

REGULAR COUNCIL MEETING

November 3, 2011

Elkins Common Council met in regular session in the council chamber of city hall at 7:00 p.m. Thursday, November 3, 2011. Present were Mayor Duke Talbott; Councilpersons: J. S. Bibey, N. E. Bross-Fregonara, V. T. Broughton, M. D. Cuonzo, T. Z. Hensil, C. L. Metheny, M. D. Scott, and R. A. Woolwine; R. P. Pingley, Acting City Clerk/Operations Manager; L. D. Daniels-Smith, City Treasurer; S. D. Richards, H. R. White, Jr., Police Chief, T. W. Meader, Fire Chief; L. M. Barrick, Executive Secretary taking minutes; G. S. Roberts, City Attorney, John Stump, Bond Attorney, and Anthony Gaynor, Inter-Mountain Reporter.

Duke Talbott, Mayor, presided and Bob Pingley, acted as Acting City Clerk. The Mayor announced the quorum of members was present and that the meeting was open for any business property before it.

AGENDA ADJUSTMENTS

Ordinance No. 133—Addressing City Council
Ordinance No. 134—Code Enforcement Penalties

PUBLIC COMMENT

Judy Guye, 107 Sylvester Drive, stated that she was sorry that Danny Satterfield had resigned his seat. She also stated the reasons why she would like to fill the vacant First Ward Council seat.

John Zirbs, 102 Second Street, stated that there is too much crime in the streets. He believes that we need to have a neighborhood watch program. He said that he was recently on vacation and that there are businesses that would like to locate in Elkins.

Joe Sabatino stated that he has been an active member of the community of the City of Elkins with C-Hope, the Blues Festival, Riverside School and the skate park. Also, he would like to be considered a candidate for the vacant Fifth Ward Council seat.

Logan Smith, 2000 Livingston Avenue, stated that he would like to be considered a candidate for the First Ward Council seat. He moved back to Elkins to help restore his family's home, Scott Hill, and that he is very active with AmeriCorp. He was a friend of Councilman Beckwith and will miss him. If you have any questions, you can call him.

Margaret Kerr Beckwith, 136 Vector Avenue, read the letter of interest that she sent to each Councilperson. She would like to be appointed to the vacant First Ward Council seat.

INFORMATIONAL PRESENTATION

There was none.

CONSENT CALENDAR

Cm. Metheny, seconded by Cm. Broughton **MOVED COUNCIL APPROVE THE MINUTES OF THE MEETING OF OCTOBER 20, 2011.** The motion carried.

UNFINISHED BUSINESS

Selection of a 5th Ward Councilperson—Cm. Metheny, seconded by Cm. Woolwine **MOVED COUNCIL ENTER INTO EXECUTIVE SESSION TO DISCUSS THIS ITEM.** The motion carried. Executive Session began at 7:10 p.m. and the meeting resumed at 7:35 p.m. No Action was taken.

Cm. Metheny seconded by Cm. Broughton **MADE MOTION TO TABLE ITEM 7A.** The motion carried.

REGULAR COUNCIL MEETING

NOVEMBER 3, 2011

Cm. Scott, seconded by Cm. Broughton **MADE MOTION TO MEET THE CANDIDATES TUESDAY, NOVEMBER 8 AT 6:00 P.M. IN ROOM 212 ELKINS CITY HALL. THE MAYOR'S EXECUTIVE SECRETARY WILL SCHEDULE THE CANDIDATES TEN MINUTE EACH.** The motion carried.

ACTION ITEMS RELATED TO WATER PROJECT (OLD BUSINESS & NEW BUSINESS)

Cm Hensil, seconded by Cm Broughton, **MOVED COUNCIL APPROVE ORDINANCE #129 WITH REGARD TO THE WATERWORKS BOND ANTICIPATION NOTES, SERIES 2011A NOTES (the "Notes").** The motion carried.

Duke Talbott, Mayor, presided, and Bob Pingley, acted as Acting City Clerk. The Mayor announced the quorum of members was present and that the meeting was open for any business properly before it.

Thereupon, the Mayor then presented a proposed Series 2011 A Supplemental Resolution in writing entitled:

SUPPLEMENTAL RESOLUTION PROVIDING AS TO THE PRINCIPAL AMOUNT, DATE, MATURITY DATE, INTEREST RATE, INTEREST AND PRINCIPAL PAYMENT DATES AND OTHER TERMS OF THE WATERWORKS BOND ANTICIPATION NOTES, SERIES 2011A OF THE CITY OF ELKINS; AUTHORIZING AND APPROVING THE SALE AND DELIVERY OF SUCH NOTES TO THE OHIO VALLEY BANK COMPANY; AND MAKING OTHER PROVISIONS AS TO THE NOTES.

