

# **WEIRTON CITY COUNCIL COUNCIL MEETING – REGULAR MONDAY, MAY 13, 2019, 7:00 PM**

A regular meeting of the Common Council of the City of Weirton, Hancock and Brooke Counties, West Virginia was held on Monday, May 13 , 2019, at 7:00 PM in the Council Chambers of the Weirton Municipal Building.

## **Attendance:**

### **Mayor and Council Members**

Harold E. Miller	Mayor
Tim Connell	Councilmember Ward 1
Mike Adams	Councilmember Ward 2
Fred S. Marsh	Councilmember Ward 3
George E. Ash, Sr.	Councilmember Ward 4
Douglas L. Jackson	Councilmember Ward 5
Enzo Fracasso	Councilmember Ward 6
Terry Weigel	Councilmember Ward 7

### **City Officials**

Rob Alexander	Police Chief
Donna Gialluco	Weirton Transit Manager
Vincent S. Gurrera, Esq.	City Attorney
Butch Mastrantoni	Utilities Director
Mark Miller	Planning and Development Director
DeeAnn Pulliam	City Clerk
Rik Rekowski	Library Director
Rod Rosnick	Public Works Superintendent
Coty Shingle	Park Board Director
Jerry Shumate	Fire Chief
Diana Smoljanovich	Interim City Manager/Finance Director

**Public Hearing Regarding an Agreement with Michael Whalen for the Sale of Property Located Adjacent to 103 National Road, Assessor’s Map and Parcel W40N,11.**

**Mayor Harold Miller**, opened the Public Hearing regarding the agreement with Michael Whalen for the Sale of Property Located Adjacent to 103 National Road, Assessor’s Map and Parcel W40N, 11.

**Mayor Harold Miller**, asked if Mike Whalen was present.

**Vince Gurrera, City Attorney**, stated after speaking with Mike Whalen and Councilman Mike Adams, property is in his ward and is the sponsor of the sale, believes the selling the property to Mike Whalen is the best option for the City.

**Mayor Harold Miller**, asked if there was anyone who objected to the sale of the property located adjacent to 103 National Road, Assessor’s Map and Parcel W40N,11.

**No one spoke in objection to the sale of the property located adjacent to 103 National Road, Assessor’s Map and Parcel W40N,11.**

**Mayor Harold Miller**, closed the Public Hearing portion of the council meeting.

**Weirton City Council Meeting – Regular**

**Mayor Harold Miller**, called the meeting to order.

**DeeAnn Pulliam, City Clerk**, conducted the roll call.

**Councilman Tim Connell**, recited the opening prayer.

**Mayor Harold Miller**, led everyone in the reciting of the Pledge of Allegiance.

**MAYORS AWARDS AND PROCLAMATIONS:**

**VETERAN’S PROCLAMATION – MICHAEL G. RUTLEDGE**

Michael G. Rutledge enlisted in the United States Army in October 1968. Michael attended MOS School at Fort Jackson, South Carolina; Tank Training at Fort Knox, Kentucky; and Motor Pool training at Fort Hood, Texas. Michael went to Vietnam in 1970 and served in the 2nd-8th Mechanized Infantry as well as the 4th Infantry Division. Mr. Rutledge served in Germany from 1973 to 1975, where he was assigned to the 1st Armor Division and a second term from 1978 to 1982 where he was assigned to the 3rd Infantry Division. Michael served in the Reserve Unit in Slidell, Louisiana; Korea

from 1987 to 1988; and Fort Campbell from 1988 to 1990. Throughout his military career of over twenty-two years, Michael G. Rutledge honorably earned over twenty awards. Harold E. Miller, Mayor of The City of Weirton, Brooke and Hancock Counties, West Virginia, recognized MICHAEL G. RUTLEDGE for his dedicated military service to our country, on this day May 13, 2019.

