



CITY OF OAK HILL MINUTES

City Council Meeting – December 9, 2024

The regular meeting of the Oak Hill City Council was held December 9, 2024, in the Council Chambers of Oak Hill City Hall, beginning at 6:00 p.m.

Invocation - Invocation was given by Reverend Larry Lane from the Oak Hill Church of Nazarene.

Pledge of Allegiance – Mayor Charles Briscoe led the Pledge of Allegiance.

Call to Order - Mayor Briscoe called the meeting to order.

Roll Call - City Manager Damita Johnson called the roll.

PRESENT

Mayor Charles Briscoe
Council at Large William Hannabass

Ward I
Diana Janney (via Zoom)
Roger Evans
Terry VanBuskirk

Ward II
Chris Gill
PJ Elder
Tim Buskus

ALSO PRESENT - Damita Johnson-City Manager,
Valerie Vaughn, City Clerk-Treasurer

Reading and Approval of Minutes: Copies of the minutes from the November 4, 2024 regular meeting were provided to Council. Councilmember Elder noticed that the minutes need a correction on the Police Hiring. The Correction will be written on the original. ***Motion was made to accept the minutes as provided by Councilmember Elder, seconded by Councilmember Buskirk. Motion carried unanimously 7-0.***

Treasurer's Report: Copies of the revenue, expenditures, and vendor checks for the month of October 2024 were presented to the Council. ***Councilmember Evans made the motion to accept the treasurer's report for the month of November. Motion was seconded by Councilmember Hannabass, with Councilmember Buskus opposing. Motion carried 6-1.***

Correspondence: There was no correspondence.

Citizen Comments: Dr. Mandy Wriston is one of the lead mentors with the Leadership Fayette County and invited everyone to attend a session on January 16th at the Lewis Center at 12 o'clock. Lunch will be served. Students will participate in an activity called a charrette. This helps the students start thinking about how to build and design communities and what they would like their communities to look like in the next 15 years.

Unfinished Business:

1. **Vacant Building Registration Fees – Public Hearing**
A public hearing regarding vacant building registration fees. Mayor Briscoe opened the public hearing, no comments made. Mayor Briscoe closed the Public Hearing.
2. **Consideration to Adopt Amendments to Vacant Building Ordinance OHMC 11.12**
Motion was made to change the registration fees and change to 60 days instead of 180. **Councilmember Elder made the motion to adopt the change to Ordinance OHMC 11.12. Councilmember VanBuskirk seconded the motion. Councilmember Hannabass opposed the motion. Motion Carried 6-1.**
3. **Consider Lifting the Sunset Date and Make Other Revisions to the Recreational Trail Vehicles Ordinance OHMC 10.12**
City Manager Damita Johnson spoke with the Police Chief and he recommended to remove the helmet requirement but he was okay with the rest of the ordinance. The sunset date would be included in the motion to be eliminated or repeal it. The West Virginia State Code does not require a helmet. **Councilmember VanBuskirk made a motion to repeal the helmet requirement and repeal the March 31st Sunset Date and both be removed from the Ordinance OHMC 10.12. Councilmember Hannabass seconded the motion. Motion carried 7-0.**
4. **Consider Amending OHMC 10.04.010F – Restricted Areas for Skateboards, In-Line Skates, Roller Blades, and Bicycles**
City Manager Damita Johnson asked for this to be tabled until next council meeting. **Councilmember Hannabass made a motion to table this item until the next council meeting. Councilman VanBuskirk seconded the motion. Motion carried 7-0.**
5. **Consider Allowing the Farmers Market to Use Rick Rutledge Pavilion for Other Uses**
City Manager Damita Johnson requests this item be tabled indefinitely. Angela Perry advised that if she did not get back with the City Manager, she was going to drop the request. **Councilmember Hannabass made a motion to table this item indefinitely. Councilmember VanBuskirk seconded the motion. Motion carried 7-0.**

New Business:

6. Consider Implementing a Camping Ordinance

Lieutenant Pack spoke about the problems they have or may have in the future with people camping on the rail trails, in a city park or sleeping on the benches. Ordinance will allow police to fine individuals or get them court ordered help. The City Manager will be able to issue camping permits. **Councilmember Gill made a motion to create an ordinance of the City of Oak Hill to prohibit camping on public property and unauthorized private property and this being the first reading. Councilmember VanBuskirk seconded the motion. Motion carried 7-0.**

