

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

The regular monthly meeting of the Oak Hill City Council was held on December 12, 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
Council Member David Perry
Council Member Christa Hodges
Council Member Charles Smallwood, Jr.
Council Member Ronald Stephen Hayslette
Council Member Benitez Jackson

Invocation led by Rev. Michael Hicks, Jones Ave. Church of God

Pledge of Allegiance led by Councilmember Hodges

Reading and Approval of the Minutes

Motion – Dispense with the reading of and approve the minutes of the council meetings held on November 8 and November 10, 2021.

Motion carried 7 - 0

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

Treasurer's Report

Motion - Approve the treasurer's report as presented.

Motion carried 7- 0.

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

Correspondence

None

Citizens Comments

Councilor Perry asked for the Mayor to allow the speakers more than three minutes. The Mayor agreed.

Mike Bone with Warm Hearts to Warm Hands informed Council that he is tired of being harassed over everything he does at the center. The most recent issue has been about a delivery truck parking on the sidewalk.

There was a lengthy discussion on this problem. Councilor Perry suggested the City Manager and Chief of Police offer a solution that will allow Mr. Bone to unload food deliveries at his location on Main Street.

Mr. Perry would also like to have a legal opinion on divulging the names of the person or persons that have been complaining about Mr. Bone and his facility.

Jim Ayers asked for Council to hold off on implementing the 1% sales tax.

Kevin Willis updated Council on the activities of Destination Downtown.

Councilor asked if Destination Downtown had articles of incorporation and asked for an audit of the groups checking account.

Council Comments and Department Reports (with possible action)

Department Reports

The Chief of Police gave his department's report for the month. Councilor Perry asked for a copy of the dog ordinance.

The Fire Chief gave the monthly report for his department. Councilor Perry asked the status of the addition to the fire department.

Motion - Extend a \$250 bonus to all members of the fire department who have answered at least 20% of calls this year. The Chief, Fire Chief, and others who have already received a bonus from the City will not receive this bonus. The two trainees will receive the bonus.

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by Councilmember Hodges.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

The Public Works Director gave his activity report for the month.

The City Manager orated his monthly report.

Councilor Perry commended the City Manager. He also asked the status of the Welcome to Oak Hill signs.

Council Comments

The Mayor polled Councilmembers for comments and the following items were discussed: Veteran's memorial property, Fire Department Christmas dinner, Solid Rock Worship Center, parking along Main Street, rescheduling the Christmas Parade, faded street signs on Lincoln, High, and Harris Streets off Broadway Ave., James Ellis marker, yellow line at C & O cleaners, curb pulling away from the sidewalk at Woods and Park, lights at Harlem Heights trail, State Farm building on Oak Hill Avenue, 1% sales tax, sidewalks, recycling containers, problem with the new lights at Avian Way.

Mayoral Comments

The Mayor spoke about the ceremony held on December 11, 2021 unveiling the plaque dedicated to the Jones family.

A Minutes from the Minute

The Mayor read excerpts from the minutes of January 9, 1939 and April 3, 1939.

Unfinished Business

Call to Order / Public Meeting

The Mayor announced that a public hearing is in session to hear comments on the implementation of a 1% municipal sales tax. He opened the floor for comments. Kevin Willis would like to see the sales tax funds designated for specific uses., Orville Thomas is against the 1% sales tax. He does not think it is good for those on a fixed income.

After hearing no more comments, the Mayor closed the public hearing.

1. Municipal Sales and Use Tax Ordinance - 2nd Reading

Motion - Accept this as the 1st reading and adoption of an ordinance to implement 1% municipal sales and use tax.

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by Councilmember Hodges.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

Council Perry asked about the timeline for implementing the sales tax. The tax will become effective on July 1, 2022.

2. Contribution to Southern West Virginia Convention and Visitors Bureau (CVB)

There was once again a lengthy discussion about paying an additional 7.5% of the collected hotel occupancy tax to the New River Gorge CVB to then be remitted to the Southern WV Convention and Visitor's Bureau.

Becky Sullivan, Director of the Chamber and CVB answered several questions before she suggested reducing or participation from 7.5% to 5%.

Motion - Reduce the hotel occupancy tax portion that goes to the Southern WV CVB to 5%.

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by Councilmember Oxley.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

3. Property Traders, Owner of Property Located at 526 Gatewood Rd., Map 13, Parcel 139, Progress Report (including blueprints and current cost of repair)

Marc Love, owner of Property Traders, gave an update on the work done and the work planned for 526 Gatewood Road. The Council requested another report from Mr. Love in 3 months. No other action was taken.

4. Bid Opening for Demolition of Residential Structure Located at 1119 Minden Rd., Map 27, Parcel 18, Owned by ACE Adventure

One bid was received from Empire Salvage in the amount of \$5,500.00.

Motion - Accept the bid of Empire Salvage and made the award for the demolition of the structure located at 1119 Minden Road, owned by ACE Adventure.

Motion carried 7 - 0.

Motion made by Councilmember Oxley, Seconded by Councilmember Hodges.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

5. Consideration to Adopt a Resolution for the City to Demolish the Structure Located at 137 Broadway, Map 7, Parcel 116 & 117, Owned by Erin Runyon

Larry Harrah was in attendance representing Erin Runyon. Ms. Runyon now has full ownership of the land, and she is asking for a stay of the demolition while she tries to sell the property.

