

**CITY OF WEIRTON
TUESDAY, OCTOBER 12, 2021
COUNCIL MEETING – REGULAR
OPEN TO THE PUBLIC
7:00 p.m.
COUNCIL CHAMBERS**

PRAYER

PLEDGE OF ALLEGIANCE

MEETING CALLED TO ORDER

ROLL CALL

MAYOR'S AWARDS AND PROCLAMATIONS

- Proclamation and Certificates – National Child Health Day
- Proclamation – Breast Cancer Awareness Month
- Proclamation – National School Bus Safety 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

- September 13, 2021 – Regular Council Meeting

FINANCE COMMITTEE COMMENTS/FINANCIAL REPORT

UNFINISHED BUSINESS:

1. Second Reading of Ordinance No. 2167 to Amend the Traffic Control Map, Ordinance No. 214, to Establish a Residential Disability Parking Space at 102 Phillips Street. (Councilman Weigel)
2. Second Reading of Ordinance No. 2168 Outlining Parking Permit Requirements and Rescinding All Previous Parking Permit Ordinances and Resolutions Relating to the City of Weirton, WV. (Councilman Ash)
3. Second Reading of Ordinance No. 2169 to Amend the Traffic Control Map, Ordinance No. 214, to Place a Stop Sign on the Alley Behind the 2700 Block of Pennsylvania at the Intersection of the Alley and Powers Road. (Councilman Adams)
4. Second Reading of Ordinance No. 2170 to Amend the Traffic Control Map, Ordinance No. 214, to Reduce the Speed Limit on Powers Road by Ten Miles per Hour from its Current 25 Miles per Hour to 15 Miles per Hour. (Councilman Adams)
5. Second Reading of Ordinance No. 2171 Enacting and Adopting a Supplement to the Code of Ordinances for the City of Weirton. (Acting City Manager)

6. Second Reading of Ordinance No. 2172 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. (Councilman Weigel)

NEW BUSINESS:

1. A Resolution to Appoint Ward II Councilperson as Prescribed by the Charter of the City of Weirton.
2. To consider and act upon a proposed Resolution regarding the setting of a public hearing date with respect to the proposed issuance by the City of Weirton of tax-exempt and/or taxable notes (the "Series 2021 Notes") to assist Weirton Medical Center, Inc. in financing a project consisting of (a) currently refunding the City of Weirton Tax-Exempt Revenue Note, Series 2018A (Weirton Medical Center Project), dated November 21, 2018 (the "Series 2018A Note"), (b) financing capital improvements to the Weirton Medical Center hospital facility located in Weirton, Brooke County, West Virginia, and (c) paying all or a portion of the related financing costs; approving the form of public hearing notice to be published in connection with the same; and approving the engagement of certain participants in the issuance of the Series 2021 Notes.
3. An Ordinance to Amend the Traffic Control Map, Ordinance No. 214, to Rescind Ordinance No. 1696 that Established a Dedicated Residential Disability Parking Space at 3043 Elm Street. (Councilman Ash)
4. A Resolution to Enter into Agreement with Astar Abatement, Inc. for the Asbestos Abatement of the Structure Located at 143 South 11th Street (\$4,955.00). (City Manager)
5. A Resolution to Enter into Agreement with Pulice Construction for the Demolition of the Structure Located at 143 South 11th Street (\$9,875.00). (City Manager)
6. A Resolution to Renew the City's Annual Maintenance Agreement with PTS Solutions for the Continued Support of the City's Court Records Management Software (\$2,100.00). (City Manager)
7. A Resolution to Appoint Mr. Rocky Bragg to the Water Board for the City of Weirton. (Councilman Ash)
8. A Resolution to Appoint Mr. Samuel K. Stoneking, Jr. to the Water Board for the City of Weirton. (Councilman Connell)
9. A Resolution to Enter into Contract for Auction Services for the Public Works Department (15% Auctioneers Fee). (City Manager)
10. A Resolution to Authorize a \$5,000.00 Sponsorship Contribution for the Fireworks at the Weirton Christmas on Main Street Event. (\$5,000.00). (Mayor Miller)
11. A Resolution to Make a Financial Contribution to the Weirton Area Chamber of Commerce for Maintenance of City-Wide Christmas Displays (\$7,500.00). (Councilman Marsh)

CITY MANAGER AND DEPARTMENTAL REPORTS

MAYOR AND COUNCIL COMMENTS/COMMUNICATIONS

ADJOURNMENT

PRAYER

INFORMATIONAL COUNCIL MEETING

Tuesday, October 12, 2021

COUNCIL CHAMBERS

6:55 p.m.