And caused the same to be read and there was discussion. Thereupon, upon motion duly made by Cm. Hensil and seconded by Cm. Broughton, it was unanimously ordered that the said Series 2011A Supplemental Resolution be adopted and be in full force and effect on and from the date hereof.

Cm. Metheny, seconded by Cm. Broughton **MOVED TO CONSIDER AND ACT ON FIRST DRAW RESOLUTION FOR THE NOTES.** The motion carried.

Cw Cuonzo, seconded by Cm Broughton, **MOVED COUNCIL ADOPT ORDINANCE 132 RESCINDING WATER RATE INCREASE ON SECOND AND FINAL READING.** The motion carried.

NEW BUSINESS

Cm Scott, seconded by Cm Woolwine, **MOVED COUNCIL ACCEPT THE RESIGNATION OF FIRST WARD COUNCILMAN ROBERT BECKWITH.** The motion carried. The same selection process will apply as that mentioned previously for 5th Ward.

Building Permit Discussion—The Rules and Ordinance Committee had received a request by the Operations Manager to lower the threshold of \$800 for building permits. He felt that all projects need building permits. Site work does not require a building permit. After much discussion it was decided that the issue needed to be returned to the Rules and Ordinance Committee for an objective standard. Also, it is necessary for everyone performing construction work within the City of Elkins to possess a Contractor's License.

Cm Broughton, seconded by Cm Hensil, **MOVED COUNCIL ACCEPT THE AGREEMENT BETWEEN THE WVDOH, GO-MART, AND THE CITY OF ELKINS IN REGARD TO THE TRAFFIC LIGHT AT THE INTERSECTION OF ROUTES 219/250 SOUTH AND WARD ROAD.** The motion carried.

Cm Scott, seconded by Cm Bibey, **MOVED COUNCIL APPROVE THE MEMO OF UNDERSTANDING BETWEEN THE CITY OF ELKINS AND THE RANDOLPH COUNTY CLERK'S OFFICE FOR EMERGENCY HOUSING.** The motion carried.

Cm Bibey, seconded by Cm Broughton, **MOVED COUNCIL APPROVE THE OUT OF TOWN TRAVEL FOR POLICE SECRETARY AND TERMINAL COORDINATOR/POLICE RECEPTIONIST TO ATTEND A 2-DAY TRAINING IN CHARLESTON, WV "MANAGING THE WV FREEDOM OF INFORMATION ACT FOR POLICE RECORDS" DECEMBER 7-8, 2011.** The motion carried.

Cw Cuonzo, seconded by Cm Hensil, **MOVED COUNCIL APPROVE THE PERSONNEL ACTION FOR JOSH CURRENCE FOR PLUMBER II STATUS & PAY.** The motion carried.

Cm Scott, seconded by Cw Bross-Fregonara, **MOVED COUNCIL ADOPT ORDINANCE 133 IN REGARD TO ADDRESSING COUNCIL, FIRST READING.** The motion carried.

Cw Bross-Fregonara, seconded by Cm Scott, **MOVED COUNCIL ADOPT ORDINANCE 134 IN REGARD TO CODE ENFORCEMENT PENALTIES, FIRST READING.** The motion carried.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cw Cuonzo, seconded by Cm Bibey, **MOVED COUNCIL APPROVE THE INVOICES PRESENTED.** The motion carried.

COMMITTEE REPORTS

BUILDING

Cm Woolwine, seconded by Cm Broughton, **MOVED COUNCIL GRANT PERMITS FOR THE 15 APPLICATIONS LISTED ON THE AGENDA. 10 WERE RESIDENTIAL IN NATURE, AND 6 WERE FOR COMMERCIAL. PERMIT 825 WAS DENIED BECAUSE IT VIOLATES SECTION 21-35 OF CITY CODE (SIDE YARD).** The motion carried.

