

# **WEIRTON CITY COUNCIL COUNCIL MEETING – REGULAR MONDAY, APRIL 8, 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, April 8, 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
Matt Burskey	Code Official
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
Bruce Lamp	Public Works Superintendent
Coty Shingle	Park Board Director
Jerry Shumate	Fire Chief
Diana Smoljanovich	Interim City Manager/Finance Director

**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 – VINCENT GURRERA**

Vincent Gurrera joined the United States Marine Corps in 1954 and was discharged in 1962. After enlisting, he completed basic training at Parris Island, South Carolina. For the next three (3) years he served as a Military Police Marine at several bases located throughout Virginia. He was transferred to Okinawa, Japan until 1962. During his tenure of military service in Okinawa, he served as Platoon Leader and he was a boxer for the Marine Corps where he boxed against military personnel from the Army, Air Force, and Navy. As a Marine Corps boxer, he was awarded “Fighter of the Night” on three (3) occasions. Harold E. Miller, Mayor of The City of Weirton, Brooke and Hancock Counties does hereby recognize **Vincent Gurrera**, for his dedicated military service to our country, on April 8, 2019.

### **VETERAN’S PROCLAMATION – F. GEORGE GURRERA**

F. George Gurrera enlisted in the United States Army in January 1966 after graduation in June 1965. Mr. Gurrera left Pittsburgh with other young recruits traveling south to Fort Jackson, South Carolina where he completed basic training. After basic training, he received orders to attend the United States Aviation School at Fort Rucker, Alabama and graduated in June 1966 as a Crew Chief. Mr. Gurrera served in Da Nang, Anke, and Can Tho as a crew chief on various air craft. He served proudly with his fellow recruits with some time in Saigon where he met up with his brother Phil, who was a civil worker out of North Carolina, and his brother Richard, who served in the Air Force. George returned to the United States in September 1967 to complete his military enlistment, serving in Virginia and Maryland. He returned to Weirton to begin working in Weirton Steel Company, BOP in April 1969. Harold E. Miller, Mayor of The City of Weirton, Brooke and Hancock Counties does hereby recognize **F. George Gurrera**, for his dedicated military service to our country, on this day April 8, 2019.

**CERTIFICATE OF ACHIEVEMENT "IF I WERE MAYOR" ESSAY CONTEST WINNER – CARMELA PULICE**

Carmela Pulice's essay on "If I Were Mayor" was selected as a State Winner by the West Virginia Municipal League. Mayor Harold E. Miller hereby recognizes Carmela for her Participation and Accomplishment, and thanks Carmela for sharing her thoughts and ideas.

**CERTIFICATE OF ACHIEVEMENT "IF I WERE MAYOR" ESSAY CONTEST WINNER – NICHOLAS SERAFINE**

Nicholas Serafine's essay on "If I Were Mayor" was selected as a State Winner by the West Virginia Municipal League. Mayor Harold E. Miller hereby recognizes Nicholas for his Participation and Accomplishment, and thanks Nicholas for sharing his thoughts and ideas.

**CHILD ABUSE PREVENTION MONTH PROCLAMATION – CASA AND COMFORT HOUSE**

Every child is a precious and unique gift who deserves the security of a loving and nurturing home. The number of children who suffer and die from abuse and neglect continues to rise. It is the responsibility of our community to bring awareness to the signs and symptoms of child abuse and take action as necessary. Effective strategies to fight abuse and neglect against children comes from communities uniting with schools, law enforcement, human service agencies, courts, and abuse and neglect non-profit organizations. April is nationally recognized as Child Abuse Prevention month. Our community is utilizing the month of April to raise awareness of child abuse and neglect against children. Harold E. Miller, Mayor of the City of Weirton, West Virginia, does hereby proclaim April as "Child Abuse Prevention Month" in the City of Weirton and honors the professionals, volunteers, and organizations who work tirelessly to protect at-risk children and care for those who have experienced abuse or neglect.

