

**GALION CITY COUNCIL
MINUTES OF REGULAR MEETING (via Zoom)
February 9, 2021 at 7:00 p.m.**

The February 9, 2021 meeting of Galion City Council held via Zoom was called to order by President Carl Watt. The Pledge of Allegiance was followed by an invocation by Pastor Joe Stafford of Wesley Chapel..

Clerk of Council Julie Bell called roll with the following members present: Ms. Ault, Mr. Bodkins, Ms. Erlsten, Dr. Fellner, Mr. Ivy, Mr. Richart, and Mr. Triplett.

The roll call for elected officials and officials required by Council Rules and the Ohio Revised Code to be present was called with the following present: Mayor O'Leary, Auditor Baldinger, Director of Law Palmer, and Safety-Service Director Ward.

President Watt asked for a motion to approve the minutes from the January 26, 2021 regular meeting. Mr. Ivy made the motion to approve as presented. Mr. Bodkins seconded the motion. Motion carried 7-0.

President Watt asked for a motion to add Ordinance No. 2021-13 to the agenda. Ms. Erlsten made the motion which was seconded by Mr. Richart. The roll call on the motion resulted as follows: Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea. Motion carried 7-0.

President Watt asked for a motion to add Ordinance No. 2021-14 to the agenda. Mr. Triplett made the motion which was seconded by Mr. Bodkins. The roll call on the motion resulted as follows: Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea. Motion carried 7-0.

President Watt asked for a motion to add Ordinance No. 2021-15 to the agenda. Ms. Ault made the motion which was seconded by Mr. Ivy. The roll call on the motion resulted as follows: Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea. Motion carried 7-0.

President Watt asked for a motion to add Ordinance No. 2021-16 to the agenda. Mr. Bodkins made the motion which was seconded by Ms. Erlsten. The roll call on the motion resulted as follows: Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea. Motion carried 7-0.

President Watt asked for a motion to add Resolution No. 2021-6 to the agenda. Mr. Richart made the motion which was seconded by Mr. Ivy. The roll call on the motion resulted as follows: Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea. Motion carried 7-0.

Mr. Triplett made the motion to approve the agenda as amended which was seconded by Ms. Erlsten. Motion carried 7-0.

Legislation

Ordinance No. 2021-13 (First Reading)

An ordinance to adopt current replacement pages to the codified ordinances and declaring an emergency.

Mr. Ivy made the motion to suspend the rules and proceed to the final reading on Ordinance No. 2021-4. Mr. Richart seconded the motion. The roll call resulted as follows: Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea, Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Motion carried 7-0.

Mr. Triplett made the motion to pass Ordinance No. 2021-13. Mr. Bodkins seconded the motion. The roll call on Ordinance No. 2021-13 resulted as follows: Mr. Triplett, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, yea, Ms. Ault, yea. Motion carried 7-0 and Ordinance No. 2021-13 passed for final reading.

Ordinance No. 2021-14 (First Reading)

An ordinance authorizing the Safety-Service Director to purchase under the State Purchasing Program, pursuant to R.C. 125.04 (B) without competitive bidding, a bucket truck from Utility Truck Equipment, Inc. for the Line Department, and declaring an emergency.

Dr. Fellner made the motion to suspend the rules and proceed to the final reading on Ordinance No. 2021-14. Ms. Erlsten seconded the motion. The roll call resulted as follows: Dr. Fellner, yea, Ms. Erlsten, yea, Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea, Ms. Ault, yea, Mr. Bodkins, yea. Motion carried 7-0.

Mr. Triplett made the motion to pass Ordinance No. 2021-14. Mr. Ivy seconded the motion. The roll call on Ordinance No. 2021-14 resulted as follows: Mr. Triplett, yea, Mr. Ivy, yea, Mr. Richart, yea, Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea. Motion carried 7-0 and Ordinance No. 2021-14 passed for final reading.

Ordinance No. 2021-15 (First Reading)

An ordinance repealing Ordinance No. 2020-99 and to now approve appropriating property interest described as Parcel 48-T1, 48-T2, and 48-WD now owned by United Photographic Industries, Inc., for the purpose of make or repairing roads which are open to the public without charge, authorizing the appropriation of funds for deposit with the Clerk of Courts, and authorizing the City Director of Law to file a petition for appropriation in the Court of Common Pleas, Crawford County, Ohio; and declaring an emergency.