The buyer will bring cost estimates and plans to the March council meeting.

Motion - Table this item until the March 14 meeting.

Motion carried 7 - 0.

Motion made by Councilmember Oxley, Seconded by Councilmember Janney.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

6. Consideration to Adopt a Resolution for the City to Demolish the Structure Located at 312 Main St., Map 32, Parcel 499, Owned by Joy Lynn Farrish

This item and item #6 were considered together.

Motion - Adopt a resolution for the city to demolish the structure located at 312 Main St., owned by Joy Lynn Farrish and the structure located at 40 Cherry Lane, owned by Candida Kincaid Fruit.

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by Councilmember Oxley.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

7. Consideration to Adopt a Resolution for the City to Demolish the Structure Located at 40 Cherry Lane, Map 7, Parcel 121, Owned by Candida Kincaid Fruit

This item was considered with item #5.

New Business

8. Consideration to Repair the Scout Cabin

The Mayor received the report detailing the repairs needed to restore the building. The price to do this is cost prohibitive.

Motion - Demolish the scout cabin and turn over parts of the cabin to the Oak Hill Alumni Association as a fund raiser.

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by Councilmember Jackson.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

Motion - Place a kiosk around the site of the scout cabin with a plaque and a picture of Jackie Wright to honor him for his dedication to the youth of our community.

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by Councilmember Oxley.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

The City Manager presented a plan for upgrading city park and adding a skate park in the vicinity of the scout cabin.

Motion - Proceed with the skate park and the recreation plan for city park.

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by Councilmember Jackson.

Voting Yea: Councilmember Oxley, Councilmember Janney, Councilmember Perry,

Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette,
Councilmember Jackson

9. Consideration to Amend Oak Hill Municipal Code (OHMC) 2.02.010 Meetings: Procedures - 1st. Reading

Motion - *Accept this as the 1st reading to amend OHMC 2.02.010 to begin council meetings at 5:30 p.m.*

Motion carried 7 - 0.

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

10. Safety Committee Recommendation to Approve a 4-Way Stop Sign Designation at the Intersection of Byrnside Street and Beech Avenue

Motion - *Accept the safety committee recommendation to approve a 4-way stop sign at the intersection of Byrnside Street and Beech Avenue.*

Motion carried 7-0.

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

11. Planning Commission Recommendation to Change Land Classification from B-2 General Business District, to B-R Recreation Business District on 1500 Acres Located in Minden

This item was considered with item #12

Motion - *Accept the recommendation of the planning commission to change land classification from B-2 General Business District, to B-R Recreation Business District on 1500 acres located in Minden; and to change land classification from R-2 Medium Density Residential District, to B-2 General Business on 1.11 acres located at 3023 East Main St., owned by BM&W Properties LLC*

Motion carried 7-0.

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

12. Planning Commission Recommendation to Change Land Classification from R-2 Medium Density Residential District, to B-2 General Business on 1.11 Acres Located at 3023 East Main St., Owned b BM&W Properties LLC

This item was considered with item #11.

13. Consideration to Amend Settlement and Release Agreement Between Triad Engineering and City of Oak Hill

This is an agreement that needs renewed and deals with the Sanitary Board and our sewer project.

Motion - *Authorize the amendment of the settlement and release agreement between Triad Engineering and the City of Oak Hill.*

Motion carried 7 - 0.

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

14. Conveyance of Property Located at 366 Valley St. Property

This is a reconsideration of accepting the property at 366 Valley Street from VOAD. The neighbor has agreed to maintain the property and purchase the property after the required waiting period.

Motion - *Accept the property at 366 Valley Street pending an agreement from the neighbor and the demolition of the house on the Oyler Avenue property that we agreed to accept earlier.*

Motion carried 7 - 0.

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

15. Consideration of Paying to have the City of Oak Hill Logo Painted on the Water Tower Next to Highland Ave. Owned by West Virginia American Water

Motion - *Proceed with painting of the logo on the water tower next to Highland Ave.*

Motion carried 7 - 0.

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

16. Police Pension Report

Motion - Accept the police pension report as presented and recognize the fact that the fund is 124% funded.

Motion carried 7 - 0.

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

17. Consideration to Forgive Lien Placed on Property Located at Corner of Adkins Ave. and Victory St., Map 13, Parcel 56, Owned by Elizabeth Basham

Motion - Reject request to forgive this lien.

Motion carried 7 - 0.

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

18. Consideration of Letter of Support for Southern Appalachian Labor School's Proposal to the Economic Development Administration titled "Coalfields Workforce Construction Training"

Motion - Authorize providing a letter of support for the Southern Appalachian Labor School's proposal to the Economic Development Administration titled "Coalfields Workforce Construction Training" and Youth Build.

Motion carried 7 - 0.

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

19. Oak Hill Central Business District Building Design Guidelines, Request for Qualifications

Motion - Approve the request for qualifications for the Oak Hill central business district building design.

Motion carried 7 - 0.

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

December 13, 2021

20. Future Agenda Items

A request was made to place the economic coordinator position on the agenda.

Adjournment

With no further business the meeting adjourned.

Daniel E. Wright, Mayor

Damita Johnson, City Clerk