

CITY OF OAK HILL
MINUTES
City Council Meeting - September 2021
September 13, 2021 - 6:30 PM

The regular monthly meeting of the Oak Hill City Council was held on September 13, 2021 in the Council Chambers of Oak Hill City Hall at 6:30 p.m.

Call to Order

The Mayor called the meeting to order.

Roll Call

The City Clerk called the roll with the following being in attendance:

PRESENT

Mayor Daniel Wright
Council Member Thomas Oxley
Council Member Diana Janney (via Zoom)
Council Member David Perry
Council Member Charles Smallwood, Jr.
Council Member Ronald Stephen Hayslette
Council Member Benitez Jackson

Invocation

The invocation was led by Bishop Sam Calloway with Spirit & Truth Ministries.

Pledge of Allegiance

Council member Hayslette led the Pledge of Allegiance.

Reading and Approval of Minutes

Motion – Dispense with the reading of and approve the minutes of the council meeting held on August 9, 2021.

Motion carried 6 - 0

Motion made by Council Member Perry, Seconded by Council Member Oxley.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson

Treasurer's Report

Motion - Approve the treasurer's report as presented.

Motion carried 6- 0.

September 13, 2021

Motion made by Council Member Perry, Seconded by Council Member (At Large) Oxley.
Voting Yea: Council Member Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson

Correspondence

None

Citizens Comments

Christa Hodges reported on the activities of Destination Downtown.

Joy Farrish was in attendance with her attorney Liz Campbell concerning agenda item #16D. They are requesting a delay on the issuance of an order on the dilapidated building at 500 Main Street.

Jim Ayres asked about the progress on the meeting with the DHHR concerning the building behind Domino's. He also asked about the request to turn Mission Avenue into a one way street. Finally he announced his recommendation of Christa Hodges to fill the vacant council seat.

Department Reports and Council Comments

Councilmember Perry complimented the city administration and relayed a story to the Chief of Police about one of his officers.

The Chief of Police discussed the activity of the Police Department.

The Mayor complimented the Police Department.

The Fire Chief gave the report for his department.

Council member Perry questioned the directive from the City Manager to not allow fire trucks in parades.

There was much discussion on the reason for the directive. It involved an accident during the line up for the Oak Leaf Festival parade.

Councilmember Perry requested the Fire Chief to perform an inquiry on the accident and present it to Council. The Fire Chief explained the details of the accident and Councilmember Perry withdrew his request for an inquiry. The Chief's explanation is sufficient.

Councilmember Jackson asked how to get the City Manager's directive about fire trucks in parades reversed. The City Manager explained his reasoning for not allowing fire trucks in ceremonial parades or activities.

Councilmember Perry made a motion to allow fire trucks in the upcoming homecoming parade.

The City Manager withdrew his directive concerning fire trucks effective immediately, but made it clear that accidents during ceremonial events are not the responsibility of management but of Council.

Motion died for lack of a second.

Council Comments

The Mayor called for council comments and the following items were discussed:

The veteran's memorial committee met; the check for the Minden Community Center; GIS; playgrounds and ADA standards; the Oak Leaf Festival Banner at the bridge needs removed; paving schedule, Oak Leaf kudos, the Mayor needs to appoint the evaluation committee to develop an instrument for evaluating those under Council's hiring authority; the Economic Development Committee should keep Council apprised of candidates; a proclamation for Steven Whitmore, Wastewater Operator of the Year

The Mayor called for a moment of silence in honor of long time Councilmember Jeff Atha who recently passed away.

Mayoral Comments

The Mayor complimented the Oak Leaf Festival committee. He also reported lots of trash behind Blackburn's Pawn Shop.

A Minute from the Minutes

The Mayor read excerpts from the minutes of August 6, 1940,

Unfinished Business

1. Appointment to Fill Vacancy on Council Ward 1

This is the vacancy created by the resignation of Melissa Wilshire. Christa Hodges, Mark Hurt, and Jim Ross have submitted letters of interest in the position.

Motion - *Enter into executive session based on personnel reasons.*

Christa Hodges asked for the discussion to be held in open session. Jim Ross and Mark Hurt also agreed to this.

Motion failed 4 - 2

Motion made by Council Member Perry, Seconded by Council Member Smallwood, Jr..

Voting Yea: Council Member Perry, Council Member Smallwood, Jr.

