

March 21, 2023

The Gallipolis City Commission met in special session on Tuesday, March 21, 2023, at 5:00 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.

The Pledge of Allegiance was recited followed by an invocation given by Mr. Gallagher.

Commission President Tony Gallagher called the meeting to order.

Upon roll call, the following members were present:

Albert "Tony" Gallagher, President
William "Bill" Thomas, Vice-President
Michael W. Brown, Member
(Michael C. Fulks, Member, arrived at 5:12 during privilege of floor)

Others attending were:

Dow W Saunders, City Manager
Shelly L. Clonch, City Auditor
Brynn S. Noe, City Solicitor
Chad Vaughn, River Cities News
Jeff Boyer Ronnie Lynch Joy Elliott
Keith Elliott Rick Wells Bernice Wells
Bev Jeffers Arthur Miller Marvin Ours (zoom)

The commission received the minutes of March 7, 2023, prior to this meeting. Mr. Brown made a motion to accept the March 7th minutes, seconded by Dr. Thomas. Upon voice vote on the motion, all votes were yes.

Ms. Brynn Noe stated that she informed the commission individually and in writing that she is resigning as City Solicitor to pursue another job that will allow her more time with her children. She hopes to make a smooth transition with whomever they decide to replace her. Mr. Gallagher said he appreciated all she has done for the City over the years and was reiterated by Mr. Saunders and Ms. Clonch.

Privilege of Floor was granted to Mr. Rick and Bernice Wells, owners of Hogg Haven bar. Mr. Wells stated that they have owned the bar for 17 years and recently purchased the Dock Inn bar. He was informed by the State that the City rejected and requested a hearing on their application for a liquor license transfer at the Dock Inn. Mr. Wells said he met with the Police Chief to discuss the objection reasons which was due to call incidents and noise complaints at his business at Hogg Haven. He stated that the Chief and himself came to an agreement on some issues. The bar would have last call on alcohol at 11:00 p.m. and have everyone out by midnight. They will unhook the speakers at the front of the bar by the windows, unhook one of the two speakers on the back patio, and make sure the music is turned down at 11:00 p.m. Mr. Saunders asked if they could turn the outside speaker off at 11:00 p.m. and they said they could. Dr. Thomas asked what their intentions were with Dock Inn. Mr. Wells stated that there is currently no patio outside and if they did build one it would not have speakers and their closing hours would be the same as Hogg Haven or even earlier. Mr. Fulks made a motion to withdraw the request for a hearing on the liquor license transfer, seconded by Dr. Thomas. Upon voice vote on the motion, all votes were yes.

Ms. Bev Jeffers was granted privilege of floor to discuss the condition of old monuments in Pine Street Cemetery. She started out by saying that she appreciates the Pledge of Allegiance and prayer that was said before the start of the meeting. Ms. Jeffers had submitted a letter from Mr. Rick Elias to the City Manager concerning the replacement of a historical monument. She stated that she is an advocate for our forefathers, our French 500, including Claudius Romain Menager & Marie Bobin Menager. The Menager family and their descendants have contributed greatly to the City of Gallipolis. Claudius and Marie were

buried in Pine Street Cemetery and their gravestone monument is broken, deteriorating, and crumbling. Mr. Elias and the Menager ancestors have agreed to contribute funds toward the replacement. The cemetery walk last October was a hit among people and gave much history of our area. The walk will be held again on October 7th of this year and will include the John Gee Black Historical Center. She also informed the commission of upcoming history events in Gallipolis. Ms. Jeffers concluded by asking the commission to consider funding to contribute to the restoration of our forefathers' monuments at Pine Street Cemetery. The City Manager stated that we have a Cemetery Endowment fund but the stipulations on spending is strict. The City Solicitor will look into the details and restriction of the fund. The commission thanked Ms. Jeffers for her time.

The City Manager reported on the following:

