**OAK HILL CITY COUNCIL**

**Minutes**

**October 12, 2015**

The regular session of the Oak Hill City Council convened in the Council Chambers of City Hall on Monday, October 12, 2015 at 6:30 p.m.

**Members Present** **Also Present**

Fred Dickinson, Mayor William Hannabass, City Manager

Diana Janney Damita Johnson, City Clerk-Treasurer

Melissa Wilshire

Mike Fox

Don Williams **Absent**

Paul Baker Bruce Coleman

Tom Oxley

**Call to Order**

Mayor Dickinson called the meeting to order.

**Public Comments**

Dr. Chris Flint explained that Paul Contin has offered to decorate the lamp posts on Main Street for a cost of $4,732.00. The Chamber has agreed to pay half the cost and he would like Council to consider paying the other half. More information will be given at the next meeting.

**Minutes**

***Council member Janney moved to dispense with the reading of and accept the minutes of the meeting held on September 14, 2015. Council member Oxley seconded the motion. Motion carried unanimously by those in attendance.***

**Treasurer’s Report**

***Council member Oxley moved to approve the financial reports and the vendor checks report as presented by the City Treasurer. Council member Wilshire seconded the motion. Motion carried unanimously by those in attendance.***

**Correspondence**

None

**Old Business**

The Mayor polled Council and department heads for old business. Nothing was discussed.

**City Manager**

1. **Structural Inspection Board Recommendations**
2. **1517 Main Street, former Davis Tire & Muffler** – The Structural Inspection Board is ready to recommend demolition of this structure. Richard D. Owen with Goodwin & Goodwin was in attendance representing Springleaf. Springleaf owns half interest in the property and they need to confer with the owner of the other half. Mr. Owen requested an extension until December 14. ***Council member Janney moved to table this item until December 14 with the requirement that Goodwin and Goodwin provide contact information for the owner of the other half of the property. Council member Baker seconded the motion. Motion carried unanimously by all those in attendance.***
3. **215 Mayfair Avenue –** The Board recommends this structure be demolished. The owners were present and would like to remove the 2nd floor and use the remainder for storage. The City Manager made Council aware that this property was not properly zoned for storage. ***Council member Oxley moved to follow the recommendation of the Structural Inspection Board. Council member Fox seconded the motion. Motion carried unanimously by those in attendance.***
4. **341 Jones Avenue –** Mr. Zink secured an attorney and the hearing was continued until October 29. No action was taken. ***Council member Oxley moved to table this item until the November meeting. Council member Wilshire seconded the motion. Motion carried unanimously by all those in attendance.***
5. **Proposed Change to One Way Traffic – Warren Avenue and Burkholder Avenue –** The Safety Committee recommends not making a change to the flow of traffic on these streets. ***With Council member Fox abstaining, Council member Wilshire moved to accept the recommendation of the Safety Committee. Council member Oxley seconded the motion. Motion carried unanimously by those in attendance.***
6. (New Business) **Application for Business License by Mark Rose to Rent Property After Refusal by the City Manager – *Council member Janney moved to enter into executive session to discuss legal issues concerning possible litigation. Council member Wilshire seconded the motion. Motion carried unanimously by those in attendance.*** Upon return from executive session, the Mayor announced the reason for the session was to discuss legal issues concerning possible litigation. No action was taken. ***Council member Oxley made a motion, seconded by Council member Janney to return to regular session. Motion carried unanimously by those in attendance.***

Mark Rose, the owner of a house located at 1410 Linden Lane, would like to use his house as a rental and rent to the Oxford House. The City Manager has refused to issue a license because, in his opinion, the Oxford House is a business. Mr. Rose explained that the residents of the house are recovering alcoholics or drug users.

There were several residents of the neighborhood present and spoke against issuing the license because they are concerned about the safety of the neighborhood.

Eileen Wildnauer, a former resident of the house explained the rules of the house and answered several questions from Council and the audience.

After much discussion ***Council member Oxley moved to table action on this matter until the November meeting when our legal counsel can be present. Council member Janney seconded the motion. Motion carried unanimously by all those in attendance.***

1. **Neighborhood Watch – William Dickinson –** Mr. Dickinson addressed Council about getting a neighborhood watch program started for several areas in Oak Hill. The Chief of Police offered his assistance in getting this started when the volunteers are identified and coordinate a meeting with him. Several members of the audience presented their concerns about drug use and speeding in the city.
2. **Resolution in Support of the Fayette County Commission Suit Against the WV School Building Authority – *Council member Baker moved to adopt a resolution in support of the Fayette County Commission’s suit against the WV School Building Authority. Council member Wilshire seconded the motion. Motion carried unanimously by all those in attendance.***
3. **Water Quality/Injection Wells –** Brandon Richardson asked Council to pass a non-binding resolution to endorse the ordinance presented to Fayette County Commission concerning injection wells. Mr. Richardson gave Council information concerning the injection well at Lochgelly. He will email the City Manager more information concerning this well. ***Council member Williams moved to support this non-binding resolution. Council member Fox seconded the motion. Motion carried with Council member Oxley voting no.***
4. **(Old Business)** **Ordinance Revision Reducing Minimum Amount of Lease for City Owned Property**– ***Council member Oxley moved to accept this as the 2nd reading of an ordinance setting the following fees for city owned property:***

