

**CITY OF WEIRTON
MONDAY, JUNE 7, 2021
COUNCIL MEETING – REGULAR
OPEN TO THE PUBLIC
7:00 p.m.
MILLSOP COMMUNITY CENTER – WEIRTON ROOM**

PRAYER

PLEDGE OF ALLEGIANCE

MEETING CALLED TO ORDER

ROLL CALL

MAYOR'S AWARDS AND PROCLAMATIONS

- Proclamation – West Virginia Day
- Proclamation – Flag Day and National Flag Week

CITIZENS' REMARKS

Executive Session shall be held only if a majority vote of the members of the governing body vote to hold an executive session and the items for consideration shall consist of any and all of those contained within West Virginia Code 6-9A-4

READING OF MINUTES

- May 10, 2021 – Regular Council Meeting

FINANCE COMMITTEE COMMENTS/FINANCIAL REPORT

UNFINISHED BUSINESS:

1. Second Reading of Ordinance No. 2155 of the City of Weirton, West Virginia, Amending Part XIII, Chapter 1, Section 1301.01 of the Weirton Code of Ordinances to Delete References to the 2005 Unified Development Ordinance and Adopting a Unified Development Ordinance Update Dated May 2021 in its Place. (City Manager)
2. Second Reading of Ordinance No. 2156 Establishing that a Floodplain Exists and Requiring All Contractors, Persons, Partnerships, Businesses, and Corporations to Obtain a Permit for Development and the Construction, Substantial Improvement, or Relocation of any Building or Structure; Providing for Certain Minimum Standards for Construction Within the Floodplain Area and Setting Forth Special Procedures for Submission and Approval of Plans; and Establishing Penalties for any Person Who Fails to Comply With the Requirements or Provisions of this Ordinance. (City Manager)

NEW BUSINESS:

1. A Resolution Authorizing the Submittal of an Application for Credit Rating from Moody's Investor's Service; the Execution of Such Application and all Other Necessary Documents Related Thereto by the Mayor, City Manager and City Clerk; and Making Other Provisions Related Thereto. (City Manager)
2. A Resolution to Authorize a Contribution to Weirton Area Museum and Cultural Center (\$10,000.00). (Councilman Ash)
3. A Resolution to Enter into Agreement for the Installation of Line Stripping on Various Streets within the City of Weirton (\$25,000.00). (City Manager)
4. An Ordinance Modifying Ordinance #1313, as Amended, Establishing New Minimum and Maximum Salary Levels of Specific Non-Union Municipal Employees Within Specific Departments of the City of Weirton General Fund and Adding/Eliminating Specific Positions. (City Manager)
5. A Resolution to Place Liens Against Real Properties for Costs Incurred in Demolition of Unsafe Properties Pursuant to Ordinance 250 (407 Engle Street) (\$4,787.75). (City Manager)
6. 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 (\$6,925.00). (City Manager)
7. A Resolution to Enter into Contract with Nortec for the Purchase of Six (6) Microsoft SQL Data Base Licenses for the City's Computer Hardware (\$17,760.00). (City Manager)
8. A Resolution to Renew the City's Annual Support Contract with Accufund, Inc. for the Continued Support, Maintenance and Enhancement of the City's Accounting Software (\$8,999.25). (City Manager)
9. A Resolution to Rescind Resolution Passed on March 8, 2021, Approving the Purchase of a 2021 Ram 1500 Quad Cab Pickup, and Entering into a New Contract for the Purchase of a 2021 Ford Explorer, 4 Wheel/AWD 4-Door for the Inspections Department of the City of Weirton (\$28,166.00). (City Manager)
10. A Resolution for the Sale of Property Located Adjacent to 157 Bennett Drive, Weirton, Assessor's Map and Parcel W38C-283 to Carol Hawthorne (\$1,000.00). (City Attorney)
11. A Resolution Re-Appointing Ms. Christina Johnson to the Human Rights Commission for the City of Weirton. (Councilman Connell, Councilman Ash)
12. A Resolution Appointing Mr. Kenneth Wright to the Mary H. Weir Public Library Board. (Mayor Miller)
13. A Resolution Re-Appointing Mr. Ron Jones to the Weirton Board of Parks and Recreation. (Mayor Miller)