**AUTISM AWARENESS MONTH PROCLAMATION**

Autism spectrum disorder is the result of a group of complex neurological disorders that affects the normal functioning of the human brain and can be exhibited by anyone. Symptoms of autism may present themselves in a variety of combinations, and can result in significant lifelong impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal and nonverbal communication. The State of West Virginia and the City of Weirton are committed to ensuring that people living with autism have access to care and services needed to pursue their full potential and happiness. The City of Weirton is honored to take part in the annual observance of Autism Awareness Month in the hope that it will lead to a better understanding of the disorder. Autism Awareness Month is an opportunity to recognize and support all children and adults with autism spectrum disorder. Harold E. Miller, Mayor of the City of Weirton, does hereby proclaim April 2019, as "Autism Awareness Month" in support of

this important initiative and urges our citizens and local business owners to learn more about autism, and find ways to support people with autism and their families and caregivers.

### **NATIONAL LIBRARY WEEK PROCLAMATION – MARY H. WEIR LIBRARY**

Today's libraries are not just about books but what they do for and with people. Libraries of all types are at the heart of cities, towns, schools and campuses and have long served as trusted and treasured institutions where people of all backgrounds can be together and connect. Libraries, librarians, and library workers build strong communities through transformative services, programs and expertise and partner with other civic organizations to make sure their community's needs are being met. Libraries, which promote the free exchange of information and ideas for all, are cornerstones of democracy. Libraries promote civic engagement by keeping people informed and aware of community events and issues and offers services and educational resources that transform lives and strengthen communities. Libraries, librarians, library workers and supporters across America are celebrating National Library Week. Harold E. Miller, Mayor of the City of Weirton, West Virginia does hereby recognize April 7-13, 2019, as National Library Week, and encourages all residents to visit the library this week and explore what's new at your library and engage with your librarian. Because of you, Libraries Transform.

### **HUMAN RIGHTS COMMISSION – FAIR HOUSING MONTH PROCLAMATION**

The Fifty-First Anniversary of the adoption of the Fair Housing Law by the United States Congress will occur during the month of April 2019. The Fair Housing Law prohibits discrimination in the sale or rental of residential housing based on religion, race, color, sex, national origin, disability or familial status. Barriers which diminish the rights and limits the options of any resident will ultimately diminish the rights and limits the options of all. The City of Weirton maintains and supports city-wide fair and affordable housing efforts through Community Development Block Grant (CDBG) funding. The residents and sectors of the local housing industry should work together to uphold the Fair Housing Act and the principle of equal opportunity on which it is based. Harold E. Miller, Mayor of the City of Weirton, Brooke and Hancock Counties, West Virginia, does hereby proclaim the month of April 2019, as "FAIR HOUSING MONTH" in the City of Weirton, West Virginia, and urges all of our residents to join in our efforts to affirm fair housing opportunities for all people.

## **CITIZENS REMARKS:**

### **ANNA WITHEROW – WEIRTON AREA REUSE PLAN**

Ms. Witherow attended the Council Meeting to present an update on the Weirton Area Reuse Plan (WARP). A March 2019 WARP update was given to the Mayor, Councilmembers, City Manager, City Attorney, and City Clerk. Within the update, planning activities associated with the Business Development Corporation of the Northern Panhandle's (BDC) Weirton Area Reuse Plan was given.

### **JIM BRUECK – SAFER GRANT**

Mr. Brueck attended to the Council Meeting to voice his thoughts on Council's decision to not move forward with the SAFER Grant. He voiced that not voting for the SAFER Grant was not in the best interest of the Weirton Fire Department because it would have aided the Fire Department in providing adequate safety for both the citizens in Weirton and the Firefighters.

