

## ***Approved Minutes***

# **ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES**

***401 Davis Avenue  
Council Chamber, 2nd Floor  
July 21, 2016  
7:00 p.m.***

Elkins Common Council met in regular session in the council chamber of city hall. Present were Mayor Van T. Broughton; Councilpersons N. E. Bross-Fregonara, M. D. Cuonzo, R.P. Dusenbury, C. Friddle, III, C. L. Metheny, E.R. Ochsendorf, D.C. Parker, M. D. Scott, L.H. Vest and R. A. Woolwine; Police Chief C. Cross; City Treasurer T. Judy; Fire Chief T. W. Meader; Operations Manager R.P. Pingley; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter R. Adkins.

### **MINUTES**

Cm. Metheny, seconded by Cm. Friddle III, **MOVED APPROVAL OF THE MINUTES OF THE JULY 7, 2016 REGULAR COUNCIL MEETING.** The motion carried.

### **NEW BUSINESS**

Cw. Bross-Fregonara, seconded by, Cm. Woolwine. **MOVED APPROVAL OF RESOLUTION 921: APPROVING INVOICES RELATING TO THE WATER SYSTEM IMPROVEMENT PROJECT AND AUTHORIZING PAYMENT THEREOF.** The motion carried.

Cm. Woolwine, seconded by, Cm. Parker. **MOVED APPROVAL OF RESOLUTION 922: APPROVAL OF FISCAL YEAR 2017 LANDFILL BUDGET.** The motion carried.

Cw. Bross-Fregonara, seconded by, Cm. Scott. **MOVED APPROVAL OF RESOLUTION 923: ADOPTION OF AMENDMENTS TO THE CODE ENFORCEMENT PROTOCOL.** The motion carried.

Cw. Bross-Fregonara, seconded by, Cm. Ochsendorf. **MOVED APPROVAL OF RESOLUTION 924: ADOPTION OF AMENDMENTS TO THE RULES OF CITY COUNCIL.** Cm. Scott, seconded by, Cw. Bross-Fregonara **MOVED TO AMEND RESOLUTION 924 BY INSERTING ADDITIONAL LANGUAGE IN SECTION 4 (C) AS FOLLOWS, "ALL ELECTED OFFICIALS ARE PERMITTED TO BE INCLUDED IN ANY EXECUTIVE SESSION."** The motion to amend carried. The amended motion carried.

Cm. Metheny, seconded by, Cw. Bross-Fregonara. **MOVED APPROVAL OF RESOLUTION 925: APPOINTMENT OF M.J. DEJOICE TO THE LIBRARY BOARD OF TRUSTEES.** The motion carried.

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Cm. Woolwine, seconded by, Cm. Metheny. **MOVED APPROVAL OF RESOLUTION 926: BUDGET REVISION TO GENERAL FUND 2017.** In accordance with the requirements of the state auditor’s office for inter-departmental budget revisions, the chair ordered a roll-call vote. The clerk called the roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	C. Metheny	Yes	L.Vest	Yes
M. Cuonzo	Yes	G. Ochsendorf	Yes	R. Woolwine	Yes
R. Dusenbury	Yes	D. Parker	Yes		
C. Friddle III	Yes	M. Scott	Yes		

Cm. Woolwine, seconded by, Cm. Metheny. **MOVED APPROVAL OF RESOLUTION 927: BUDGET REVISION TO COAL SEVERANCE FUND 2017.** In accordance with the requirements of the state auditor’s office for inter-departmental budget revisions, the chair ordered a roll-call vote. The clerk called the roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	C. Metheny	Yes	L.Vest	Yes
M. Cuonzo	Yes	G. Ochsendorf	Yes	R. Woolwine	Yes
R. Dusenbury	Yes	D. Parker	Yes		
C. Friddle III	Yes	M. Scott	Yes		

Cw. Bross-Fregonara, seconded by, Cm. Parker. **MOVED APPROVAL OF ORDINANCE 215. READING 2 OF 2.** The motion carried.

