

September 18, 2018

The Gallipolis City Commission met in special session on Tuesday, September 18, 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. President Fulks called for a moment of silent meditation in memory of former Gallipolis City Commissioner Jon Lynch to be followed by the invocation by Mr. Wallis.

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
Mary Lee Marchi	Dottie Chestnut	Michael W. Brown
Keith Elliott	Joy Elliott	Randy Breech
Jeff Boyer	Mark Still & Gina	Marvin Vanderberg
Marvin Ours	Cletus Harder	

Commission received the minutes of the August 21 and September 4, 2018 meetings prior to this meeting. The September 4<sup>th</sup> minutes were corrected for attributing a topic of discussion in the final paragraph on page 1 to Mr. Sang when it was actually Mr. Caldwell who introduced the topic (concerning the performance audit's recommendation to contract out the mowing of the cemeteries). This error will be corrected. Additionally, Mr. Sang clarified that his question about the condemned house on Mill Creek was whether the condemnation was the result of the City's newly-adopted International Property Code. This was on page 3 (final paragraph) of the August 21<sup>st</sup> minutes. Ms. Landers apologized for these two errors. Mr. Caldwell made a motion to adopt the minutes of August 21<sup>st</sup> and September 4<sup>th</sup> as corrected, seconded by Mr. Sang. Upon voice vote on the motion, all votes were yes.

*Privilege of Floor* was granted to Chief Boyer to recognize Patrolman Mark Still and Police Service Dog (PSD) Gina for receiving the 2018 Canine Unit of the Year from the Narcotics Association Regional Coordinating Officers (NARCO), an Ohio non-profit law enforcement association. In the year from July 30, 2017 to July 30, 2018, the Gallipolis K9 Unit was deployed approximately 250 times, assisting the Gallipolis Police Department and surrounding agencies with drug seizures, criminal apprehensions, building searches and tracking of suspects. PSD Gina was credited with assisting in 20 felony and 49 misdemeanor narcotics cases. She successfully tracked and apprehended six suspects, with non-bite apprehensions. The unit is also heavily involved in outreach to the schools and community. The City Manager congratulated Patrolman Still, saying he does a marvelous job and that he would like to have about ten more like him. President Fulks praised Chief Boyer and the K9 Unit, saying that he could not be more proud of our Police Department. Everyone joined in congratulating Patrolman Still and PSD Gina on their much-deserved award. There was a brief pause in business to allow the newspaper to take photos.

The City Manager reported on the following:

- The Maintenance Department has been working on new water taps in the vicinity of the Dairy Queen on State Rt. 7. There have been problems with low water pressure in that area for quite some time. The pressure seems to be back up to acceptable levels. They have also been working on the Spruce Street Bridge after the high water.
- The Maintenance Department sent some of their workers to help with the mowing and weed eating at the cemeteries. This has improved the appearance of both cemeteries.
- Mr. Greene called several landscaping companies for pricing to contract out the cemetery mowing and trimming. He has not heard back from any of them yet. He did learn that Mound Hill has 65 acres and Pine Street has 33, which means that we would need services for over 100 acres each week. The Cemetery Sexton said that they looked into the possibility of contracting the work several years ago and the bid came in at \$165,000. Mr. Greene said he thought it would be at least that high this time.
- Mr. Greene requested executive session for legal matters.

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

Ms. Landers presented one invoice over \$3,000 for approval of payment:

- \$68,628.85 from Pullins Excavating for the GDC Water Line Project. Invoice: 8/30/18. PO: 9/6/18.

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

The City Solicitor informed Commissioners on the two ordinances added to tonight's agenda. These were both the result of requests and discussions from prior meetings. The first ordinance amends the codified ordinances to allow the operation of an indoor shooting range within the municipal limits by referencing rules in a section of Ohio Revised Code. The second ordinance has to do with residential structures exhibiting persistent criminal activity (either directly on the property or by the resident(s) of the property at another location) and refines the Huntington (WV) ordinance to be more consistent with Ohio Revised Code and our own needs. Our ordinance provides for notification of the property owner on the first and second offenses, with the enforcement provisions kicking in on the third (or more) offense within a 12-month period and is not as severe in consequences for owners of the properties in violation. Each apartment in an apartment complex would be treated individually and not affect the entire complex. There is no specific remedy required or eviction mandated. Each property owner will be allowed to participate in determining the best abatement plan for each property found in violation.