### **KIDS TO PARK'S DAY PROCLAMATION – MAY 18, 2019**

May 18, 2019, is the annual Kids to Parks Day organized and launched by the National Park Trust. Kids to Parks Day empowers kids and encourages families to enjoy the outdoors and visit Americas' parks. It is important to introduce a new generation to our nation's parks. We should encourage children to lead a more active lifestyle to combat childhood health issues, such as obesity, diabetes mellitus, hypertension, and hypercholesterolemia. Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants. Kids to Parks Day will broaden children's appreciation for nature and the outdoors. Harold E. Miller, Mayor of The City of Weirton, Brooke and Hancock Counties, West Virginia, does hereby proclaim the City of Weirton to participate in Kids to Parks Day and encourage residents of Weirton to make time on May 18, 2019, to take the children in their lives to a neighborhood, state, or national park.

### **RELAY FOR LIFE DAYS – PAINT THE TOWN PURPLE PROCLAMATION AMERICAN CANCER SOCIETY – MAY 4 – JUNE 22, 2019**

The American Cancer Society is dedicated to eliminating cancer. Approximately 38 percent of men and women in the United States will be diagnosed with cancer in their lifetime. In 2019, an estimated 1,762,450 new cancer cases will occur in the United States. Relay for Life is the signature event of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight against cancer. Money raised during Relay for Life supports the American Cancer Society's efforts to help save lives and create a world with less cancer and more birthdays – as they help people stay well, get well, find cures for cancer, and hold fast to the mission. Relay for Life and the American Cancer Society help to fund groundbreaking research, crucial patient care programs, education, and prevention information – all critical in this "fight against cancer. Harold E. Miller, Mayor of the City of Weirton, proclaimed May 4 – June 22, 2019, as RELAY FOR LIFE DAYS – PAINT THE TOWN PURPLE in the City of Weirton and encourages all residents to celebrate survivorship, remember loved ones lost to the disease, honor caregivers, and support Relay for Life's fight against cancer.

**Mayor Harold Miller recognized Francesca Basil, with the City of Weirton Planning and Development Department, for her efforts in organizing a Weirton Community 2-Day Spring Street Cleanup. Over 40 citizens from around the community volunteered their time to assist in the event.**

**CITIZENS REMARKS:**

**JOHN BARONE – RENTAL ORDINANCE**

Mr. Barone attended the meeting on behalf of himself and Barone Reality in opposition of the rental ordinance. He was in opposition of the ordinance because of the additional work it would bring to landlords on-top of the other work they have to maintain, and he also raised the constitutionality and legality of enforcing the ordinance.

**JEREMY BISCHOF – RENTAL ORDINANCE**

Mr. Bischof attended the meeting in opposition of the rental ordinance and the intent of the ordinance. In the ordinance it states it is there to protect the well-being of lessees, the property value, and maintain minimum standards. To him, maintaining minimum standards and property values is already enforceable as the current building code sits without having to implement a rental registration for landlords. Mr. Bischof also expressed that the ordinance would not protect renters because by adding more cost to landlords more cost would be added to those who are trying to rent. He also feels that by passing the ordinance Weirton would be including government into something that is running well without them being involved, and additionally that the ordinance would hurt those looking to move into Weirton, not help them.

**FRANK KUSTER – RENTAL ORDINANCE**

Mr. Kuster attended the meeting in opposition of the rental ordinance. It was stated that he felt basically everything was covered by the other speakers, but wanted to add that running rentals is not an easy job and they already do the B&O and Police and Fire fees, and that finding good tenants is challenging which leads to sometimes thousands of dollars in losses. Mr. Kuster feels enacting the rental registration would increase paperwork for landlords, and feels they already have enough to complete relating to B&O and Police and Fire fees. He also feels that they will not be able to enter the homes of renters to ensure the tasks being asked of them through the registration are completed.