Cm. Scott, seconded by, Cm. Dusenbury. **MOVED APPROVAL OF RESOLUTION 928: APPOINTMENT OF BOARD OF APPEALS UNDER THE INTERNATIONAL PROPERTY MAINTENANCE CODE.** The motion carried.

Cm. Scott, seconded by, Cw. Bross-Fregonara. **MOVED APPROVAL OF ORDINANCE 216: ON-SITE CITATIONS FOR CODE VIOLATIONS, A HOME RULE AUTHORITY. READING 1 OF 2.** The motion carried.

Cw. Bross-Fregonara, seconded by, Cm. Parker. **MOVED APPROVAL OF ORDINANCE 217: AMENDMENTS TO LANGUAGE WITHIN ORDINANCE 210 – NOISE ORDINANCE.** In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll-call vote after the voice vote was not unanimous. The clerk called the roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	C. Metheny	Yes	L.Vest	Yes
M. Cuonzo	Yes	G. Ochsendorf	Yes	R. Woolwine	Yes
R. Dusenbury	Yes	D. Parker	Yes		
C. Friddle III	Yes	M. Scott	Yes		

Cm. Woolwine, seconded by, Cm. Friddle III. **MOVED APPROVAL OF THE FOLLOWING REQUEST TO USE OR CLOSE CITY STREETS FOR SPECIAL EVENTS THAT HAVE BEEN APPROVED BY THE APPROPRIATE ADMINISTRATIVE OFFICERS PER THE CITY’S EVENTS PROTOCOL.**

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Elkins-Randolph County Chamber of Commerce Sunset Chase 5k on August 27, 2016, 5:00 p.m. to 9:00 p.m. The motion carried. Cm. Scott and Cm. Dusenbury abstained.

Cm. Scott, seconded by, Cm. Friddle III. **MOVED APPROVAL OF THE FOLLOWING REQUEST TO USE OR CLOSE CITY STREETS FOR SPECIAL EVENTS THAT HAVE BEEN APPROVED BY THE APPROPRIATE ADMINISTRATIVE OFFICERS PER THE CITY’S EVENTS PROTOCOL.**

Mountain State Forest Festival (all events within the City of Elkins), October 1, 2016, 7:00 a.m. through October 9, 2016, 12:00 a.m. The motion carried.

Council discussed the committee restructuring adopted in 2015. Cm. Scott expressed concern over the discrepancies between the current committee names and those that may be identified in the City Charter. He recommended the Rules and Ordinances Committee review the committee names and the Charter at the direction of committee chair Cw. Bross-Fregonara. Cw. Cuonzo also suggested the areas of authority for each committee be identified within the City’s organizational chart. Overall, Council is pleased with the number, size and scope of the current committees.

**APPROVAL OF VENDOR INVOICE PAYMENTS**

Council was presented with and reviewed the invoices approved on July 7, 2016 for the period June 14 – July 4, 2016.

Cm. Woolwine, seconded by Cm. Metheny, **MOVED APPROVAL OF THE INVOICES PRESENTED.** The motion carried.

The invoices in question were as specified on the following list, which is attached and made part of this record:

- Accounts Payable check transactions for the period July 5 – July 17, 2016.

**CORRESPONDENCE AND NOTIFICATIONS**

Council received the following correspondence and notifications:

- Issued building permits.

The following building permits have been issued since the previous regular council meeting.