**MEETING MINUTES
WEIRTON CITY COUNCIL**

Regular Council Meeting
Weirton Municipal Building – Council Chambers
200 Municipal Plaza, Weirton, WV 26062
Tuesday, October 12, 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 |
| Vacant Position | Councilmember Ward 2 | VACANT |
| 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 |
| Jessica Gumm | Planning and Development Director | 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 |
| Mike Adams | City Manager | IN PERSON |
| DeeAnn Pulliam | Assistant City Manager | ABSENT |
| 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 – National Child Health Day 2021 – St. Joseph the Worker School

***NOW, THEREFORE, BE IT RESOLVED**, that I, Harold E. Miller, Mayor of the City of Weirton, West Virginia, do hereby proclaim October 4, 2021, as "**Child Health Day**" in the City of Weirton and honor the food service personnel at St. Joseph the Worker School.*

CERTIFICATE OF APPRECIATION – Roberta Goddard, Sue Marsh and Tiffany Macek

We thank you for your dedication in ensuring the students at St. Joseph the Worker School are provided healthy meals, which fosters their growth and development. Your commitment to children's health is greatly appreciated.

PROCLAMATION – National Breast Cancer Awareness Month – Weirton Medical Center

***NOW, THEREFORE, I, Harold E. Miller, Mayor of the City of Weirton**, do hereby proclaim October 2021, as "Breast Cancer Awareness Month" in our community and thank the Weirton Medical Center for their commitment to the prevention, detection, and treatment of Breast Cancer.*

CERTIFICATE OF APPRECIATION – Weirton Medical Breast Care Center

We thank you for your commitment in providing quality care to those in our community impacted by breast cancer. During Breast Cancer Awareness Month, we honor you for your dedication.

PROCLAMATION – National School Bus Safety Week – Brooke and Hancock County Schools

***NOW, THEREFORE, BE IT RESOLVED**, that I, Harold E. Miller, Mayor of the City of Weirton, West Virginia, do hereby proclaim October 18 through 22, 2021 as "**National School Bus Safety Week**" in the City of Weirton.*

CERTIFICATE OF APPRECIATION – Brooke and Hancock County Schools Transportation Department

We thank you for your commitment in providing transportation services to families in our community while keeping the welfare and safety of our children your top priority. Your dedication is greatly appreciated.

CERTIFICATE OF APPRECIATION – Councilman Fred Marsh

We thank you for your commitment in providing transportation services to families in our community while keeping the welfare and safety of our children your top priority. Your dedication is greatly appreciated.

CITIZENS' REMARKS

Ashley Carpenter of the Upper Ohio Valley Sexual Assault Help Center asked Council to consider providing funding assistance to the Center.

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

A Motion to convene into Executive Session was made by Councilman Ash.

Motion passed 6/0

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

Motion passed 6/0

City Attorney, Vince Gurrera, stated that in Executive Session personnel and approval of contracts were discussed.

READING OF MINUTES

September 13, 2021, Regular Council Meeting Minutes

Motion to Approve the September 13, 2021, Regular Council Meeting Minutes:

Councilman Marsh

Motion Approved: 6/0

FINANCE COMMITTEE COMMENTS/FINANCIAL REPORT

Councilman Fred Marsh – Most of tonight's agenda items on spending are related to maintenance. There are two unbudgeted items for consideration on tonight's agenda, both coming from civic contributions. **Finance Director, Diana Smoljanovich**, advised that she, along with the City Manager, attended the WV State Auditor's training. Going forward, changes will be made to how things will be reported. Ms. Smoljanovich stated that the process will go back to the way it had been done before, and a report will be included in the Council packets. The information will be discussed and approved, by a motion, at each regular council meeting.