Mr. Ivy made the motion to suspend the rules and proceed to the final reading on Ordinance No. 2021-15. Ms. Erlsten seconded the motion. The roll call resulted as follows: Mr. Ivy, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Richart, yea, Mr. Triplett, yea, Ms. Ault, yea, Mr. Bodkins, yea. Motion carried 7-0.

Mr. Triplett made the motion to pass Ordinance No. 2021-15. Mr. Ivy seconded the motion. The roll call on Ordinance No. 2021-15 resulted as follows: Mr. Triplett, yea, Mr. Ivy, yea, Mr. Richart, yea, Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea. Motion carried 7-0 and Ordinance No. 2021-15 passed for final reading.

Ordinance No. 2021-16 (First Reading)

An ordinance repealing Ordinance No. 2020-100 and to now approve appropriating property interest described as Parcel 48-S now owned by United Photographic Industries, Inc., for the purpose of make or repairing roads which are open to the public without charge, authorizing the appropriation of funds for deposit with the Clerk of Courts, and authorizing the City Director of Law to file a petition for appropriation in the Court of Common Pleas, Crawford County, Ohio; and declaring an emergency.

Mr. Ivy made the motion to suspend the rules and proceed to the final reading on Ordinance No. 2021-16. Mr. Richart seconded the motion. The roll call resulted as follows: Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea, Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea. Motion carried 7-0.

Mr. Triplett made the motion to pass Ordinance No. 2021-16. Mr. Bodkins seconded the motion. The roll call on Ordinance No. 2021-16 resulted as follows: Mr. Triplett, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, yea, Ms. Ault, yea. Motion carried 7-0 and Ordinance No. 2021-16 passed for final reading.

Resolution No. 2021-6 (First Reading)

A resolution approving and ratifying the prior acts of the Department Heads and Safety-Service Director and approving a "Then and Now" Certificate for said expenditure, and declaring an emergency.

Dr. Fellner made the motion to suspend the rules and proceed to the final reading on Resolution No. 2021-6. Mr. Ivy seconded the motion. The roll call resulted as follows: Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, yea, Mr. Triplett, yea, Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea. Motion carried 7-0.

Mr. Triplett made the motion to pass Resolution No. 2021-6. Mr. Richart seconded the motion. The roll call on Resolution No. 2021-6 resulted as follows: Mr. Triplett, yea, Mr. Richart, yea, Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea. Motion carried 7-0 and Resolution No. 2021-6 passed for final reading.

Ken Bodkins made the motion to nominate Mike Richart as the President Pro Tempore. Dr. Fellner seconded the motion. The roll call on the motion resulted as follows: Ms. Ault, yea, Mr. Bodkins, yea, Ms. Erlsten, yea, Dr. Fellner, yea, Mr. Ivy, yea, Mr. Richart, abstain, Mr. Triplett, yea. Motion carried 6-0 with one abstention.

Upcoming committees:

Laws, Ordinances, Zoning, and Permits –

Utilities

Parks and Recreation - February 10, 2021 at 7:00 p.m. via Zoom

Finance – February 17, 2021 at 7:00 p.m. via Zoom

Police, Fire and Health – February 18, 2021 at 7:00 p.m. via Zoom

Economic Development and Airport – February 16, 2021 at 7:00 p.m. via Zoom

Streets, Alleys, Trees, & Bridges – February 11, 2021 at 7:00 p.m. via Zoom

Mr. Bodkins asked about the status of selling the Eastside Fire Station. The mayor responded that the storage situation has not been resolved.

Ms. Erlsten has been in discussion with Port Authority members Gary Frankhouse and Chad Miller and is requesting a Committee of the Whole for Thursday February 11, 2021 at 7:30 p.m. (right after the Streets, Alleys, Trees, and Bridges Committee). Would like any questions that council may have to forward them to Tammy and she will pass them along.

The mayor feels the following are the topics that need addressed.

1. 5M Bond Issue
2. 2M additional funding
 - a. Port Raise
 - b. Freese Foundation guarantee
3. How to pay for engineering and ultimately the infrastructure.
4. Operating plan – costs / revenue

President Watt explained that the subject regarding emails between council members and citizens were reviewed as to whether they meet one of the reasons allowable for an executive session. It was determined that it was best that it be done in the open. Requested that the conversation be kept at the professional level

Ms. Erlsten started the discussion stating that the point is not that they are a citizen and that criticism is welcome but what we are talking about is the conduct around it. The letters were signed as members of organizations that the city has regular interaction with. She is not sure where we go with that. Tammy worked with the Law Director to develop a document to hold council accountable for their actions.

