# MINUTES OF THE TOWN COUNCIL REGULAR MEETING

SEPTEMBER 8, 2015 6:00 P.M

Mayor Randy Barrett called the regular monthly meeting of the Winfield City Council to order on September 8, 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, Kevin Karnes and Frank Bannister, members; Jackie Hunter, Recorder.

**Staff Present;** Gloria Chapman, City Clerk/Treasurer; John Hodges, Public Works Director and Tim Lafon, City Counsel.

**Public:** The Mayor presented Master Gardeners, represented by Bill and Cathy Walker, a Certificate of Appreciation for their volunteer work on the landscaping at the Community Center. Bill said that a special thank you should be given to the City workers and the WVU Extension Service for the donated timbers used in the landscaping, which would have cost approximately \$ 20,000.

Greg Winter wanted to give a friendly reminder that the City stay on top of the DNR's responsibility to keep the grass maintained on the proposed boat ramp property.

Marsha Postle reported that she had knocked on every door in Winfield and presented the File of Life Program to the citizens of the city. She said material was given to allow everyone to post pertinent medical information in their home that would be readily available to emergency medical responders. Marsha noted that most people were home and the response was very positive; but, she said those who lived within the city limits and not yet been reached, could contact City Hall for their materials.

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**Approval of Minutes.** Steve Hanna moved to approve the minutes of August 11, 2015. Motion carried. With no questions or objections, the minutes of August 17, special meeting were approved as presented.

## **FINANCIAL**

**Bills Paid.** Ryan Powers moved that the bills paid for August 2015 in the amount of \$29,556.91 be paid. Motion carried.

**General Fund Financial Statements.** Ryan Powers moved that the financial statement for the month of August 2015 be approved. Motion carried.

**Coal Severance Fund Financial Statement.** Hearing no objections, the Coal Severance Statement for August 2015 was approved.

## **REPORTS, QUESTIONS & DISCUSSIONS**

**Police and Municipal Staff Report.** Mayor Barrett reported that Mayor Edwards of Hurricane had contacted him regarding participation in an "Americas Best Communities" Grant which he was working on, but you had to have participation from surrounding communities in order to meet the population requirement for the grant. He stated that Hurricane, Winfield and Eleanor were all listed on the grant, and Winfield received their portion which was \$1,667.00.

The Mayor reminded everyone that the Putnam County Homecoming would be on Sept. 12 and 13 and that there were a lot of good events this year. The Mayor also informed the Council that the lawsuit between George Armstrong and the City had been won. The Mayor stated that the city property for sale has still not been advertised on the Putnam Development website as planned, but he hopes that will be happening soon. With regard to our 2013-2014 audit, the Mayor stated that we are still waiting to receive the approved copy from the WV State Auditor's Office.

Frank Bannister questioned if the letter sent to the WV DEP about the line extension was generated by the Sanitary Board and the Mayor said it was. He also asked about approval for site plans for Courtyard Estates and who approved those. The Mayor

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## Police and Municipal Staff Report (Cont'd).

stated that Jessie Parker, City Engineer; Greg Belcher, Sanitary Engineer and Laura Cox, Planning Director all have a hand in approving site plan.

Chief Eggleton gave an update on Police Department activities for the month of August. He voiced his appreciation of the positive reception from Winfield citizens and he explained his research on radar speed trailers. The Chief also presented a proposed ordinance for hypodermic needles that would give the Police Department the tools they need in dealing with those who are carrying hypodermic syringes/needles. Chief Eggleton also presented a Disaster Response Plan to the members for use during emergency situations that he would like to see the City adopt.

Councilman Karnes questioned the missing 40 mile/hr speed sign near the high school and the Mayor said he would check into replacing it.

# Wastewater System/Treatment Plant Report

John Hodges reported that the ammonia levels for September was 19.2 Mg/L; August was 14.7 Mg/; and this time last year the levels were 6.1 Mg/L. He stated that nothing different had been done during those periods.

