The Code Enforcement Officer followed City ordinances in declaring the property unfit for human habitation. He said that several years ago the City Commission tried to pass an ordinance requiring rental inspections. He was not familiar with the outcome of this because it preceded his tenure as City Solicitor. Mr. Wallis and Ms. Landers both agreed that the ordinance had passed, but was repealed by referendum of the voters before it went into effect.

Mr. Brent Saunders asked if he could request executive session for legal matters. Mr. Salisbury said that this could be included under his own request for executive session for pending legal matters.

The City Manager reported on the following:

- He talked with the State about the City taking over the GDC wells. They are working on the paperwork to transfer ownership to us. We will eventually tie them in to our system, not just cap them until needed.
- The GDC Water Line Project is about 50% complete and expected to be finished in about two weeks.
- We have a meeting with the County tomorrow (Wednesday) at 10:30 a.m. to discuss the Airport Road Project. The County is saying that the cost for this project has gone up and they are now concerned if the grant will cover the work needed. Ditch work downstream, between Airport Road and Bob's Market, also needs to be done, which will cost an estimated \$7,500.
- Mr. Greene responded to an e-mail that he received from Mr. Sang today with some questions residents had asked him. In answer to these: (1) No City money was used to tear down the burned house on Third Avenue. The owner tore it down and sold the property. (2) The property by McDonalds has a court date. Concerning the Guinther property, junk cars are being put on private property, but they are calling it a car lot and we cannot prove it is a junk yard. (3) The property he asked about on Fourth Avenue has a court date and a dumpster is going in tomorrow. Mr. Greene reminded Mr. Sang that he had been instructed at a prior meeting to refer people with questions on such matters to the City Manager, not to pass them on anonymously to the City Manager. Mr. Sang said that was not his understanding, but President Fulks and Vice-President Wallis backed the City Manager's recollection of that discussion.
- As further follow-up, Mr. Greene checked into the House Bill 720 sales tax and learned that it requires voter approval for any sales tax increase.

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

- \$5,132.87 from AEP for July street lights. Invoice: 7/30/18. PO: 8/1/18
- \$71,283.51 from Pullins for GDC Water Line materials. Inv: 7/24/18. PO: 8/14/18

Mr. Wallis made a motion to approve payment, seconded by Mr. Caldwell. Mr. Greene affirmed that the GDC project comes from state money that we have already received. Upon voice vote on the motion, all votes were yes.

Ms. Landers listed receipts from the Second Half Property Tax Distribution. She told Commissioners that the accompanying spreadsheets list special assessments received in this distribution and those still uncollected by the County. If Commissioners wish to see any more detail on these, those records are available in her office. She said that sometimes a special assessment will disappear from the "unpaid" list that the County sends with each distribution. This happens when a parcel goes to Sheriff's sale for unpaid taxes and is not sold. If this happens, they will strip it of special assessments and sell it at the next Sheriff's sale. We are not advised at the time this happens, but find out when the assessment disappears and we call to find out why. The one good outcome is that the new property owner is likely to clean up the property and pay future taxes on it, which benefits everyone.

The list of 2018 Special Assessments was presented for approval as appropriate for submission to the County Auditor. This must be submitted by the second Monday in September. Ms. Landers said that one account was removed today because the property owner is going on a payment agreement. Mr. Sang made a motion approving the list as appropriate, seconded by Mr. Wallis. Upon voice vote on the motion, all votes were yes.

The City has received a liquor license request from Zach & Scotty's. Chief Boyer had indicated at an earlier meeting that he had no problem with their request. Mr. Wallis made a motion not to request a hearing, seconded by Mr. Caldwell. Upon voice vote on the motion, all votes were yes.

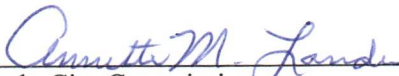
The City Solicitor requested executive session for pending legal matters.

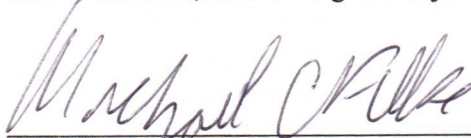
Mr. Sang stated that he had read that Workers Comp is offering a grant for police protective gear that we might look into.

Mr. Caldwell mentioned that the Gallia County Health Department is doing an anti-smoking campaign and would like to include names and titles of prominent local supporters. He asked if it would be permissible to endorse this as an individual and identified as a City Commissioner. Both President Fulks and Vice-President Wallis agreed that it would be permissible as long as it was clear that it was an individual endorsement and not expressing the views of the entire Commission.

There was presented and read to the Commission as an emergency an Ordinance No. O2018-31 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND DIRECTING THE CITY MANAGER TO ENTER INTO AGREEMENT FOR VISION INSURANCE COVERAGE FOR FULL-TIME EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Wallis made a motion to adopt this ordinance as an emergency, seconded by Mr. Caldwell. 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 pending legal matters, seconded by Mr. Caldwell. 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