Dr. Fellner would like council to present a united front and to vet this project with all the information that they have. As council members we can only be responsible for our own conduct and our own communication with citizens and each other. Without wanting punishment or retribution or holding someone else accountable, a statement of our resolve to move forward on this issue using all the information that we have is appropriate.

Ms. Ault questioned what that letter of would look like to him.

Dr. Fellner stated that we are united in vetting the project regardless of the opinions that are that negative. We have to be better than that as a body. Responding individually to this would be lowering ourselves to that level.

Ms. Ault stated she understood the unity and not responding individually. It is just that the level of unprofessionalism has some council members questioning exactly how do we move forward. Is it asking for an apology, is it asking for a resignation? But because we have to work with the individual and echoing what was said that if this was a private citizen you thank them and share it with council. But because this individual is a Freese Trustee and a Chamber Board Member we have to look at how do we have good relationship with them and the trust we need to move forward and discussed in an efficient and relaxed manner without the fear of getting more emails.

Dr. Fellner said that the council does not appoint this person. We are not dealing with an individual but multiple board members. I think we continue on. We recognize it, we agree that it was unprofessional. If it was a council member that would be a different matter. If it was a city official that would be a different matter. He is not. I just don't see beyond a statement of disagreement I am not sure what kind of punitive action we should take.

Mrs. Erlsten said that we don't have the authority to make anything like that happen but back to your point I think it is very important that we have a unified front. Any recommendation is just that and that is all it is. She wants everyone to understand that the quote was "I have no respect...or I have lost all respect or any grain of support for the bush leaguers that sit on council." I feel like we need to have that back and forth, that kind of support from the chamber and the Freese Board to work well together. I hear what you are saying and I agree but at the same time I want to somehow make sure that this doesn't happen again. This wasn't a one-time incident. It happened on a Wednesday, and again on Thursday, and again on Friday. Each one was equally offensive. I get it we have a bad day but this was a repeated thing. Both council members responded professionally. It just didn't stop. I want to ensure that we can continue to work well together as a community with these groups and this isn't something that we shouldn't have to deal with again. We as a council demand that we be treated with respect.

Dr. Fellner helped to clarify his response. That is the contents of the letter that we strongly disagree with it finding this vitriol unproductive to the procedure and that we as a council stand behind each other and we oppose this type of communication. That is what I meant not to acquiesce because we don't have any power and I don't think that you are calling for retribution but I do think we need to stand up and recognize it, say strongly how we disagree with it and we want mutual respect. That is what I meant.

Ms. Erlsten thinks that it is important that we are discussing it as a whole as part of it was addressed to all of us and it is a big issue. I appreciate hearing from you all.

Mr. Ivy appreciates the conversations he has had over the past several days. What I mentioned to Tammy and what we have to remember is that there is always two sides to every story. We have to deal with these two words; optics and perception. The gentleman in question and I am not defending it. We all agree it was out of line, we all agree it could have been handled better. But there is another side to this story. Perception is the reality the individual going through it. Whether it be Ms. Erlsten or as I told the gentleman, when I was the only one on council that reached out to him to get his side of the story. In defense of Ms. Erlsten she was advised to not to.

Ms. Erlsten stated that they did respond.

Mr. Ivy said well as of Sunday night you were advised not to so that really clarified the picture for me. When I had the discussion with the person, his perception after 12 days of silence and not hearing from anybody at the time that we were "using our position of authority to bully him into silence and trying to get him removed from these volunteer committees and he is not an elected official." Me personally, I too was called incompetent and a warm seat. It does not bother me one bit but I respect where it could bother others. The optics of this are the perception on one end of this equation is that they are using their platform of authority to bully me to resign then in fairness to this individual I don't know that I would have not reacted the same way. But with that said the picture has become more clear, the gentleman did issue an apology even though it was a continuation of one bullet point after another. I hate to sound crass but his right to free speech trumps my right to be offended. He in my mind did not cross a line. He did not threaten us, he did not threaten my family, and he did not make veiled threats to come after you. They were words. I understand he is in a position because he identified as a member of these two bodies that it is held to a different standard. There is no question about that. And even the gentleman in question admitted he should be held to a different standard and that he was out of line. So with that said I propose, take a deep breath, and that if both sides of this equation are ready to move on and put that behind us and if he is willing to have a constructive working relationship then we have to make the decision if we are willing and choose to work with this individual. Personally I am. Was I offended by it? No. I didn't look at it as a personal attack but as an angry individual who may have been given misinformation or may not have. I am supportive of a letter but not one that requests any resignation.