<b>ISSUED BUILDING PERMITS</b>				
<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
160145	Harris, David & Brandi	120 Harpertown Rd.	Interior Remodel	20,000.00
160146	Chenoweth, Bobby	907 N Randolph Ave.	Replace 800 Sq Ft of Roof	3,000.00

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<b>ISSUED BUILDING PERMITS</b>				
<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
160147	McBride, Kasey & Amanda	623 North Ave.	6' Privacy Fence in Rear Yard	500.00
160148	Hankey, Hazel	149 Robert E Lee Ave.	Repair Stoop, Walk, Foundation Wall and Drains	10,000.00
160149	Brown, Patrick & Jenna	82 Oak Crest Dr	Install Concrete Basketball Court	11,000.00
160150	Metheny, Carman	100 Hanley St.	Replace Floor Joist And Plates	4,000.00
160151	Dibacco, Sandy	337 Grahaam St.	Repair Chemney & Roof at the Chemney	1,800.00
160152	Arbogast, William	129 Riverview Dr.	Install Metal Roof	6,000.00
160153	Breitinger, Robert	225 Sylvester Dr.	Install Smart Jacks & Sump Pump in Cral Space	33,558.00
160154	Harris, Ben & Michelle	1119 S. Kerens Ave.	Install New Vinyl Siding	753.00
160155	Linn, Vicki D.	413 Davis St.	Replace Roof	8,000.00
160156	Ware, Cheryl	5 N. Lincoln St.	Replace Roof	14,469.00
160157	Phares, Elihu	57 George St.	Reshingle Roof	8,740.00
160158	Lothes, Albert R.	118 Whisperwood Dr.	Room Addition(Pending Elevation Cert.)	10,000.00
160159	Jones, Grerri	101 Main St.	Remodel Kitchen	3,275.00
160160	Kelly, Charles	19-21 Fifth St.	Remove & Replace Porch Rails Ect.	16,350.00
160161	Bennett, Darren	100 Sunset Dr.	Replace Gutter & Downspouts	1,911.00
160162	Teter, Joy Lou	201 Whiteman Ave.	Replace Deck	2,499.00

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<b>ISSUED BUILDING PERMITS</b>				
<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
160163	Patella, Christopher	103 Sixteenth St.	Replace Windows	3,591.00
160164	Davis & Elkins College	Albert Hall	Install 12 Heat Pump Units	360,381.00
160165	Davis & Elkins College	Hermanson Center	Renovation of the Pitt	108,673.00

**COMMITTEE REPORTS**

**FINANCE:** Minutes were provided from the June 6, 2016 meeting.

**MUNICIPAL PROPERTIES:** Cm. Scott advised that the MOU with the Kump House was being reviewed and will be presented to the committee at their next meeting on August 24, 2016.

**PARKS:** Cm. Friddle announced the appointment of EPRC Assistant Park Director Josh Hinchman. Minutes were provided from the May 18, 2016 public meeting in addition to the May 18, 2016 and July 15, 2016 regular meetings. The Mayor added that the Operation Restoration concert held at the Events Center to aid flood victims attracted approximately 650 people and raised \$11,000.

**PERSONNEL:** Minutes were provided from the June 14, 2016 meeting.

**RULES AND ORDINANCES:** Cw. Bross-Fregonara expects a large agenda at their next meeting and invited all council members to attend. Cm. Dusenbury requested that "Cw. Scott" be amended to "Cm. Scott" within the minutes of June 10, 2016.

**ADMINISTRATIVE OFFICER REPORTS**

**OPERATIONS:** R. Pingley discussed progress on the water system improvement program and advised council regarding the public meeting held on July 0, 2016.

**TREASURER:** T. Judy presented a Treasurer's Report.

**POLICE:** No report was given.

**FIRE:** Chief Meader advised that the civil service process is complete and he will be presenting three candidates to the Mayor. He also requests that, if approved, the candidates appear at the August 4, 2016 council meeting for appointment and swearing in. Cm. Scott requested that the candidates resumes be provided to Council at that same time.

**MAYOR'S COMMENTS**

The Mayor reported that a new business will be moving into what was previously "Hopscotch" in downtown Elkins and that a second business is scouting a downtown storefront location.

Cm. Metheny, seconded by Cm. Woolwine, **MOVED ADJOURNMENT.** The motion carried.

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The meeting adjourned at 8:23 p.m.

*Approved by council at the meeting  
of August 4, 2016*

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Van T. Broughton, Mayor

*Attest:*

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Jessica R. Sutton, City Clerk