

COUNCIL MEETING OF APRIL 14, 2020

The first regular April meeting of the Mannington City Council with Mayor Ray Shadrick presiding was held Tuesday, April 14, 2020 at 7:00 p.m., via Zoom.com, due to the ongoing pandemic. Those in attendance were Council members Chris Efaw, Denny Efaw, Nelson Elliott, Ken Fletcher and Tim Fluharty, City Clerk Michele Fluharty, Chief of Police Brian Stewart and Street/Water Superintendent Ted Nice.

The minutes of the previous meeting were reviewed. Chris Efaw made the motion to approve the minutes as presented. Denny Efaw seconded the motion and it carried.

The first item of Old Business was the second and final reading of Ordinance #452 which rescinds Ordinance #417 pertaining to heavy trucks on Water Street. D Efaw made the motion to read the heading only. Elliott seconded the motion and it carried. Shadrick read the heading. D Efaw made the motion to adopt Ordinance #452. Fluharty seconded the motion and all approved.

The Washington Street house demolition was the next item to be discussed. The city attorney's recommendation to pay the dump fees, provided a limit is specified, was reviewed. Elliott made the motion to authorize the offer to pay the dump fees not to exceed \$3,000. Fletcher seconded the motion and it carried. The city clerk will notify the city attorney.

The first item of New Business was Phillip Stewart's probation. Since the State Police Academy has been temporarily shut down, Chief Stewart said he did not think it was fair to make Stewart wait any longer to be taken off probation. He is being denied sick and vacation time. Shadrick recommended that Stewart's probation be removed as of March 23. Elliott made the motion to approve Phillip Stewart as a full time patrolman retroactive to March 23. Fletcher seconded the motion and all approved.

After conducting agility testing and interviews, Chief Stewart recommended Christopher Jagy and Cameron Mitchell be hired as full-time patrolmen, subject to

a 6-month probation. Chris Efaw said he would like to know more about the candidates before proceeding so he made a motion to table hiring until the next meeting. Elliott seconded the motion and it carried. A work session was set for 6:40 p.m. prior to the April 21st meeting.

The County Clerk has asked for permission to use the council chambers as a polling place for the primary election. Fluharty said that the election has been postponed until June so that gives the city council more time to decide. She will contact the County Clerk's office to see when they need a response. Elliott made the motion to table a decision until the next meeting. Chris Efaw seconded the motion and all approved.

Councilman Fluharty said he did not think that the personal cell phone numbers of council members should be given to the public. He said his was given out and he has been getting several calls at all hours including when he is at work. Mayor Shadrick apologized for giving out his number and Fluharty accepted his apology.

The next item on the agenda was Chief Stewart's grievance hearing. Stewart said he disagreed with both reprimands and asked that they not be placed in his personnel folder. He would also like an apology from the mayor for his comments about firing Stewart. Shadrick said it is in the City Code that the police are responsible for tagging illegal vehicles. Stewart said he has tagged several and in fact, Shadrick towed one of them. Chris Efaw said midnight shift needs covered. Stewart said he understands the concerns about midnight shift but it is his decision how to schedule his department. According to the calls received in the last month, midnight shift had the least amount of activity. Shadrick said during the manpower shortage, he wants midnight shift covered. Stewart said they need to give him some manpower. Chris Efaw made the motion to deny Stewart's grievance since no justification was found. Denny Efaw seconded the motion and it carried. Stewart can request a review by the grievance board. Shadrick asked that it be noted that he has asked that neither his wrecker service nor his wife's be called to tow vehicles tagged by the police due to a conflict.

Chris Efaw questioned why Don Sides' grievance was not brought before council. After some discussion, Elliott said the meeting has gotten off topic and needs to move onto the agenda items.

The outstanding bills were reviewed. Elliott made the motion to approve the payment of the bills as presented. Chris Efaw seconded the motion and it carried.

Chris Efaw made the motion to adjourn. Fletcher seconded the motion and it carried. The meeting adjourned at 8:00 p.m.