7. Consider Changing Residency Requirements for City Manager – Article 10 (2) of Charter

The current Charter says that the City Manager shall reside in the city. City Manager Damita Johnson proposed or recommended that you change it to within Fayette County, so that when you are looking for a city manager it opens up the places for someone to live because there may not be available housing in Oak Hill. This Charter change also requires a public hearing. **Councilmember Hannabass made a motion to pass the Charter change to Article 10 (2) of the Charter. Councilmember Buskus seconded the motion. Motion carried 7-0.**

8. Consider Request from Chief of Police to Use Opioid Settlement Funds to Purchase Additional Cameras

Lieutenant Pack asked for another \$50,000 for cell boxes and cameras to replace some old cameras and install cameras in new areas. Areas include the City Park, major crime areas, and the Amphitheater. **Councilmember Hannabass made a motion to allow up to \$75,000. Councilmember Buskus seconded the motion. Motion Carried 7-0.**

Department Reports:

Police Report

Fire Dept. Report

City Manager Report

Director of Economic Development

Code Enforcement Report

Parks & Recreation

MS4 - A reminder was issued to keep gutters clean to prevent damage to roofs and foundations.

It is recommended to clean gutters and down spouts at least twice a year, especially before rainstorms.

A motion was made by Councilmember VanBuskirk to accept all department reports that were received, seconded by Councilmember Evans. Motion carried unanimously 7-0.

Council Comment:

Councilmember Buskus recognized the group of people that put on the Thanksgiving dinner at the Lewis Center and how good of a community effort it was. Lesley Taylor was the contact person for that event.

Councilmember Gill inquired about the status of the Sewer Project & Needleseye Trail.

Council-at-Large Hannabass inquired about having the real estate agent give a report on the BB&T Building.

Councilmember Van Buskirk mentioned how beautiful the train depot was decorated and that they did a fantastic job.

Councilmember Elder questioned when the budget will be revised.

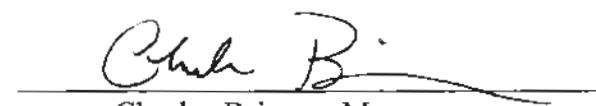
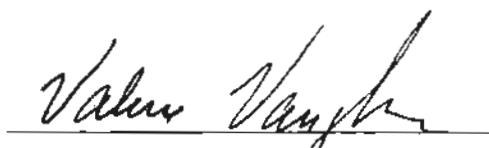
Future Agenda Items:

Announcements:

Adjournment:

There being no further business,

Mayor Briscoe adjourned the meeting.



Charles Briscoe, Mayor

10.12 All-Terrain Vehicles

- 10.12.10 Purpose And Applicability**
- 10.12.11 Definitions**
- 10.12.12 Recreational Trail Vehicles**
- 10.12.13 Restricted Areas**
- 10.12.14 Street-Legal Recreational Trail Vehicle; Operation On Highways; Registration Procedures; Licensing Requirements; Equipment Requirements**
- 10.12.15 Equipment Required For Street-Legal Recreational Trail Vehicles**
- 10.12.16 Regulation Of Unlicensed Recreational Trail Vehicles**
- 10.12.17 Acts Prohibited By Operators Of An Unlicensed Recreational Trail Vehicle**
- 10.12.18 Authority To Regulate**
- 10.12.19 Recreational Trail Vehicle Rental Dealers Required To Provide Safety Equipment**
- 10.12.20 Private Property Exemption**
- 10.12.21 Exemption For Farm, Commercial Use; Current Regulations**
- 10.12.22 Applicability Of Rules Of Operation; Limitation Of Liability**
- 10.12.23 Violations**
- 10.12.24 Penalty**