Voting Nay: Council Member Oxley, Council Member Janney, Council Member Hayslette, Council Member Jackson

Council interviewed each candidate individually by asking questions about various subjects. When the interviews were finished, they Mayor presented each name for vote. The votes were as follows:

David Perry - Jim Ross
Diana Janney - Christa Hodges
Tom Oxley - Christa Hodges
Charles Smallwood - Jim Ross
Benitez Jackson - Christa Hodges
Steve Hayslette - Christa Hodges

By majority vote of Council, Christa Hodges will fill the vacant council seat for Ward 1. The Mayor then gave Christa Hodges the oath of office and she entered the meeting as a voting member.

2. Municipal Sales and Use Tax Ordinance - 2nd Reading (Public Hearing)

The Mayor opened the meeting for public comment for the sales tax ordinance. No comments from the public were made. Council discussed the uses of the revenue from the sales tax..

The Mayor then closed the meeting for public comment.

Motion - Accept this as the 2nd reading and adoption of the Municipal Sales and Use Tax Ordinance.

Motion carried 7 - 0.

Motion made by Council Member Oxley, Seconded by Council Member Perry.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

3. Examination of Demolition Report for 46 Beaver Rd., Map 59E, Parcel 28, Owned by Joseph & Sharon Kelly (deceased) c/o Joseph A. Kelly Jr.

This item was considered with agenda item #4.

Motion - Accept the demolition reports for 46 Beaver Road, owned by Joseph and Sharon Kelly, as well as for 38 and 40 Poff Road owned by Debra K and Danny Thomas.

Motion carried 7-0.

Motion made by Council Member Perry, Seconded by Council Member Jackson.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

4. Examination of Demolition Report for 38 & 40 Poff Rd., Map 59E, Parcel 45 & 46, Owned by Debra K. & Danny Thomas

Voted on with agenda item #3

5. **Consideration and Adoption of a Resolution to Lay Assessment Lien on Property Located at 1138 Minden Rd., Map 58L, Parcel 12, Owned by Alma Campbell, c/o Diana McCumbers**

Motion - Adoption of a resolution to lay an assessment lien on property located at 1138 Minden Rd. owned by Alma Campbell in the amount of \$5,803.90.

Motion carried 7 - 0

Motion made by Council Member Oxley, Seconded by Council Member Janney.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

6. **Bid Opening for Demolition of Residential Structure Located at Old Minden Rd., Map 33, Parcel 127, Owned by Frederick Riggins & King Moses Riggins**

Two bids were received for the demolition of the structure located at Old Minden Road, owned by Frederick Rigging and King Moses Riggins.

The bids are as follows:

Heri Environmental WV, LLC - \$14,920.00

Empire Salvage - \$7,500.00

Motion - Accept the bid of Empire Salvage in the amount of \$7,500.00

Motion carried 7 - 0

Motion made by Council Member Perry, Seconded by Council Member Oxley.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

7. **Consideration and Adoption of a Resolution for the City to Demolish the Structure Located at 1016 Summerlee Ave., Map 16, Parcel 50, Owned by Arthur J. Adkins**

Motion - Adopt a resolution to lay an assessment lien on property located at 1016 Summerlee Avenue, owned by Arthur Adkins.

Motion carried 7 - 0.

Motion made by Council Member Perry, Seconded by Council Member Hodges.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

8. **Consideration and Adoption of a Resolution for the City to Demolish the Structure Located at 216 Chestnut Ave., Map 32, Parcel 70, Owned by Paul H. and Clarice Lassinger and Clifford M. Bragg**

Motion - *Adopt a resolution to lay an assessment lien on property located at 216 Chestnut Avenue, owned by Paul H. and Clarice Lassinger and Clifford M. Bragg.*

Motion carried 7 - 0.

Motion made by Council Member Perry, Seconded by Council Member (At Large) Oxley. Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

9. Crown Act Ordinance

Motion - *Table action on this ordinance until the next council meeting.*

Motion carried 7 - 0.

Motion made by Council Member Perry, Seconded by Council Member Janney. Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council member Hodges

10. Appointments to City of Oak Hill Building Commission

Motion - *Table until the next meeting.*

Motion carried 7-0.

Motion made by Council Member (At Large) Oxley, Seconded by Council Member Hayslette. Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

11. Consideration to Amend City of Oak Hill Municipal Code (OHMC) 4.08.050 Manufacturing, Compounding or Preparing Products; Processing of Food Excepted and OHMC 4.08.060 Business of Selling Tangible Property; Sales Exempt - 2nd Reading

Motion - *Accept this as the 2nd reading and adoption to amend City of Oak Hill Municipal Code (OHMC) 4.08.050 Manufacturing, Compounding or Preparing Products; Processing of Food Excepted and OHMC 4.08.060 Business of Selling Tangible Property; Sales Exempt*

Motion carried 7 - 0.

