

**CITY OF WEIRTON  
MONDAY, MAY 9, 2022  
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 – National Kids to Parks Day
- Proclamation – National Foster Care Month

CITIZENS' REMARKS

***Request by Council to convene into Executive Session consistent with West Virginia Code 6-9A-4 to discuss personnel issues and the public safety facility.***

READING OF MINUTES

- April 11, 2022 – Public Hearing and Regular Council Meeting
- April 19, 2022 – Public Hearing and Special Council Meeting

FINANCE COMMITTEE COMMENTS/FINANCIAL REPORT

UNFINISHED BUSINESS:

1. Second Reading of Ordinance No. 2189 Amending Ordinance No. 329, Section 3, Codified in the City of Weirton Code of Ordinances as Article 505.06: "Abandoning Animals Within the City". (Councilman Fracasso)
2. A Resolution to Renew the City's Annual Support Contract with CivicPlus for the Continued Support, Maintenance and Hosting of the City of Weirton's Website for 2022-2023 in the Amount of Thirteen Thousand Three Hundred Two Dollars and Thirty Cents (\$13,302.30). (City Manager) (Tabled April 11, 2022)
3. A Resolution to Authorize the City Manager to Enter into an Agreement with CivicPlus for Audioeye's Website Accessibility and ADA Compliance Software for the City of Weirton's Website in the Amount of Three Thousand Eight Hundred Seventy-Six Dollars and Fifty Cents (\$3,876.50). (City Manager) (Tabled April 11, 2022)

## NEW BUSINESS:

1. A Resolution to Enter into Agreement with Pulice Construction for the Demolition of the Single-Family Dwelling and Detached Garage Located at 3217 West Street (\$9,500.00). (City Manager, Mayor Miller)
2. A Resolution to Enter into Agreement with Justice Business Services LLC for the Asbestos Abatement of the Structure Located at 3217 West Street (\$25,000.00). (City Manager, Mayor Miller)
3. A Resolution to Enter into Agreement with Pulice Construction for the Demolition of the Structure Located at 3237 West Street (\$7,200.00). (City Manager, Mayor Miller)
4. A Resolution to Enter into Agreement with Justice Business Services LLC for the Asbestos Abatement of the Structure Located at 3237 West Street (\$1,248.00). (City Manager, Mayor Miller)
5. A Resolution to Enter into Agreement with Pulice Construction for the Demolition of the Single-Family Dwelling and Detached Garage Located at 3221 West Street (\$8,700.00). (City Manager, Mayor Miller)
6. An Ordinance To Amend The Traffic Control Map, Ordinance No. 214, to Establish “No Parking” at the Southeast Corner of the Intersection of Legion Road and Barone Drive Extension, Beginning at the Crosswalk Ramp, for A Distance of 68’ East on Legion Road and 78’ South on Barone Drive Extension. (Councilwoman Perrone)
7. A Resolution to Enter into Contract for the Purchase of 230’ of Galvanized Grate for the Garage and Exterior of the Public Works Building in the Amount of Seven Thousand, Three Hundred Fifty Dollars and Zero Cents (\$7,350.00). (City Manager, Mayor Miller)
8. A Resolution to Enter into Agreement for the Purchase of Asphalt for the Paving of Sarah’s Lane between the Library and the Community Center in the amount of Nine Thousand Dollars and Zero Cents (\$9,000.00). (City Manager, Mayor Miller)
9. A Resolution to Enter into Contract for the Purchase of Protective Fire Fighting Coats and Pants for Structural Firefighting in the Amount of Fifteen Thousand Eighty Dollars and Zero Cents (\$15,080.00). (City Manager, Mayor Miller)
10. A Resolution to Make Payment Due Under the Fireworks Contract from the Coal Severance Fund for Fireworks for the City of Weirton’s 2022 Fourth of July Observance in the Amount of Seventeen Thousand Dollars and Zero Cents (\$17,000.00). (City Manager, Mayor Miller)
11. An Ordinance to Claim the Standard Allowance for Revenue Loss Up to Ten Million (\$10,000,000) Dollars as Part of the Funds Received from the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), a Part of the American Rescue Plan (ARP), and Transfer a Portion to the City’s General Fund. (City Manager, Mayor Miller)