14. A Resolution Re-Appointing Ms. Helen Jackson-Gillison to the Police Civil Service Commission for the City of Weirton. (Mayor Miller)
15. A Resolution Re-Appointing Mr. Robert Gribben to the Sanitary Board for the City of Weirton. (Councilman Fracasso)
16. A Resolution Re-Appointing Mr. Joseph Stankiewicz to the Fire Civil Service Commission for the City of Weirton. (Mayor Miller)
17. A Resolution to Enter into a Rental Service Agreement with the Hancock County Sheltered Workshop for Floor Mats in the Weirton Municipal Building (\$84.75 bi-weekly). (City Manager)
18. An Ordinance Modifying Ordinance #1313, as Amended, Establishing New Salaries of Employees Who are Members of the Weirton Municipal Employees Union (WMEU), and Authorizing the City Manager to Sign Contracts Necessary to Place These Changes Into Effect. (City Manager)
19. An Ordinance Modifying Ordinance #1313, as Amended, Establishing New Salaries of Employees Who are Members of the Fraternal Order of Police Lodge #84, and Authorizing the City Manager to Sign Contracts Necessary to Place These Changes Into Effect. (City Manager)
20. A Resolution to Approve and Adopt the City of Weirton Title VI Program. (City Manager)
21. A Resolution Re-Appointing Mr. John Porco to the Municipal Service Fee Appeals Board for the City of Weirton. (Councilman Connell, Councilwoman Perrone)
22. A Resolution Re-Appointing Mr. Joseph Gurrera to the Municipal Service Fee Appeals Board for the City of Weirton. (Mayor Miller)

CITY MANAGER AND DEPARTMENTAL REPORTS

MAYOR AND COUNCIL COMMENTS/COMMUNICATIONS

ADJOURNMENT

PRAYER

INFORMATIONAL COUNCIL MEETING

Monday, June 7, 2021

MILLSOP COMMUNITY CENTER – WEIRTON ROOM

6:55 p.m.

**MEETING MINUTES
WEIRTON CITY COUNCIL**

Regular Council Meeting
Millsop Community Center – Weirton Room
Weirton, WV 26062
Monday, June 7, 2021, 7:00 p.m.

Councilman Tim Connell recited the opening prayer and led the Pledge of Allegiance.

Mayor Harold Miller called the meeting to order.

City Clerk Kimberly Long conducted roll call.

ROLL CALL

Mayor and Council Members in Attendance

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

City Officials in Attendance

Charlie Kush	Police Chief	IN PERSON
Kevin Himmelrick	Fire Chief	IN PERSON
Butch Mastrantoni	Utilities Director	IN PERSON
Rik Rekowski	Library Director	IN PERSON
Rod Rosnick	Public Works Director	IN PERSON
Donna Gialluco	Weirton Transit Manager	IN PERSON
Jessica Gumm	Planning and Development Director	ABSENT
Kaleb Knowlton	Program Manager	IN PERSON
W. Coty Shingle	Park Board Executive Director	IN PERSON
Diana Smoljanovich	Finance Director	IN PERSON
Matt Burskey	Code Official	IN PERSON
Pamela Wright	Employee Benefits Administrator	IN PERSON
Joseph DiBartolomeo	City Manager	IN PERSON
DeeAnn Pulliam	Assistant City Manager	IN PERSON
Vincent S. Gurrera, Esq.	City Attorney	IN PERSON
Brian Stewart	IT Analyst	IN PERSON
Kimberly Long	City Clerk	IN PERSON

MAYOR'S AWARDS AND PROCLAMATIONS

PROCLAMATION – West Virginia Day

***NOW, THEREFORE, I, Harold E. Miller, Mayor of the City of Weirton** do hereby recognize June 20, 2021, as **West Virginia Day**, and call this observance to the attention of all our citizens. May we always cherish our beloved home state and treasure our community.*

