

December 3, 2019

The Gallipolis City Commission met in regular session on Tuesday, December 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

Others attending were:

Theodore R. Lozier, Acting City Manager		
Brynn S. Noe, City Solicitor		
Annette M. Landers, Auditor/Clerk/Treasurer		
Dean Wright, Gallipolis Daily Tribune		
Ronnie Lynch	Gene Greene	Michael W. Brown
Jeff Boyer	Mary Lee Marchi	Randy Breech
Joy Elliott	Keith Elliott	Lester Plymale
James Roush	Claudia Miller	Rusty Mittendorf

Commission received the minutes of the November 19, 2019 meeting prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

Mr. Rusty Mittendorf, a City resident, spoke to Commissioners about expanding the ordinance allowing golf carts to allow side-by-sides. He distributed to each Commissioner a packet containing, among other items, our ordinance and an ordinance that the Village of Put-in Bay enacted, which does allow both golf carts and side-by-sides, such as Razors and Gators. After some discussion, Commissioners seemed willing to consider his request. The City Solicitor will look further into the matter.

Mr. James Roush asked about a slip and a burned house on Chillicothe Road, wanting to know what the City intended to do about them. He also praised the workers from the garage for the good work they have been doing. Commissioners responded that the State must attend to the problem on SR588 before we can address the slip on Chillicothe Road. Code Enforcement deals with the property owners when houses are damaged or destroyed by fire. There are code sections that compel property owners to either clean up their properties or face fines.

The Acting City Manager reported on the following:

- The Gallipolis in Lights lighting event went well last week in spite of the weather, with a large crowd. City Maintenance crews helped with the event, supplying electrical needs, moving the stage, and handling clean-up, street closures, etc. The Police were on-hand during the event. President Fulks received an award from Ohio Magazine for the City as one of Ohio's Best Hometowns for 2019-2020. President Fulks showed the plaque to everyone in attendance at tonight's meeting. It will be displayed in the entryway to the municipal building. We expect to receive some signage to be displayed along the roadways into town.
- There has been an increase in thefts of personal property during the holiday season. People were reminded to lock their vehicles and keep valuables out of sight.
- Maintenance crews have been working on water line leaks. They worked through the night last Tuesday on a 10-inch main along SR588, near Henkle. They are also working on leaf removal and catch basin cleanout all over town.

Gallipolis City Commission

December 3, 2019

Page 2

- Columbia Gas is still working on their project here in town. The target date to have street cuts patched is December 22<sup>nd</sup>.
- We are wrapping up our fiscal year and working on budgets for next year.
- Needed repairs for the City Pool greatly exceed the approximately \$45,000 remaining from the ODNR grant. Filter replacement has been quoted at \$90,000. The roof, doors, and diving board also need repairs. We are looking into grants and/or sponsorships to help with the funding needed.

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

- \$5,142.61 from AEP for October street lights. Inv: 10/25/19. PO: 11/1/19.
- \$10,359.43 from OPWC for semi-annual loan pmt. Inv: 11/15/19. PO: 11/19/19.

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

The City Solicitor requested a short executive session for pending legal matters.

President Fulks followed up on the report about the Best Hometown award for 2019-2020 by praising the work of our volunteers who are making great things happen here in town.

Mr. Greene was asked to come forward to receive a plaque for his service to the City. President Fulks wished him well in his future endeavors. Mr. Greene thanked the Commission, residents, and employees of the City for their help and encouragement during his tenure as City Manager.

Mr. Wallis noted that this is his last regular meeting after ten years of service on the Commission. He also thanked the residents and employees for their support.

Mr. Caldwell expressed appreciation to both Mr. Wallis and Mr. Greene for their service, adding that we are losing a lot of institutional knowledge when these two are gone.

There was a short discussion of how to handle the tabled legislation and the emergencies on tonight's agenda with Mr. Sang absent. The tabled legislation must be left on the table because Mr. Sang seconded the motion placing them there. The emergencies may be handled as first readings for now.