12. A Resolution to Authorize the City Manager to Enter into an Agreement with AlignHR, LLC to Assist the City's Human Resource Department in the Audit and Assessment of the City of Weirton's Current Human Resource Needs and Functions Pursuant to the Resolution Passed on January 10, 2022, in an Amount to be Considered in Executive Session. (Councilman Ash, Councilwoman Perrone)
13. A Resolution to Authorize the City Manager to Enter into an Interlocal Contract with H-GAC for Participation in its HGACBUY Cooperative Purchasing Program for the Purchase of One (1) Sutphen Firetruck in the Amount of Eight Hundred Twenty-Five Thousand, Seven Hundred Eighty-Three Dollars and Zero Cents (\$825,783.00) to be Financed for Up to One Hundred Eighty (180) Months, with Down Payment as Required by the Lender (\$825,783.00). (City Manager, Mayor Miller)
14. A Resolution to Authorize the City Manager to Enter into an Agreement with CivicPlus for the Combined Services of Maintenance and Hosting of the City of Weirton's Website, and Audioeye's Website Accessibility and ADA Compliance Software, for 2022-2023 in the Amount of Thirteen Thousand, Eight Hundred Fifty-Three Dollars and Twenty-Three Cents (\$13,853.23). (City Manager, Mayor Miller)
15. A Resolution to Repair the 2001 Tractless MT in the Street Department at Public Works in an Amount not to Exceed Nine Thousand Dollars and Zero Cents (\$9,000.00). (City Manager, Mayor Miller)
16. A Resolution to Authorize Revisions to the 2021-2022 Fiscal Year General Fund Budget. (City Manager, Mayor Miller)
17. A Resolution to Authorize Revisions to the 2021-2022 Fiscal Year Coal Severance Fund Budget. (City Manager, Mayor Miller)
18. A Resolution Re-Appointing Mr. James Davis, Jr. to the Housing Authority for the City of Weirton. (Mayor Miller)
19. A Resolution Re-Appointing Mr. James Shockley to the Water Board for the City of Weirton. (Councilman Fracasso)
20. A Resolution Appointing Captain Gene Hunt to the Human Rights Commission for the City of Weirton. (Councilman Ash)

#### CITY MANAGER AND DEPARTMENTAL REPORTS

#### MAYOR AND COUNCIL COMMENTS/COMMUNICATIONS

#### ADJOURNMENT

#### PRAYER

**INFORMATIONAL COUNCIL MEETING**

**Monday, May 9, 2022**

**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  
Monday, May 9, 2022, 7:00 p.m.

**Councilman Timothy 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
Timothy C. Connell	Councilmember Ward 1	IN PERSON
Chris Jonczak	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**

Michael A. Adams, Esq.	City Manager	IN PERSON
Vincent S. Gurrera, Esq.	City Attorney	IN PERSON
Diana Smoljanovich	Finance Director	IN PERSON
Bruce Lamp	Public Works Superintendent	IN PERSON
Mark Miller	Planning and Development Director	IN PERSON
Matt Burskey	Code Enforcement Official	IN PERSON
Kevin Himmelrick	Fire Chief	IN PERSON
Charlie Kush	Police Chief	IN PERSON
DeeAnn Pulliam	Assistant City Manager	IN PERSON
Butch Mastrantoni	Utilities Director	IN PERSON
W. Coty Shingle	Parks & Recreation Director	IN PERSON
Rik Rekowski	Library Director	IN PERSON
Kimberly Long	City Clerk	IN PERSON

## **MAYOR'S AWARDS AND PROCLAMATIONS**

### **PROCLAMATION – National Kids to Parks Day**

***NOW THEREFORE, I, HAROLD E. MILLER, MAYOR OF THE CITY OF WEIRTON, WEST VIRGINIA,** do hereby proclaim Saturday, May 21, 2022, Kids to Parks Day in the City of Weirton and encourage residents to take their children to a neighborhood, state, or national park. I thank the Weirton Board of Park and Recreation Commissioners for their dedication and commitment to making Weirton a better place.*

### **PROCLAMATION –National Foster Care Month**

***NOW, THEREFORE, BE IT RESOLVED,** that I, Harold E. Miller, Mayor of the City of Weirton, West Virginia, do hereby proclaim May as "**National Foster Care Month**" in the City of Weirton and honor **Tammy Sue Quiroz**, who dedicated her life to provide children with the comfort and safety of a place to call home as well as give them the love and security that all children deserve.*