**Councilman Douglas Jackson** – discussed with Mr. Brueck information he posted on social media and information relating to an email from Chief Shumate in regards to the Safer Grant. In regards to the email, it was expressed that the Fire Department was split with wanting to move forward with the grant, half wanting to move forward with the grant and half not wanting to move forward with the grant. In addition, it was expressed that the Chief had communicated on average only 25% of the full-time firemen for the City of Weirton respond to what is called an "All Call." Only 25% of firemen back up their own men. The facts were discussed to let the public know the amounts that the City had contributed to the Fire Department during the time of the current Mayor and Council. Councilman Jackson stated the following: that the repairs on Gilson Fire Station in 2016/2017 cost \$102,000 dollars out of the General Fund, and there was an additional \$4,000 dollars used for miscellaneous repairs; In 2017, \$34,118 dollars, in 2018 \$32,818.65, and in 2019 plus or minus \$35,000 that was voted on and approved by council for safety gear; In September 2017 a total cost for a brand new fire truck was \$798,292; a grant was written for and approved by council for \$188,000 leaving a total of \$609,720 of tax payer money to make up the difference; In January 2018, the amount of \$174,800 was given for a mini-rescue squad truck; in regards to the firemen's pension fund 2015/2016 - \$247,273 was placed in the firemen's pension; in 2016/2017 - \$467,280 was put in the firemen's pension; in 2017/2018 - \$425,000; and in 2018/2019 - \$400,000, which totals \$1,539,553.00. Over almost four years, the Fire Department received from the General fund \$2,532,009.65 that was approved by council.

## **BRIAN SHUGART – SAFER GRANT**

Mr. Shugart attended the meeting to voice his thoughts on the decision not to move forward with the SAFER Grant. He was once a volunteer firefighter and feels that the fire department is under staffed. Mr. Shugart also expressed that the department has been discussed as to being a mix department of hired and volunteer firefighters, but stated that is not accurate because there are no volunteer firefighters within the department. It was further expressed that the council and city need to do something to aid in staffing the fire department appropriately.

**Councilman George Ash** – addressed the volunteer firefighter comment by Mr. Shugart. A past council had voted for the volunteer firefighters to be sent down state to be certified. The reason that was requested is because the paid firefighters came to them and stated that volunteer firefighters would not give your training records up and would not listen to the paid firefighters, and asked for the volunteer firefighters to be eliminated, so that is why they were disbanded.

**Mayor Harold Miller** – communicated that not once has either the police or fire department been declined money. The SAFER Grant in discussion was a short-term solution to a long-term problem. It would have only fully funded the positions for a couple years. Additional coverage is needed with the new developments arising, but it cannot be done with a one-time grant like this because it is not a solution to a long-term problem. It takes a long and concentrated effort to do it right. You cannot resolve the issue with a 2 ½ year loan and be stuck in the fourth year with a big debt. There has to be more discussion. My suggestion is that we form a task force to study this issue and see how many firefighters are needed and how we are going to pay for it. And all were advised that we need to focus on the future and the developments that are happening.

**Councilman George Ash** – presented the idea that Councilman Marsh had expressed that the Council should consider presenting an additional levy for additional income to pay for additional firefighters. Presenting a levy would allow the citizens to communicate what they want by voting for or against the levy.

**Mayor Harold Miller** – perhaps we could tag it along with one that would support the Senior Center, the Park Board and Transit.

**Councilman Douglas Jackson** – expressed that the Interim City Manager/ Finance Director spent her personal time determining how much actual overtime the Fire Department was paid. A total amount of \$800,000 in overtime for the fire department was given to the councilmen. It had been determined to bring a plan to council on how to hire two firemen per year. Then the situation got out of hand.

**Mayor Harold Miller** – added that people do not understand how much time it takes to do things. The process on the sales tax was discussed as an example. It takes patience and direction, but it will get to that point. We are making changes that will affect us on the long-term. The SAFER Grant was not really the solution to our current situation.

**Councilman Terry Weigel** – stated that the situation relating to the additional firefighters needs to be addressed, and he is willing to look into the situation. Everything needs to be taken into account when we move forward in dealing with this manpower situation. When we came into office almost four years ago, we had some goals we wanted to achieve and things we needed to do. Our biggest achievement was stabilizing the Police and Fire pensions. We could not even attempt to expand departments without stabilizing them first. Now they are stabilized, we need to determine what needs done to move forward and put a plan in place. We are preparing for it and will continue to do so. All suggestions are good suggestions.

#### **COMMUNICATIONS:**

**Mayor Harold Miller** – communicated that Chloe Orrechio was recognized nationally for her litter campaign up around her school. Ms. Orrechio was asked if she would be interested in being our volunteer litter control coordinator for the City of Weirton. Her primary responsibility will be to identify and prioritize areas we need to work on relating to littering with Public Works to address them. Ms. Orrechio has agreed to fill that position.

