

December 15, 2020

The Gallipolis City Commission met in virtual special session on Tuesday, December 15, 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.

Upon roll call, the following members were present:

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

Others attending were:

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

Commission received the minutes of the November 17, December 1, and December 8, 2020 meetings prior to this meeting. There being no corrections, objections, or additions, these minutes were approved.

The City Manager reported on the following:

- The meeting with Columbia Gas was very productive with several follow-up phone calls. We have received a schedule for sidewalk repairs, as requested. They will begin working on Vine Street, Third Avenue, and heading toward the 400 block of Fourth Avenue. They will remove the 1" or larger stone from the sidewalks, refilling with smaller stone.
- Mr. Lozier also had a meeting with Columbia Gas on their 2021 projects. They are trying to compress the time between cuts and the final finish work. The project next year will include Eastern Avenue and the east end of town along with Grape Street and some of Vine Street.
- We received a \$23,000 TID Grant, which meant that with the CDBG Grant, we got around \$300,000 in paving for Third Avenue, Court, Vine, and Locust for just around 10% local match.
- ODOT plans to pave SR 7 through town in 2023 or 2024. We would like to pave Sycamore Street to SR141 sometime in 2021 if we can secure grant funding.
- Buzzard eradication project at pool: We have begun the process of ordering a stuffed bird, but have found that the process is more complex than initially thought.
- There are plans being made for a new spec building at the Industrial Park.
- Department heads are reviewing their 2021 budget requests with the City Manager.

The City Auditor presented the November 2020 Financial Statement for approval. Mr. Brown made a motion to approve the November Financial Statement, seconded by Mr. Sang. Upon voice vote on the motion, all votes were yes.

Ms. Landers presented the following invoices over \$3,000 for approval of payment:

- \$26,942.62 from Rumpke for October refuse pickup. Inv: 10/21/20. PO: 11/2/20.

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- \$26,831.44 from Rumpke for November refuse pickup. Inv: 11/17/20. PO: 12/1/20.
- \$46,933 from PEP of Ohio for property/liability insurance. Inv: 10/1/20. PO: 11/13/20.
- \$4,936.94 from CI Thornburg for adapters & pipe. Inv: 10/14/20. PO: 10/22/20.
- \$19,407.79 from OVB for pumper/tanker bond. Inv: 10/21/20. PO: 11/2/20.
- \$4,961.07 from OVB for parking lot bond. Inv: 10/21/20. PO: 11/2/20.
- \$5,065.11 from AEP for October street lighting. Inv: 10/26/20. PO: 11/2/20.
- \$4,193.25 from Allcom for e-mail licenses. Inv: 8/25/20. PO: 12/7/20.
- \$6,239.50 from Lucky Cat for GIL t-shirts. Inv: 11/16/20. PO: 12/1/20.
- \$4,199.98 from Ohio BWC for monthly premium. Inv: 11/27/20. PO: 12/1/20.
- \$20,718.86 from OPWC for loans. Inv: 11/16/20. PO: 12/1/20.
- \$4,386.72 from State for WTP license to operate. Inv: 11/30/20. PO: 12/1/20.
- \$23,000 & \$31,473.13 from Shelly Co. for paving. Inv: 11/17 & 23/20. PO: 12/15/20.

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

A new D5I & D6 liquor license request was received for El Toril, 1510 Eastern Avenue. Chief Boyer reported no problems with this request. Mr. Gallagher asked why the new license. Ms. Landers explained that the licenses are address-specific as issued, so they need a new license for the new location. Mr. Fulks made a motion not to request a hearing, seconded by Mr. Gallagher. Upon voice vote on the motion, all votes were yes.

A list of \$3,934 in November donations to Gallipolis in Lights was presented for acceptance. Mr. Brown made a motion to accept these donations, seconded by Mr. Sang. Upon voice vote on the motion, all votes were yes.

Ms. Landers told Commissioners that BWC is sending us another \$217,781 in dividends to assist with COVID revenue shortfalls. This is in addition to the over \$100,000 we have already received from them this year. The City Manager and City Auditor are recommending that this dividend be deposited into the General Fund as the other payments were. Mr. Gallagher made a motion to deposit the entire \$217,781 BWC dividend into the General Fund, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

If we receive any grants of CARES Act money from the townships that have fire service contracts with us, the City Manager and City Auditor are requesting that the money be used for fire department public safety personnel and safety measures. Specifically, this would mean that half of the volunteer firefighters' run expense reimbursements should be designated to pay for the cleaning of gear. Chief Elliott would also like to purchase SCBA with any remaining funds. Mr. Fulks made a motion to designate run expenses and any such grant funds received for these purposes as stated, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

When we receive the SOPEC (our new electric energy aggregator) grant, the City Manager and City Auditor are requesting that the Commission approve depositing this money into the General Fund to pay a portion of the cost of lighting at the City Park and any extra costs arising from the electric recharging stations. This usage would not be tracked specifically, but the money would be deposited into the General Fund with the intent of going as far as possible toward payment of these electric bills. Mr. Gallagher made a motion to deposit the SOPEC grant money into the General Fund, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

Ms. Landers gave a brief overview of the legislation on tonight's agenda.