PROCLAMATION – Flag Day and National Flag Week

***NOW, THEREFORE, I, Harold E. Miller, Mayor of the City of Weirton** do hereby proclaim June 14, 2021, as **Flag Day** in our community, and the week starting June 13, 2021, **National Flag Week**. I encourage the people of the City of Weirton to observe with pride and to celebrate our heritage by displaying the flag of the United States of America. As we raise our flag, let us always resolve to cherish it with reverence and eternal gratitude.*

City Manager, Joseph DiBartolomeo recognized the following individuals:

CERTIFICATE OF RECOGNITION – Thomas Banketas

We honor you for the many ways you have contributed to the City of Weirton and surrounding communities. You have given your time, talents, and generosity to truly make a difference. Your testimony services to our Lord are extraordinary. Thank you for your dedication and faithfulness.

CERTIFICATE OF RECOGNITION – Dean and Eugenia Makricostas

We thank you for your great contributions to the City of Weirton and surrounding communities. Your generosity has blessed countless residents in our community. We appreciate your dedication and superior service to our community.

CERTIFICATE OF RECOGNITION – Vince Gurrera

We honor you for your great contributions to the City of Weirton. Your generosity and support are greatly appreciated. Thank you for your dedication and superior service to our community.

CITIZENS' REMARKS

C.P. Warrick - talked about the condition of the Rail Trail, and questioned who is responsible for its maintenance.

Request by Council to convene into Executive Session consistent with West Virginia Code 6-9A-4.

Motion to go into Executive Session was made by Councilman Weigel.

Motion passed 7/0

Motion to come out of Executive Session was made by Councilman Weigel.

Motion passed 7/0

Councilman Weigel announced that in Executive Session they discussed personnel matters.

READING OF MINUTES

May 10, 2021, Regular Council Meeting Minutes

Motion to Approve the May 10, 2021, Regular Council Meeting Minutes:

Councilman Fracasso

Motion Approved: 7/0

FINANCE COMMITTEE COMMENTS/FINANCIAL REPORT

Councilman Fred Marsh – at the last Finance Committee meeting, there were several controversial items. Related to the items on tonight’s agenda, #3 was a tie; #4 was voted down and not recommended; #18 was a tie; #19 was a tie; everything else was approved.

UNFINISHED BUSINESS:

1. Second Reading of Ordinance No. 2155 of the City of Weirton, West Virginia, Amending Part XIII, Chapter 1, Section 1301.01 of the Weirton Code of Ordinances to Delete References to the 2005 Unified Development Ordinance and Adopting a Unified Development Ordinance Update Dated May 2021 in its Place. (City Manager)
Motion to Approve: Councilman Marsh
Motion Approved: 5/2
Councilman Ash and Councilman Fracasso voted against the Ordinance
2. Second Reading of Ordinance No. 2156 Establishing that a Floodplain Exists and Requiring All Contractors, Persons, Partnerships, Businesses, and Corporations to Obtain a Permit for Development and the Construction, Substantial Improvement, or Relocation of any Building or Structure; Providing for Certain Minimum Standards for Construction Within the Floodplain Area and Setting Forth Special Procedures for Submission and Approval of Plans; and Establishing Penalties for any Person Who Fails to Comply With the Requirements or Provisions of this Ordinance. (City Manager)
Motion to Approve: Councilman Fracasso
Motion Approved: 7/0

NEW BUSINESS:

