

WEIRTON CITY COUNCIL COUNCIL MEETING - REGULAR TUESDAY, OCTOBER 11, 2016, 7:00 PM

A regular meeting of the Common Council of the City of Weirton, Hancock and Brooke Counties, West Virginia was held on Tuesday, October 11, 2016, at 7:00 P.M. in Council Chambers of the Weirton Municipal Building.

Councilmembers in Attendance:

Tim Connell	Councilmember Ward 1
Charles Wright	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 in Attendance:

Rob Alexander	Police Chief
Travis L. Blosser	City Manager
Vince Gurrera	City Attorney
Ken Fletcher	Chief Code Official
A.D. Mastrantoni	Utilities Director
Mark Miller	Planning & Development Director
Rik Rekowski	Library Director
Rod Rosnick	Public Works Director
Jerry Shumate	Fire Chief

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

READING OF THE MINUTES:

A motion was made by Councilman Ash and second by Councilman Marsh to approve the minutes of the:

September 12, 2016 Regular Meeting

The motion passed, 7/0

Mayors Awards and Proclamations:

Veteran's Proclamation

Johnny R. Jackson – Veteran of the United States Marine Corps for his dedicated military service to our country.

Breast Cancer Awareness Month

Change Inc., to accept the Proclamation for "Paint the Valley Pink" to urge our local businesses and groups to proudly support this cause, and encourage residents to observe Breast Cancer Awareness Month.

Citizens Remarks:

Dean Harris – Marland Heights Road

Mayor, City Manager, and Council, I would like to present to the City Clerk the petition signed by residents on Marland Heights asking the City, and Council to address what we feel is a very dangerous problem. I do not have the exact numbers, but there has been a least 20 accidents on Marland Heights Road over the past year and half or two years. They keep getting worse. We just had a bad accident Friday evening. We believe it is the pavement. Some people believe it is speed. I will tell you I lived on that hill for 50 years the speed limit has been 25 miles per hour from the time I started driving at 16, and we have not had the problems that we are having right now. Winter time we can expect that but we are fortunate that Public Works gets on that hill right away and salts the road. We are fortunate in that regard. There is something going on in that hill since the paving was done. There is a number of people from Marland Heights. I have had a lot of calls, and I know Councilman Jackson is very involved in that, and I appreciate it. We need to get this thing addressed. I see you are looking at it, and it has gone through the Finance Committee of putting some type of new surface down. I would ask the Council to give that serious consideration because we have some real problems up there. It is not just us that live on Marland Heights, it is anybody that comes up and down that hill in any kind of rain. It does not have to be a hard rain. The other problem we had is that the road was tied up one day last week. I believe it was a 5 vehicle accident. That road was tied up for nearly two hours. We have a lot of elderly people that live on the hill that we may not get emergency services to while that hill is tied up. I would ask Council to give serious consideration to Councilman Jackson's resolution, and try to get this thing taken care of. Thank You.

Councilman Ash

Mayor Harris when you were Mayor you always came with a solution. What do you think we should do with this just this? Just this one resolution, or should we do something else?

Dean Harris – Marland Heights Road

My understanding is this has to be done within this month or we are going to have some serious problems going forward. Personally, I think this problem should have been addressed long before this point. Right now, our backs are against the wall because it has to be done when temperatures are 60 degrees or above. If we do not get it done now, we are going to go into the winter months with these same types of problems and it probably will be even worse.

Councilman George Ash

I am just wondering how much was the cost of paving was when we did do it?

Travis L. Blosser – City Manager

I can get that information.

Mayor Harold Miller

The conversation on this subject began a long time ago George. It was not just this last accident that triggered it. We had a group meeting with myself, City Manager, Chief of Police, Public Works Department, and City Engineer. Everybody has an opinion. Every opinion has to be taken seriously. This is what we think is the first step, and there is some other things that we can consider. I am like you Dean, we started the Safety First Committee when I became Mayor, and we look at the Safety First Committee whether it be a broken side walk. I am more concerned with the highway being down, and someone having a heart attack, and we can't get to them on the hill because it is only one way up. That bothers me as much as compared to the roads. So, if we need to take it further if this is not the answer.