#### **Finance Committee Comments**

**Councilman Fred Marsh** – communicated that there are several resolutions that address finances. One question that will come up is relating to Mackin Engineering. Basically, currently we have a contract with them for \$25,000. An additional \$10,000 was added to the contract to help with additional items that cannot be done in-house due to the high volume of work.

**Mayor Harold Miller** – announced that Joe Alongi, Hancock Assessor, communicated to him that the County has just put in a new system that would rapidly improve the mapping issues they had. That information has been passed to our Planning and Development Department, and they are going to work with the County to see how they can work with them to improve on the City's part.

**Request by Council to convene into Executive Session consistent with WV Code 6-9-A-4-A to consider personnel matters was moved to after the vote on the agenda items and department reports.**

## **READING OF MINUTES**

### **- March 11, 2019 – Regular**

Motion to approve the minutes of the March 11, 2019, Regular Council Meeting was made by Councilman Ash, and second by Councilman Fracasso.

### **Motion Passed 7/0**

### **- March 25, 2019 – Special**

Motion to approve the minutes of the March 25, 2019, Special Council Meeting was made by Councilman Ash, and second by Councilman Weigel.

### **Motion Passed 7/0**

## **NEW BUSINESS:**

- 1. 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)**

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

### **Motion Passed 7/0**

- 2. An Ordinance Modifying Ordinance #1313, As Amended, Establishing New Minimum and Maximum Salary Levels of Non-Union Municipal Employees within Specific Departments of the City of Weirton General Fund and Adding/Eliminating Specific Positions. (City Manager)**

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

### **Motion Passed 7/0**



**3. 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 to Approve 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**

**4. A Resolution to Enter into an Agreement with Justice Business Services for the Asbestos Abatement of Property Located at 129 Era Street (\$1,994.00). (City Manager)**

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

**Motion Passed 7/0**

**5. A Resolution to Enter into an Agreement with Pulice Construction for the Demolition of Property Located at 129 Era Street (\$7,700.00) (City Manager)**

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

**Motion Passed 7/0**

- 6. A Resolution to Renew the City's Annual Support Contract with CivicPlus for the Continued Support, Maintenance and Hosting of the City's Website (\$10,633.88). (City Manager)**

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

**Motion Passed 7/0**

- 7. A Resolution to enter into a Professional Services Contract for Services Related to a Housing Needs and Assessment Study for the City of Weirton with Mackin Engineering Company (\$29,966.00). (City Manager)**

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

**Motion Passed 7/0**

- 8. A Resolution to Amend a Professional Services Contract for Services Related to an Update of the City of Weirton's Unified Development Code with Mackin Engineering Company (\$35,462.00). (City Manager)**

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

**Motion Passed 7/0**

- 9. A Resolution to enter into Contract for a Fireworks Display for the City of Weirton's 2019 Fourth of July Observance (\$14,750.00). (City Manager)**

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

**Motion Passed 7/0**

## **APPOINTMENTS:**

### **Planning Commission**

**Matt Provenzano**

**4/8/19 to 12/31/19**

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

**Motion Passed 7/0**

## **DEPARTMENTAL REPORTS**

### **Police Department – Chief Rob Alexander**

Nothing additional to report

### **Park Board – Coty Shingle**

Coty stated that everyone was given a memo before the meeting relating to repairs due to cracking in the parking lot at Starvaggi Park. The Park Board has called a special meeting to discuss the issues.

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

Thanks were given to Council for their support in passing items on the agenda relating to the planning and development department. All were advised that contracts for the Park Drive project would be forthcoming.

**Councilman George Ash** – asked if there was an update from the State on Lee Avenue Bridge.

**Mark Miller, Planning and Development Director** – stated there has been no new information communicated, but he will reach out to the State to get an update.

**Diana Smoljanovich, Interim City Manager / Finance Director** – the last communication from the State was that we should hear something by the end of April.

**Councilman George Ash** – asked if there was an update on the Battery Recycling facility.

**Mark Miller, Planning and Development Director** – stated that there has been no communication from them for quite some time. Last that they had stated to him was there were some structural issues to a building they were going to occupy, but it has been a couple of months since he had heard anything.