UNFINISHED BUSINESS:

1. Second Reading of Ordinance No. 2167 to Amend the Traffic Control Map, Ordinance No. 214, to Establish a Residential Disability Parking Space at 102 Phillips Street. (Councilman Weigel)

Motion to Approve: Councilman Weigel

Motion Approved: 6/0

2. Second Reading of Ordinance No. 2168 Outlining Parking Permit Requirements and Rescinding All Previous Parking Permit Ordinances and Resolutions Relating to the City of Weirton, WV. (Councilman Ash)

Motion to Approve: Councilman Ash

Councilman Marsh made the motion to amend section "a." by inserting "West side of Cross Street from its intersection with School Street to its intersection with Church Street" and "West side of Preston Avenue from the alley south to the school property."

Motion to Approve the Amendment: 6/0

Motion to Approve the Ordinance as Amended: Councilwoman Perrone
Motion Approved: 6/0

3. Second Reading of Ordinance No. 2169 to Amend the Traffic Control Map, Ordinance No. 214, to Place a Stop Sign on the Alley Behind the 2700 Block of Pennsylvania at the Intersection of the Alley and Powers Road. (Councilman Adams)

Motion to Approve: Councilman Ash
Motion Approved: 6/0

4. Second Reading of Ordinance No. 2170 to Amend the Traffic Control Map, Ordinance No. 214, to Reduce the Speed Limit on Powers Road by Ten Miles per Hour from its Current 25 Miles per Hour to 15 Miles per Hour. (Councilman Adams)

Motion to Approve: Councilman Connell
Motion Approved: 6/0

5. Second Reading of Ordinance No. 2171 Enacting and Adopting a Supplement to the Code of Ordinances for the City of Weirton. (Acting City Manager)

Motion to Approve: Councilman Ash
Motion Approved: 6/0

6. Second Reading of Ordinance No. 2172 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. (Councilman Weigel)

Motion to Approve: Councilman Ash

Discussion: **Councilman Weigel** stated that if this ordinance passes its second reading tonight, he would like staff and Council to continue to look at this ordinance; specifically because the salary ranges on specific jobs may need to be reconsidered. **Mayor Miller** is in agreement with this statement.

Motion Approved: 6/0

NEW BUSINESS:

1. A Resolution to Appoint Ward II Councilperson as Prescribed by the Charter of the City of Weirton.

Motion to Approve: Councilman Ash

Councilman Weigel made the motion to amend the Resolution to state "Appoint Ward II Councilperson, Chris Jonzcak, effective upon being sworn in."

Motion to Approve the Amendment: 6/0

Motion to Approve the Resolution as Amended: Councilman Weigel
Motion approved: 6/0

2. To consider and act upon a proposed Resolution regarding the setting of a public hearing date with respect to the proposed issuance by the City of Weirton of tax-exempt and/or taxable notes (the "Series 2021 Notes") to assist Weirton Medical Center, Inc. in financing a project consisting of (a) currently refunding the City of Weirton Tax-Exempt Revenue Note, Series 2018A (Weirton Medical Center Project), dated November 21, 2018 (the "Series 2018A Note"), (b) financing capital improvements to the Weirton Medical Center hospital facility located in Weirton, Brooke County, West Virginia, and (c) paying all or a portion of the related financing costs; approving the form of public hearing notice to be published in connection with the same; and approving the engagement of certain participants in the issuance of the Series 2021 Notes.

Motion to Approve: Councilman Marsh

Discussion: **City Attorney, Vince Gurrera**, stated that if this Resolution is approved tonight, the public hearing will be held on November 8, 2021, at 6:45 p.m., prior to the Regular City Council meeting. **Councilman Marsh** agreed to sponsor this amendment, and explained that this is a refinancing project of notes that were issued in 2018. Weirton Medical Center needs the City of Weirton to act as a conduit to refinance to get a better rate, and the savings on those notes will fund some other construction projects, such as the emergency department. This refinancing will not cost the taxpayers anything. **City Manager, Mike Adams**, explained that the City is merely a flow-through. This process was established and is permitted by the State Code, and is something that is done to bring facilities and improvements to municipalities.