## **JIM BRUECK – FIRE DEPARTMENT STAFFING**

Mr. Brueck attended the meeting on behalf of Weirton Firefighters IAFF Local 948 to thank council for increasing the manpower and changing the work schedule to aid in the betterment of the fire department staffing. However, Weirton Firefighters IAFF Local 948 opposes the ordinance implementing the hiring of a Public Safety Director. They oppose the ordinance because of viewing it as a redundant upper-level management job since there is a Fire Chief and Police Chief already tasked with managing their respective departments and a City Manager who oversees those positions. The money used to pay a Public Safety Director could be applied to the hiring of more policemen and firemen who could make a direct impact on the community.

## **BOB BOWLEN – RENTAL ORDINANCE**

Mr. Bowlen attended the meeting to ask a couple of questions relating to the Rental Ordinance. Clarification was asked about the language on the checklist. As the language stands, it is not clear to him where the landlords' rights and the city's rights end and begin.

**Vince Gurrera, City Attorney**, advised Mr. Bowlen that the section in question states that they would be given a checklist that states these are the areas we are going to look into so that landlords will know ahead of time what things we will be looking for.

**Mayor Harold Miller**, stated that through the BEA they see rental properties in deplorable conditions. And the rental properties they have seen through the BEA did not belong to any of the landlords in attendance tonight who have spoken in opposition of the rental registration ordinance. The homes that they do see through the BEA are deplorable, and the landlords of those homes are absentee landlords that do not show up to the BEA Meetings to explain what they are going to do to fix the properties. All were invited to join them to visit homes that they have to determine whether they are going to demo or not due to the condition it is in.

**Attendee from the meeting**, stated her name was not on the list, but wanted to express she felt as if the other landlords are being punished based on the landlords who are not maintaining their property.

**Mayor Harold Miller**, expressed that the rental registration was done previously in the downtown area on a trial basis around 2004, and it never expanded. There were properties then in Ward 2 that were in horrible conditions. We are trying to update our information systems and get more data on the properties. Landlords over those properties have been summoned, and still do not show up to the BEA meetings to explain what they are going to do to fix the properties. There is black mold, holes in the wall, and windows missing in these homes. We want to get the word out to the people if you are going to have rentals in town we want you to succeed and work with you, but

take care of your properties. We are not going after anyone intentionally. This will give the inspectors a little more authority to identify some problems.

**Councilman George Ash**, concurred with the Mayor. When we did the service fee some renters came to him and advised that their landlord increased their rent by ten dollars. Some landlords try to take advantage of their renters. Also, there is no fee to register your property. There is a form you fill out. After you fill out the form there is an inspection. If the inspectors have to come back for multiple inspections, then hopefully council will assess a fee. As the ordinance stands, you will not have to pay for anything.

**Mayor Harold Miller**, when you run a business places like the Health Department have certain requirements before they will give you an occupancy permit. Rental properties are a business.

**Jeremy Bischof**, stated he understood trying to eliminate the deplorable homes, and questioned whether all the homes were all rental properties.

**Councilman George Ash**, stated that the homes are both rentals and homeowners. There are landlords who they have to hunt down. This ordinance will help protect those tenants whose landlords they cannot find.

**Attendee from the meeting**, I had a question on the inspection of the rental, but you clarified that. The town has to be cleaned up. Something has to be done. I do not think you can go into someone's home, but as landlords we need to make sure the homes we rent are in livable and safe conditions.

**Councilman George Ash**, stated the ordinance clearly states there are no fees.

**Councilman Terry Weigel**, a few months ago we voted to change how our inspections are done. The Code Departments' powers were broadened so everything can be addressed. We are trying to clean up the town, and hope that change will help with the issue.

**Councilman Doug Jackson**, I have had a hard time through my years with rental properties. As a landlord, I took this ordinance to heart. I will ask for my properties to be inspected first if the ordinance passes, because I want to be a landlord that says my house is a certified rental house that meets all codes and it is safe for you and your kids. I am also a resident of Marland Heights, and have been all my life. Marland Heights has never looked as bad as it does now. I want my houses inspected that way I feel good about what I charge for rent because it meets all requirements. As a landlord, I do not find anything astronomical about the list. It really is just common sense. As a landlord and councilman, I want the ordinance.

