

GLEN DALE CITY COUNCIL MINUTES
May 22, 2023

Glen Dale City Council met in regular session on Monday, May 22, 2023, at 7:30pm in the City Council Chambers of the Glen Dale City Building. Those in Attendance were Mayor Scott, Councilors Anderson, Cunningham, English, Richmond and Zinn. Also present were Chief of Police Vogler, City Clerk Yoho, City Attorney Potts, City Accountant Abraham and Street Commissioner Byers. Absent were City Recorder Trembush and Water Superintendent Orlofske.

Mayor Scott announced Councilor Richmond to be the acting recording secretary for this meeting due to Recorder Trembush being absent.

The minutes of the Monday, April 24, 2023 City Council meeting were presented to council for review prior to the meeting. Motion by Councilor Zinn and seconded by Councilor English to accept the minutes as presented.
Vote: Unanimous

General public hearing – Mayor Scott gave those in attendance the opportunity to speak. No one from the public had any comments or questions for city council at this time.

Reports from committees – City Accountant Michael Abraham presented the financial reports of all city accounts giving an overall view of current financial situation. This included reports on the Coal Severance Tax and City Financial Statement ending April 30, 2023 along with the Glen Dale Water Works and Wastewater Financial Statements ending April 30, 2023. General discussion was held about the franchise fee that is due from Comcast that has not been received for the 1st quarter of the year as of this date. City Clerk Yoho will check into this and update council if or when it is received. Motion by Councilor Cunningham and seconded by Councilor English to accept the financial report as presented. Vote: Unanimous

Councilor Cunningham advised the city council that the water department has received from the Marshall County Commission a used generator that is still in good working condition for use by the water department. A thank you letter has already been forwarded to the county commission by the city and water board.

Councilor English inquired about if Data Max would be able to assist the City's Utilities Department with several that owes outstanding debts to the city that are currently overdue. City Clerk Yoho was ask to have it looked into and report back.

Councilor Anderson reported that the City Park and Recreation Board met this evening with the Pool manager and assistant manager which stated that everything is coming along and they will be ready to open. The Memorial Day Service at the park is set to start at 11:00am on Monday, May 29, 2023

Mayor Scott advised council that she has talked with Nila Chaddock from the Cockayne Historical Committee. Nila informed the Mayor that she is applying for a \$15,000.00 grant to work on the North Parlor of the Cockayne Farmstead.

City Attorney Potts updated city council on receiving legal documents from the WV State Attorney General Office about a Statewide Opioid Settlement with Kroger Company Pharmacy. The City Attorney was directed by the mayor and city council to sign the document and return to the WV State Attorney General Office.

City Attorney Potts discuss with city council about previous received letter from Highline Warren about the parking of Highline Warren storage trailers on the city property lot at the south end of Highline Warren south building. The city attorney was advised to discuss and look into a possession lease and storage waiver. Highline Warren requested a right of way easement from the city they need for homeland security guideline of their loading area on West Baltimore Ave railroad loading/unloading area. Highline Warren also question and asked about possible quick claim of an area near the intersection of Marx Lane and Ohio Street. The City Attorney was advised to get more detailed information about each of these questions from Highline Warren and report back to city council.

Motion was made by Councilor Anderson and was seconded by Councilor Cunningham to accept all the committee reports as presented. Vote: Unanimous

Unfinished business - Mayor Scott has a request from a resident, Corey Evans from 405 Zane Street to have the city to assign the address of 406 Zane Street to the empty lot next to 404 Zane Street. This vacant lot was recently purchased by Mr. Evans and according to the deed it is listed an lot number 6 on Zane first addition. An informational letter was received from zoning officer Elliott Grisell stating that whatever he wants to place on that lot the property owner needs to review the city zoning ordinance prior to any construction and there may be a need for the owner to request a variance and Mr. Grisell stated the board of zoning would need to review these request before any construction. Motion was made by Councilor Cunningham and was seconded by Councilor English to grant the request to assign the address to the said empty lot on Zane Street. Vote: 4-1 with Councilor Zinn voting no.