**Councilman Enzo Fracasso** – reported that in the paper he found a public notice that conveyed that a Battery Company applied for an application in Chester for a Battery Recycling Plant, and was curious if it was the same outfit that was to come to Weirton.

**Mark Miller, Planning and Development Director** – communicated that he will look into the Battery Recycling facility for Weirton and the one going into Chester.

**Vince Gurrera, City Attorney**, advised that Pat Ford would assist in getting information on both Battery Recycling facilities.

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

Currently, the fire departments are conducting prom mock disasters for seniors at the high schools. Council was asked to reach out to him to discuss issues before stating his name on matters. Chief Shumate advised he did speak to two councilmen about the hiring of two firefighters and having dialogue with Councilman Jackson, but there was never a meeting.

**Councilman Terry Weigel** – communicated with Chief Shumate that he would like to see the report that was discussed a couple of years ago that ended up not going through the City Manager.

**Chief Jerry Shumate** – stated that the information contained in that report was outdated. To provide a current report, he would need to amend some of the information. It was further stated it was a good possible solution.

## **Weirton Transit -Donna Gialluco**

It was announced that the Board of Trustees meeting was on Wednesday at 6:00 PM in room 201. New Operation Manager, Kevin Davis, was introduced to everyone.

**Councilman Tim Connell** – thanked transit for running on Election Day. There were a lot of people who did not have transportation, and were very happy to have had Transit take them to their polling locations.

**Donna Gialluco, Weirton Transit Manager** – they had around 15 voters that were transported to their locations. It was announced that the same service would be available to voters for the General Election also.

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

In relation to the Water and Sewage task force, contact with the engineering elements of the project has taken place. Staff is continuing to gather and communicate data points to the engineering staff in order to get a draft of the preliminary engineering report completed.

**Councilman Terry Weigel** – discussed the waterline break at 156 Valley Way a couple of months ago. The slag placed in the hole is washed, and it was asked to be checked on.

**Butch Mastrantoni** – advised that he would check on it tomorrow. The only restoration complete at this time is with concrete due to the wet weather.

## **Public Works – Bruce Lamp**

It was reported that Spring Cleanup started today. Thus far, the cleanup has run smooth and will hopefully continue to do so for the rest of the week. Hot mix was reported to be delivered by the end of the month, and once it is received, paving and patching will begin.

## **Library – Rik Rekowski**

An announcement was made that Melinda Gates, Bill Gate's wife, is the chairperson of the National Library Week across the United States. The Gates Foundation has provided grants twice to the Mary H. Weir Library for computers in the past. It is fine free time. The fines are being taken off of library cards because the library board wants people to be able to access all materials.

**Councilman Terry Weigel** – communicated with Rik that his granddaughter called him Sunday to take her after school to receive her first library card.

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

**General Fund Cash Report for March 2019**

<b>Beginning Cash Balance:</b>	<b>\$1,471,163.13</b>
<b>Interest on Checking:</b>	<b>\$737.65</b>
<b>Deposits:</b>	<b>\$1,571,580.57</b>
<b>Draw-downs on Investment:</b>	<b>\$0.00</b>
<b>Disbursements:</b>	<b>\$1,205,748.71</b>
<b>Deposits to Investments:</b>	<b>\$0.00</b>
<b>Ending Cash Balance:</b>	<b>\$1,837,732.64</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>Withdraws:</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>\$1,838,532.64</b>

Additionally, we do not have any outstanding invoices due at this time. However, there will be a few upcoming because there are a few repairs being done on the sanitation and street trucks that will be over the \$3500.

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

**Motion Passed 7/0**

**Diana Smoljanovich, Interim City Manager / Finance Director**, stated that everyone should have received a hard copy of the audited financial statements. The newest audited financial statements and budgets will be on the website this week. Thanks were given to DeeAnn Pulliam, Christine DelGuzzi, and Brandy Brock for their work on the Primary Election.

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

Motion to convene into Executive Session was made by Councilman Ash, and second by Councilman Connell.

**Motion Passed 7/0**

Motion to come out of Executive Session was made by Councilman Ash, and second by Councilman Connell.

**Motion Passed 7/0**

**Vince Gurrera, City Attorney, by way of a public notice, during Executive Session personnel issues were discussed.**

**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**