**Request by Council to convene into Executive Session consistent with WV Code 6-9-A-4-A**

- No motion was made to convene into Executive Session.

**READING OF MINUTES**

- **April 8, 2019 – Regular**

Motion to approve the minutes of the April 8, 2019, Regular Council Meeting was made by Councilman Ash, and second by Councilman Fracasso.

**Motion Passed 7/0**

- **April 16, 2019 – Special**

Motion to approve the minutes of the April 16, 2019, Special Council Meeting was made by Councilman Connell, and second by Councilman Ash.

**Motion Passed 7/0**

- **April 26, 2019 – Special**

Motion to approve the minutes of the April 26, 2019, Special Council Meeting was made by Councilman Ash, and Second by Councilman Connell.

**Motion Passed 7/0**

**COMMUNICATIONS:**

- **Finance Committee Comments**

**Councilman Fred Marsh**, the finance committee meeting this month was pretty routine with renewal of service contracts. You will see that we have added invoices to your packets that will be voted on that surpasses the City Manager's spending authority.

**OLD BUSINESS:**

- 1. Second Reading of Ordinance No. 2075. An Ordinance of the Council of The City of Weirton Amending and Supplementing Part Seventeen – Building Code of the City of Weirton to Provide for the Establishment of a Rental Registration Program, which Ordinance Shall be Codified as Article 1709 Rental Registration Program of Part Seventeen of Said Code. (Councilman Connell, Councilman Ash, Councilman Jackson, Councilman Fracasso)**

Motion was made to approve the second reading of the ordinance by Councilman Ash, and second by Councilman Jackson.

**Councilman Terry Weigel**, I have gone back and forth on this ordinance, and have spoken to both landlords and tenants. The comment about the government expanding their authority really sums up how I feel about this ordinance. We should not have our hands into every little thing. I have had no issues with the landlords in my ward. If I see an issue, I bring it to their attention, and they fix it. The problems we are seeing are absentee landlords. We cannot get in touch with anyone to hold them accountable. Somebody from out of town buys property dirt cheap, they will take anybody who will pay the rent, and put no money into it. They make their money back in a few years, and that is it, they do not care. When it gets to the BEA, the home is in shambles. They are good with the city paying for it to be torn down. It is all the fees we pay as taxpayers that provide for their houses to be torn down. There is no cost for the registration or for the initial inspection. I want to keep it that way if this passes. There should be no burden on the landlords.

**Councilman Mike Adams**, I have had several conversations with landlords. And I have some constitutional concerns for what we are trying to legislate. Now, I will tell you I am in complete agreement in the intent of the ordinance to cleanup Weirton. I feel there is a constitutional issue that arises here about an individual's ability to reside and live privately whether they are a renter or owner. I certainly do not want the city involved in that kind of litigation. I read about the litigation in Pittsburgh, and I am not sure that it is a covered risk as far as insurance goes. There are some big things in the ordinance that have planted a few questions in my mind as far as the currency of the HUD Approval that can be used. It may just need to be cleaned up a bit. Our Code Department has gone from complaint driven to systematic. How are we going to do all this? I understand the intent and appreciate the Mayor's and George's passion. The ordinance may just need cleaned up to determine how we are to get this done.

There are also a lot of land contracts out there, and they are not landlords. I think we may have some problems with them also.

**Councilman Fred Marsh,** I have been going back and forth with this ordinance. I am fully for the registration part. Currently, we do have a code department that is supposed to be proactive and not reactive. I am curious to know whether issues they handle are from a complaint or from them being proactive. There is a lot to bite off at one time. That is just how I am looking at it. I have not made my mind up on how I am going to vote on this yet. I have these problems in my ward, and have adjacent property owners all over me for certain things. A good point is that some of these properties are on land contract, and that means they are not rentals. The properties on land contract are what we need to be after.

