

CITY OF OAK HILL
MINUTES
City Council Meeting - October 2021
October 11, 2021 - 6:30 PM

The regular monthly meeting of the Oak Hill City Council was held on October 11, 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 led by Pastor Michael Meadows, First Brethren Church of Oak Hill

The invocation was led by Pastor Michael Meadows, First Brethren Church of Oak Hill

Pledge of Allegiance led by Councilman-at-large Tom Oxley

Council member Oxley led the Pledge of Allegiance.

Proclamation - Honoree: Steven "Butch" Whitmore

The Mayor read a proclamation honoring Steven Whitmore for his receiving the WV Rural Water Association Operator of the Year.

Reading and Approval of Minutes

Motion – Dispense with the reading of and approve the minutes of the council meeting held on September 13, 2021.

Motion carried 7 - 0

Motion made by Councilmember Perry, Seconded by At-Large Councilmember Oxley.
Voting Yea: At-Large 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 Perry, Seconded by Councilmember Janney.

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

Correspondence

None

Citizens Comments

John David of SALS asked Council to consider appropriating ARPA funds to his organization for a new roof and food distribution.

Kevin Willis, Executive Director of Destination Downtown updated Council on the activities of the group.

Mr. Willis also discussed Air B&Bs and asked for an item concerning a dilapidated structure to be put on the agenda.

Department Reports and Council Comments

The Fire Chief, the Police Chief, and the Director of Public Works gave their monthly reports.

Council member Perry asked the Police Chief how the ATV ordinance is working. The Chief reported that citizens are complying with the ordinance and there is no problem.

Council member Smallwood complimented the Police Department on the patrols on Broadway Avenue.

Council member Perry also complimented the Street Department on their good work.

The Mayor asked for Council comments and the following items were discussed:

The WV Municipal League board meeting, building on Oak Hill Ave that is dilapidated and has high grass, lights and cameras at the playground on Broadway Ave, James Ellis marker, bronze plaque for City Hall; no parking signs from Oak Leaf Festival need removed, sending a letter to the property owners of the Fayette Square "potholes", accolades to the street department and Kevin Willis, asking the Mayor to send a letter to the beautification committee complimenting them on the fall decorations, Dollar General parking lot and ditch line, sending a letter to Chase Bank concerning their non working lights, lights for Avian Way, a scout cabin assessment to be completed for \$1,000, and Christa Hodges resigning for Destination Downtown.

Mayoral Comments

The Mayor gave recognition to the beautification committee for their efforts in the fall decorations around the city. He also announced that there will be an unveiling ceremony for the plaque dedicated to the Jones Family for donating the city hall building.

A Minute from the Minutes

The Mayor read an excerpt from the minutes of February 7, 1944.

Unfinished Business

1. Ordinance Approving Submission of City of Oak Hill's Home Rule Plan Amendment - 1st Reading

This amendment will allow Oak Hill to implement 1% sales and use tax.

Motion - Approve the submission of City of Oak Hill's Home Rule Plan Amendment and accept this as the 1st reading.

Motion carried 7 - 0

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

3. Structural Inspection Board (SIB) Recommendation to Demolish the Structure Located at 137 Broadway Ave., Map 7, Parcel 116, Owned by Erin Runyon

Ms. Runyon was in attendance and explained that she is still not able to sell the property in question and would like more time. There was discussion on the procedures that will be taken before the structure has to be demolished.

Motion - Proceed with the demolition process on the structure at 137 Broadway Ave. with the understanding the Ms. Runyon can appear before council for a 3rd time.

Motion carried 7 - 0

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

4. SIB Recommendation to Demolish the Structure Located at 312 Main St., Map 32, Parcel 499, Owned by Joy Lynn Farrish

Ms. Farrish attended this meeting and had some questions about entering the property for the demolition. There was discussion about this.

Motion - Accept the recommendation of the SIB and order the demolition of the structure at 312 Main Street owned by Joy Lynn Farrish.

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by At-Large Councilmember Oxley.
Voting Yea: At-Large 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 219 Highland Ave., Map 38, Parcel 5, Owned by Damon McDowell and Deanna Lawson

Motion - Adopt a resolution for the city to demolish the structure located at 219 Highland Ave. owned by Damon McDowell and Deanna Lawson.

Motion carried 7 - 0.

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

6. Consideration to Adopt a Resolution to Lay Assessment Lien on the Property Located at 46 Beaver Rd., Map 59E, Parcel 28, Owned by Joseph & Sharon Kelly (deceased) c/o Joseph A. Kelly Jr.