1. A Resolution Authorizing the Submittal of an Application for Credit Rating from Moody's Investor's Service; the Execution of Such Application and all Other Necessary Documents Related Thereto by the Mayor, City Manager and City Clerk; and Making Other Provisions Related Thereto. (City Manager)
Motion to Approve: Councilman Fracasso
Motion Approved: 7/0
2. A Resolution to Authorize a Contribution to Weirton Area Museum and Cultural Center (\$10,000.00). (Councilman Ash)
Motion to Approve: Councilman Ash
Motion Approved: 6/1
Councilman Weigel voted against the Resolution
3. A Resolution to Enter into Agreement for the Installation of Line Stripping on Various Streets within the City of Weirton (\$25,000.00). (City Manager)
Motion to Approve: Councilman Fracasso
Motion Approved: 7/0
4. An Ordinance Modifying Ordinance #1313, as Amended, Establishing New Minimum and Maximum Salary Levels of Specific Non-Union Municipal Employees Within Specific Departments of the City of Weirton General Fund and Adding/Eliminating Specific Positions. (City Manager)
DIED FOR LACK OF A MOTION
5. A Resolution to Place Liens Against Real Properties for Costs Incurred in Demolition of Unsafe Properties Pursuant to Ordinance 250 (407 Engle Street) (\$4,787.75). (City Manager)
Motion to Approve: Councilman Ash
Motion Approved: 7/0
6. 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 (\$6,925.00). (City Manager)
Motion to Approve: Councilman Connell
Motion Approved: 7/0
7. A Resolution to Enter into Contract with Nortec for the Purchase of Six (6) Microsoft SQL Data Base Licenses for the City's Computer Hardware (\$17,760.00). (City Manager)
Motion to Approve: Councilman Fracasso
Motion Approved: 7/0
8. A Resolution to Renew the City's Annual Support Contract with Accufund, Inc. for the Continued Support, Maintenance and Enhancement of the City's Accounting Software (\$8,999.25). (City Manager)
Motion to Approve: Councilman Fracasso
Motion Approved: 7/0

9. A Resolution to Rescind Resolution Passed on March 8, 2021, Approving the Purchase of a 2021 Ram 1500 Quad Cab Pickup, and Entering into a New Contract for the Purchase of a 2021 Ford Explorer, 4 Wheel/AWD 4-Door for the Inspections Department of the City of Weirton (\$28,166.00). (City Manager)

Motion to Approve: Councilman Connell

Motion Approved: 7/0

10. A Resolution for the Sale of Property Located Adjacent to 157 Bennett Drive, Weirton, Assessor's Map and Parcel W38C-283 to Carol Hawthorne (\$1,000.00). (City Attorney)

Discussion: **City Attorney, Vince Gurrera**, stated that pursuant to West Virginia Code § 8-11-3 this needs to be in the form of an Ordinance.

Motion to Amend to change from a Resolution to an Ordinance: Councilman Connell

Motion Approved: 7/0

First Reading of an Ordinance for the Sale of Property Located Adjacent to 157 Bennet Drive, Weirton, Assessor's Map and Parcel W38C-283 to Carol Hawthorne (\$1,000.00). (City Attorney)

Motion to Approve: Councilman Connell

Motion Approved: 7/0

11. A Resolution Re-Appointing Ms. Christina Johnson to the Human Rights Commission for the City of Weirton. (Councilman Connell, Councilman Ash)

Motion to Approve: Councilman Ash

Motion Approved: 7/0

12. A Resolution Appointing Mr. Kenneth Wright to the Mary H. Weir Public Library Board. (Mayor Miller)

Motion to Approve: Councilman Connell

Motion Approved: 7/0

13. A Resolution Re-Appointing Mr. Ron Jones to the Weirton Board of Parks and Recreation. (Mayor Miller)

Motion to Approve: Councilman Ash

Motion Approved: 7/0

14. A Resolution Re-Appointing Ms. Helen Jackson-Gillison to the Police Civil Service Commission for the City of Weirton. (Mayor Miller)

Motion to Approve: Councilwoman Perrone

Motion Approved: 7/0

15. A Resolution Re-Appointing Mr. Robert Gribben to the Sanitary Board for the City of Weirton. (Councilman Fracasso)

Motion to Approve: Councilman Fracasso

Motion Approved: 7/0

16. A Resolution Re-Appointing Mr. Joseph Stankiewicz to the Fire Civil Service Commission for the City of Weirton. (Mayor Miller)

Motion to Approve: Councilman Marsh

Motion Approved: 7/0

17. A Resolution to Enter into a Rental Service Agreement with the Hancock County Sheltered Workshop for Floor Mats in the Weirton Municipal Building (\$84.75 bi-weekly). (City Manager)
Motion to Approve: Councilman Adams
Motion Approved: 7/0