Motion Approved: 6/0

3. An Ordinance to Amend the Traffic Control Map, Ordinance No. 214, to Rescind Ordinance No. 1696 that Established a Dedicated Residential Disability Parking Space at 3043 Elm Street. (Councilman Ash)
Motion to Approve: Councilman Ash
Motion Approved: 6/0
4. A Resolution to Enter into Agreement with Astar Abatement, Inc. for the Asbestos Abatement of the Structure Located at 143 South 11th Street (\$4,955.00). (City Manager)
Motion to Approve: Councilman Fracasso
Motion Approved: 6/0
5. A Resolution to Enter into Agreement with Pulice Construction for the Demolition of the Structure Located at 143 South 11th Street (\$9,875.00). (City Manager)
Motion to Approve: Councilman Fracasso
Motion Approved: 6/0
6. A Resolution to Renew the City's Annual Maintenance Agreement with PTS Solutions for the Continued Support of the City's Court Records Management Software (\$2,100.00). (City Manager)
Motion to Approve: Councilman Ash
Motion Approved: 6/0
7. A Resolution to Appoint Mr. Rocky Bragg to the Water Board for the City of Weirton. (Councilman Ash)
Motion to Approve: Councilman Ash

A Roll Call Vote was Requested for the Motion:

| | |
|----------------------------|------------|
| Councilman Tim Connell | <u>No</u> |
| Councilman Fred Marsh | <u>Yes</u> |
| Councilman George Ash | <u>Yes</u> |
| Councilwoman Flora Perrone | <u>Yes</u> |
| Councilman Enzo Fracasso | <u>No</u> |
| Councilman Terry Weigel | <u>Yes</u> |

Motion Approved: 4/2

8. A Resolution to Appoint Mr. Samuel K. Stoneking, Jr. to the Water Board for the City of Weirton. (Councilman Connell)

Due to the outcome of Number 7 above, this Resolution is no longer applicable.

9. A Resolution to Enter into Contract for Auction Services for the Public Works Department (15% Auctioneers Fee). (City Manager)

Motion to Approve: Councilman Weigel

Motion Approved: 6/0

10. A Resolution to Authorize a \$5,000.00 Sponsorship Contribution for the Fireworks at the Weirton Christmas on Main Street Event. (\$5,000.00). (Mayor Miller)

Motion to Approve: Councilman Fracasso

Discussion: **Councilman Marsh** asked if the Renaissance Committee and the Chamber of Commerce could work together to coordinate the parade and the festival into one event starting next year. It was noted that Frontier has agreed to donate money towards the fireworks; therefore, it is being asked if this request be amended to state that the money would go towards other needs for the event, not just the fireworks. **Mayor Miller** stated that the Renaissance Committee has not received as many donations and sponsorships as in the past, and that is why the request is being made. **Councilman Weigel** encouraged the two organizations to work together in order to combine the two events into one.

Councilwoman Perrone made the motion to strike out "the fireworks at."

Motion to Approve the Amendment: 6/0

Motion to Approve as Amended: Councilwoman Perrone

Motion Approved: 6/0

11. A Resolution to Make a Financial Contribution to the Weirton Area Chamber of Commerce for Maintenance of City-Wide Christmas Displays (\$7,500.00). (Councilman Marsh)

Motion to Approve: Councilman Marsh

Discussion: **Councilman Marsh** stated that for the last 10 years, the Chamber has been asking for a way for the City to help them out with the Christmas displays. The lights need major maintenance city-wide and the bulk of this donation will go towards bulbs, sockets, and wiring. For the purpose of transparency, the invoices are to be submitted to the finance department for payment. This is a policy that we need to start doing with everybody. The Chamber did some of their research, and Weirton is the only city in the valley that doesn't support their city with any kind of financial contributions towards Christmas displays. When

budget time comes, Council should discuss developing a line item for this expense, and start talking about this situation as a whole. Since our city electrician has been putting the lights up, **Councilman Marsh** has asked **Public Works Director, Rod Rosnick**, to figure out the cost of doing this in order to add this expense into next year's budget. He feels that this is a responsibility that we need to share. On October 18, 2021, at 3:00 p.m. a gathering is scheduled to put the bulbs in, and get the lights ready, and volunteer help is needed.