Ms. Roma Wood asked if anything in the new ordinance would allow the eviction process to be sped up. Mr. Salisbury explained that municipalities cannot alter the eviction process as spelled out under Ohio Revised Code. Whatever rights that renters have under ORC remain unchanged by our ordinance. Our process divides property owners with violations into two groups: those with active nuisance abatement plans and those not cooperating. As long as a nuisance abatement plan, jointly agreed to by the landowner and the City Manager or his designee, is being actively implemented, there will be no penalties suffered for delays from following the legal eviction process. Those in non-compliance will be taken to Municipal Court and subject to fines of \$1,000/day.

Mr. Caldwell asked if the bandstand work has begun. Mr. Greene said that it has. The contractor got on-site yesterday and has begun scraping and cleaning the structure.

Mr. Sang said that Mr. Morgan Saunders has contacted him to ask if the City Commission will authorize a \$500 sponsorship again this year for the Gallipolis Volunteer Fire Department's Bingo fundraiser, which is set for Saturday, October 20<sup>th</sup>, at 5 p.m. Mr. Greene and Mr. Sang offered to personally cover \$100 each. Ms. Landers said the donation could come from the General Fund's miscellaneous line, which has enough extra to cover this

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amount. Mr. Sang made a motion for the City to donate the remaining \$300, seconded by Mr. Wallis. Upon voice vote on the motion, all votes were yes.

Chief Boyer was asked when Trick or Treat would be observed. Chief Boyer said it would be from 5:30 to 6:30 p.m. on Thursday, October 25<sup>th</sup>.

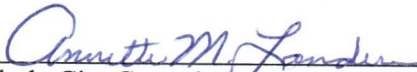
There was presented and read to the Commission as an emergency a Resolution No. O2018-09 entitled **AN EMERGENCY RESOLUTION NAMING GALLIPOLIS CITY MANAGER EUGENE GREENE FOR THE VILLAGE OF THE CITY OF GALLIPOLIS APPOINTMENT TO THE DISTRICT 15 PUBLIC WORKS INTEGRATING COMMITTEE**. Mr. Wallis made a motion to adopt this resolution as an emergency, seconded by Mr. Caldwell. Mr. Greene explained that the committee is involved with the OPWC grants. Upon roll call to adopt this resolution as an emergency, all votes were yes.

There was presented and read to the Commission as an emergency a Resolution No. O2018-10 entitled **AN EMERGENCY RESOLUTION NAMING GALLIPOLIS ASSISTANT AUDITOR SHELLY CLONCH AS ALTERNATE FOR THE VILLAGE OF THE CITY OF GALLIPOLIS APPOINTMENT TO THE DISTRICT 15 PUBLIC WORKS INTEGRATING COMMITTEE**. Mr. Caldwell made a motion to adopt this resolution as an emergency, seconded by Mr. Sang. Upon roll call to adopt this resolution as an emergency, all votes were yes.

Before Mr. Salisbury could complete the presentation of the first ordinance on tonight's agenda, Mr. Greene was asked if the Commission should adopt both of the ordinances on tonight's agenda as emergency ordinances. Mr. Greene agreed that it would be best to do so. Mr. Wallis made a motion to amend Ordinance O2018-32 to an emergency ordinance and to read Ordinance O2018-33 as an emergency, seconded by Mr. Sang. Upon roll call on the motion, all votes were yes. There was presented and read to the Commission as an emergency an Ordinance No. O2018-32 entitled **AN EMERGENCY ORDINANCE AMENDING SECTION 549.08 "DISCHARGING FIREARMS" AND REPEALING THE PRIOR VERSION OF THE SAME**. Mr. Wallis made a motion to adopt Ordinance O2018-32 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 O2018-33 entitled **AN EMERGENCY ORDINANCE ESTABLISHING SECTION 1343.08 "RESIDENTIAL STRUCTURES EXHIBITING PERSISTENT CRIMINAL ACTIVITY" OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS**. 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 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 special session. There being no further business to come before the Commission, the meeting was adjourned.

  
 Clerk, City Commission

  
 President, City Commission