HISTORY

Adopted by Ord. [2021-001](#) on 3/8/2021

10.12.10 Purpose And Applicability

- A. Provide a reasonable opportunity for residents and visitors to lawfully operate recreational trail vehicles on city streets and state roads within the city.
- B. Encourage economic opportunities by allowing users of recreational trails access to lodging, including hotels, vacation rentals, bed and breakfast inns, short-term lodging rentals, restaurants, retail businesses and other services within the City.
- C. Establish and regulate street-legal and unlicensed recreational trail vehicle use within the city more aligned with [WV State Code](#) with additional safety and nuisance restrictions herein established.
- D. Effective March 31, 12:01 midnight, 2025 this section is repealed without further action by the Council of the City of Oak Hill. No action to amend this section by Council to extend the date into the future or repeal the "sunset clause" entirely will result in repeal of this section

10.12.11 Definitions

- A. "Recreational Trail Vehicle" includes All-Terrain Vehicles, Utility-Terrain Vehicles, and Off-Road Motorcycle.
- B. "Street-Legal Recreational Trail Vehicle" is a recreational trail vehicle that meets the requirement of this section.
- C. "All-Terrain Vehicle" or "ATV" means any motor vehicle designed for off-highway use and designed to travel on not less than three low-pressure tires, having a seat or saddle designed to be straddled by the operator and handlebars for steering control and intended by the manufacturer to be used by a single operator or by an operator and no more than one passenger.
- D. "Utility-Terrain Vehicle" or "UTV" means any motor vehicle with four or more low-pressure tires designed for off-highway use having bench or bucket seating for each occupant and a steering wheel for control.

- E. **"Motorcycle"** means any motor vehicle manufactured with no more than two wheels and having a seat or a saddle for the use of the operator.
- F. **"Off-Road Motorcycle"** means any motor vehicle manufactured with no more than two wheels and having a seat or a saddle for the use of the operator that is suitable for off-road use.

10.12.12 Recreational Trail Vehicles

- A. **Recreational Trail Vehicle Within Corporate Limits** - The riding, operation or other use of recreational trail vehicles within or upon the streets, alleys, and parking lots within the corporate limits of Oak Hill is allowed with restrictions set forth in this section.
- B. **Helmet Required** - Operators and passengers of street-legal or unlicensed recreational trail vehicles shall wear size appropriate protective helmets that meet the current performance specifications established by the American National Standards Institute Standard, z90.01, the United States Department of Transportation Federal Motor Vehicle Safety Standard No. 218 or Snell Safety Standards for protective headgear for vehicle users. **The Police Chief recommends repealing this section.**
- C. **Speed Limit** - Maximum speed limit for street-legal or unlicensed recreational trail vehicles shall be 25 MPH or the posted speed limit, whichever is less.
- D. **Driver's License Required** - Operators of street-legal or unlicensed recreational trail vehicles must be licensed pursuant to [WV State Code 17B-2-1](#).
- E. **Permitted Hours of Operation For Street-legal or Unlicensed Recreational Trail Vehicles** - sunrise to sunset.
- F. **Permits** issued by the Rim Fire Trail are required for the operation of Recreational Trail Vehicles within the City of Oak Hill. Permits are to be displayed within the City as they are required to be displayed while operated on the Rim Fire Trail. Recreational Trail Vehicles or operators not meeting the eligibility requirements to obtain a permit issued by the Rim Fire Trail shall not operate within the City of Oak Hill. The requirement for a permit is suspended until such time as permits for the Rim Fire Trail are issued.

HISTORY

Amended by Ord. [2021-002](#) on 5/10/2021

10.12.13 Restricted Areas

No person shall be authorized to operate any motorized or self-propelled vehicle, including recreational trail vehicles, on the White Oak Rail Trail or Needleseye Park. Provided, that the use on said rail trail and park of construction, law enforcement, and maintenance vehicles may be permitted by the City of Oak Hill. Provided further that the use of motorized vehicles on said rail trail and park by emergency vehicles responding to an emergency shall be permitted. Provided further that the use by a mobility-impaired person on said rail trail of any wheelchair or other mobility device, including one that is battery powered, and that is designed solely for use by a mobility-impaired person for locomotion, shall be permitted.

10.12.14 Street-Legal Recreational Trail Vehicle; Operation On Highways; Registration Procedures; Licensing Requirements; Equipment Requirements

- A. An individual may operate a "Street-Legal Recreational Trail Vehicle" on a street or highway except as further limited:
 1. Recreational trail vehicles are prohibited if the highway is a controlled-access system, including, but not limited to, interstate systems.