

**MINUTES OF THE TOWN COUNCIL
REGULAR MEETING
November 10, 2015
6:00 p.m.**

Mayor Randy Barrett called the regular monthly meeting of the Winfield City Council to order on November 10, 2015 at 6:00 p.m. at Winfield City Hall, 3426 Winfield Road, Winfield, WV.

ATTENDANCE

Members Attending: Randy Barrett, Mayor; Steve Hanna, Ryan Powers, Joe Rumbaugh and Frank Bannister, members; Jackie Hunter, Recorder.

Absent: Kevin Karnes.

Staff Present. John Hodges, Public Works Director and Tim Lafon, City Counsel.

Absent: Gloria Chapman, City Clerk/Treasurer.

Public: Sam Barnette of the Municipal Building Commission was present.

Larry Bailey of Radwin Drive presented to Council that the noise pollution ordinance should be amended to specify when loud equipment could be used. The Mayor stated that the subject would be put on the agenda for the December Council meeting.

Approval of Minutes. Hearing no objections or questions, Ryan Powers moved that the minutes of October 13 meeting be approved. Motion carried.

FINANCIAL:

Bills Paid. Hearing no objections or questions, Frank Bannister moved that the bills paid for the month of October in the amount of \$ 86,211.70 be approved. Motion carried.

General Fund Financial Statements. Hearing no objections, Steve Hanna moved that the financial statement for the month of October 2015 be approved. Motion carried.

Coal Severance Fund Financial Statement. Hearing no objections, Ryan Powers moved that the Coal Severance Statement for October 2015 be approved. Motion carried.

REPORTS, QUESTIONS & DISCUSSIONS

Police and Municipal Staff Report

Mayor Barrett reported that Chief Eggleton and Captain Young were out for qualifications and unable to attend the council meeting.

The Mayor reported that the city has received Safe Traffic grant funds in conjunction with the City of Huntington.

The Mayor announced that former Winfield Police Officer Kordusky is filing a lawsuit against the city for payment of expenses pertaining to the care of the canine used during the period of his employment. Mayor Barrett also stated that the latest police officer hired did not make the probationary period.

Mayor Barrett also reported that the city has received the 50-50 Land & Water Conservation Grant and that Phase I of the City Park could begin in the spring.

Wastewater System/Treatment Plant Report

John Hodges stated that wastewater plant ammonia reading for October was 24.5 mg/L and last month's reading was 12.7 mg/L, even though everything was handled exactly the same during both months.

Mayor Barrett said that the city is trying to prove that we are not polluting the Kanawha River in order to avoid the unfunded mandate, MS-4, which would be very costly. He said that no pollution would result in the city not be included in the MS-4 Program; but if this isn't proven by August, then the city would automatically be included in the mandate.

UNFINISHED BUSINESS

Annexation Discussion – Tim LaFon stated that the first hearing of the appeal would be in December.

Purchase of two lots for Widening of Second Street for City Park. City Attorney Tim LaFon reported that he and Randy Crace of S & S Engineers were meeting with lot owners tomorrow.

Unfinished Business (cont'd).

Employee Handbook Update/Changes. Ryan Powers moved to strike “Second Probationary Period” from the Employee Handbook, and add that the Supervisor be required to give written counsel in the first 90 days. Motion carried.

Steve Hanna moved to accept the changes to the handbook as presented. Motion carried.

2015-2016-2 Election Ordinance – Third Reading & Adoption.

Frank Bannister moved to hold the third reading and adoption of the 2015-2016-2 Election Ordinance with corrections to two misspelled words, “vote” on the last line of the first page and “Winfield” in the middle of page 2. Motion carried.

2015-2016-3 Third Reading and Adoption Hypodermic Needle Ordinance.

Ryan Powers moved to hold the third reading and adoption of the Hypodermic Needle Ordinance. Motion carried.

Add a generator at City Hall – Disaster Response Plan.

Mayor Barrett stated that it was pointed out to him that generators were considered fixed assets, which are under the control of the Municipal Building Commission. He said that the Commission had voted to add a generator to the Community Center for emergency and disaster situations. They selected a commercial generator costing \$15,000 and installation costs of \$1200. The Mayor said it might be possible to obtain a generator for City Hall as a line item in the budget under fixed assets.

Amend Article 737 Public Utility Tax. Tim Lafon stated that following research, he should know by January if the tax would be extended to all users of the sanitary sewer or just those living within city limits. He felt that any change would most likely extend to the beginning of the fiscal year.

Donation to the Winfield Fire Department. Joe Rumbaugh moved to donate \$5,000 to the Winfield Fire Department. Ryan Powers abstained from voting. Motion carried.

Jake Brake Ordinance. Ryan Powers moved to accept the Jake Brake Ordinance using the city of Fairmont’s example with the addition of “not pertaining to police, fire, military and EMS vehicles”. Motion carried.

Community Center Rental Rate. Steve Hanna moved to table the matter until Gloria Chapman returned from sick leave and could provide the correct numbers to make a wise decision.

NEW BUSINESS

Reappoint Huey Lovejoy to the Municipal Building Commission.

At the recommendation of Mayor Barrett, Steve Hanna moved to reappoint Huey Lovejoy to the Municipal Building Commission. Motion carried.

Employee Christmas Luncheon December 23rd.

Ryan Powers moved to approve the Employee Christmas Luncheon on December 23rd at 12 noon. Motion carried.

WV DEP Consent Order #8125. City Attorney Tim Lafon presented the WV DEP final consent order for Council's consideration. He stated that there was one error which he was having amended. The order stated that a fine of \$19,380 from previous sewer plant ammonia level violations would be levied and payable in monthly increments of \$ 1,615 beginning in January of 2016. The order also stated that ammonia levels have been raised to 30 mg/L and would be in effect until 2017, when new negotiations would be required. Steve Hanna moved to accept the WV DEP Consent Order #8125 with the amendment as stated by Tim LaFon. Motion carried.

GOOD OF THE ORDER

Sam Barnette said he wanted to commend the Homecoming Committee on a great Putnam County Homecoming.

ADJOURNMENT

With no further business, Ryan Powers moved the meeting be adjourned at 7:35 p.m. until the next scheduled meeting.

Randy L Barrett, Mayor

Jackie Hunter, Recorder