| BUILDING PERMITS TO BE ACTED UPON | | | | |
|--|--------------------------------|--------------------------|--|-------------------|
| November 3, 2011 | | | | |
| PERMIT | APPLICANT | LOCATION | DESCRIPTION | VALUE |
| 821 | Welshonce, Jeffrey | 121 Buffalo St | Electrical Upgrade | \$ 3,000 |
| 822 | Arbuthnot, Christina | 102 Conaway Dr | Re-Roof | \$ 3,000 |
| 823 | Earle, Dick | 118 Mt View Dr | Remodel Bathroom | \$ 5,700 |
| 824 | Bender's | 314 Davis Av | Repointing Brick | \$ 4,200 |
| 825 | Cooper, Shirley | 504 Center St | Replacing Shed | \$ 550 |
| 826 | Randolph Co. Housing Authority | 115 - 125 Fourth St | Repair/Replace Facia/Gutter Back Porch | \$ 3,000 |
| 827 | Marrs, Mike | 1 Savannah St | Re- Roof | \$ 1,000 |
| 828 | Huffman, Edward & Kelly | 222 Sylvester Dr | Bathroom Remodel | \$ 3,326 |
| 829 | Liggette, Delores | 225 Evergreen Dr | Replace Garage Door | \$ 1,400 |
| 830 | Woodford Memorial Parsonage | 1423 S Henry Av | Roof over Porch | \$ 3,000 |
| 831 | Isbell, Joe (Jabberwok) | 122 Davis Av | Improve Store Front | \$ 1,000 |
| 832 | D & E College | Ice House | Re-Roof | \$ 23,108 |
| 833 | D & E College | 323 Harpertown Rd | Re-Roof | \$ 3,295 |
| 834 | Varchetto, Richard | 15 Spruce St | 256 Sq Ft Family Room Addition | \$ 18,000 |
| 835 | Jory & Smith Law Office | 10 S Randolph Av | Replacing 2 Windows & Siding on Front | \$ 7,000 |
| 836 | Barton, Glen | 1006 S Davis Av | 18 X 21 Carport with sides | \$ 3,030 |
| Permit No. 825 Denied because it violates Section 21-35 Side yard of the City of Elkins Code. | | | | |

REGULAR COUNCIL MEETING

NOVEMBER 3, 2011

STREET COMMITTEE

Meeting held yesterday. Leaf pickup is underway. All paving is complete. Christmas parade was approved. It will be held Friday, December 2, 2011 at 6:00 p.m.

WATER COMMITTEE

Cm Hensil said next meeting will be held Monday, November 7, 2011 at 4:00 p.m.

SANITATION/LANDFILL COMMITTEE

Cm Metheny said that the next meeting will be held Monday, November 14, 2011 at 5:30 p.m. He also mentioned that there is a requirement that the Landfill needs to be surveyed.

RULES AND ORDINANCES

Cm Scott said the next meeting will be held Tuesday, November 8 at 4:00 p.m.

MUNICIPAL PROPERTY

Cw Bross-Fregonara said committee will meet Wednesday November 30, 2011 at 7:00 p.m.

PERSONNEL

Cw Cuonzo said committee met on October 24 to discuss Clerk/Code Enforcement jobs. They invited Rich Clements to come again tomorrow November 4, 2011 at 1:30 p.m. to provide Council with his input on how he takes care of both jobs. This should put efficiency, cost effectiveness, and teeth in code enforcement.

PUBLIC SAFETY

No report. Cm Bibey said that next meeting will be changed to November 30 at 5:45 due to Thanksgiving.

ADMINISTRATIVE OFFICER REPORTS

OPERATIONS MANAGER

Leaf pickup ahead of schedule.
High Street Reservoir inspected and cleaned. There was one-quarter inch of sludge on bottom cleaned out.
Veteran's Day—Sanitation Department working on regular schedule.
Sanitation Department will be closed Monday of Thanksgiving Week (November 21, 2011)

TREASURER

Treasurer Daniels-Smith said that there is no report. When questioned about the Auditor's report, she said that the results should be back in less than two months.

POLICE

Chief of Police Rob White reported that Matthew Justin Sigley will graduate tomorrow. The Elkins Police Department now has a total of 10 officers. Brandon Tice has already been released to work alone.

FIRE CHIEF

Elkins Fire Department hosting WVU's Burn Trailer. Several Departments from all over the state were coming in to go through. Our newer officers all go through this trailer that simulates flashover/backdraft, etc.

MAYOR'S COMMENTS

The Mayor spoke briefly about the Recycling Report. He said that it has a lot of good ideas. The report must go through a couple of committees before it can be reviewed by the full Council.

OTHER BUSINESS

Cw Nanci Bross-Fregonara attended a celebration in Charleston to accept the \$160,000 Transportation Enhancement Grant for the Wees Historic District. She represented the City of Elkins and commended Carol Schuler and other members of the Historic Landmarks Commission who worked very hard on this grant application which will replace street lights with more historic lights, will do curb cuts, etc. The Governor mentioned Carol Schuler's project first. The Players included the Randolph County Commission, City of Elkins, Private Citizens, etc.

Cm. Metheny requested that we do something about the acoustics in the room. The Mayor will contact Judge Wilfong and the County Commission. Acting City Clerk and Operations Manager Bob Pingley will contact some architects about the same.

The meeting adjourned at 8:30 p.m.