18. An Ordinance Modifying Ordinance #1313, as Amended, Establishing New Salaries of Employees Who are Members of the Weirton Municipal Employees Union (WMEU), and Authorizing the City Manager to Sign Contracts Necessary to Place These Changes Into Effect. (City Manager)
DIED FOR LACK OF A MOTION

19. An Ordinance Modifying Ordinance #1313, as Amended, Establishing New Salaries of Employees Who are Members of the Fraternal Order of Police Lodge #84, and Authorizing the City Manager to Sign Contracts Necessary to Place These Changes Into Effect. (City Manager)
DIED FOR LACK OF A MOTION

20. A Resolution to Approve and Adopt the City of Weirton Title VI Program. (City Manager)
Motion to Approve: Councilman Fracasso
Motion Approved: 7/0

21. A Resolution Re-Appointing Mr. John Porco to the Municipal Service Fee Appeals Board for the City of Weirton. (Councilman Connell, Councilwoman Perrone)
Motion to Approve: Councilman Connell
Motion Approved: 7/0

22. A Resolution Re-Appointing Mr. Joseph Gurrera to the Municipal Service Fee Appeals Board for the City of Weirton. (Mayor Miller)
Motion to Approve: Councilman Marsh
Motion Approved: 7/0

CITY MANAGER AND DEPARTMENTAL REPORTS

City Manager, Joe DiBartolomeo – to clarify for the record, at the Finance Committee meeting, the Chairman broke two ties. Since 2020, the city has contributed over \$31,000.00 to various organizations to market and promote events within the city. Had the City had its own CVB, this money, instead of coming out of the general fund, could have come from there. The resolution approved tonight for the contribution to the museum, stated that it was for maintenance. The letter from Ms. Guz requested funds for the demolition of property so the funds approved tonight cannot be used for the demolition. I think that needs to be amended. There are three ordinances relating to pay raises on tonight's agenda. Council does not negotiate pay raises. That is a management function. We have a hard time retaining and hiring. Regarding the workers' compensation policy, the annual policy is \$213,000.00. I've received two replies out of seven telling me to stay with Brickstreet. This policy has not gone out for bid, but money can be saved by going with a different company. The amount of money saved by not renewing with S2 could help pay for the pay raises. Over \$6 million dollars has been brought in on the backs of our employees. We have a great workforce.

MAYOR AND COUNCIL COMMENTS/COMMUNICATIONS

Councilman Marsh would like to schedule a workshop concerning contracts and the fire department captain's position.

Councilman Weigel requested that **Public Works Director, Rod Rosnick** and **Police Chief Charlie Kush** coordinate the placement of the speed trailer on the newly paved streets to monitor the speed. **Program Director, Kaleb Knowlton**, reported that there have been at least 8 responses received regarding RFPs for the proposed police annex. **Councilman Weigel** wanted to clarify the statements that he made regarding the Starvaggi pool and to clear up any misunderstanding. The statements referred to looking at evaluating what is needed to make improvements to the pool and to make sure it is what the citizens of Weirton want. Are public pools as popular as they used to be? We continue to see decline in attendance and now we're faced with staffing problems. My comments about taking a look at it were aimed at evaluating the whole thing before a huge investment is made. I think every option should be explored to make sure that's what the citizens of Weirton want.

Utilities - Butch Mastrantoni - Nothing further to add to the submitted report.

Fire Department – Chief Himmelrick – Nothing further to add to the submitted report.

Code -Matt Burskey – Nothing further to add to the submitted report.

Police Department - Chief Kush – stated that he supports the new proposed contract.

Library - Rik Rekowski – the library is participating in a virtual job fair with WVNCC on Tuesday June 15 from 11-1. The summer reading program is currently accepting registrations and starts on June 23, 2021, ending on July 31, 2021. Registration is required.

Weirton Transit – Donna Gialluco – Nothing further to add to the submitted report.

IT Department – Brian Stewart – Nothing further to report.