## **CITIZENS' REMARKS**

**Resident, Karen Harris,** spoke about the rats on Marland Heights, and the COVID-19 money that the City has received.

**Request by Council to convene into Executive Session consistent with West Virginia Code 6-9A-4 to discuss personnel issues and the public safety facility.**

**Councilman Ash made a motion to convene into Executive Session in order to talk to bond counsel regarding the public safety facility, take a recess, complete tonight's agenda, and enter back into Executive Session to discuss personnel issues.**

**Motion passed 7/0**

**Mayor Miller declared the meeting reconvened.**

**Attorney Gurrera** stated that in Executive Session the proposed public safety facility was discussed with the City's bond counsel.

## **READING OF MINUTES**

**April 11, 2022, Public Hearing and Regular Council Meeting Minutes**

**Motion to Approve the April 11, 2022, Public Hearing and Regular Council Meeting Minutes:  
Councilman Ash**

**Motion Approved: 7/0**

**April 19, 2022, Public Hearing and Special Council Meeting Minutes**

**Motion to Approve the April 19, 2022, Public Hearing and Special Council Meeting Minutes:**

**Councilman Ash**

**Motion Approved: 7/0**

**FINANCE COMMITTEE COMMENTS/FINANCIAL REPORT**

**Councilman Marsh**, none of the resolutions on tonight's agenda were disapproved by the Finance Committee. Unfinished Business Items 2 and 3 we want to let die on the table because they are being replaced by New Business Item 14.

**Finance Director, Diana Smoljanovich**, explained that the budget revisions on tonight's agenda are to address the resolutions and invoices that will be paid out of the Coal Severance Fund. It is required that a portion of the money in the Fund has to be spent.

**General Fund Cash Report for April 2022:**

Beginning Cash Balance:	\$2,856,072.73
Deposits:	\$2,665,798.22
Interest:	\$ 249.11
Disbursements:	(\$1,405,322.29)
Petty Cash:	\$ 800.00
Total Cash on Hand:	\$4,117,597.77

**Motion to Accept the Financial Report: Councilman Ash**

**Motion Approved: 7/0**

**UNFINISHED BUSINESS:**

1. Second Reading of Ordinance No. 2189 Amending Ordinance No. 329, Section 3, Codified in the City of Weirton Code of Ordinances as Article 505.06: "Abandoning Animals Within the City". (Councilman Fracasso)

**Motion to Approve: Councilman Fracasso**

**Motion Approved: 7/0**

2. A Resolution to Renew the City's Annual Support Contract with CivicPlus for the Continued Support, Maintenance and Hosting of the City of Weirton's Website for 2022-2023 in the Amount of Thirteen Thousand Three Hundred Two Dollars and Thirty Cents (\$13,302.30). (City Manager) (Tabled April 11, 2022)

**DIED FOR LACK OF A MOTION**

3. A Resolution to Authorize the City Manager to Enter into an Agreement with CivicPlus for Audioeye's Website Accessibility and ADA Compliance Software for the City of Weirton's Website in the Amount of Three Thousand Eight Hundred Seventy-Six Dollars and Fifty Cents (\$3,876.50). (City Manager) (Tabled April 11, 2022)