The Mayor reported that sanitary workers had been working to replace an old terra cotta line between Elm Street and Cash Lane where some water has been infiltrating the sewer system.

Mayor Barrett stated that the sewer plant design should be completed in about six months and then the city would be able to apply for a loan for construction.

City Attorney Tim LaFon and Mayor Barrett stated that the current Consent Order from WV DEP has ammonia limit requirements of 30 Mg/L until September 2016. Tim LaFon is negotiating with WV DEP for a higher limit of 45 Mg/L, since we have passed 30 Mg/L at least twice in the last few years. The Mayor said that the city will start paying fines of \$1615/month after all negotiations are complete and the Consent Order has been signed.

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#### **UNFINISHED BUSINESS**

**Annexation Discussion –** Tim Lafon stated that the appeal would be filed at the end of the week.

Purchase of two lots for Widening of Second Street for City Park. Tim Lafon reported that the original meeting with the parties involved had been canceled and set again for next Monday at 6 p.m.

Employee Handbook Update/Changes. No action this month.

**Second Reading - Establish a Policy Regarding Conflict of Interest for Board Members.** Ryan Powers moved to approve the second reading of the Conflict of Interest for Board Members Ordinance with the selection of the single page policy with the addition an item #3 being added in the first paragraph as follows:

3. Any member who starts legal proceedings against the City, City Engineer or City Contractor will have 30 days to reconsider His/her actions before automatic removal from said Board.

# Possible Resolution for Craigo Civil Action No. 10-C-130.

Ryan Powers moved to go into Executive Session at 6:48. Frank Bannister moved to return from Executive Session at 6:58 and the Mayor reconvened the meeting at that time.

Kevin Karnes moved to accept Craigo Realty's settlement offer of \$5,000 for purpose of record to resolve the citation order issued by the City of Winfield for non-compliance of an Occupancy Certificate. Motion carried.

#### **NEW BUSINESS**

**Draft of Election Ordinance.** Mayor Barret explained that the city would no longer have elections as a separate election, but that our election would be conducted in November with Putnam County in conjunction with the national election; which would be a great savings to the City. Kevin Karnes moved to have the first reading of a draft Election Ordinance following the example of Poca's Election Ordinance. Motion carried.

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# **New Business (Cont'd.)**

## Resolution - Div. of Justice Grant.

Whereas, the Council of the City of Winfield met on September 8, 2016 with a quorum present, Frank Bannister moved that it be resolved by the common Council of the City of Winfield, West Virginia, that they hereby authorize Mayor Randy L. Barrett to act on its behalf to enter into a contractual agreement with the West Virginia Division of Justice & Community Services to receive and administer grant funds pursuant to provisions of the Justice Assistance Grant program. Motion carried.

# Ordinance Regarding Hypodermic Syringes/Needles.

Ryan Powers moved to have first reading on a draft ordinance governing the sale and possession of hypodermic needles/syringes following an ordinance of the City of Charleston. Steve Hanna questioned if a fine would be imposed and asked to have that included in the second reading. With no further discussion, motion carried.

## Add a Generator at City Hall - Disaster Response Plan.

The Mayor stated that after researching the cost of installing a generator at City Hall, it was apparent that there was not enough money in the budget to complete the project. It was decided to check alternative ways of installing the generator.

Amend Article 737 Public Utility Tax. Tabled for further research.

#### Set Date for Trick-or-Treat

Kevin Karnes moved to hold Trick-or-Treat in Winfield on October  $29^{th}$  from 6:00-7:30 pm. Motion carried.

## **GOOD OF THE ORDER**

Ryan Powers reported that the Fire Department has made arrangements with Santa to have him visit the City from December 14 – December 21<sup>st</sup>.

## **ADJOURNMENT**

| With no further business,      | R۷ | an Powers   | moved the    | meeting | he ad | iourned : | at 7:30 | n m   |
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| Randy L Barrett, Mayor | Jackie Hunter, Recorder |
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