New Business – Chief Vogler requested permission to hire Jeremiah Pond, who is a certified law enforcement officer, currently working for the Marshall County Sheriff’s Department. He would be hired as a part time as needed police officer for the police department. Motion was made by Councilor Cunningham and was seconded by Councilor Zinn to accept Chief Vogler’s recommendation and hire Jeremiah Pond as a part time as needed police officer.
Vote: Unanimous

Chief Vogler stated his department has received several parking complaints from residence in the 400 block of Ninth Street having no where to park due to WVU Reynolds employees, visitors and patients parking on Ninth Street instead of in the RMH parking lot belonging to the hospital. The Chief requested permission to place parking by permit only signs along that section of roadway and the area residence will need to contact the police department in order to apply for the parking permit. Motion was made by Councilor Anderson and was seconded by Councilor Cunningham to accept Chief Vogler’s recommendation for restricted parking for a section of the 400 Block of Ninth Street to be posted for parking by permit only.
Vote: Unanimous

Mayor Scott advised city council about the upcoming Memorial Day Event that is planned at the City Park on May 29th at 11:00am. A Gold Star mother will be in attendance to place the wreath upon the memorial in honoring our fallen heroes that gave the ultimate sacrifice. Stevie Lynn Boles will be our singer for the event. Moundsville Honor Guard and Purple Heart Vietnam U.S. Army Veteran Mr. David Schoenian will be our guest speaker and Mr. Bob Ovies will be playing taps during the ceremony. Motion was made by Councilor English and was seconded by Councilor Zinn to make a donation to Miss Boles for \$100.00, to the Moundsville American Legion Honor Guard for \$100.00 and to Mr. Ovies for \$50.00
Vote: Unanimous

Mayor Scott discussed the needed repairs to the roof of the Kalkreuth Building the city purchased in 2018. Kalkreuth Roofing quoted the mayor an estimate of \$3,200.00 during this discuss with council it was brought up to re-check the purchase agreement from 2018 where Kalkreuth Roofing Company gave a 5 year warranty on the roof of the building as part of the purchase agreement with the City and the City Building Commission. Motion was made by Councilor Anderson and was seconded by Councilor Zinn to table this quote to give the mayor and city attorney an opportunity to review the original purchase agreement including the terms and warranty included in the purchase.
Vote: Unanimous

Councilor English explained a grant agreement received and approved from the State of West Virginia Division of Forestry totaling \$16,480.00 which includes a required 50% local match of \$8,240.00 of in kind services in removal of certain trees within the city. Then the state will provide a grant not to exceed \$8,240.00 from the USDA Forest Service, Urban & Community Forestry program CFDA # 10.675.

Motion was made by Councilor English and was seconded by Councilor Cunningham to accept the WV Division of Forestry grant as presented.
Vote: Unanimous

Mayor Scott stated she did receive a letter of resignation from the City Zoning Officer Elliott Grisell from that position. Mr. Grisell did state that he would be willing to help and assist a new Zoning Officer once one is appointed. Councilor Cunningham stated that with city councils approval that he is willing to serve as the new City Zoning Officer. Motion was made by Councilor Zinn and was seconded by Councilor English to accept Mr. Grisell letter of resignation and to appoint Mr. Eric Cunningham as the new City Zoning Officer effective immediately.
Vote: 4-0 with Councilor Cunningham abstaining from the vote.

Mayor Scott discussed with council with the legal advice from City Attorney Potts to change the starting time of the City Council Meetings from 7:30pm to 6:00pm starting with the first city council meeting after July 1st 2023. City Attorney Potts advised after reviewing the city charter that a Class I Legal Publication must be placed in the local newspaper to inform the general public of the time change of the meetings. However, a motion to change the time must be passed by the majority of council member present. Then once completed Rule III (A) of the Charter can be amended to reflect the time change. Motion was made by Councilor Zinn and was seconded by Councilor Anderson to change the time of the city council meeting to start at 6:00pm after the Class I Legal Publication has been placed in the local newspaper effective after July 1st 2023. Vote: Unanimous

City Clerk Yoho presented to city council a request for revision #1 to the approved budget for fiscal year ending June 30th 2023. The city clerk went over the request and explained each of the revenues and expenditures changes. Motion was made by Councilor Anderson and was seconded by Councilor Cunningham to accept and approve budget revision 1 for year 2023 as presented. Roll Call was called for: Anderson - Yes, Cunningham - Yes, English - Yes, Richmond - Yes, Zinn - Yes Vote: Unanimous