**DIED FOR LACK OF A MOTION**

## NEW BUSINESS:

1. A Resolution to Enter into Agreement with Pulice Construction for the Demolition of the Single-Family Dwelling and Detached Garage Located at 3217 West Street (\$9,500.00).  
(City Manager, Mayor Miller)  
**Motion to Approve: Councilman Fracasso**  
**Motion Approved: 7/0**
2. A Resolution to Enter into Agreement with Justice Business Services LLC for the Asbestos Abatement of the Structure Located at 3217 West Street (\$25,000.00).  
(City Manager, Mayor Miller)  
**Motion to Approve: Councilman Fracasso**  
**Motion Approved: 7/0**
3. A Resolution to Enter into Agreement with Pulice Construction for the Demolition of the Structure Located at 3237 West Street (\$7,200.00). (City Manager, Mayor Miller)  
**Motion to Approve: Councilwoman Perrone**  
**Motion Approved: 7/0**
4. A Resolution to Enter into Agreement with Justice Business Services, LLC for the Asbestos Abatement of the Structure Located at 3237 West Street (\$1,248.00).  
(City Manager, Mayor Miller)  
**Motion to Approve: Councilwoman Perrone**  
**Motion Approved: 7/0**
5. A Resolution to Enter into Agreement with Pulice Construction for the Demolition of the Single-Family Dwelling and Detached Garage Located at 3221 West Street (\$8,700.00).  
(City Manager, Mayor Miller)  
**Motion to Approve: Councilman Fracasso**  
**Motion Approved: 7/0**
6. An Ordinance to Amend the Traffic Control Map, Ordinance No. 214, to Establish "No Parking" at the Southeast Corner of the Intersection of Legion Road and Barone Drive Extension, Beginning at the Crosswalk Ramp, for a Distance of 68' East on Legion Road and 78' South on Barone Drive Extension. (Councilwoman Perrone)  
**Motion to Approve: Councilwoman Perrone**  
**Motion Approved: 7/0**
7. A Resolution to Enter into Contract for the Purchase of 230' of Galvanized Grate for the Garage and Exterior of the Public Works Building in the Amount of Seven Thousand, Three Hundred Fifty Dollars and Zero Cents (\$7,350.00). (City Manager, Mayor Miller)  
**Motion to Approve: Councilman Connell**  
**Motion Approved: 7/0**
8. A Resolution to Enter into Agreement for the Purchase of Asphalt for the Paving of Sarah's Lane between the Library and the Community Center in the amount of Nine Thousand Dollars and Zero Cents (\$9,000.00). (City Manager, Mayor Miller)  
**Motion to Approve: Councilman Connell**  
**Motion Approved: 7/0**



9. A Resolution to Enter into Contract for the Purchase of Protective Fire Fighting Coats and Pants for Structural Firefighting in the Amount of Fifteen Thousand Eighty Dollars and Zero Cents (\$15,080.00). (City Manager, Mayor Miller)

**Motion to Approve: Councilman Connell**

**Motion Approved: 7/0**

10. A Resolution to Make Payment Due Under the Fireworks Contract from the Coal Severance Fund for Fireworks for the City of Weirton's 2022 Fourth of July Observance in the Amount of Seventeen Thousand Dollars and Zero Cents (\$17,000.00). (City Manager, Mayor Miller)

**Motion to Approve: Councilman Weigel**

**Motion Approved: 7/0**

11. An Ordinance to Claim the Standard Allowance for Revenue Loss Up to Ten Million (\$10,000,000) Dollars as Part of the Funds Received from the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), a Part of the American Rescue Plan (ARP), and Transfer a Portion to the City's General Fund. (City Manager, Mayor Miller)

**Motion to Approve: Councilman Ash**

**Finance Director, Diana Smoljanovich**, explained that \$4 million of these funds have been allotted for the sewer project and the remainder will go into the General Fund.

**City Manager, Mike Adams**, explained that choosing to claim the standard allowance of \$10 million instead of the calculated full revenue loss was a better option and has easier reporting requirements.

**Motion Approved: 7/0**

12. A Resolution to Authorize the City Manager to Enter into an Agreement with AlignHR, LLC to Assist the City's Human Resource Department in the Audit and Assessment of the City of Weirton's Current Human Resource Needs and Functions Pursuant to the Resolution Passed on January 10, 2022, in an Amount to be Considered in Executive Session.

(Councilman Ash, Councilwoman Perrone)

**Motion to Approve: Councilman Ash**

**Motion Approved: 7/0**

13. A Resolution to Authorize the City Manager to Enter into an Interlocal Contract with H-GAC for Participation in its HGACBUY Cooperative Purchasing Program for the Purchase of One (1) Sutphen Firetruck in the Amount of Eight Hundred Twenty-Five Thousand, Seven Hundred Eighty-Three Dollars and Zero Cents (\$825,783.00) to be Financed for Up to One Hundred Eighty (180) Months, with Down Payment as Required by the Lender (\$825,783.00).

(City Manager, Mayor Miller)

**Motion to Approve: Councilman Connell**

**Motion Approved: 7/0**

14. A Resolution to Authorize the City Manager to Enter into an Agreement with CivicPlus for the Combined Services of Maintenance and Hosting of the City of Weirton's Website, and Audioeye's Website Accessibility and ADA Compliance Software, for 2022-2023 in the Amount of Thirteen Thousand, Eight Hundred Fifty-Three Dollars and Twenty-Three Cents (\$13,853.23).

