

October 27, 2020

The Gallipolis City Commission met in virtual special session on Tuesday, October 27, 2020, at 6:00 p.m., at the Gallipolis Municipal Building, 333 Third Avenue, having complied with Section 9 of the City Charter and Emergency Ohio Sub House Bill 197.

Commission President Cody Caldwell called the meeting to order. President Caldwell and Mr. Lozier spoke a few words of condolence on the passing of Mr. Scott Allison, Utility Service Representative. This was followed by a moment of silence.

Upon roll call, the following members were present:

Cody C. Caldwell, President (remote access)
 Michael C. Fulks, Vice President (in person)
 Albert "Tony" Gallagher, Member (remote access)
 T. Beau Sang, Member (remote access)

Michael W. Brown, Member, attended by phone, beginning with reading of the legislation.

Others attending were:

Theodore R. Lozier, City Manager (in person)
 Brynn S. Noe, City Solicitor (remote access)
 Annette M. Landers, City Auditor (in person)
 Beth Sergent, Gallipolis Daily Tribune (remote access)
 Ronnie Lynch (in person) Marvin Ours (remote access)
 Jeff Boyer (remote access)

Commission received the minutes of the October 6, 2020 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- Mr. Lozier took some vacation days last week.
- The SR588 Road Slip Repair is nearing completion of the earth work on the hill. This is the \$1.2 million project that must be completed by mid-November. They expect to complete this by sometime next week. The other phase of the repairs, which includes boring and building a retaining wall, will begin on November 2nd.
- The Chillicothe Road Sewer Line & Slip Repair, approved at the last meeting by emergency motion, will take about two more weeks to complete. We are using some of the material from the 588 Slip site to help rebuild and stabilize a two lane road bed.
- Paving work has also begun in town for Third Avenue from Vine to Pine, Vine Street from First to Second, and Court & Locust from First to Third. This work is expected to be completed by the end of next week. Unfortunately, Shelly Company cannot take on any additional paving projects this fall due to personnel shortages. Millings from this project are being used to improve Hedgewood Drive.
- We are offering a leaf removal program for residents as in past years.
- We are also pulling dumpsters from locations in the parks and placing them at the Maintenance Garage for the winter.
- Port-a-johns are being pulled from all locations except for the skate park and the public use area.
- We are in the process of winterizing the pool and will soon be removing the portable boat docks for winter storage.
- New crosswalk signs have been installed at the Justice Center and on the Second Avenue side of the City Park. They will soon be installed on First Avenue from the City Park to the Public Use Area.
- Our trash service contract with Rumpke increases this month by \$0.79/service. Customers will see the increase on their October billing.

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

- \$4,239.80 from BWC for monthly premium. Inv: 9/25/20. PO: 10/1/20.
- \$26,085.50 from Rumpke for September trash pick-up. Inv: 9/17/20. PO: 10/1/20.
- \$5,061.38 from AEP for September Street Lights. Inv: 9/25/20. PO: 10/1/20.

Mr. Gallagher 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 that the Governor signed HB606 which extends COVID-19 civil immunity for businesses, non-profits, and governmental entities in the State of Ohio to only allow lawsuits for deliberate acts causing spread of the illness.

Ms. Noe also reported that she spoke to the City of Westerville's Law Director and to the head of Westerville's Military Banner Program about their policy for veterans' posters. Their program is not exactly the same as what has been proposed here. The city actually runs their own program where people contribute money for the purchase of the banners that the City displays on their heavy duty poles during the year. The banners are returned to the donors after display. Because it is a government-run program, it is considered government speech, not private speech.

Mr. Gallagher asked if we still plan to do work on the City Pool this year. Mr. Lozier answered that we are still working on funding. We have \$46,000 left from our earlier ODNR Grant and are working with them to secure those dollars. Mr. Bostic is negotiating for lower quotes. We rebuilt the pump and could possibly go one more season with just some cosmetic work while we seek additional funding. Mr. Fulks, in later comments, said that we must do all we can to keep our pool open every year for the sake of our young people. Mr. Sang asked if the pool will be drained for the winter. Mr. Lozier answered that it would not because the water helps preserve the caulking. It will be drained and cleaned in the spring. The water will be treated to control pests over winter.

Mr. Lozier informed Commissioners that he had talked to USDA about the control of the buzzards. They are a federally protected species. The USDA sells stuffed and mounted buzzards for \$300 each. These can be hung upside down as a deterrent to roosting buzzards. However, we are unsure how effective this might be in driving buzzards totally away and not just relocating to another place nearby. Mr. Sang confirmed that they are effective. He also mentioned special roof coating that might work. Mr. Lozier stated that a green laser pointed at their feet is reported to drive them away.