Dean Harris – Marland Heights Road

You are right Mayor, it is not good. I fought that battle for the emergency access road. I got beat up over the head with it, and whether that is feasible at some point in time that is the Councilmen's next battle or a new battle.

Councilman Douglas Jackson

Or old battle

Dean Harris – Marland Heights Road

Yes, at this point something has to be done with that road being tied up like that. In winter time we are very fortunate because Public Works gets on that road right away. Seldom do we have tie ups on that road unless we get some kind of quick storm. This is getting to the point. I came up the road Friday probably 15 minutes before this head on collision. It was just a mist there was not a heavy rain. I don't know if there were injuries in that collision. There was two SUV's, two larger vehicles. So it does not have to be a down pour it could just be a mist that causes these cars to slide. I have slid on that hill going 20 miles an hour. So as I have said, people have said speed. I will say that people are speeding for the condition of the road. But I have gone that hill at 20 miles an hour, and have my rear end slide out from under me. I talked to a FedEx driver just Saturday night, and he came

down with his van in third gear and slid on that turn. There is something going on with the surface, and not that the speed cannot be a contributing factor but it is only because of the condition of the road. I think we need to address the road.

Mayor Harold Miller

The other thing is that we all travel that road. I have family up there. My son use to live up there. I go up that hill. Two weeks ago I went up, and I was concerned because I know the two sections were both paved at the same time. When I came down Rothrock it was steeper than Marland Heights Hill but I had no problem. There is a real confusing mix there, and this is the first step, we hope it resolves the problem, and we move on from there. Safety is the number one concern you can count on it.

Dean Harris – Marland Heights Road

I know it is Mayor, I know you have taken that initiative and I appreciate it. I just hope that Council can see that there is a problem here. I know you don't like to spend money that hasn't been budgeted, and I understand that but this is a serious issue, and it doesn't have to be a Marland Heights resident could be anybody going up that hill any given time that could be injured or killed on that hill. Anything that could be done, I appreciate the Council's support.

Councilman Douglas Jackson

I just would like to make a comment to the residents of Marland Heights. Your hearing about this now as the first resolution to get this problem solved. I don't want you to leave here, and think this is the first time this has become before Council. I don't know how many of you were at the Town Hall Meeting that we had, or that I had personally held over a year ago at the church. I believe the Mayor was there, our City Manager was there, several councilmen were there, our City Attorney was there. We addressed the accidents on the hill a year ago. There were signs that were put up, and they really didn't do any good. I have been on the forefront of this working with everyone to get a resolution to get a solution to it. You worry about yourselves and everyone else, as well as I do. Today I was going up the hill, and there were school buses ahead of me. I asked the school bus lady, how many school buses travel this hill a day? She told me 26. I could not breath, to think 26 school buses go up and down that hill. So, it escalated it to a new level and that is where we are tonight. I do want to ask you, to post over social media to continue to alert one another when the conditions are bad or when there is an accident. But I also want to put this into your heads as well. What happens if this doesn't work? Where does the blame lie then? We are doing everything within our power, engineers, people who do this for a living, the army core of engineers is looking at this problem. What happens if this doesn't work? Then we have another issue on our hands. Greenbrier Road has the exact same asphalt that we have. Power House Hill has the exact same asphalt that we have. It was paved within 7 days of each other. Their new asphalt goes to a steeper level at a closer point to the old asphalt than ours does. So I really want to ask each and every one of you to watch our kids, watch everybody. Get the message out. Dean Harris thank you for your support on getting this resolution to pass because there is an issue, but I don't want you to think this is the first time we are addressing this because of the resolution

tonight. It took a long time to get to this point to get all the data brought together. So thank you for your patience.