(City Manager, Mayor Miller)

**Motion to Approve: Councilman Ash**

**Motion Approved: 7/0**

15. A Resolution to Repair the 2001 Tractless MT in the Street Department at Public Works in an Amount not to Exceed Nine Thousand Dollars and Zero Cents (\$9,000.00).  
(City Manager, Mayor Miller)  
**Motion to Approve: Councilman Fracasso**  
**Motion Approved: 7/0**
  
16. A Resolution to Authorize Revisions to the 2021-2022 Fiscal Year General Fund Budget.  
(City Manager, Mayor Miller)  
**Motion to Approve: Councilman Fracasso**  
**Motion Approved: 7/0**
  
17. A Resolution to Authorize Revisions to the 2021-2022 Fiscal Year Coal Severance Fund Budget.  
(City Manager, Mayor Miller)  
**Motion to Approve: Councilman Weigel**  
**Motion Approved: 7/0**
  
18. A Resolution Re-Appointing Mr. James Davis, Jr. to the Housing Authority for the City of Weirton.  
(Mayor Miller)  
**Motion to Approve: Councilman Ash**  
**Motion Approved: 7/0**
  
19. A Resolution Re-Appointing Mr. James Shockley to the Water Board for the City of Weirton.  
(Councilman Fracasso)  
**Motion to Approve: Councilman Fracasso**  
**Motion Approved: 7/0**
  
20. A Resolution Appointing Captain Gene Hunt to the Human Rights Commission for the City of Weirton. (Councilman Ash)  
**Motion to Approve: Councilman Ash**  
**Motion Approved: 7/0**

## **CITY MANAGER AND DEPARTMENTAL REPORTS**

**Police Department – Chief Charlie Kush** – A new probationary police officer will be sworn in on Friday, May 20, 2022, at 10:00 a.m.

**Councilman Ash** asked about the status of tearing down the house on the 3200 block of Orchard Street that caught fire. **Code Enforcement Official, Matt Burskey**, will follow up.

**Library - Rik Rekowski** – This year's summer reading program will take place from June 26 through August 4. The theme is Oceans of Possibilities and more information will be forthcoming.

**Assistant City Manager – DeeAnn Pulliam** – DataMax payments from two new businesses and nine renewals totaled approximately \$4,000.00 for the month of April, bringing the total collected by utilizing DataMax to \$62,000.00.

**City Manager – Mike Adams** – Rains have impacted some paving projects; the State is addressing the road slip on Cove Hill; the water and sewer projects were discussed during an impromptu meeting with Senator Capito; a new program manager has been hired for the Planning and Development

Department; work continues on the rental registration database; Park Drive meetings continue and on May 4<sup>th</sup> we received the formal DEP permit for the stormwater part of the project; planning for the 75<sup>th</sup> anniversary celebration continues; in order to use up old CDBG funds as required, there will be a second wave of paving in the fall; research continues for a phone system upgrade; continuing efforts to address the drainage and rodent issues.

**Councilman Marsh** asked the **City Manager** to prioritize addressing the power outage issues that affect Pennsylvania Avenue and Three Springs Drive areas.

**City Manager, Mike Adams**, stated that when issues arise, we need to provide exact details to the reliability department at the power company.

## **MAYOR AND COUNCIL COMMENTS/COMMUNICATIONS**

**Mayor Miller** spoke about the police memorial ceremony that took place in front of the building today, as well as the Day of Prayer service that took place last week.

**Councilman Connell** asked **Public Works Superintendent, Bruce Lamp**, about the status of the incomplete paving on Thurman Avenue. **Mr. Lamp** responded that the paving company told him that all of the milled roads will be paved this week and no more new milling will be done until those roads are paved.

**Executive Session was continued for the purpose of discussing personnel issues.**

**A Motion to come out of Executive Session was made by Councilman Ash.**  
**Motion passed: 7/0**

## **ADJOURNMENT**

**Motion to Adjourn: Councilman Ash**  
**Motion Approved 7/0**

**Councilman Connell** recited the closing prayer.

Minutes approved at the June 13, 2022 Regular Council Meeting.

Signed: Kimberly Long, City Clerk