- R2020-08 is the annual resolution accepting the 1.9 mill General Fund levy and the 2.0 mill Fire Levy,
- R2020-09 establishes two new funds for the SR588 Slip repairs.
- O2020-51 is the temporary appropriations for 2021.
- O2020-52 creates a new Certified Fleet Manager position for our mechanic.
- O2020-53 creates the new Tax Assistant and Office Manager positions that were planned during our budgetary sessions last spring, but delayed due to COVID. These are retroactive.
- O2020-54 and 55 are the annual contracts with Canaday Care and Rio Family Healthcare.
- O2020-56 amends the appropriations, removing everything dealing with the pool grant to 2021, adjusts personnel lines to cover to end of year, adjusts paving grants to actual figures, adjusts CARES Act appropriations for possible township grant, and adds \$200 to pool operational supplies.
- O2020-57 removed the pool grant from advances and added the TID Grant to advances.
- O2020-58 is the annual contract with the County for equipment and labor.

President Caldwell mentioned a recent accident on Eastern Avenue at the Aldi intersection. This was caused by sunlight interfering with the driver's view of the traffic light. He suggested placing a shield on that light. Mr. Sang suggested that the light might be mounted lower on a pole, as he has seen done in Point Pleasant. Mr. Lozier will discuss the issue with ODOT, as this is a state route.

Mr. Gallagher informed everyone that Gallia Meigs Community Action still has grant dollars available for utility bills, mortgage payments, and so forth for eligible applicants. He encouraged folks to apply for assistance.

Mr. Brown stated that too many people are congregating in the City Park, not wearing masks or social distancing. He has voiced his concerns to Dr. Vallee at the Gallia County Health Department. This noncompliance with the posted protocols was Mr. Brown's concern since discussions earlier in the year on whether to even allow the light display. He emphatically wants to pull the plug on the event in the interest of public health and safety, adding that cases are going up.

This began a contentious discussion with some suggestions for less drastic measures than abruptly turning off the lights. Mr. Gallagher suggested turning off the lights during the curfew from 10 p.m. to 5 a.m. daily. Mr. Fulks said that he totally disagreed with Mr. Brown's opinion that the lights should be shut off. He stated that this is the only normalcy that people have this Christmas, adding that it is not our place to dictate to people and that many people have put a lot of time and effort into the annual light display. Mr. Sang stated that GIL is following the protocols that the Commission approved and joined with Mr. Gallagher in suggesting the possibility of restricting foot traffic. President Caldwell endorsed releasing a statement to once again encourage social distancing and the use of masks.

Mr. Brown emphatically stated that the other Commissioners did not have the guts to stand up and do what needs to be done. This statement he wanted explicitly put into the minutes. He predicted an uptick in COVID cases linked to the park. Mr. Lozier said that he has not heard anything from Dr. Vallee. He felt we should be able to keep traffic flowing around the park.

There was presented and read to the Commission as an emergency a Resolution No. R2020-08 entitled **AN EMERGENCY RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION OF GALLIA COUNTY AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** Mr. Fulks made a motion to adopt this resolution as an emergency, seconded by Mr. Sang. Upon roll call to adopt this resolution as an emergency, Mr. Brown voted no. Ms. Landers warned that these ordinances and

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resolutions needed to be adopted before the end of the year. Mr. Brown emphasized his intent to vote no. All other votes were yes. R2020-08 was placed on first reading.