Motion Approved: 6/0

CITY MANAGER AND DEPARTMENTAL REPORTS

City Manager – Mike Adams – Provided a summary of some of the ongoing and upcoming projects of the various departments. Benefits department is working on health benefit renewals, COVID guidelines, sick leave policy, and next year's calendar; City Manager's office is working on website updates; a Narcan event and turkey trot are coming up; City Clerk's office is working on scheduling an upcoming firefighter exam, updating the dedicated handicap parking spaces process, and updating the permanent ordinance books. Fire Department gave a summary of their equipment and the revamping of some equipment, and getting staffing levels up; Code and Inspections Department is looking at the department structure and staffing, and business licensure issues; Planning and Development Department continues their review of business applications, issues have increased from oil and gas applications, and there has been an increase in timbering applications. Grant work continues for items such as staffing, homeland security, and development. Police Department provided an update on the vehicles that are being sent to auction, the receipt of the SRT grants, and the work on replacing outdated equipment.

City Manager, Mike Adams, attended the West Virginia State Auditor training in Bridgeport, WV, and received a lot of information on the permitted use of the ARP monies. The key to the ARP funds is that right now there are only interim rules in place, with no specific rules on what can be done with the money. The final rules are on their way, and then we will know exactly what we can do with the funds. A meeting took place with developers that purchased some property off of Three Springs Drive and discuss took place regarding cleanup of the area. A very positive meeting was held with **Utilities Director, Butch Mastrantoni**, and **Congressman McKinley's** office regarding the water and sewer updates and different funding sources. The Parks Board hosted an open house with regard to the police building. The parties are sharing information and we are learning what our needs will be and there will be some practical choices to make. A Council Workshop will take place on October 20, 2021, with the architects regarding the proposed public safety facility.

Utilities - Butch Mastrantoni – The water board is seeking a WIFIA loan and a part of the process is to get a financial rating. The Moody's rating received was an "A2." Thanks was conveyed to **Diana Smoljanovich** for providing the necessary financial information. On the sanitary side, the components for base funding for the construction of the sanitary upgrades is in place. We need to continue to pursue grant opportunities. Various meetings have been held with government officials, and any future meetings will be brought to everyone's attention.

Library – Rik Rekowski – Will be attending the West Virginia Library Association Conference this week. The Mary H. Weir library has been awarded a grant from the American Library Association

and the Institute for Museum and Library Services. This grant is for a community conversation about Weirton's future and will take place in October.

Benefits – Pam Wright – Nothing further to add to the submitted report.

Fire Department – Chief Himmelrick – The department has been denied both the AFG and the Safer grants.

Parks and Recreation – Coty Shingle – The next Park Board meeting will be held on Thursday, October 21, 2021. **Councilman Marsh** asked about the status of the repair of the Starvaggi Pool. **Mr. Shingle** stated that he had previously delivered a draft of the RFQ to the City Manager's office. **City Manager, Mike Adams**, stated that he does not have it, and it was requested another copy be sent to **Mr. Adams** as soon as possible.

Code – Matt Burksey – Nothing further to add to the submitted report.

Public Works – Rod Rosnick – Nothing further to add to the submitted report.

Police Department - Chief Kush – Nothing further to add to the submitted report.

Planning and Development – Jessica Gumm – Gave thanks to **Rod Rosnick, Butch Mastrantoni, Matt Burksey** and **Vince Gurrera**, for all of the help they provided to **Kaleb Knowlton** and the Planning and Development Department in her absence.

Transit – Phil Gilcrest – Nothing further to add to the submitted report.

MAYOR AND COUNCIL COMMENTS/COMMUNICATIONS

No other comments or communications were made.

ADJOURNMENT

Motion to Adjourn: Councilman Marsh

Motion Approved 6/0

Councilman Tim Connell recited the closing prayer.

Minutes approved at the November 8, 2021 Regular Council Meeting.

Signed: Kimberly Long, City Clerk