 **0 – 400 sq ft - $45/month**

 **400 – 600 sq ft - $60/month**

 **Over 600 sq ft - $150/month**

***Council member Fox seconded the motion. Motion carried unanimously by all those in attendance.***

1. **Appointments of Commissions, Boards, and Committees**  -

**Civil Service Commission** – ***Council member Oxley moved to appoint Ernie Perdue to the Civil Service Commission pending recommendation of the Chamber of Commerce. Council member Fox seconded the motion. Motion carried unanimously by all those in attendance.***

**Recreation Commission** - ***Council member Oxley moved to reappoint Darrell Compton, James Deviese, and Mike Lively to the Recreation Commission. Council member Fox seconded the motion. Motion carried unanimously by all those in attendance.***

**Rail Trail Committee** - ***Council member Oxley moved to appoint Melissa Wilshire to the Rail Trail Committee. Council member Fox seconded the motion. Motion carried unanimously by all those in attendance.***

**Amphitheater Committee** - ***Council member Oxley moved to appoint Don Williams to the Amphitheater Committee. Council member Fox seconded the motion. Motion carried unanimously by all those in attendance.***

1. **Recommendation from Planning Commission** - **Amend 1327.02 –** This will add the definition of dwelling to this ordinance. ***Council member Oxley moved to accept this as the 2nd reading of an amendment to 1327.02. Council member Fox seconded the motion. Motion carried unanimously by all those in attendance.***

**Amend 1307.*01* -** This will add the definition of dwelling to this ordinance. ***Council member Fox moved to accept this as the 2nd reading of an amendment to 1327.01. Council member Oxley seconded the motion. Motion carried unanimously by all those in attendance.***

1. **Extension of Interim Financing for Oak Hill Sanitary Board – *Council member Baker moved to accept this as the 2nd reading of an amendment of an ordinance to extend the interim financing with WesBanco for one year for the Sewer Improvement Project. Council member Oxley seconded the motion. Motion carried unanimously by those in attendance.***

**New Business**

The Mayor polled Council and Department Heads for new business. Backyard Builders and the professionalism of the police department were discussed.

**City Manager**

1. **Home Rule Pilot Program** – The following items were included in our home rule application and the City Manager is now presenting each for the 1st reading by title only. Each ordinance was considered individually and on each item ***Council member Baker moved to accept this as the 1st reading of the ordinance. Council member Oxley seconded each motion. Each motion was carried unanimously by those in attendance.***
2. **Collection of Municipal Liens at County Tax Sale**
3. **Immediate Issue of Citations for External Sanitation Violations and Common Nuisances**
4. **Authority to File Liens or Real Property for Costs Incurred in Abating Exterior Sanitation and Common Nuisance Violations**
5. **Exempt Police Civil Service Commission From Party Affiliation Requirement**
6. **Distance Requirement Between a Restaurant with ABC Sales and a Church**
7. **Cost of an Audit of the City and the Oak Hill Sanitary Board**
8. **Registration of Vacant Structures When Owners are Nonresponsive, Unavailable or Cannot be Located**
9. **Ordinance – Trick or Treat Date and Time** – The City Manager presented an ordinance setting a permanent date and time for trick or treat. ***Council member Oxley moved to table this ordinance until September, 2016. Council member Fox seconded the motion. Motion carried unanimously by all those in attendance.***
10. **Bid Opening/Award – Fire Department Engine/Pumper Truck** - One bid in the amount of $399,972 was received from Rosenbaur. This amount is within the expected budget. ***Council member Oxley moved to award the bid to Rosenbaur contingent upon the bid meeting the specifications. Council member Janney seconded the motion. Motion carried unanimously by those in attendance.***
11. **Bid Opening/Award – Fire Department Rescue Equipment** – One bid was received in the amount of $34,945 from Dills. ***Council member Oxley moved to award the bid to Dills contingent upon the bid meeting the specifications. Council member Janney seconded the motion. Motion carried unanimously by those in attendance.***
12. **Ordinance Amendment 147, Planning Commission** – State law has changed and an ordinance has to be passed establishing the number of members on the Planning Commission. ***Council member Oxley moved to accept this as the 1st reading of an ordinance setting the number of members on the Planning Commission as eight (8). Council member Fox seconded the motion. Motion carried unanimously by those in attendance.***
13. **Proclamation – October 18-24, 2015 “Freedom from Workplace Bullies Week”** – ***Council member Oxley moved to authorize the Mayor to sign the proclamation recognizing October 18 – 24, 2015 as* “Freedom from Workplace Bullies Week”. *Council member Fox seconded the motion. Motion carried unanimously by all those in attendance.***
14. **Christmas Decorations** – This was discussed earlier by Chris Flint. ***Council member Fox made a motion to table this item until November when we can have more information. Council member Oxley seconded the motion. Motion carried unanimously by all those in attendance.***

There being no further business, the meeting adjourned.

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 City Clerk Mayor