There was presented and read to the Commission as an emergency a Resolution No. R2020-09 entitled **AN EMERGENCY RESOLUTION AUTHORIZING THE ESTABLISHMENT OF TWO NEW CAPITAL PROJECTS FUNDS (372 & 375) FOR THE SR 588 SLIP REPAIR PROJECTS FUNDS**. Mr. Sang made a motion to adopt this resolution as an emergency, seconded by Mr. Fulks. Upon roll call to adopt this resolution as an emergency, Mr. Brown voted no. All other votes were yes. R2020-09 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-51 entitled **AN EMERGENCY ORDINANCE SETTING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES FOR THE CALENDAR YEAR 2021**. Mr. Fulks made a motion to adopt this ordinance as an emergency, seconded by Mr. Sang. Upon roll call to adopt this ordinance as an emergency, Mr. Brown voted no. All other votes were yes. O2020-51 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-52 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2017-44, AS AMENDED BY ORDINANCE NO. O2018-01, AS AMENDED BY ORDINANCE NO. O2018-38, AS AMENDED BY ORDINANCE O2019-01, AS AMENDED BY ORDINANCE NO. O2019-20, AS AMENDED BY ORDINANCE NO. O2020-08, SETTING COMPENSATION FOR MUNICIPAL EMPLOYEES AND APPOINTED OFFICIALS, AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION**. Mr. Sang made a motion to adopt this ordinance as an emergency, seconded by Mr. Fulks. Upon roll call to adopt this motion as an emergency, Mr. Brown voted no. All other votes were yes. O2020-52 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-53 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2017-44, AS AMENDED BY ORDINANCE NO. O2018-01, AS AMENDED BY ORDINANCE NO. O2018-38, AS AMENDED BY ORDINANCE O2019-01, AS AMENDED BY ORDINANCE NO. O2019-20, AS AMENDED BY ORDINANCE NO. O2020-08, AS ANENDED BY ORDINANCE NO. O2020-52, SETTING COMPENSATION FOR MUNICIPAL EMPLOYEES AND APPOINTED OFFICIALS, AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION**. Mr. Fulks made a motion to adopt this ordinance as an emergency, seconded by Mr. Sang. The City Solicitor asked that this be adopted as an emergency, as this was promised to her employee months ago and her employee wanted it for Christmas. Upon roll call to adopt this motion as an emergency, Mr. Brown voted no. All other votes were yes. O2020-53 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-54 entitled **AN EMERGENCY 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 adopt this ordinance as an emergency, seconded by Mr. Sang. Upon roll call to adopt this ordinance as an emergency, Mr. Brown voted no. All other votes were yes. O2020-54 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-55 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. Sang made a motion to adopt this ordinance

as an emergency, seconded by Mr. Fulks. Mr. Gallagher asked the location of this business. It is on Old Rt. 35 near URG. Upon roll call to adopt this ordinance as an emergency, Mr. Brown voted no. All other votes were yes. O2020-55 was placed on first reading.

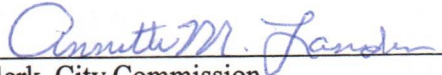
There was presented and read to the Commission as an emergency an Ordinance No. O2020-56 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2020-06, AS AMENDED BY O2020-11, AS AMENDED BY ORDINANCE NO. O2020-12, AS AMENDED BY ORDINANCE NO. O2020-20, AS AMENDED BY ORDINANCE NO. O2020-24, AS AMENDED BY ORDINANCE NO. O2020-33, AS AMENDED BY ORDINANCE NO. O2020-40, AS AMENDED BY ORDINANCE NO. O2020-44, SETTING APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF GALLIPOLIS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020.** Mr. Fulks made a motion to adopt this ordinance as an emergency, seconded by Mr. Sang. Upon roll call to adopt this ordinance as an emergency, Mr. Brown voted no. All other votes were yes. O2020-56 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-57 entitled **AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. O2020-07, AS AMENDED BY ORDINANCE NO. O2020-19, AS AMENDED BY ORDINANCE NO. O2020-34, AS AMENDED BY ORDINANCE NO. O2020-41, AUTHORIZING THE CITY AUDITOR TO TRANSFER OR ADVANCE FUNDS.** Mr. Gallagher made a motion to adopt this ordinance as an emergency, seconded by Mr. Sang. Upon roll call to adopt this ordinance as an emergency, Mr. Brown voted no. All other votes were yes. O2020-57 was placed on first reading.

There was presented and read to the Commission as an emergency an Ordinance No. O2020-58 entitled **AN EMERGENCY ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT WITH GALLIA COUNTY FOR EQUIPMENT AND LABOR.** Mr. Fulks made a motion to adopt this ordinance as an emergency, seconded by Mr. Sang. Upon roll call to adopt this ordinance as an emergency, Mr. Brown voted no. All other votes were yes. O2020-58 was placed on first reading.

Another special meeting was set for December 29th for adoption of the legislation from tonight's meeting.

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


Clerk, City Commission


President, City Commission