**Vince Gurrera, City Attorney,** I would not conclude that land contracts are not rentals. The decisions I read from the WV Supreme Court, does not conclude that it is not outside a rental if it is on a land contract because a monthly fee is still being paid. I just do not think it is an abandoned issue.

**Councilman Fred Marsh,** then what is the difference between a land contract and a mortgage then.

**Vince Gurrera, City Attorney,** there are a couple differences, but I do not want to give up all my legal arguments.

**Councilman George Ash,** If you go to the County Courthouse, and I do not care if it is a land contract or not, but if it is a class 4 then it is listed as a rental property.

### **A Roll Call Vote Was Requested to Approve the Ordinance**

#### **Roll Call to Approve the Ordinance:**

**Councilman Ash**                      Yes

**Councilman Weigel**                No

**Councilman Marsh**                No

**Councilman Adams**               No

Councilman Fracasso Yes

Councilman Jackson Yes

Councilman Connell No

**Motion to Pass the Ordinance Failed 3/4**

- 2. Second Reading of Ordinance No. 2077. An Ordinance Updating and Amending the Building Code for the City of Weirton to Add the ANSI/ASHRA/IESNA Standard 90.1 2010 Edition for Commercial Buildings. (City Manager)**

Motion was made to approve the second reading of the ordinance by Councilman Fracasso, and second by Councilman Connell.

**Councilman Ash Voted No**

**Councilman Marsh Voted No**

**Motion Passed 5/2**

#### **NEW BUSINESS:**

- 1. An Ordinance to the Amendment No. 804 to the Traffic Control Map Ordinance 214 of the City of Weirton to Establish a Residential Disability Parking Space at 159 Mahan Road. (Councilman Connell)**

A Motion was made to approve the first reading of the ordinance by Councilman Connell, and second by Councilman Weigel.

**Councilman Fred Marsh**, just to refresh everyone's memory this ordinance and the next ordinance will only have one reading because they are ADA.

**Vince Gurrera, City Attorney**, you are correct councilman.

**Motion Passed 7/0**

- 2. An Ordinance to the Amendment No. 805 to the Traffic Control Map 214 of the City of Weirton to Paint an Additional 40' of the Curb (60' Total) Adding Two Additional Signed On-Street ADA Spaces Along Baker Street for the Facility Located at 2850 Weir Avenue. (Councilman Connell)**

A Motion was made to approve the first reading of the ordinance by Councilman Connell, and second by Councilman Fracasso.

**Motion Passed 7/0**

- 3. An Ordinance Modifying the Weirton Fire Department Work Schedule to a 212 Hour/28 Day Work Rotation. (Councilman Connell, Councilman Marsh, Councilman Ash, Councilman Jackson, Councilman Fracasso)**

A Motion was made to approve the first reading of the ordinance by Councilman Fracasso, and second by Councilman Ash.

**Councilman Adams Abstained from Voting**

**Motion Passed 6/0**

- 4. An Ordinance Creating the Position of Public Safety Director for the City of Weirton, WV. (Councilman Connell, Councilman Marsh, Councilman Ash, Councilman Jackson, Councilman Fracasso)**

A Motion was made to approve the first reading of the ordinance by Councilman Ash, and second by Councilman Jackson.

Councilman Marsh made a motion to amend the ordinance, and a second was made by Councilman Jackson.

**Mayor Harold Miller**, we do not see a job description or a salary range.

**Councilman Fred Marsh**, that is why the amendment states the information is needed by the 14<sup>th</sup> of June.

**Councilman Tim Connell**, that is why I want to table the ordinance is to see the job specifications and salary.

**Councilman Enzo Fracasso**, to my understanding this is just getting the position on the books.

**Councilman Fred Marsh**, it is to suggest to council salary options and interview and hire an individual qualified for the position. Personally, I would like to see the job description.