Finances – Diana Smoljanovich – the application has been made for American Rescue Act funds, but we are still waiting for the signature from the Treasury to approve them.

Two letters were received from the Weirton Board of Park and Recreation Commissioners – one letter was addressed to Councilman Weigel and the other was addressed to Mayor Miller. Both letters were read into the record and are attached hereto as part of these minutes.

It was confirmed that a workshop will be scheduled for June 22, 2021, at 6:30 p.m., in Room 2021. **Councilman Marsh** will provide agenda items to the clerk and it will be open to the public.

ADJOURNMENT

Motion to Adjourn: Councilman Ash

Motion Approved 7/0

Councilman Tim Connell recited the closing prayer.

Minutes approved at the July 16, 2021 Special Council Meeting.

Signed: Kimberly Long, City Clerk

Weirton Board of Park and Recreation Commissioners

Sen. Edwin J. Bowman
Chairman
3420 Main Street
Weirton, WV 26062

Phone: (304) 797-8520
E-Mail: senatored2012@hotmail.com

Voice Mail: (304) 797-8522



June 2, 2021

Mayor Harold Miller
200 Municipal Plaza
Weirton, WV 26062

CC: City Manager Joe DiBartolomeo; City of Weirton Council and Weirton Park Board Members

Dear Mayor Miller,

Although unsolicited, there have been some members of the City of Weirton Council that informed some members of the Weirton Park Board, they would support the funding to the repair and renovation of the Starvaggi Pool vessel.

Therefore, the Weirton Park Board voted unanimously to formalize its request for funding of the Starvaggi Pool vessel. As we stated in our recent presentation, the cost of this project will be somewhere in the vicinity of \$1-million.

Additionally, as you know, there have been many recent requests by a number of citizens within the City of Weirton to have the Panhandle Rail Trail (PRT) paved. At our recent Park Board meeting, a motion was submitted and passed to create a line item for paving the PRT. Action was taken to place \$10,000.00 from the Weirton Park Board budget into this line item and to seek additional funding for this project through other entities. I am pleased to inform you that the Brooke County Commission has allocated \$10,000.00 to this project. We are continuing our efforts to raise additional funds through local entities.

We would respectfully request that the City of Weirton contribute \$10,000.00 to the paving project for the PRT.

It is our hope that the above request will be considered at the next regular City of Weirton Council meeting.

Executive Director Coty Shingle will be present to answer any questions.

Thank you in advance.

Sincerely,

Sen. Edwin J. Bowman



Weirton Board of Park and Recreation Commissioners

Edwin J. Bowman
Chairman
3420 Main Street
Weirton, WV 26062



Phone: (304) 797-8520

Voice Mail: (304) 797-8522

E-Mail: senatored2012@hotmail.com

June 2, 2021

**Councilman Terry Weigel
City of Weirton Municipal Building
200 Municipal Plaza
Weirton, WV 26062**

CC: City of Weirton Council, Mayor Miller, City Manager Joe DiBartolomeo and Weirton Park Board Members

Dear Councilman Weigel,

In your previous communication with Weirton Park Board Executive Director Coty Shingle you requested that the Park Board discuss whether or not the City of Weirton needs a public swimming pool.

Your request is perplexing to the members of the Weirton Park Board. This is our reasoning to communicating to you our request to attend our meeting so that we could better understand why you would make such a request. We were very disappointed that you declined our invitation.

Never the less, we did have discussions on whether or not the City of Weirton needs a public swimming pool. Through this discussion, it is believed that, not to have a City of Weirton public swimming pool would be a regressive action for the City of Weirton and its citizens.

Obviously, at a time when the City Administrators and Business Community are seeking ways to make Weirton a more attractive area for businesses and citizens to consider residency within Weirton, not to have a public swimming pool would be a step backwards and a tool removed from attracting these entities.

We wish to inform you, it is unanimous among the Weirton Park Board members that the City of Weirton continue to maintain its public swimming pool.

Sincerely,

Sen. Edwin J. Bowman
Chairman Weirton Board of Parks



"Quality recreation opportunities at affordable prices"