CITY OF OAK HILL
MINUTES

City Council Meeting – August 7, 2023

The regular monthly meeting of the Oak Hill City Council was held on August 7, 2023, in the Council Chambers at Oak Hill City Hall at 5:30 p.m.

Call to Order
Mayor Briscoe called the meeting to order at approximately 5:30 p.m.

Roll Call
City Clerk Ronda Falk called the roll; a quorum was present.

PRESENT	ALSO PRESENT
Mayor Charles Briscoe	City Manager Damita Johnson
Council-at-Large Bill Hannabass	City Clerk Ronda Falk
Ward 1 Councilmembers	Attorney Bill File
Diana Janney	Thrasher Group Project Manager Sam Rich
Roger Evans	
Christa Hodges	
Ward 2 Councilmembers	
Chris Gill	
Carlos (PJ) Elder, Jr.	
Charles Smallwood, Jr.	

Invocation
The invocation was administered by Pastor Bobby Thomas, Oak Hill Christian Church.

Pledge of Allegiance
The Pledge of Allegiance was led by Council-at-Large Bill Hannabass.

Life and Service of Tom Oxley
The city manager informed the council that the West Virginia Municipal League (WVML) Conference held at the Oglebay Resort in Wheeling, WV from July 31 through August 2, 2023, honored the life of the late Tom Oxley who passed away Tuesday, May 30, 2023.
In adulation to Tom's memory, the WVML Presidential Gavel that is handed down from one president to another was named the Tom Oxley Presidential Gavel. Henceforth, every year the Thrasher Group in conjunction with the municipal league will present a Heart of Tom Oxley Award to a City Manager who exemplifies the leadership qualities of Mr. Oxley. Also, a $2500 donation will be given to a charity of the City Manager's choice. The council viewed a video that WVML created of our leader, colleague, and friend.

WVML All-Star Community Award
The City Manager exhibited the WVML All-Star Community Award the City of Oak Hill received for its entry in the city's community enrichment project that identified the city's Building Design Guidelines.

Reading and Approval of Minutes

Copies of the minutes from July 10, 2023, and the Special meetings on July 27, 2023, were provided to the council by ShareFile.

Motion- *Approve the minutes as being presented.*

Motion made by Councilmember Janney. Seconded by Councilmember Gill.

No Discussion.

The motion carried unanimously. 7-0.

Treasurer's Report

Copies of the revenue, expenditures, and vendor checks for the month of July were provided to the Council by ShareFile.

Motion- ***Accept the Treasurer's Report as presented.***

Motion made by Councilmember Janney. Seconded by Council-at-Large Hannabass.

No Discussion.

The motion carried unanimously. 7-0.

Correspondence

The Clerk read aloud the correspondence received from the following:

- West Virginia House of Delegate David "Elliott" Pritt
  Ref: Sewer Rate Increase
- Former Council Members Hayslette, Perry, and Jackson correspondence
  Ref: Evaluate and consider initiatives of previous Council
- Oak Hill Little League President Brad Compton
  Ref: City Park
  The letter was read during the council's consideration of Item #1

Motion- ***Accept the correspondence.***

Motion made by Council-at-Large Hannabass. Seconded by Councilmember Janney.

No Discussion.

The motion carried unanimously. 7-0.

Citizens' Comments

Pastor Bobby Thomas expressed his concern over the excessive speeding on Thurmond Drive. Due to his house being close to the road, and the large number of children living and playing in the neighborhood, he called for the Council to provide preventative maintenance such as speed humps on Thurmond Drive to avoid serious injury or death.

Darrell Thomas voiced his objection to the sewer rate increase and noted Minden residents pay more than anyone else in town.

Jim Aleshire questioned and invited the council to investigate how the former BB&T Bank building was negotiated. He suggested the Council re-evaluate and devise a solution to prevent one or two council members from negotiating a contract in the future.

Frank Ward spoke in opposition to the sewer rate increase. He described the hardships of his family as they continue to struggle to pay higher prices for food, medication, etc.

Unfinished Business

1. City Park Project – Award Bid

Project Manager Sam Rich gave the council a recap of the Master Plan for the City Park. There were no bids received for the 1st advertisement, and one bid was received on the second advertisement from Veritas Contracting, LLC in the amount of $1,487,470.00. Thrasher fees, the skate park, and a 5% contingency fee will bring the total Project Budget to $2,247,470.00. The Project was originally approved for $1.8 million. Mr. Rich inquired how the council wanted to move forward and offered three options. Option 1) Approve additional funding to cover the project with Thrasher, Veritas Contracting, and the City of Oak Hill working together to identify cost-saving measures to reduce the cost. Option 2) Wait until the bidding market is slower and re-bid the project. Option 3) Consider bidding on the project in separate scopes and multiple contracts. The Clerk read aloud the correspondence received from Oak Hill Little League President Brad Compton.

Motion – ***Accept the bid and supplement it with the ARPA Funds to get the project completed at one time and negotiate to reduce the price.***

Motion made by Councilmember Gill. Seconded by Council-at-Large Hannabass.

