

CITY OF OAK HILL
MINUTES
City Council Meeting - Nov 2021
November 08, 2021 - 6:30 PM

The regular monthly meeting of the Oak Hill City Council was held on November 8, 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 Charles Smallwood, Jr.
Council Member Ronald Stephen Hayslette
Council Member Benitez Jackson

Invocation led by Pastor Charles Schmuck, Oak Hill Gospel Tabernacle

Pastor Schmuck did not attend the meeting. In his absence Councilmember Janney said the invocation.

Pledge of Allegiance led by Councilmember Smallwood

Councilmember Smallwood led the Pledge of Allegiance to the Flag.

Reading and Approval of Minutes

Motion – *Dispense with the reading of and approve the minutes of the council meeting held on October 11, 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 Janney, Seconded by Councilmember Hodges.
Voting Yea: At-Large Councilmember Oxley, Councilmember Janney, Councilmember Perry, Councilmember Hodges, Councilmember Smallwood, Jr., Councilmember Hayslette, Councilmember Jackson

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Correspondence

None

Citizens Comments

Becky Sullivan, Director of the New River Gorge CVB explained to Council how the 7.5% portion of the hotel occupancy tax that we send for the Southern WV CVB is utilized. This item is on the agenda.

Michelle Holly, County Clerk, discussed the options for redistricting in the County due to the census and legislative action.

Department Reports and Council Comments

The Police Chief gave his monthly report. Councilmember Perry asked about implementing a virtual procedure for arraignments. He also asked about GPS in cars. There was discussion on both subjects.

The Fire Chief gave his monthly report.

The Public Works Superintendent was absent.

After the department head reports, ***Councilmember Smallwood offered a motion to give the employees a pay adjustment of \$300 and a total of three (3) days off for the Christmas holiday. Councilmember Jackson seconded the motion.***

There was discussion on the issue and Councilmember Hodges suggested making the pay adjustment \$500. The days off were also clarified to be December 23, 24, and 27.

Motion was amended to for the pay adjustment to be \$500 gross.

Motion carried 7 – 0.

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

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

Veteran Memorial committee meeting on November 16 at 3 p.m.; White Oak Country Club and contacting Sam Jasper; putting an appreciation letter in the employee pay adjustment checks to be signed by Mayor, City Manager, and Council; parking spot in front of C&O cleaners; lights and cameras for park at Harlem Heights; there is still debris in the yard on Chestnut Ave. where the Lassinger house was demolished; thanks to all the departments, the City Manager should begin doing a monthly report, compliments to the administration for their responsiveness.

Mayoral Comments

The Mayor reported that there has been progress on the trash at Blackburn's Pawn Shop. He also discussed the ceremony for the unveiling of the plaque for the Jones Family. Councilmember Perry will contact members of the Jones Family to make arrangements.

A Minute from the Minutes

The Mayor read excerpts of minutes from October 4, 1947, June 6, 1938, and November 7, 1938.

Unfinished Business

1. Ordinance Approving Submission of City of Oak Hill's Home Rule Plan Amendment - Public Meeting - 2nd Reading

A public hearing was held prior to voting on this amendment.

The Mayor opened the public meeting.

The City Manager announced the purpose of the public hearing was to discuss the City of Oak Hill's proposed amendment to the city's current Home Rule plan. The proposed plan will be submitted to the Municipal Home Rule Board for consideration. If approved, an amendment would permit a reduction in business and occupation taxes and establish an increase in sales and use tax of one percent.

No comments were made.

The Mayor closed the public hearing.

Motion - Approve the submission of City of Oak Hill's Home Rule Plan Amendment and accept this as the 2nd reading and adoption.

Motion carried 7 - 0

Motion made by Councilmember Perry, Seconded by Councilmember Hayslette.

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

2. Bid Opening for Demolition of Residential Structure Located at 219 Highland Ave., Map 38, Parcel 5, Owned by Damon McDowell & Deanna Lawson

One bid was received from Empire Salvage in the amount of \$7,000.

Motion - Accept the bid of Empire Salvage in the amount of \$7,000.

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

3. Structural Inspection Board (SIB) Recommendation to Demolish the Structure Located at 526 Gatewood Rd., Map 13, Parcel 139, Owned by Property Traders

Mark Love with Property Traders attend the meeting via Zoom and gave an update on the condition of the structure at 526 Gatewood Road. He also had several questions on the SIB process for determining what buildings are recommended for demolition and his rights as addressed in OHMC 11.04.30.

Motion - Accept the recommendation of the SIB and order the demolition of the structure located at 526 Gatewood Road, owned by Property Traders.

Motion failed 4-3.

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

Voting Yea: At-Large Councilmember Oxley, Councilmember Perry, Councilmember Smallwood, Jr.

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Voting Nay: Councilmember Janney, Councilmember Hodges, Councilmember Hayslette, Councilmember Jackson

Motion - *Order the repair of structure located at 526 Gatewood Road. The owner is to provide a blueprint and the anticipated cost of repairs.*

Motion carried 7 - 0.

Motion made by Councilmember Hayslette, Seconded by Councilmember Jackson.

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

4. Examination of Demolition Reports

A. Old Minden Rd., Map 33, Parcel 127, Owned by Frederick Riggins & King Moses Riggins

B. 1016 Summerlee Ave., Map 16, Parcel 50, Owned by Arthur J. Adkins

The City Manager gave the demolition report on the structure on Old Minden Road, owned by Frederick Riggins and King Moses Riggins and also on the structure at 1016 Summerlee Ave., owned by Arthur Adkins.