Flora Perrone – Marland Heights Road

I am a resident of Marland Heights for 13 years. I have two teenage drivers driving that hill everyday multiple, multiple times. I am not an engineer. I don't know if any of you are, and I don't really care. If anybody says speed is a factor again, I am probably going to freak out. We have been driving that hill multiple times. I drive that hill at least 6 times a day, never had a problem prior to this. I have fish tailed on the way up, which gravity does not allow speeding on the way up Marland Heights Hill. I want you to really think about this seriously because of the multiple accidents Friday. An accident resulted in an injury of a young child with a broken arm. These are very costly accidents to the families. Thank god we have not lost a life yet, it is inevitable at the rate we are going that is what we are looking at. So, it is a weighty issue. I know it has taken awhile, but I think the time has come to deal with it tonight. This needs to be resolved because we cannot continue to take chances with the multiple lives' that are on that road every day.

Iris Himmelrick – Marland Heights Pool

I am Vice President of the Marland Heights Community Association and I have not addressed you for a while. I thought I would get you up-to-date as to what is going on. We are getting ready to close the park down at the end of October. We have had a very successful season. We have had a lot of rentals. There are kids in the park all the time. It is really good to see. On Saturday, October 22, from 4 to 7 we are having a Community Appreciation Cookout and Boo in the park. We will provide hot dogs and drinks and ask that you bring a side dish. We are having trick and treat for the kids from 5 to 6 and several businesses and fraternal organizations that are going to be there to pass out treats. We would love to see everyone come and talk to their neighbors, and it is not just for Marland Heights it is for the whole city, and anybody that wants to come and we would love to see some of the councilmen there. Also, after that it will be closed down but in December, we had this last year, Santa in the Park. It was a big success. We are having it again it is going to be held Sunday, December 11, from 1 to 4. Bring your camera, take your own pictures, there is no charge for anything. That is the same way with the cook out there is no charge for anything. With Santa, if you want to bring your pets and take pictures of your pets, you are welcome to do that. I would also like to thank Terry Tessick for her hours of tireless work at the pool. She goes above and beyond and is responsible for a lot of the events that we have for the children. She is responsible for all the decorating. She changes our globes every season, orange and black for Halloween globes above the pool. Pretty soon they will be red and green for Christmas. I just want to thank her for everything that she does. As well as taking care of the pool, and the grounds of the park. Anyone have any questions?

Councilman Douglas Jackson

The Marland Heights Residents that are here I hope that you do get a chance to drive past the park. I am the President of Save Marland Heights Pool, if you want to call it that. Iris is more politically correct and calls it the Marland Heights Community Association. But last year at Christmas we had over 700 kids to come and get their pictures taken for free. If

you want to see joy in a community, watch 700 children meet Santa Claus. So for the Marland Heights residents, if you want to know where your tax dollars go stop by the pool and check it out. Because of Terry's hard work it is looking better than ever.

COMMUNICATIONS:

Mayor Miller made an announcement that Halloween will be held on October 31, 2016, from 6:00 pm to 8:00 pm.

Request by Council to convene into Executive Session consistent with WV Code 6-9-A-4-A(9) to consider personnel matters.

Travis L. Blosser, City Manager has asked to convene into Executive Session.
Motion was made by Councilman Ash, second by Councilman Jackson.
Motion passed 7/0

Mayor Miller asked for a motion to reconvene
Motion was made by Councilman Ash, second by Councilman Jackson.
Motion passed 7/0

Vince Gurrera – City Attorney

The Executive Session was involving a private personal meeting.

OLD BUSINESS:

1. Second Reading of Ordinance No. 2006 Abandoning a Nine Foot Alley at 1200 Pennsylvania Avenue (City Manager)

Motion was made by Councilman Connell, second by Councilman Fracasso.
Motion passed 7/0

NEW BUSINESS:

1. An Ordinance to the Amendment No. 773 To The Control Map Ordinance No. 214 of the City of Weirton to Establish a Dedicated Residential Parking Space at 4118 Washington Street (For Mr. Monte Lester) (Councilman Ash) Emergency Reading

Motion was made by Councilman Connell, second by Councilman Fracasso.

Role Call:

Councilman Ash	<u>YES</u>
Councilman Weigel	<u>YES</u>
Councilman Marsh	<u>YES</u>
Councilman Wright	<u>YES</u>
Councilman Fracasso	<u>YES</u>
Councilman Jackson	<u>YES</u>
Councilman Connell	<u>YES</u>

Motion passed 7/0

2. An Ordinance to the Amendment No. 774 To The Control Map Ordinance No. 214 of the City of Weirton to Extend "No Parking" West Side Only (Yellow Line) Both Sides 8 Feet on Corner of Ferguson Avenue and West Street (Councilman Ash) Emergency Reading

Motion was made by Councilman Ash, second by Councilman Jackson.