Mr. Gallagher encouraged everyone to vote in the November 3rd General Election.

President Caldwell asked when Trick or Treat will be. Chief Boyer responded that it will be on Friday, since Thursday's weather forecast is for rain and cold temperatures. The announcement has been sent to the newspaper. President Caldwell encouraged drivers to watch out for children that evening.

Mr. Fulks said that he is not happy with the quality of work that Columbia Gas is doing on repairing their cut-outs on Second Avenue and on Vine Street. They seemed to do an acceptable job on their earlier work, but lately the quality has declined. The patches are sinking and they do not have sealant around them. He added that he has received many complaints from residents. He suggested having Columbia Gas come to a Commission meeting to discuss concerns. President Caldwell agreed. Mr. Lozier told Commissioners that Columbia Gas will need a new permit for additional work that they have planned for next year. He thought that this would be a good time to meet with them and will make arrangements.

Mr. Brown joined the meeting at this point by speaker phone. There was presented and read to the Commission for a first reading an Ordinance No. O2020-39 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO CONTRACT FOR HOSPITALIZATION, MEDICAL AND MAJOR MEDICAL, DRUG AND DENTAL INSURANCE COVERAGE FOR FULL-TIME EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS OF THE CITY OF GALLIPOLIS,**

OHIO. Mr. Fulks made a motion to place this ordinance on first reading, seconded by Mr. Brown. Ms. Landers briefly detailed the increases in monthly premiums and employee shares per pay. Health insurance went up by only 2.21%, the lowest increase in recent memory. Dental insurance, optional at employees' own expense, had no increase. In addition to this, we have totally eliminated the deficit fund balance that we had upon entry into the Jefferson Health Plan. We now have a positive reserve balance in excess of \$400,000. Upon voice vote to place this ordinance on first reading, all votes were yes.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-40 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2020-06, AS AMENDED BY O2020-11, AS AMENDED BY ORDINANCE NO. O2020-12, AS AMENDED BY ORDINANCE NO. O2020-20, AS AMENDED BY ORDINANCE NO. O2020-24, AS AMENDED BY ORDINANCE NO. O2020-33 SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020.** Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Brown. Ms. Landers highlighted some of the largest changes included in this appropriations change ordinance. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

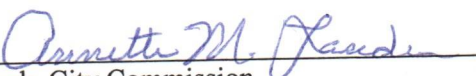
There was presented and read to the Commission as an emergency an Ordinance No. O2020-41 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2020-07, AS AMENDED BY ORDINANCE NO. O2020-19, AS AMENDED BY ORDINANCE NO. O2020-34 AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** Mr. Fulks made a motion to adopt this ordinance as an emergency, seconded by Mr. Gallagher. Ms. Landers commented that this was a \$7,632.76 reduction in the transfer from General Fund to Debt Service because we did not borrow the full \$150,000 for the electric recharging stations. Upon roll call to adopt this ordinance as an emergency, all votes were yes.

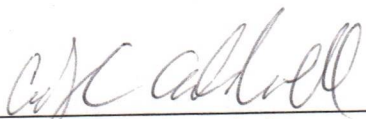
There was presented and read to the Commission as an emergency an Ordinance No. O2020-42 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY TO ENTER INTO THE SOUTHEAST OHIO PUBLIC ENERGY COUNCIL ("SOPEC") AND THE EXECUTION AND DELIVERY OF THE AGREEMENT ESTABLISHING SOPEC AND APPROVING THE BYLAWS OF SOPEC, AND DECLARING AN EMERGENCY.** Mr. Brown made a motion to adopt this ordinance as an emergency, seconded by Mr. Fulks. Mr. Lozier explained that we are joining SOPEC for our electric energy aggregation program. This ordinance and the next are required to become a member of their group. 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. O2020-43 entitled **AN EMERGENCY ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE SOPEC ELECTRICITY AGGREGATION PROGRAM, FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING AN ELECTRICITY AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY.** Mr. Brown 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.

Ms. Landers informed Commissioners that there would be little on the agenda for next week's meeting. Mr. Fulks will be on vacation and we must have a minimum of two weeks between the first and second readings on the Health Insurance ordinance. It will be on second reading at our November 17th meeting.

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


Clerk, City Commission


President, City Commission