

CITY OF MILTON
COUNCIL MEETING MINUTES

1139 SMITH STREET
MILTON, WV 25541

MARCH 5, 2024

7:00 P.M.

Mayor Canterbury called the meeting to order at 7:00 p.m. Those present were Mayor Tom Canterbury, Recorder Dana Walters, Council Members Carl Harshbarger, Tennis Adkins, Troy Nicely and Deborah Conard. Council Member Dakota Miller attended via telephone. The invocation was given by Council Member Adkins and the pledge of allegiance was said in unison.

Council Member Harshbarger moved to approve the agenda. Second by Council Member Adkins. Motion carried.

Minutes from the February 6 Council Meeting and February 12 Special Meetings were presented. Council Member Nicely moved to approve the minutes. Second by Council Member Adkins. Motion carried.

The City bills were presented for January 2024 totaling \$133,220.47 from the General Fund. Council Member Adkins moved to approve the bills. Second by Council Member Nicely. Motion carried.

Recorder Walters read the City Financial Report for January 2024. General Fund Total: \$1,780,203.86; Cemetery Total: \$81,126.10; Coal Severance Total: \$9,258.91; American Rescue Plan Act Total: \$1,127,780.62; Building Commission Total: \$4,778.89. Council Member Harshbarger moved to approve the Financial Reports. Second by Council Member Adkins. Motion carried.

A Resolution was presented authorizing the transfer of \$8,284.48 from the Police Savings account to the General Fund account to reimburse for expenses incurred. Council Member Nicely moved to approve the Resolution. Second by Council Member Adkins. Motion carried.

Chief Parsons read the Police Report for January 2024. Chief Parsons gave an update on the construction in the Police Department. He also advised that the new cruiser should be ready soon and, once it is on the road, Patrolman Harless' vehicle would be sent in for repairs. Council Member Nicely moved to approve the Police Report. Second by Council Member Adkins. Motion carried.

Representatives from the Cabell County School Board were unable to attend this City Council Meeting to discuss their desire for the new Milton Elementary School to be annexed into the City. Instead, they will be at the April City Council Meeting.

Mayor Canterbury presented a Resolution of Council permitting the purchase of two prisoner cages and eight tasers, taser holsters and taser cartridges for the Milton Police Department to be paid out of the Opioid Settlement Fund Account. Council Member Harshbarger moved to approve the Resolution. Second by Council Member Adkins. Motion carried.

Mayor Canterbury gave the second reading an Ordinance Amending, Modifying, Re-Enacting and Re-Naming Article 345.31 “Safety and Equipment - Certificate of Inspection and Approval,” of the Codified Ordinances of the City of Milton. Council Member Nicely moved to approve the second reading. Second by Recorder Walters. Motion carried.

Mayor Canterbury gave the second reading of an Ordinance Amending, Modifying and Re-Enacting Article 349.20 “ Miscellaneous Rules - Vehicle Security,” of the Codified Ordinances of the City of Milton. Council Member Nicely moved to approve the second reading. Second by Council Member Conard. Motion carried.

Mayor Canterbury gave the second reading of an Ordinance Repealing Article 139.11 “Municipal Court: Reinstatement Fee – Driver’s License,” of the Codified Ordinances of the City of Milton. Council Member Harshbarger moved to approve the second reading. Second by Council Member Adkins. Motion carried.

Mayor Canterbury gave the second reading of an Ordinance Amending, Modifying and Re-Enacting Article 107 “Sale or Disposition of Municipal Property Without Auction,” of the Codified Ordinances of the City of Milton. Council Member Harshbarger moved to approve the second reading. Second by Council Member Adkins. Motion carried.

Mayor Canterbury gave the first reading of an Ordinance Amending, Modifying and Re-Enacting Article 345.34 “345.34 “Safety and Equipment: Operation of Vehicles with Safety Belts” of the Codified Ordinances of the City of Milton. Council Member Adkins moved to approve the first reading. Second by Council Member Conard. Motion carried.

A Resolution of Council was presented for Council’s approval authorizing the Milton Municipal Utilities to pay the West Virginia American Water invoice totaling \$189,108.61 in twelve monthly installments of \$15,759.05. Council Member Adkins moved to approve the Resolution. Second by Council Member Conard. Motion carried.

Council considered whether to renew 2 maturing Floodwall CDs or move the CDs to higher-interest earning CDs. Council Member Harshbarger moved to move the CDs to 10-month, 5% interest rate CDs at Ohio Valley Bank. Second by Council Member Adkins. Motion carried.

A request from Appalachian Power Company for an Easement and Right of Way for the purpose of providing electric power to a sewer pump station was tabled, and will be brought up at a later date.

Council briefly discussed the proposal to convert Pike Street to North-bound one-way traffic from Main Street to Church Street. Mayor Canterbury requested that this issue be placed on the April 2024 City Council Agenda for a vote.

Council discussed options for the City-owned lot on North Main Street. Mayor Canterbury asked Council to provide Susan Elliott with their ideas for this property before the next council meeting, and that we would revisit the issue at the April 2024 City Council Agenda.

Mayor Canterbury presented Cebridge/Altice's Application for the renewal of an Agreement for a nonexclusive cable franchise in Milton. Council Member Adkins moved to accept the Application. Second by Council Member Nicely. Motion carried.

Council Member Nicely asked about the negatives of annexing the new Milton Elementary School. He asked why we wouldn't want to do that. Mayor Canterbury stated he did not know of a reason not to do so.

Council Member Tennis Adkins stated that, regarding the new School Zone on Route 60 in front of the Milton Pre-K, a friend of his at the Cabell County Board of Education told him that flashing lights were ordered at the same time as the School Zone signs, but the lights had not yet been put in. Chief Parsons stated that he did not know if the flashing lights would be approved before the school year is out.

Recorder Walters asked if the new school would be open this fall, and Rhonda Parsons, an employee of the Cabell County Board of Education, indicated that the plan is for students to move to the new school in January 2025.

Sarah Dixon addressed City Council and the audience. She is running for Family Court Judge in Cabell County. She stated that she has dedicated her life to family court issues, and pledges to allow people to have their day in court if she is elected.

Aaron Holley addressed City Council and the audience. He is running for the House of Delegates for the 22nd District. He stated that he wants to help the community and said three of his areas of interest are small business growth, youth sports and pro-trades.

J.D. Underwood addressed City Council regarding the different concerns about the new Milton Elementary School. He asked about the potential annexation and recommended that the City require them to provide us with plans for the old school as a condition of annexation. He stated that the traffic control ideas set forth in the traffic study report will not work. He said he has had numerous problems with large trucks on Newman's Branch.

A discussion was had with many meeting attendees regarding the new school, including the possibility of an overpass, police presence and the potential for flooding of Newman's Branch Road which could cause children to be trapped at the new school until floodwaters recede.

Rhonda Parsons stated that the location of the new elementary school may not be ideal, but that is where it is being built and we need to work to find solutions.

Council Member Harshbarger moved to adjourn at 8:26 pm. Second by Council Member Adkins. Motion carried.

Mayor Tom Canterbury

Recorder Dana Walters