Motion passed 7/0

Role Call:

Councilman Ash	<u>YES</u>
Councilman Weigel	<u>YES</u>
Councilman Marsh	<u>YES</u>
Councilman Wright	<u>YES</u>
Councilman Fracasso	<u>YES</u>
Councilman Jackson	<u>YES</u>
Councilman Connell	<u>YES</u>

Motion passed 7/0

3. An Ordinance to the Amendment No. 775 To The Control Map Ordinance No. 214 of the City of Weirton for an Extension of Yellow Line 30 Feet on Estes Avenue and Ivy Street (Councilman Marsh)

Motion was made by Councilman Marsh, second by Councilman Ash.

Motion passed 7/0

4. A Second Supplemental Resolution Authorizing and Approving WesBanco Bank, Inc. Terms and Conditions for the Water Revenue Bonds, Series 2016 A of the City of Weirton; and making other Provisions as to the Bonds (City Manager)

Motion was made by Councilman Ash, second by Councilman Connell.

Motion passed 7/0

5. A Supplemental Resolution Relating Providing as to Principal Amount, Date, Maturity Date, Redemption Provision, Interest Rate, Interest and Principal Payment Dates, Sale Price and Other Terms of the Water Revenue Bonds Series 2016 B (West Virginia DWTRF Program) of the City of Weirton; Approving and Ratifying the Loan Agreement Relating to such Bonds and the Sale and Delivery of such Bonds to the West Virginia Water Development Authority; Designating a Registrar, Paying Agent and Depository Bank; and making other Provisions as to the Bonds (City Manager)

Motion was made by Councilman Ash, second by Councilman Weigel.

Motion passed 7/0

6. Resolution Approving Invoices Relating to Acquisition and Construction and Other Services for the Proposed Water Project and Authorizing Payment (City Manager)

Motion was made by Councilman Ash, second by Councilman Connell.

Motion passed 7/0

7. Resolution to consider a Sweep pertaining to the Automatic Payment of Bonds to the Municipal Bond Commission (City Manager)

Motion was made by Councilman Ash, second by Councilman Connell.

Motion passed 7/0

8. Resolution to Authorize the City Manager to Enter into Contract for the Installation of High Friction Surface Treatment of Marland Heights Road (\$41,000.00) (City Manager)

Motion was made by Councilman Jackson, second by Councilman Connell.

Councilman George Ash

I have multiple questions. I will agree to this but I have questions.

Does this Contractor know where this place is? It has here County Jefferson County on the bid sheet I have?

Rod Rosnick – Public Works Director

We had talk with them earlier this week they just put in the wrong County. We were trying to get the bid sheet in time for the Finance Committee.

Councilman George Ash

Did we get three bids?

Rod Rosnick – Public Works Director

No

Councilman George Ash

Did we get three bids or just two?

Travis L. Blosser, City Manager

This is an emergency move we just got two. We had one on another different type of treatment.

Councilman George Ash

Who is going to take care of traffic control because this company said no they are not going to do it?

Rod Rosnick – Public Works Director

The City Public Works will take care of traffic.

Councilman George Ash

I suppose the removal and replacement of pavement and markage will be done by Public Works?

Rod Rosnick – Public Works Director

It Will be done temporary through the winter months from Public Works, and then we will restripe them with our contractor this spring.

Councilman George Ash

Where do we plan to store all the equipment that they want us to store?

Rod Rosnick – Public Works Director

There really is no storage. That is just a general thing. It basically is our project, and is so small it is only one truck load of their material. They will load the truck. There really is no material storage.

Councilman George Ash

It is in there asking for it that is why I wanted to know. It says price is valid only if work is completed prior to October 31, 2016. What if it is not completed by then.