Motion made by Council Member Oxley, Seconded by Council Member Perry. Voting Yea: Council Member Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

12. Ordinance to Increase Pay of Council - 2nd Reading

Motion - *Accept this as the 2nd reading of an ordinance to increase the base pay of council by \$2,000.00 making the annual pay for council \$5,000.00 and increase the base pay of the Mayor by \$3,000.00 making the annual pay for Mayor \$7,000.00. There will also be a per meeting pay of \$100 for council members and Mayor for attending City/Council appointed meetings (Planning, Board of Zoning Appeals, Beautification, Recreation, Amphitheater, and Rail Trail . This ordinance will be effective July 1, 2023.*

Motion carried 4 - 3

Motion made by Council Member Perry, Seconded by Council Member Oxley.

Voting Yea: Council Member Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr.

Voting Nay: Council Member Hayslette, Council Member Jackson, Council Member Hodges

New Business

13. Recommendation from Sanitary Board to Establish Maximum Distance for Required Connection to a Main Sewer Line

Motion - *Accept this as the 1st reading of an ordinance to change the distance for required connection to a main sewer line to 150 feet.*

Motion carried 7 - 0.

Motion made by Council Member Perry, Seconded by Council Member (At Large) Oxley.

Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges.

14. Approval of Service Line Warranties Fall Campaign Mailing

Motion - *Approve the Service Line Warranties fall campaign mailing.*

Motion carried 7-0.

Motion made by Council Member (At Large) Oxley, Seconded by Council Member Jackson.

Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

15. Planning Commission Recommendation to Approve Land Classification from R-2 Medium Density Residential District to B-R, Recreational Business District to Allow RV Park at 4342 Lochgelly Rd.

Motion - *Approve the Planning Commission recommendation to approve land classification from R-2 medium density residential district to B-R, recreational business district to allow an RV park at 4342 Lochgelly Road.*

Motion carried 7 - 0.

Motion made by Council Member Perry, Seconded by Council Member Janney.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges.

16. Structural Inspection Board (SIB) Recommendation to Demolish the Following Structures (Confirmation of Executed Service Received 9-9-2021)

- A. 1119 Minden Rd., Map 27, Parcel 18, Owned by ACE Adventure Resort**
- B. 205 Rocklick Rd., Map 59E, Parcel 18, Owned by ACE Adventure Resort**
- C. 137 Broadway Ave., Map 7, Parcel 116, Owned by Erin Runyon**
- D. 312 Main St., Map 32, Parcel 500, Owned by Joy Lynn Farrish**

- A. 1119 Minden Rd., Map 27, Parcel 18, Owned by ACE Adventure Resort**
- B. 205 Rocklick Rd., Map 59E, Parcel 18, Owned by ACE Adventure Resort**

Motion - *Accept the recommendation of the SIB and order the demolition of the structures at 1119 Minden Road and 205 Rocklick Road owned by ACE Adventure Resort.*

Motion carried 7 - 0.

Motion made by Council Member Perry, Seconded by Council Member Oxley.
Voting Yea: Council Member Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

The owners of the properties listed in item C and D were present to speak to Council.

D. 312 Main St., Map 32, Parcel 500, Owned by Joy Lynn Farrish

Ms. Farrish wanted to clarify that the address for this property is 500 Main Street.
Joy Lynn Farrish, represented by Liz Campbell, asked to be given more time before being ordered to demolish the structure at 312 Main St. (500 Main St) in order to obtain their own quotes on the demolition. Ms. Campbell also asked for the process of discovering dilapidated properties to be explained.

Motion - *Table action on this item until the next meeting.*

Motion carried 7 - 0.

Motion made by Council Member Hayslette, Seconded by Council Member Jackson.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

C. 137 Broadway Ave., Map 7, Parcel 116, Owned by Erin Runyon

Ms. Runyon explained that part of the structure on this property is owned by someone else and she has almost completed the process of obtaining that piece of property. It is her desire to sell the property to someone who can make the house livable. If she cannot accomplish that then she will have the house demolished.

Motion - *Table action on this item until the next meeting.*

Motion carried 7 - 0.

Motion made by Council Member (At Large) Oxley, Seconded by Council Member Perry.
Voting Yea: Council Member (At Large) Oxley, Council Member Janney, Council Member Perry, Council Member Smallwood, Jr., Council Member Hayslette, Council Member Jackson, Council Member Hodges

17. Future Agenda Items

Request to hold public meetings on ARPA funds and announce the date at the next meeting,

Adjournment

There being no further business appearing, the meeting adjourned at 10:00 p.m.

Daniel E. Wright, Mayor

Damita Johnson, City Clerk