

October 19, 2021

The Gallipolis City Commission met in special session on Tuesday, October 19, 2021, at 6:00 p.m., at the Gallipolis Municipal Building, 333 Third Avenue, having complied with Section 9 of the City Charter and Section 121.03 of the City Codified Ordinances.

Commission President Cody Caldwell called the meeting to order.

Upon roll call, the following members were present:

Cody C. Caldwell, President (in person)
Michael C. Fulks, Vice-President (in person)
Albert "Tony" Gallagher, Member (in person)
T. Beau Sang, Member (remote access-joined during privilege of floor)

Others attending were:

Ronnie Lynch, Acting City Manager (in person)
Brynn S. Noe, City Solicitor (in person)
Shelly Clonch, City Auditor (in person)
Kirk Frazee (in person) Jeff Boyer (in person)
Lester Plymale (in person) Dottie Chestnut (in person)
Bill Jenkins (in person) Randy Breech (in person)
Gene Greene (in person) Marvin Ours (remote access)
Scott Fooce (in person) Steve Burnette (remote access)
Whitney Vilfer (remote access) Keith Elliott (remote access)

Commission received the minutes of October 5, 2021 prior to this meeting. Mr. Gallagher made a motion to accept the October 5th minutes, seconded by Mr. Fulks. Upon voice vote on the motion, all votes were yes.

Privilege of Floor was granted to Mr. Scott Fooce. Firstly, he wanted to thank the City for the expeditious repairs of the sidewalks on Court Street. Mr. Fooce stated there was a round table meeting held approximately six months ago concerning food trucks coming in. He was aware that the ordinance was being presented at the meeting tonight and he still sees problems with the ordinance. His main concern was what would be considered a "special event". If Gallipolis in Lights would be considered a special event, he feels it would be unfair to local businesses. Mr. Fooce suggested to postpone the ordinance until they can have further discussions. Mr. Caldwell said that when the ordinance was previously presented it died for a lack of a second and that is why there were no discussions. Ms. Noe read to him to the way the current ordinance reads in terms of a "special event" and stated that it was very open. The new ordinance would state that it would be at the discretion of the City Manager and Code Enforcement Officer. Mr. Fooce stated that he wants what is best for the City but also wants local businesses to be protected.

Mr. Lynch reported on the following:

- Following up on the Columbia Gas issue, Mr. Brett Bostic and Mr. Steve Burnette have been driving the streets looking at repairs previously made by Columbia Gas. They are compiling a list of the ones that need attention. A list will be emailed to the commission when it is complete and then forwarded to Columbia Gas.
- American Electric Power has contacted the City to give us a heads up that they are having trouble getting supplies. This may cause a delay in repairs when an issue arises.
- There will be a retirement party for Margie on Wednesday, October 20, 2021 at the Municipal Building from 11:30 a.m. to 1:00 p.m.

- There was a fall incident on Court Street and the maintenance department has repaired the sidewalks.

Mr. Lynch invited County Commissioner Mr. Gene Greene to discuss a request the County has concerning the airport. Mr. Greene stated that the City owns the road from State Route 7 to the airport that the street sweeper runs on. He asked if the City would agree to sweep around the hangers at the airport when it runs up there to help prevent planes from sucking in dirt. The County would compensate the City for any additional costs that would incur. The commission did not see a problem with this and Ms. Noe said that she would have to write up a contract for liability issues.

The City Auditor presented the September financial statement for approval. Mr. Fulks made a motion to approve the September financial statement, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes.

Two invoices over \$3,000 were presented for approval of payment:

- \$26,701.73 from Rumpke for September refuse pickup. Inv: 9/30/21. PO: 10/1/21.
- \$4,199.98 from Ohio BWC for monthly premium. Inv: 9/24/21. PO: 10/1/21

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

A liquor license change of ownership was presented to the commission for El Toril. Ms. Clonch stated that she talked with the Police Chief and he saw no issue with this. Mr. Fulks made a motion to not request a hearing, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes.

Ms. Clonch stated that we received notice from the County that the public hearing for the Alternate Tax Budget will be on Wednesday, October 27, 2021 at 10:30 a.m. at the Courthouse.

The City Solicitor said that Mr. Bostic contacted her about Magic Tunnel requesting to vacate the alley beside the car wash. She stated that she will look at the map and prepare the necessary paperwork.

There was presented and read to the Commission for a second reading a Resolution No. R2021-08 entitled **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT AND SERVICES FOR USE BY THE CITY IN THE CALENDAR YEAR 2022 AS HEREIN DESCRIBED.** Mr. Gallagher made a motion to adopt this resolution on second reading, seconded by Mr. Fulks. Upon roll call to adopt this resolution on second reading, all votes were yes.