Discussion: 1) The Council discussed breaking down the project into sections. 2) The previous council authorized ARPA Funding to be used for recreation, drainage, and sidewalks. 3) The possibility of the vocational school or the street department working on the dugouts and possibly other areas to assist in bringing down the cost. 4) No ARPA funding has been used for sidewalks. 6) The Little League making accommodations for the field to be inactive for the season. 7) Using sales tax for recreation.

The motion carried unanimously. 7-0.

2. Consideration to Rescind Dan Hill Contract to Renovate Former BB&T Building

Attorney File researched the issue of a motion that was passed by a previous council that approved the contract with Dan Hill Construction. According to Robert's Rules of Order, the attorney determined the motion can be rescinded with a motion, second, and a majority vote since no contract has been signed or work has begun on the project by Dan Hill Construction.

Motion – Rescind the prior motion approving the contract with Dan Hill Construction.

Motion made by Council-at-Large Hannabass. Seconded by Councilmember Hodges.

Discussion: 1) The Council members discussed being good management and tax dollars stewards.
2) A former council member requests for the Council to tour the former Bank building and the current city hall.
3) Received correspondence describing the bank building as a facility ready for an occupant.
4) Renovation cost 2.2 million.

Roll Call Vote. The motion carried 6-0 with Councilmember Smallwood, Jr. abstaining.

Voting Yea: Council-at-Large Hannabass, Councilmember Janney, Councilmember Evans, Council member Hodges, Councilmember Gill, and Councilmember Elder.

Voting Abstaining: Councilmember Smallwood, Jr.

New Business

3. Boards, Commissions, and Committees

A. Review of Appointments and Reappointments

The council reviewed the expired terms of individuals on the Sanitary Board, Planning Commission, Board of Zoning Appeals, and Building Commission. The City Manager noted the individuals needed to be reappointed if the Council approved. The Administrative Zoning Officer Gary Harding is resigning from the Planning Commission on Aug. 31st and will be replaced by Ben Love. The Planning Commission has one vacancy; Councilmember Hodges requested to be appointed to the Commission if no other council members were interested in serving on the commission.

Motion – Authorize the City Clerk to solicit in ways she thinks are appropriate for volunteers to serve on committees, boards, and commissions within the city. Letters can be submitted in writing and due by the next council meeting.
Motion made by Council-at-Large Hannabass. Seconded by Councilmember Hodges.
Discussion: 1) The council has spoken to a lot of people interested in getting involved in their local Government. 2) Volunteering is a good way to get involved in city government and make decisions for the city.
The motion carried unanimously. 7-0.

B. Consideration to dissolve inactive committees

The Council agreed for the Parks and Recreation Director Josh Sapio to serve on the Recreation Committee. The Council inquired about the difference between the Beautification Commission and the Beautification Committee. The City Manager suggested doing away with the Beautification Committee.

Motion – Dissolve the Beautification Committee.
Motion made by Councilmember Hodges. Seconded by Councilmember Elder.
Discussion: It was made clear that the Beautification Commission is recognized in the city's Ordinance and will remain as a standing committee; the council is dissolving the Beautification Committee that was created to develop a Beautification Policy on May 10, 2021.
The motion carried unanimously. 7-0.

The council reviewed the remaining list of commissions and committees and addressed each one individually on whether to dissolve them. The Council will consider removing the White Oak Rail Trail Committee as one of the city's standing committees at their next regular council meeting.
Motion – Dissolve the following Commissions and Committees:

- **Homelessness/Opioid Abuse Advisory Committee**
- **Black History Celebration Committee**

- **Historical Landmark Commission**
- **Know Your City Government Day Committee**
- **Old Minutes Preservation Committee**
- **Street Vendor Ordinance Committee**
- **Virginia Street Sidewalk Project Committee**
- **Fire Department Addition Committee**
- **City Park Committee**
- **Future City Hall Building Negotiating Committee**
- **Committee To Select Organization to Produce Building Design Guidelines and Artistic Renditions**
- **Charter Ordinance Review Committee**
- **New City Hall Transition Committee**
- **City Park Steering Committee**
- **Economic Development Committee**

Motion made by Councilmember Gill. Seconded by Councilmember Elder.
Discussion: The Council agreed to keep the Veterans Memorial Commission and the Spirit of Oak Hill Award Committee.
The motion carried unanimously. 7-0.

4. Annexation of Greentown Loop Property – 1st Reading

The city manager requested the council approve the annexation of the property located at the Pea Ridge exit on Route 19 that is currently owned by the city. The parcel has been chosen to be the home of a welcome sign for the City of Oak Hill.
Motion – Approve the annexation of the Greentown Loop Property.
Motion made by Councilmember Janney. Seconded by Council-at-Large Hannabass.
Discussion: The Council had a short discussion on how the area is zoned.
The motion carried unanimously. 7-0.