Ms. Erlsten wanted to clarify that she did immediately reach out upon receiving the first email and thanked him for his opinion because he absolutely has every right to his opinion. He just responded with another angry email

and it was decided that the communication had clearly broken down at that point. I want to stress that I would not stop speaking to someone because I was offended but clearly there was no more communication only angry, hate filled messages. It was not only directed at all of us but it was directed at the community. We have to be able to communicate respectfully and professionally. I hope he doesn't represent the feeling of those boards.

Mayor O'Leary shifted the focus because as far as the language I think there is general agreement they wish they hadn't said that. My disagreement lies with the point of view that was being expressed. The public has every right to ask questions, they have every right to weigh in on this. And the idea that there are self-described best and brightest minds in Galion and they are going to make decision for the public. That is what I find unacceptable and that is why I think the survey is a great idea. I think the survey is a good instrument but not perfect and the conversations starting Thursday are important. This is the biggest project since the schools. You can't have too much public involvement and the suggestion by these leaders, these individuals that they know better or their group knows better and the public can't discern what is right for Galion is repugnant. And if this group of pro Freese Center don't believe in letting Galionites speak then I guess it won't be a long and rocky road but a short and abrupt Thelma and Louise end to this whole thing. So let people talk. The point that they shouldn't underlying the nasty language. I think we want to allow the surveys to come in. You know the power of the experts is often overrated and the wisdom of the everyday person gets us where we want to go more than the elites would like to think.

Ms. Erlsten agreed 100% and felt had the dialogue been able to be open with this person that they would have had a nice conversation about where we were coming from as a council. But because of the disrespect and the unprofessional behavior the conversation had to end it had to stop. That is my fear, I don't want the conversation to stop. I don't want the conversation to end because I have a different opinion from someone else. That is when the conversation should start. When you are disrespectful the conversation ends. That is what makes me sad and upset. That is why I don't want to see this happen again and I don't know that it is going to stop. That is my fear.

Mr. Bodkins said his opinion on this is short and sweet. I think we have a group on this side that wants the event center. All the council wants is more information we are skeptical that's all. We are not saying not that's the right thing. I think maybe it was totally uncalled for but there is nothing we can do about that. One wants it and we want to know more about it. It is that simple.

Mr. Watt said that he agrees with Dr. Fellner that council needs to stick together and it is too bad that council agreed as whole to send out the surveys, how two people were singled out and attacked was incorrect.

Auditor's Report

Treasury Investment Committee met on January 27, Discussed the renewal of investments. Meeder and Assoc. made the recommendation on both coming up for renewal. The committee made the recommendation on those. Next meeting is July 28, 2021.

Mr. Triplett gave an update on the PCA that was reviewed at the February Utilities Committee. No change was made to the PCA.

Aaron asked about the video surveillance in the parks. Mayor stated that a proposal will go to Freese for it.

Treasurer's Report

Not in attendance

Director of Law

Over the last couple of week especially as it relates to the topic just discussed. What is a public record, Galion's responsibility, what is the responsibility of each of you with public records? I think it is time that we had some conversation regarding public records and for the time being until we can do that I want to share with you the reminder that everything you that is in a fixed format including letter, emails and texts. That text if it meets the definition of a public record, even if it is on your private cell phone it is a public record. If it is a public record then it cannot be destroyed and it has to be available for public inspection and or release. So public records is a serious issue. I want to make the general awareness that it applies to each and every one of you if you a dealing with anything that is discussing city business and it meets that definition.

Mayor's Report

SR 598 continues to move ahead. Real Estate takes have gone well and the donations have allowed this portion to come in under budget. Definitely been a joint effort between the consultant, Tasha, and the Law Directors office.

The Brandt Rd. turn lane quote came in around \$290+ Hoping to get that included to be done at the same time as the ODOT project. Dependent on what is happening with the old PECO property.

Glad there will be further conversation on the Freese Center. Mr. Triplett asked about whether it would be free for the residents. The mayor would like to see that due to the will and the fact that they are foregoing other projects.

President of Council

Appreciated everyone's professionalism.

Dr. Fellner volunteered to draft the letter that he referred to earlier and would like to get it to the members to review in the next couple of days.

There being no further business to discuss President Watt asked for a motion to adjourn. Mr. Triplett made the motion and Ms. Erlsten seconded. The motion carried and the meeting adjourned at 8:41 p.m.

Carl W. Watt, President of Council

Julie L. Bell, Clerk of Council