**Councilman Tim Connell**, I would also like to see a job description and the salary range of the position.

**Councilman Fred Marsh**, I am in support of the position, and I want to make sure it is done right.

**Mayor Harold Miller**, we actually asked for information from other communities that have a Safety Director to what they are responsible for. I have not seen that information.

**Diana Smoljanovich, Interim City Manager/ Finance Director**, I will have Christine get the information together and send it to you.

**Councilman George Ash**, if we accept the amendment what is the date for the information.

**Councilman Fred Marsh**, June 14 is the date that we should have the budget and information on the Public Safety Director Position.

**Vince Gurrera, City Attorney**, what is happening you vote on the amendment tonight. If it gets approved, the information goes to you before June 14.

**Councilman Fred Marsh**, June 14 is after the second reading.

**Vince Gurrera, City Attorney**, you would not have the information before the second reading if you waited until June 14. You will want the information before you vote on it.

**Mayor Harold Miller**, I do not think we should consider the position until after the election when we have a new City Manager. We have all agreed to delay the selection of the City Manager until after the election. I think we should wait to implement the position until the new administration takes over. We need to do our due diligence on the position. This thing is not right yet, but I do not have a vote.

**A Roll Call Vote Was Requested to Approve the Amendment to the Ordinance**

**Roll Call to Approve the Amendment to the Ordinance:**

Councilman Ash	<u>No</u>
Councilman Weigel	<u>No</u>
Councilman Marsh	<u>Yes</u>
Councilman Adams	<u>No</u>
Councilman Fracasso	<u>No</u>
Councilman Jackson	<u>No</u>
Councilman Connell	<u>No</u>

**Motion to Amend the Ordinance Failed 1/6**

Councilman Connell made a motion to table the ordinance, and a second was made by Councilman Adams.

**A Roll Call Vote Was Requested to Table the Ordinance**

**Roll Call to Table the Ordinance:**

Councilman Ash	<u>No</u>
Councilman Weigel	<u>No</u>
Councilman Marsh	<u>No</u>
Councilman Adams	<u>Yes</u>
Councilman Fracasso	<u>No</u>

Councilman Jackson      No

Councilman Connell      Yes

**Motion to Table the Ordinance Failed 2/5**

**Councilman Terry Weigel**, we just passed the budget and it does not include the Public Safety Director. I agree with firefighters if we are going to spend money to create new positions we should create positions that are actually going to do something.

**A Roll Call Vote Was Requested to Vote on the Ordinance.**

**Roll Call to Pass the Ordinance:**

Councilman Ash      Yes

Councilman Weigel      No

Councilman Marsh      Yes

Councilman Adams      No

Councilman Fracasso      Yes

Councilman Jackson      Yes

Councilman Connell      No

**Motion Passed 4/3**

**5. A Resolution Implementing Provisions and Monitoring of The Weirton Fire Department's 212 Hour/28 Day Work Rotation Work Schedule. (Councilman Connell, Councilman Marsh, Councilman Ash, Councilman Jackson, Councilman Fracasso)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Marsh.

**Councilman Adams Abstained from Voting**

**Motion Passed 6/0**

**6. A Resolution to Enter into a Professional Services Contract for Services Related to Specified Park Drive Improvements with McKinley Architecture and Engineering. (City Manager)**

A Motion was made to approve the resolution by Councilman Marsh, and second by Councilman Ash.

**Motion Passed 7/0**

**7. A Resolution to Enter into an Agreement with Michael Whalen for the Sale of Property Located Adjacent to 103 National Road, Assessor's Map and Parcel W40N,117 (\$300.00). (Councilman Adams)**

A Motion was made to approve the resolution by Councilman Adams, and second by Councilman Fracasso.

**Motion Passed 7/0**

**8. A Resolution to Authorize Financial Support by the City of Weirton to the Weirton Park Board to Assist in the Repairs of Starvaggi Memorial Pool (\$15,000.00). (Councilman Ash)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Weigel.