5. Ordinance to Increase Sewer Rates – 1st Reading

The city manager explained the last rate increase was in 2016 and a rate review should have occurred in 2019 and 2021 to validate reasonable rates. Nonetheless, the COVID-19 pandemic and government agencies requesting assistance for delinquent customers became a huge deterrent in the decision to review the rates.
Michael Griffith explained the proposed sewer rates increase to the Council on the 27th of July. If approved, the Sewer Rate Ordinance that sets the rate fees and charges for the sewer system customers will be advertised; a second reading and public hearing will be scheduled for September 11, 2023.

Motion – *Table 1st Reading of the proposed sewer rate increase and request a recommendation from the Oak Hill Sanitary Board after their consideration of the revised figures from Michael Griffith concerning the elimination of the surcharge from residents of Minden and elsewhere that was served by the former Arbuckle Public Service District (PSD).*
Motion made by Council-at-Large Hannabass. Seconded by Councilmember Janney.
Discussion: 1) The Council deliberated over the rise in operating costs due to the price of materials

and higher utility rates. 2) Fines from Dept. of Environment Protection (DEP) due to illicit discharges into streams from deteriorating infrastructure. 3) Former Arbuckle PSD served approximately 700 customers in Minden, Pea Ridge, and Gatewood. 4) Flat rates for all classes and overall rates for the Oak Hill Sewer System customers if the Arbuckle Surcharge is removed and absorbed by every customer.

The motion carried unanimously. 7-0.

6. Structural Inspection Board Ordinance Review

The city manager would like the Structural Inspection Board Ordinance to reflect the recently adopted International Property Maintenance Code; she requested the Council to table the review.

Motion – ***Table the Structural Inspection Board Ordinance review.***

Motion made by Council-at-Large Hannabass. Seconded by Councilmember Hodges.
No discussion.
T**he motion carried unanimously. 7-0.**

7. Consideration to Relocate the New River Gorge Convention & Visitor's Center

Becky Sullivan, Executive Director of the Fayette County Chamber of Commerce and the NRGCVB advised the Council the Fayette County Commission signed an agreement with the Boy Scouts of America to lease the J.W. and Hazel Ruby Welcome Center with hopes of turning it into a Visitor Center for Fayette County. The commissioners have discussed using the building for economic development, tourism, and a visitor center. Ms. Sullivan reminded the Council the current location is well-established and home to the New River Gorge Visitor's Center, Fayette County Visitor's Center, Fayette County Chamber of Commerce, and Bridge Day office.

Motion – ***Write a letter of support to the Fayette County Commission expressing that the Oak Hill City Council would like the Visitor's Center to remain at its current location at 310 Oyler Ave.***

Motion made by Councilmember Gill. Seconded by Councilmember Elder.
Discussion: The council had a short discussion on the current location of the Visitor's Bureau which has safe access and is seven miles from the New River Gorge Bridge while the Boy Scout Jamboree traffic is being directed to the Pea Ridge Exit.
The motion carried unanimously. 7-0.

Department Reports

Police Report
Fire Dept. Report
City Manager Report
Code Enforcement Report
Director of Economic Development Report
MS4

Alison Ibarra presented her report orally and the Police, Fire Dept., City Manager reports were uploaded to ShareFile. There was no report received for the Code Enforcement or MS4.

There was a short discussion concerning ATV Laws, Special Use Permits, and the Board of Zoning Appeals (BZA). The council requested descriptive duties of the Zoning Officer and Code Enforcement Officer. The city manager indicated she would make available the permits and BZA reports to the council for review.

Motion – Accept the department reports.
Motion made by Councilmember Janney. Seconded by Councilmember Evans.
No Discussion.
The motion carried unanimously. 7-0.

Council and Mayor Comments
The mayor polled the council members, and the following items were discussed.

- Training through Geographic Information System (GIS). Static Reports are duplications.
- Look into the City Logo for copyright or Trademark
- Overall clean-up of the city / taking pride in the city
- Destination Downtown was the driving force behind the Building Design Guidelines Project
- Acknowledgement of appreciation to the Police Dept., Street Dept., and the city for their support of the Bears and Brews Festival
- Status of Hiring Prosecuting Attorney
- Meeting Protocols vs. Freedom of Speech
- Historical Marker for Marian McQuade
- Playground ADA Compliance Report
- Bridge Replacement in Minden
- Status of Minden Parks
- Sidewalks in front of the Alumni Association
- Ordinance 6.18.150 Tree Limbs or Branches Overhanging Public Right-Of-Way
- Notification of Committee Meetings / add to website calendar
- Notification of New Businesses
- Mowing Odd Fellows Cemetery grass
- Training sessions on August 21st on the Open Meetings Act and the Role of the Council
- OPED Liability
- Status on Sign for Upcoming Events
- Wheeling for Hope Event (Suicide Prevention Fundraiser) on September 30, 2023

Announcements
The mayor announced the next council meeting is scheduled for September 11, 2023.

There was no further business. The mayor adjourned the meeting at approximately 8:20 p.m.

Ronda Falk, City Clerk

Charles Briscoe, Mayor