Motion - Adoption of a resolution to lay an assessment lien on property located at 46 Beaver Road owned by Joseph and Sharon Kelly (deceased) c/o Joseph A. Kelly, Jr.

Motion carried 7 - 0.

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

7. Bid Opening for Demolition of Residential Structure Located at 1016 Summerlee Ave., Map 16, Parcel 50, Owned by Arthur J. Adkins

We received one bid for this project from Empire Salvage in the amount of \$5,500.

Motion - Accept the bid of Empire Salvage in the amount of \$5,500.00

Motion carried 7 - 0

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

8. 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. - 2nd Reading

Motion - Accept this as a 2nd reading and adoption of 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 Councilmember Perry, Seconded by At-Large Councilmember Oxley.
Voting Yea: At-Large Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette,

Councilmember Jackson

9. Recommendation from Sanitary Board to Establish Maximum Distance for Required Connection to a Main Sewer Line - 2nd Reading

Motion - *Accept this as the 2nd reading and adoption 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 Councilmember Perry, Seconded by At-Large Councilmember Oxley.
Voting Yea: At-Large Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

10. Appointments to Boards, Commissions, and Committees

- A. Building Commission**
- B. Rail Trail Committee (Council vacancy)**
- C. Amphitheater Committee (Council vacancy)**
- D. Beautification Committee**

Motion - *Appoint Christa Hodges to the Rail Trail Committee.*

Motion - *Appoint Diana Janney to the Amphitheater Committee.*

Motion - *Appoint Kevin Willis to the Beautification Committee.*

All motions carried 7-0.

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

11. Crown Act Ordinance

Motion - *Accept this as the 1st reading of the Crown Act ordinance.*

Motion carried 7 - 0.

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

12. Coordinator of Economic Development

The City Manager gave an update on the search for an Economic Development Coordinator.

13. Veterans Memorial

Council member Oxley distributed copies of the minutes of the Veterans Memorial Committee meeting and discussed plans of the committee.

14. Vendors Policy

The committee is still working on a policy. No action was taken.

15. Fowl Ordinance

The Planning Commission recommended making no change to the fowl ordinance.

Motion - *Do not accept the recommendation of the Planning Commission and eliminate the conditional use permit requirement from the ordinance.*

Motion failed 7-0

Motion made by Councilmember Perry, Seconded by At-Large Councilmember Oxley.

Voting Nay: At-Large Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

Motion - *Change the ordinance to allow fowl as a permitted use instead of a conditional use and require a permit to own fowl in city limits.*

Motion carried 7 - 0.

Motion made by Councilmember Perry, Seconded by Councilmember Jackson.

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

New Business

16. SIB Recommendation to Demolish the Structure Located at 526 Gatewood Rd., Map 13, Parcel 139, Owned by Property Traders

Marc Love was in attendance via Zoom. He requested more time because he has had a crew working on the building and plans to have the building repaired soon.

Motion - *Accept the recommendation of the SIB to demolish the structure located at 526 Gatewood Road owned by Property Traders.*

Motion failed 4-3.

Motion made by Councilmember Perry, Seconded by Councilmember Janney.

Voting Yea: Councilmember Janney, Councilmember Perry, Councilmember Smallwood, Jr.

Voting Nay: At-Large Councilmember Oxley, Councilmember Hodges, Councilmember Hayslette, Councilmember Jackson

Motion - *Table action on this item.*

Motion carried 7 - 0.

Motion made by At-Large Councilmember Oxley, Seconded by Councilmember Hayslette.

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

17. **SIB Recommendation to Demolish the Following Structures**

A. 40 Cherry Lane, Map 7, Parcel 121, Owned by Candida Kincaid Fruit

B. 101 Church St., Map 32, Parcel 416, Owned by Graymill Holdings

Motion - *Accept the recommendation of the SIB and order the demolition of the structures located at 40 Cherry Lane and 101 Church Street.*

Motion carried 7-0.

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

18. **Planning Commission Recommendation to Amend Oak Hill Municipal Code (OHMC) 15.38.240 Bed And Breakfast Inns, Short-Term Lodging Rentals, And Vacation Rentals**

This amendment will eliminate wording concerning the Fire Department.

Motion - *Accept the recommendation of the Planning Commission to amend OHMC 15.38.240.*

Motion carried 7-0.

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

19. **Future Agenda Items**

Use of ARPA Funds

SALS Request

City Hall

Evaluation Instruments

Adjournment

There being no further business appearing, the meeting adjourned.