**Councilman George Ash**, in the resolution it has parking lot throughout when discussing the repairs. It should be tennis courts stated in the resolution. The resolution needs amended to replace parking lot with tennis courts.

A Motion was made to approve the resolution as amended by Councilman Ash, and second by Councilman Fracasso.

**Motion to Approve the Amended Resolution Passed 7/0**

**9. A Resolution to Enter into an Agreement with GoGov Apps for GoEnforce Code Enforcement Subscription for August 1, 2019, - July 31, 2020 (\$4,080.00). (City Manager)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Marsh.

**Motion Passed 7/0**

**10. A Resolution to Enter into an Agreement with Justice Business Services for the Asbestos Abatement of Property Located at 3623 West Street (\$2,195.00). (City Manager)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Fracasso.

**Motion Passed 7/0**

**11. A Resolution to Enter into an Agreement with Pulice Construction for the Demolition of Property Located at 3623 West Street (\$7,900.00). (City Manager)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Connell.

**Motion Passed 7/0**

**12. A Resolution to Renew the City's Annual Maintenance and Support Agreement with Mountaineer Computer Systems, Inc. for the City's IT-Systems Hardware and Software (\$6,575.00). (City Manager)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Connell.

**Motion Passed 7/0**

**13. A Resolution to Renew the City’s Annual Maintenance and Support Agreement with Idemia Identity & Security USA LLC, Formerly Known as Morphotrak, LLC, for the City’s LiveScan Station Ruggedized Software for the Weirton Police Department (\$6,165.00). (City Manager)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Connell.

**Motion Passed 7/0**

**14. A Resolution to Authorize Revisions to the 2018 – 2019 Fiscal Year General Fund Budget. (City Manager)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Marsh.

**Roll Call Vote is Required on the Resolution**

**Roll Call to Pass the Resolution:**

Councilman Ash                    Yes

Councilman Weigel                Yes

Councilman Marsh                 Yes

Councilman Adams                Yes

Councilman Fracasso              Yes

Councilman Jackson               Yes

Councilman Connell               Yes

**Motion Passed 7/0**

**15. A Resolution to Enter into an Agreement for OM&R Cost Shared Program for Harmon Creek Watershed Structures (\$10,000.00). (City Manager)**

A Motion was made to approve the resolution by Councilman Ash, and second by Councilman Fracasso.

**Councilman Marsh Voted No**

**Motion Passed 6/1**

**APPOINTMENTS:**

**Housing Authority**

Wesley Anderson  
6/1/19 to 5/30/24

A Motion was made to approve the appointment by Councilman Weigel, and second by Councilman Fracasso.

**Motion Passed 7/0**

**Water Board**

Ron Jones  
6/1/19 to 5/30/24

A Motion was made to approve the appointment by Councilman Ash, and second by Councilman Fracasso.

**Motion Passed 7/0**

**DEPARTMENTAL REPORTS**

**Police Department – Chief Rob Alexander**

Nothing additional to report

**Mayor Harold Miller**, let everyone know that this week is National Police Week.

**Utilities – Water and Sewer – Butch Mastrantoni**

Nothing additional to report

## **Fire Department – Chief Jerry Shumate**

The Fire Marshal visited 3301 Main Street as requested by Councilman Ash. Problems with the rotation were identified and a solution was given to the owner with a timeframe for the corrections to be resolved as outlined by policy.

## **Library – Rik Rekowski**

A couple of announcements were given. On Saturday, May 18, 2019, at 2:00 p.m. the library will be showing a free movie "Lego Movie – Part 2." The library is also having Lego Night on Tuesday, May 21, 2019, from 5:00 – 7:00 p.m. A representative from Senator Manchin's office with the Common Sense Connections will be at the Mary H. Weir Library on Thursday, May 23, 2019, at 11:00 a.m.