Rod Rosnick – Public Works Director

They said it has to be completed by then or they could not do it because of the temperature and other reasons. The price is tied to that because they would have to come back in the Spring, and they cannot guarantee price until spring. I am suppose to give them a call in the morning to schedule a start date.

Councilman George Ash

Last question is the price of the friction testing above the preexisting conditions and the HFST overlay will be an additional \$10,000.00. So, if we pass this is it going to be \$41,000.00 an additional \$10,000.00 later or is it needed?

Rod Rosnick – Public Works Director

No, that is an option that you can have. We discussed this before we decided to bring this forward as an option. That is the road surface to see what its friction value was. But \$10,000.00 is ridiculous to pay for, then come back to pay \$41,000.00 for high friction surface. That is just an option. If you want to know the number before, and you want to know the number after another \$10,000.00 and you will get that answer.

Travis L. Blosser - City Manager

Basically the other thing was time factor. We have a 30 day window by the end of the month to complete the work, which is actually now less than 30 days temperature wise. Having that test done also takes time, and that is another company that comes in and performs that test. That was another reason why that was not included in the resolution that authorizes that amount.

Councilman George Ash

I would assume that Councilman Jackson wants this as a roll call vote emergency?

Councilman Douglas Jackson

I do want it as a roll call vote

ROLL CALL:

Councilman Ash	<u>YES</u>
Councilman Weigel	<u>YES</u>
Councilman Marsh	<u>YES</u>
Councilman Wright	<u>YES</u>
Councilman Fracasso	<u>NO</u>
Councilman Jackson	<u>YES</u>
Councilman Connell	<u>YES</u>

Motion passed 6/1

9. Resolution to Enter into Contract for the Purchase of a Paving Trailer for the Street Department at Public Works (\$6,799.00) (City Manager)

Motion was made by Councilman Ash, second by Councilman Marsh
Motion passed 7/0

10. Resolution to Enter into Contract for the Purchase of a Dump Body, Hoist, Snow Plow and Spreader, for the Street Department at Public Works (\$31,496.00) (City Manager)

Motion was made by Councilman Ash, second by Councilman Connell
Motion passed 7/0

11. Resolution to Enter into Contract for the Purchase of New Security Gate for the Public Works Facility (\$12,687.00) (City Manager)

Motion was made by Councilman Ash, second by Councilman Connell

Councilman George Ash

I would also like to have this as an emergency because anybody can drive through there day time or night. I want this done tomorrow or the next day I don't want this done 6 months from now. We have these resolutions, and vote for them, and something is not done for months. I want to make sure everybody understands we want this done right away.

Roll Call:

Councilman Ash	<u>YES</u>
Councilman Weigel	<u>YES</u>
Councilman Marsh	<u>YES</u>
Councilman Wright	<u>YES</u>
Councilman Fracasso	<u>YES</u>
Councilman Jackson	<u>YES</u>
Councilman Connell	<u>YES</u>

Motion passed 7/0

12. Resolution to Enter into Contract for the Purchase of a 2017 Ford F550 4x4 regular Cab/Chassis for the Street Department at Public Works (\$46,687.00) (City Manager)

Motion was made by Councilman Ash, second by Councilman Connell
Motion passed 7/0

13. 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 was made by Councilman Ash, second by Councilman Weigel
Motion passed 7/0

13. Resolution to Participate in the Multi-Hazard Mitigation Planning Assistance Program (City Manager)

Motion was made by Councilman Ash, second by Councilman Connell
Motion passed 7/0

APPOINTMENTS:

None

DEPARTMENTAL REPORTS

Police Department – Chief Alexander

Nothing additional to add to the submitted reports.

Utilities – Water and Sewer – A. D. Mastrantoni

Nothing additional to add to the submitted reports.

Code Department – Ken Fletcher

Nothing additional to add to the submitted reports.

Councilman George Ash – I forgot to ask Ken a question. Ken have you done away with the program that we have for the complaint driven program. Have you done away with that yet?

Ken Fletcher, Chief Code Official - No

Councilman George Ash – Are you going to?

Ken Fletcher, Chief Code Official – Complaint driven? We are doing both Proactive and Reactive. We are still taking complaints.