There was presented and read to the Commission for a second reading a Resolution No. R2019-10 entitled **A RESOLUTION APPOINTING THEODORE R. LOZIER AS 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. Caldwell made a motion to adopt this resolution on second reading, seconded by Mr. Wallis. Mr. Gallagher stated that although he did not agree with the selection process, he would vote yes in solidarity with the other Commissioners to appoint Mr. Lozier as City Manager. 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. R2019-12 entitled **AN EMERGENCY RESOLUTION EXPRESSING THE APPRECIATION OF THE GALLIPOLIS CITY COMMISSION TO STEVEN E WALLIS FOR OUTSTANDING SERVICES RENDERED AS MEMBER OF THE CITY COMMISSION OF THE CITY OF GALLIPOLIS, OHIO, AND EXTENDING THE BEST WISHES OF THE COMMUNITY TO HIM.** Mr. Caldwell made a motion to place this resolution on first reading, seconded by Mr. Gallagher. Upon voice vote to place this resolution on first reading, all votes were yes.

There was presented and read to the Commission for a first reading a Resolution No. R2019-13 entitled **AN EMERGENCY RESOLUTION IN SUPPORT OF THE GALLIPOLIS RAILROAD FREIGHT STATION MUSEUM'S APPLICATION TO THE OHIO FACILITIES CONSTRUCTION COMMISSION FOR THE**

**CULTURAL & SPORT FACILITIES GRANT FOR A REHABILITATION & CAPITAL IMPROVEMENT PROJECT.** Mr. Gallagher made a motion to place this resolution on first reading, seconded by Mr. Wallis. Upon voice vote to place this resolution on first reading, all votes were yes.

There was presented and read to the Commission for a second reading an Ordinance No. O2019-51 entitled **AN ORDINANCE SETTING VACATION ACCRUALS FOR THE CITY MANAGER.** 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.

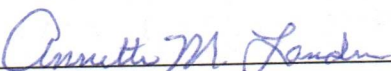
There was presented and read to the Commission for a first reading an Ordinance No. O2019-52 entitled **AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LETTER OF AGREEMENT WITH RIO FAMILY HEALTHCARE FOR HEALTHCARE SERVICES FOR CITY OF GALLIPOLIS EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS.** Mr. Caldwell made a motion to place this ordinance on first reading, seconded by Mr. Wallis. Upon voice vote to place this ordinance on first reading, all votes were yes.

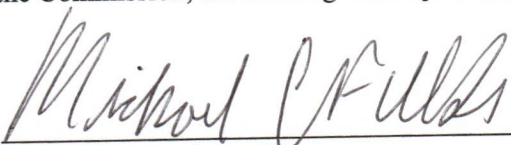
There was presented and read to the Commission for a first reading an Ordinance No. O2019-53 entitled **AN EMERGENCY ORDINANCE ACCEPTING AND REJECTING BIDS FOR ASPHALT, LIMESTONE, AND BEDDING SAND.** Mr. Wallis made a motion to place this ordinance on first reading, seconded by Mr. Gallagher. Upon voice 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. O2019-54 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, AS AMENDED BY ORDINANCE NO. O2019-29, AS AMENDED BY ORDINANCE NO. O2019-31, AS AMENDED BY ORDINANCE NO. O2019-35, AS AMENDED BY ORDINANCE NO. O2019-42, AS AMENDED BY ORDINANCE NO. O2019-49, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019.** Mr. Gallagher made a motion to place this ordinance on first reading, seconded by Mr. Caldwell. Upon voice vote to place this ordinance on first reading, all votes were yes.

Commissioners discussed when to have another meeting to adopt the emergency resolutions and ordinances. Everyone agreed to meet on Thursday, December 19<sup>th</sup> at 5 p.m.

Mr. Wallis made a motion to enter executive session to discuss pending legal matters, seconded by Mr. Gallagher. Upon roll call on the motion, all votes were yes. President Fulks announced that there will 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