Mayor Scott along with City Clerk Yoho presented to city council a proposal received from The Cornerstone Group LLC, which is an employee benefits agency from Triadelphia/Wheeling Area. The proposal would provide insurance

though the same WV PEIA agency which the city currently offers its employees but with the PEIA PPB Plan C with an additional HRA Funding that will be paid by the city that would covers the entire out of pocket maximum for all the full time employees within the PEIA coverage area. All co-pays and all deductibles will be covered or reimbursed plus this plan includes the PEIA prescription drug plan as shown in the WV PEIA Yearly Shopper Guide under this stated plan. The Cornerstone Group LLC has agreed to meet with all city employees to explain the plans coverage and benefits. Motion was made by Councilor Zinn and was seconded by Councilor Anderson to accept and approve this health insurance plan PEIA PPB Plan C with an additional HRA Funding as presented for all eligible full time city employees effective July 1st 2023. Roll Call was called for: Anderson - Yes, Cunningham - Yes, English - Yes, Richmond - Yes, Zinn - Yes
Vote: Unanimous

Under Mayor's items - Mayor Scott discussed with WVDOH about the traffic lights bulb replacement on WV Route 2 in the city. The WVDOH advised the mayor that the city is responsible for changing any light inside the traffic light that burns out or is not working. Mayor Scott advised council that since the city does not have a truck with a boom to safely complete this replacement without putting city employee's safety at risk that she has contacted United Electric which has agreed to do the bulb replacement for \$100.00 dollars per bulb changing event. She will follow-up with others at the WVDOH to see if other arrangements can be done for the state to take care of this, since the state did install and does do the maintenance on the traffic lights.

Mayor Scott informed city council that the City of McMechen is lending us their pool cleaning dolphin to use at our city pool for the 2023 pool season. Mayor Scott stated due to this expensive equipment being lent to the city for no cost, she has extended our discounted pool pass price to residences of the City of McMechen for the entire 2023 pool season.

Mayor Scott stated the Annual Ohio Valley Soap Box Derby will be held starting about 12:30pm on 4th Street in Glen Dale on Saturday, June 3rd.

Mayor Scott said she received a call about a tree obstructing the sight triangle and she asked Chief Vogler to check on this tree located on Elizabeth Street. Then a discussion was held about trees that are between sidewalks, the edge of property lines, and the public street. The city attorney advised council that trees that are not on lots deeded in the city name are not the city responsibility for trimming or removing.

Mayor Scott advised those members of the city's water and sewer boards that have been serving without compensation will be compensated for their serving on those boards as a member.

Discussion was held about a property located on the northwest corner of Tenth and Tomlinson Avenue that residents there removed a sidewalk adjacent to their house last fall without permission of the city. That property owner was given time by the city with an understanding that in spring 2023 that the resident was to have a new sidewalk installed but the resident has not done so in order to be compliant with the city ordinances. The police chief was instructed to prepare a letter to be given or served on the resident advising them again about the requirement of a sidewalk replacement under the city ordinance when removing a previously installed sidewalk. A copy of this letter will be given to the city attorney.


Motion was made by Councilor Cunningham and was seconded by Councilor English to go into an executive session for a personnel matter at 9:33pm
Vote: Unanimous

Motion was made by Councilor Cunningham and was seconded by Councilor English to come out of an executive session for a personnel matter at 10:13pm
Vote: Unanimous

Motion was made by Councilor Anderson and was seconded by Councilor Cunningham to extend the unpaid suspension of an city communications employee for no more than 4 more days in order to have the said city employee to come into the city building and meet with Mayor Scott and Police Chief Vogler pending termination with cause and the city attorney is instructed to prepare the termination documents.
Vote: Unanimous

Motion for adjournment was made by Councilman Anderson and seconded by Councilman Cunningham.
Vote: Unanimous

Meeting was adjourned at 10:19pm.



Janet Scott, Mayor



Lewis E. Richmond, Councilor and
Acting Recording Secretary