COUNCIL MEETING OF FEBRUARY 21, 2023

The second regular monthly meeting of the Mannington City Council, with Mayor Lora Michael presiding, was held Tuesday, February 21, 2023 at 7:00 p.m. at city hall. Council members in attendance were Kris Bates, John Craw, Ken Fletcher, Tim Fluharty and Roger Russell.

The minutes of the last regular meeting were reviewed. Craw made the motion to accept the minutes as read. Russell seconded the motion and all approved.

Craw said he met with some business owners who asked if the b&o tax forms could be simplified. City Clerk Michele Fluharty said she just ordered a new supply of the forms but once they are gone, she would review the forms to see if changes can be made.

Gary Leeson asked if the city still had a code enforcement officer because there is garbage piled up at the corner house in Homewood. Mayor Michael said he was off on leave due to a family illness.

The first item of business was the Community Development Block Grant application for the demolition of two downtown buildings. Craw made the motion to authorize the mayor to sign the necessary grant paperwork. Fletcher seconded the motion and it carried.

The first item of Old Business was an update on Valor, the city’s canine officer. Michael said he is currently in a kennel in Philippi. She said after a series of events over the weekend, she made the call to have him taken to the kennel. She said the city should have picked up Valor when Don Sides’ employment was terminated. She said Valor is doing well at the kennel. She then read Lt Thomas Mitter’s narrative of his evaluation of Valor and since he was present, asked him if he had anything else to say. Lt Mitter said he did not expect the mayor & council to be aware of the dog’s condition. He said that was the handler’s job and he should have reported any problems to the chief. He added that if any of his officers had brought a dog to him in the same condition as Valor, he would have charged them with animal cruelty. Michael said two cities are interested in Valor. Mannington BAD Committee member Robin Smith said she was very impressed with Mitter and Valor, but she was upset with the manner in which Valor was handled. She felt the mayor overstepped the committee and was disappointed with the process. Michael said the committee should have done more investigation before purchasing Valor. Councilman Fluharty said the council never got any reports on Valor. Visitor Jennifer Barker asked if there was any documentation when Valor was involved in an arrest. She said the lack of any reports resulted in the public being disappointed with Sides and Valor. Mitter said every encounter the dog has with the public must be documented and the chief & mayor must have access to those reports.

Mayor Michael asked for an executive session to discuss Valor’s medical reports and his future. Craw made the motion to adjourn into executive session. Fluharty seconded the motion and it carried. The time was 7:50 p.m.

Fletcher made the motion to reconvene into regular session. Craw seconded the motion and it carried. The time was 8:05 p.m.

Michael recommended that Valor stay in the Philippi kennel until a decision is made as to where he should be placed permanently. Fluharty made the motion to accept the mayor’s recommendation and to leave Valor in Philippi. Fletcher seconded the motion and it carried.

The first item of New Business was Donnie Wheeler’s probation. Michael recommended that he be hired as a regular, part time police officer. Craw seconded the motion and it carried.

A Release Form related to the opioid-related claims against Walgreens was presented for council’s approval. Fletcher made the motion to authorize the mayor to sign the release. Fluharty seconded the motion and it carried.

Fletcher, who is chairman of the Mannington Lake Association, reported that they met with a DNR representative and the DNR is very co-operative. In addition to stocking the dam, they would like to handle the property (110 acres) so that they can enforce the rules there. Craw made the motion to include the property management in the agreement with the DNR. Bates seconded the motion and it carried.

In his department report, Superintendent Ted Nice said his guys removed everything at the pool in anticipation of the demolition this spring. He also said they spent 15 hours repairing an 8” water line at Peanut that was caused by the oil & gas contractors working there. The cost of the repairs was approximately $4,300.

Craw asked when the pool project is slated to begin, and Michael said the projected start date is the end of March.

Chief of Police Jim Rigsby said he has begun tagging the streetlights that are out and is reporting them to Mon Power. He also said he submitted a schedule to the mayor and council. The representative from the State Treasurer’s Office is coming March 7 to review their evidence.

Amber McElwain asked about the speed limit sign that the city recently purchased. She spoke to a DOT rep who said they will come out once a week to monitor the big trucks traveling through town. Michael said they must take an online class to learn how to operate the sign before it can be set up.

Leah Michael said she was on the phone with her mother when Chief Rigsby come to the house in response to her call to 911. She said his main concern was the chain of command and she asked him what the chain of command in the case of an emergency was. She thought her mother’s safety should have been the priority. Rigsby said there was more to it than that and he would sit down with the mayor to discuss it at some point. Mayor Michael asked him if they could do so tomorrow at 3 p.m. and he agreed.

The outstanding bills were reviewed. Craw made the motion to pay the bills as presented. Fluharty seconded the motion and it carried.

Fluharty made the motion to adjourn. Craw seconded the motion and it carried. The meeting adjourned at 8:35 p.m.