Councilman George Ash – I know you are still taking complaints but if you get out of the car and look at something you see something else is it being dealt with?

Ken Fletcher, Chief Code Official – Yes

Mayor Harold Miller – The ultimate goal with putting in the new system. We are putting in a computer system, and phone system to track complaints the time it was phoned in to its

completion and identify the person responsible for it. We will know how long we had it and who is responsible. That is the goal.

Ken Fletcher, Chief Code Official – We are also looking into doing, I call it Zoning, but assigning certain people in certain areas so we can track it.

Councilman Douglas Jackson - When you do that, will you relay that data to Councilmen so we know who to contact.

Ken Fletcher, Chief Code Official – Absolutely

Councilman Douglas Jackson – Thank You

Fire Department – Chief Shumate

We are in the middle of Fire Prevention Month. Things are going well with the schools and my broadcast from our station this morning with Fire Prevention. Then also at this time, the Fire fighters Association is also not selling tee shirts this year they are selling umbrellas. The cancer project that they support last year they supported breast center of Weirton Med Center they have not voted on how they are going to do their allocations yet this year. That is who they support. They are also looking at some other methods of cancer support. We Appreciate all the support we had in the past for the tee shirts, and we are doing umbrellas this year.

Library – Rik Rekowski

Two announcements, for the month of October, Saturday, October 29th, we are going to have the RAZE Tournament that is from the ASAP Family Resource Network. I always point this out, what is ASAP? The Association for Substance Abuse Prevention they are going to do a tournament again. They did it in the summer at the Library from 10:00 am to 4:00 pm with youth and digital technology. It is a fund raiser and the youth puts all their cable together to put all the monitors together. It is really a great opportunity, and they do have booths and tables, and they are talking about prevention for drug abuse and substance.

Also, just a general announcement for the community, Thursday, October 27th, West Virginia Northern Community College and Workforce West Virginia will do a Job Fair at the campus from 10 am to 2 pm and they want you to be dressed formally, and bring your resumes for the interviews for jobs here at the Weirton Campus.

Public Works – Rod Rosnick

Nothing additional to add to the submitted reports.

Councilman George Ash – Could you please tell what the price was for the Marland Heights Road? When we paved it the first time, how much was it?

Rod Rosnick – Public Works Director – We did not go back and look. We are not paving the same amount of area. Asphalt between \$14 and \$15 dollars a yard we are paying \$24 dollars a yard for this.

Councilman George Ash – We would pay \$41,000.00 for a less area.

Rod Rosnick – Public Works Director – Yes

Councilman George Ash – Wow.... OK

Transit – Marke Henne

Nothing additional to add to the submitted reports.

Planning & Development – Mark Miller

Nothing additional to add to the submitted reports.

Park Board – Terry Weigel

Nothing additional to add to the submitted reports.

Finances– Travis L. Blosser, City Manager

General Fund Cash Report for August 2016

Beginning Cash Balance:	\$1,740,619.21
Interest on Checking:	\$531.27
Deposits:	\$2,319,624.91
Draw-downs on Investment:	\$0.00
Disbursements:	\$1,171,707.53
Deposits to Investments:	\$0.00
Ending Cash Balance:	\$2,889,067.86
Beginning Investment Balance:	\$0.00
Interest on Investments:	\$0.00
Investment Proceeds:	\$0.00
Change in Value:	\$0.00
Deposits:	\$0.00
Withdraws:	\$0.00
Ending Investment Balance:	\$0.00
Petty Cash:	\$800.00
Total Cash and Investments Available:	\$2,889,867.86

One additional invoice to approve totaling \$4,312.50

Travis L. Blosser – City Manager – That was for auctioneering services for the 24 vehicles that we sold that was the percentage of the total amount that was earned which was \$28,750.00 at the auction.

Motion was made to approve the bills, accept the financial report and all departmental reports by Councilman Marsh, second by Councilman Ash.

Motion passed 7/0

ADJOURNMENT

Mayor Harold Miller called for a motion to adjourn the meeting after the closing prayer which was recited by Councilman Connell.

Motion was made by Councilman Jackson, second by Councilman Fracasso.

Motion passed 7/0