## **Park Board – Coty Shingle**

Thanks were given to Mayor and Council for the continued support and financial assistance on projects they are working on. Pool season opens on Saturday, May 25, 2019. This will be the 24<sup>th</sup> consecutive year that the pool has opened on time. There is not another municipality in the Valley that can say that. Public Works was thanked for their assistance on the drainage work and filter house at Starvaggi. Movies in the Park will debut on June 10. The first movie is "Super 8", which is consequentiality being shown on the same day that "Super 8" was shown nationally in theaters in 2011. There is a Chromatic Challenge (color run) 3k leading up to the pool opening on May 25.

## **Planning and Development – Mark Miller**

Weirton Community 2-Day Spring Street Cleanup was discussed. On Friday, Power House hill was cleaned up. Over a 100 students from Weir High volunteered their time on Friday to aid in the cleanup. The Mayor, Councilman Connell, and Councilman Fracasso visited the cleanup to encourage the participants. There were over 40 people on Saturday that aided in the cleanup of various streets, which included, Marland Heights Road, the Plaza, and Cove Road. Thanks were given to Police, Public Works, and Park Board for their support. Council was asked for direction on the Rental Registration Program. Considerable staff time was spent putting the program together. A work session was suggested on the Rental Registration Program. It was stated that many municipalities such as Charleston, Morgantown, Wheeling, Fairmont, Martinsburg, and Bridgeport all have Rental Registration Programs. Clarksburg and Huntington are putting programs in place. Out of the top 10 cities, Weirton and Beckley are the only two cities who do not have a Rental Registration Program.

**Councilman George Ash**, this will come up again.

**Councilman Doug Jackson**, whether I am a councilman or private citizen it will come up.

**Public Works – Rod Rosnick**

Nothing additional to report

**Weirton Transit -Donna Gialluco**

Announced there is a new bus. Bus 20 will be on the road as soon as the license plate comes from Charleston. It was announced that complimentary rides will be given to the polls on June 11.

**Finances – Diana Smoljanovich, Interim City Manager / Finance Director**

**General Fund Cash Report for April 2019**

<b>Beginning Cash Balance:</b>	<b>\$1,871,869.34</b>
<b>Interest on Checking:</b>	<b>\$ 824.60</b>
<b>Deposits:</b>	<b>\$ 2,062,464.40</b>
<b>Draw-downs on Investment:</b>	<b>\$ 0.00</b>
<b>Disbursements:</b>	<b>\$ 1,403,572.81</b>
<b>Deposits to Investments:</b>	<b>\$ 0.00</b>
<b>Ending Cash Balance:</b>	<b>\$ 2,531,585.53</b>
<b>Beginning Investment Balance:</b>	<b>\$0.00</b>
<b>Interest on Investments:</b>	<b>\$0.00</b>
<b>Investment Proceeds:</b>	<b>\$0.00</b>
<b>Change in Value:</b>	<b>\$0.00</b>
<b>Deposits:</b>	<b>\$0.00</b>
<b>Withdrawals:</b>	<b>\$0.00</b>
<b>Ending Investment Balance:</b>	<b>\$0.00</b>
<b>Petty Cash:</b>	<b>\$800.00</b>
<b>Total Cash and Investments Available:</b>	<b>\$ 2,532,385.53</b>

**Diana Smoljanovich, Interim City Manager/ Finance Director**, as Councilman Marsh stated earlier, there are 3 invoices in your packet that need your approval to pay.

Motion to approve the payment of the invoices was made by Councilman Marsh, and second by Councilman Ash.

**Motion Passed 7/0**

**Councilman Fred Marsh**, requested that going forward a memo summarizing the invoices be included.

Motion to approve the financial report was made by Councilman Marsh, and second by Councilman Ash.

**Motion Passed 7/0**

**Diana Smoljanovich, Interim City Manager / Finance Director,**

**Councilman Tim Connell,** recited the closing prayer.

**Mayor Harold Miller,** called for a motion to adjourn the meeting.

Motion to adjourn the meeting was made by Councilman Ash, and second by Councilman Marsh.

**Motion Passed 7/0**