- We had our bid opening for the Oakwood Drive landslide repair with only one bidder, Ohio-West Virginia Excavating Co. Burgess & Niple has reviewed and approved the bid and the first reading ordinance to accept the bid is on the agenda tonight. This engineers estimate was around \$500,000 with the bid coming in at \$303,552. We have all easements signed and Columbia Gas has relocated lines in the area and will come back after the project is complete to do road repairs they impacted.
- Had a pre-construction call for the State Route 7 paving project last week. He anticipates the State to put out signs soon. They are going to try to do day time work, which gives them better visual, and see how it works out with traffic. The completion date for the project is July 15th with actual paving being done before the July 4th holiday.
- In the commissioners' packets was information from Gallipolis Township Trustees on the repaving of Farm Road. The City owns a small portion of the road and the township has requested the City pay a share of \$10,000. He recommended that if we have the funding that we pay the requested amount.
- Commended Chief Boyer on handling issues at the Blue Fountain Motel. There will be a change of ownership and hopefully will be a better environment.
- GIS mapping group is back in town this week and will finish next week. We will then have training and be able to document repairs and leaks in real time.
- The Lazarus Company was here today to get started on the cemetery project. They copied all of our books and will do video and drone at the cemeteries. The project will probably take 3 to 4 months to complete.
- The Fire Department will be having a pancake breakfast at the fire station on April 1, 2023, from 8:30 a.m. to 11:00 a.m. The breakfast is free but donations are appreciated.
- We will probably need an executive session tonight on potential litigation.
- On the water line grant application that we submitted; we will need to do aerial surveying of the area we applied for. This will cost approximately \$5,600 to be paid from the water fund. Mr. Fulks made a motion to approve the surveying, seconded by Mr. Brown. Upon voice vote on the motion, all votes were yes.

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

- \$28,094.14 from Rumpke for February refuse pickup. Inv: 2/26/23. PO: 3/1/23.
- \$4,560.00 from Treasurer of Ohio for GASB financial compilation. Inv: 2/28/23. PO: 3/13/23.
- \$6,234.00 from Great Lakes Community Action for GIS mapping. Inv: 2/28/23. PO: 3/13/23.
- \$29,124.00 from Public Entities Pool for property/liability insurance. Inv: 10/1/22. PO: 3/13/23.

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

Mr. Brown asked if a decision had been made on making Juneteenth a holiday for City employees. Mr. Saunders stated that the commission had asked for a cost estimate and Ms. Clonch replied that it was included in the last commission packet. Mr. Brown made a motion to include Juneteenth as a City employee holiday, the motion died for lack of a second.

There was presented and read to the Commission for a second reading Resolution No. O2023-02 entitled **A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE NATIONAL OPIOID SETTLEMENT AGREEMENT.** Mr. Fulks made a motion to adopt the resolution on the second reading, seconded by Dr. Thomas. Upon roll call to adopt the resolution on the second reading, all votes were yes.

There was presented and read to the Commission for a second reading Resolution No. O2023-03 entitled **A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO RESTORE THE LOCAL GOVERNMENT FUND TO PRE-RECESSION LEVELS.** Mr. Brown made a motion to adopt the resolution on the second reading, seconded by Dr. Thomas. Upon roll call to adopt the resolution on the second reading, all votes were yes.

There was presented and read to the Commission for a second reading Resolution No. O2023-04 entitled **A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT EASEMENTS FOR PURPOSES OF A LANDSLIDE REPAIR.** Mr. Brown made a motion to adopt the resolution on the second reading, seconded by Mr. Fulks. Upon roll call to adopt the resolution on the second reading, all votes were yes.

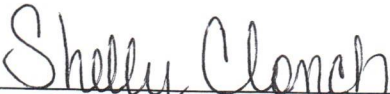
There was presented and read to the Commission for a second reading Ordinance No. O2023-10 entitled **AN ORDINANCE AMENDING ORDINANCE O2022-24, SETTING COMPENSATION FOR MUNICIPAL EMPLOYEES AND REPEALING PREVIOUS ORDINANCES SETTING SAID COMPENSATION.** Dr. Thomas made a motion to adopt the ordinance on the second reading, seconded by Mr. Brown. Upon roll call to adopt the ordinance on the second reading, all votes were yes.

There was presented and read to the Commission for a first reading Ordinance No. O2023-11 entitled **AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR A SIGNAL REPLACEMENT PROJECT FOR THE CITY OF GALLIPOLIS, OHIO.** Mr. Brown made a motion to place the ordinance on the first reading, seconded by Mr. Fulks. Dr. Thomas asked what this was for and the City Manager stated that it is for traffic signal replacement at the Silver Bridge Plaza with no cost to the City. Upon voice vote to place the ordinance on the first reading, all votes were yes.

There was presented and read to the Commission for a first reading Ordinance No. O2023-12 entitled **AN ORDINANCE ACCEPTING AND REJECTING BIDS FOR OAKWOOD DRIVE LANDSLIDE REPAIR.** Mr. Fulks made a motion to place the ordinance on the first reading, seconded by Dr. Thomas. Upon voice vote to place the ordinance on the first reading, all votes were yes.

Mr. Fulks made a motion to enter executive session for imminent legal action, seconded by Mr. Brown. President Gallagher stated that there would be no business following executive session. Upon roll call to enter executive session, all votes were yes.

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