There was presented and read to the Commission for a first reading a Resolution No. R2021-09 entitled **A RESOLUTION APPOINTING THE CITY MANAGER OF THE CITY OF GALLIPOLIS, OHIO, IN ACCORDANCE WITH SECTIONS 16 & 17 OF THE CHARTER OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Fulks made a motion to place this resolution on first reading, seconded by Mr. Gallagher. Mr. Caldwell spoke on behalf of the interview committee and said that all three candidates had exceptional interviews. The committee recommended the hiring of Dow Saunders as City Manager. The City Solicitor stated that a resolution was not needed and the commission could go ahead and appoint the City Manager. Upon roll call to appoint Dow Saunders as City Manager, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2021-34 entitled **AN ORDINANCE AUTHORIZING THE PAYMENT OF A BONUS OR A CLOTHING ALLOWANCE TO ALL PERMANENT FULL-TIME EMPLOYEES, CERTAIN ELIGIBLE PART-TIME EMPLOYEES AND ALL APPOINTED OFFICIALS.** Mr. Fulks 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 for a second reading an Ordinance No. O2021-35 entitled **AN ORDINANCE AUTHORIZING THE PAYMENT OF A BONUS TO GALLIPOLIS FIRE DEPARTMENT (GFD) FIREFIGHTERS**. Mr. Gallagher made a motion to adopt this ordinance on second reading, seconded by Mr. Fulks. 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. O2021-36 entitled **AN ORDINANCE PROVIDING PREMIUM PAY TO EMPLOYEES PERFORMING ESSENTIAL WORK DURING THE COVID-19 PUBLIC HEALTH EMERGENCY**. Mr. Fulks 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. O2021-37 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LETTER OF AGREEMENT WITH JEANNE INGLES FNP-BC FAMILY PRACTICE FOR HEALTHCARE SERVICES FOR CITY OF GALLIPOLIS EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS**. Mr. Gallagher made a motion to adopt this ordinance on second reading, seconded by Mr. Fulks. 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. O2021-38 entitled **AN ORDINANCE AMENDING ORDINANCE O2017-44, AMENDING SECTION C6 (F) COMPENSATION FOR SALARIED EMPLOYEES (CODE ENFORCEMENT OFFICER) AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION**. Mr. Sang made a motion to adopt this ordinance on second reading, seconded by Mr. Fulks. 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. O2021-39 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ISSUE PERMITS TO CHARITABLE ORGANIZATIONS TO SOLICIT FROM THE OCCUPANT OF A VEHICLE PURSUANT TO CHARTER 371.06 (B) (2) OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO**. Mr. Gallagher made a motion to adopt this ordinance on second reading, seconded by Mr. Fulks. 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. O2021-40 entitled **AN ORDINANCE SETTING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES FOR THE CALENDAR YEAR 2022**. Mr. Fulks 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. O2021-42 entitled **AN ORDINANCE AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO AGREEMENT WITH THE LOCAL GOVERNMENT SERVICES SECTION OF THE STATE AUDITOR'S OFFICE (GASB-34 LOOK-ALIKE STATEMENTS) FOR FISCAL YEAR 2021**. Mr. Fulks 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 for a second reading an Ordinance No. O2021-43 entitled **AN ORDINANCE ACCEPTING AND REJECTING BIDS FOR HIGHWAY DE-ICING SALT, CALCIUM CHLORIDE, AND COLD MIX.** Mr. Fulks 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 first reading an Ordinance No. O2021-44 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE GALLIA COUNTY COMMISSIONERS FOR PAYMENT OF LEGAL SERVICES TO THE CITY'S INDIGENT CITIZENS.** Mr. Gallagher made a motion to place this ordinance on first reading, seconded by Mr. Sang. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2021-45 entitled **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH OHIO RURAL COMMUNITY ASSISTANCE PROGRAM (RECAP) FOR PROFESSIONAL SERVICES FOR GPS DATA COLLECTION GIS MAPPING.** Mr. Fulks made a motion to place this ordinance on first reading, seconded by Mr. Gallagher. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2021-46 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LETTER OF AGREEMENT WITH CANADAY CARE LLC FOR HEALTHCARE SERVICES FOR CITY OF GALLIPOLIS EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS.** Mr. Fulks made a motion to place this ordinance on first reading, seconded by Mr. Sang. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2021-47 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LETTER OF AGREEMENT WITH RIO FAMILY HEALTHCARE FOR HEALTHCARE SERVICES FOR THE CITY OF GALLIPOLIS EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS.** Mr. Gallagher made a motion to place this ordinance on first reading, seconded by Mr. Fulks. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission for a first reading an Ordinance No. O2021-48 entitled **AN ORDINANCE AMENDING SECTION 712 "MOBILE FOOD VENDING" OF THE CODIFIED ORDINANCES OF THE CITY OF GALLIPOLIS, OHIO.** Mr. Sang made a motion to place this ordinance on first reading. The motion died for lack of a second.

Mr. Sang asked what the changes were to the mobile food vending ordinance. Ms. Noe stated that it was the same ordinance that was presented previously after the former City Manager had a round table meeting with local business owners. She stated that the changes from the current ordinance were mainly the fee structure and the type of licenses. Mr. Fulks said that he talked to the Code Enforcement Officer and he wanted to re-evaluate the ordinance and make sure it is what we want.

Mr. Lynch spoke and said that since he has taken over the position as Acting City Manager, the employees have been extremely helpful and said that the City has the best employees in the world. Mr. Fulks and Mr. Caldwell thanked Mr. Lynch for serving in the position.

Ms. Clonch asked for approval to replace the signatures of the former City Auditor and City Manager on the bank signature cards with herself and Mr. Dow Saunders. Mr. Fulks made a motion to

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replace the names on the bank signature cards, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes.

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


Clerk, City Commission


President, City Commission