Motion - *Accept the demolition reports as provided by the City Manager.*

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

5. Consideration an Adoption of a Resolution to Lay Assessment Lien on Property Located at 38 and 40 Poff Rd., Map 59E, Parcels 45 & 46, Owned by Debra K. & Danny Thomas

Motion - *Adopt a resolution to lay an assessment lien on property located at 38 and 40 Poff Road, owned by Debra K and Danny Thomas.*

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

6. Consideration and Adoption of a Resolution for the City to Demolish the Structure Located at 1119 Minden Rd., Map 27, Parcel 18, Owned by Ace Adventure Resort

Motion - *Adopt a resolution for the city to demolish the structure located at 1119 Minden Road, owned by Ace Adventure Resort.*

Motion carried 7 - 0.

Motion made by Councilmember Janney, Seconded by Councilmember Hodges.

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

7. Planning Commission Recommendation to Amend Oak Hill Municipal Code (OHMC) 15.38.240 Bed And Breakfast Inns, Short-term Lodging Rentals, And Vacation Rentals - 2nd Reading

This amendment will eliminate wording concerning the Fire Department.

Motion - *Accept this as the 2nd reading and adoption to amend OHMC 15.38.240.*

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

8. Crown Act Ordinance - 2nd Reading

Motion – *Table action until enforcement issues can be resolved.*

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

9. Coordinator of Economic Development

The City Manager reported that he is reviewing resumes' and actively interviewing candidates.

Motion - *Table this item.*

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

10. Vendors Policy

The committee met, discussed issues, and drafted an ordinance for Council's review.

Motion - *Table this ordinance until January 2022.*

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

11. Fowl Ordinance

Motion - *Accept this as the 2nd reading of the amendment to the Fowl Ordinance.*

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

12. Appointment to Building Commission

Councilmember Perry nominated Bill Laird, IV to be appointed to the Building Commission.

Motion - *Appoint Bill Laird, IV to the Building Commission.*

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

New Business

13. Appointment to Planning Commission

This vacancy is due to the recent death of Steven Richardson. The Council held a moment of silence in his memory. Councilmember Perry asked for a letter expressing condolences and appreciation to Mr. Richardson's widow.

Motion - *Appoint Matt Wender to the Planning Commission to fill the unexpired term of Steven Richardson.*

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

14. Employee Evaluations

The evaluation committee met and developed evaluation instruments for employees that report directly to Council.

Motion - *Accept the evaluation instruments and begin annual evaluations beginning July 1, 2022.*

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

15. Contributions to Southern West Virginia Convention and Visitors Bureau (CVB)

There was discussion on whether to continue the extra 7.5% of hotel occupancy tax that goes to the Southern WV CVB. We are not receiving much representation in their literature or on the website.

Motion - *Table discussion until Councilors Oxley and Perry can meet with the City Treasurer to get some exact numbers on what is being sent to the CVB.*

Motion carried - 7 - 0.

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

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

16. Christian Heritage Week Proclamation

The Mayor read a proclamation recognizing Christian Heritage Week. This proclamation will be sent to the Plateau Ministerial Association to be read during the Community Thanksgiving Service.

17. Fayette County Comprehensive Plan

Gabe Pena, the County Deputy Resource Coordinator, informed Council about the updating of the Fayette County Comprehensive Plan and the resources available for the residents to give their input. A meeting will be held in the city's council chambers on November 16.

18. Conveyance of Two Parcels from the VOAD Program

The VOAD program would like to donate two parcels that are in the flood zone to the City of Oak Hill. One of the properties is on Oyler Avenue and the other is on Valley Street. The conveyance of this property will allow the VOAD projects to be completed.

Motion - *Accept the Oyler Avenue property based on the condition that VOAD demolishes the building on the property. Do not accept the Valley Street property.*

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. Consideration to Appoint BB&T as Investment Agent

Approval is need to appoint Truist, formerly BB&T as our investment agent for the funds we have with them.

Motion - *Appoint Truist as the investment agent for the City of Oak Hill funds.*

Motion carried 7 - 0.

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

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

20. SIB Recommendation to Demolish Portions of the Structure Located at East Main St., Map 18, Parcel 458, 457, and 345 to the Extent of Abating the Eminent Hazard to Public Safety, Owned by CAN THO LLC, PO Box 83, Lochgelly, and BTB LLC, 981 Summerlee Rd., Oak Hill, WV, and Gerald's Auto Parts, 1220 E. Main St., Oak Hill, WV

Bill and Sherry Bush were in attendance and reported that Mr. Bragg informed them that he would repair the building.

There was much discussion on the best avenue to take in resolving this problem.

Motion - *Accept the SIB's recommendation to demolish.*

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., Councilor Hayslette, Councilor Jackson

21. Fayette County Fire Coordinator Discussion on Fire Levy

Joe Crist, the Fayette County Fire Coordinator did not attend.
Councilor Perry asked the City Manager to send Mr. Crist a letter asking him to attend a future meeting so that we can discuss the fire levy with him.

22. Use of American Rescue Plan Funds

Council would like a survey on our website for public input.
The Treasurer will develop a timeline for spending the funds.

23. Consideration to Replace the Roof on the Southern Appalachian Labor School Building

John David, Director of SALS has made this request for help several times. Council discussed various ways to help with the request.

Motion - Approve, in principal, committing funds for this project based upon the County Commission's contribution, a signed contract with a contract for the repair of the roof, and allowing access to building for code enforcement or other matters. This will be conveyed in writing to John David and the amount will be determined at the time the requirements are completed.

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

24. Plans for City Hall

Council would like to see costs for a new building. Councilor Oxley will ask Thrasher Engineering about doing a pro bono estimate.

25. Future Agenda Items

A request was made to place a change in the council meeting time on the next agenda.

Adjournment

There being no further business appearing, the meeting was adjourned.

Daniel E. Wright, Mayor

Damita Johnson, City Clerk