

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
December 1, 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 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; 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 M. Burdette.

Cw. N.E. Bross-Fregonara and Police Chief C. Cross were absent. Ptlm. C. Boatwright was present for a short time, but was called away.

PRESENTATION

Laura Ward - Senior Center and Country Roads Transit Director. Ms. Ward thanked Council for their support and asked that it continue.

MINUTES

Cm. Metheny, seconded by Cm. Ochsendorf, **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2016 MEETING.** The motion carried.

NEW BUSINESS

Cw. Cuonzo, seconded by, Cm. Dusenbury, **MOVED APPROVAL OF ORDINANCE 226: AMENDING ELKINS CITY CODE, CHAPTER 6: BUSINESS LICENSES, REGULATIONS AND TAXES, ARTICLE II: BUSINESS AND OCCUPATION TAX AND ORDINANCE 070. (1ST OF TWO READINGS).** The motion carried.

Cm. Scott, seconded by, Cm. Parker, **MOVED APPROVAL OF ORDINANCE 227: AMENDING ELKINS CITY CODE, ~~OFFENSE-MISCELLANEOUS~~, BY ADDING ARTICLE IV, NUISANCE PROPERTIES, SECTION 13-32 TO 13-33, REQUIREMENT TO SECURE VACANT OR OPEN BUILDINGS. (1ST OF TWO READINGS).** The motion carried.

Cm. Metheny, seconded by, Cm. Scott, **MOVED ENTERING INTO EXECUTIVE SESSION FOR THE PURPOSE OF ATTORNEY-CLIENT CONSULTATION CONCERNING VIOLATIONS OF CITY CODE AND ULTIMATE RESOLUTIONS.** The motion carried. The executive session began at 7:24 p.m. and ended at 7:40 p.m. The Chair announced that no action was taken.

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Cw. Cuonzo, seconded by, Cm. Scott, **MOVED APPROVAL OF ORDINANCE 228: ADOPTION OF THE CITY OF ELKINS ALCOHOL PROTOCOL. (1ST OF TWO READINGS).** The motion carried.

Cm. Woolwine, seconded by, Cm. Metheny, **MOVED ADOPTION OF RESOLUTION 973: APPOINTING A CITY CLERK AND ESTABLISHING THE AMOUNT OF ANNUAL COMPENSATION.** The motion carried.

Cm. Scott, seconded by, Cm. Parker, **MOVED APPROVAL OF RESOLUTION 974: ADOPTION OF A COUNCIL VACANCY PROTOCOL.** The motion carried.

Cm. Dusenbury, seconded by, Cw. Vest, **MOVED ADOPTION OF RESOLUTION 975: CITY OF ELKINS OPEN FISCAL YEAR BUDGET WORKSHOP.** Following council discussion, Cm. Parker **MOVED THE ITEM BE LAID ON THE TABLE.** The motion was lost for lack of a second. After further discussion, C. Dusenbury, seconded by Cm. Scott, **MOVED THE PREVIOUS QUESTION.** The motion carried. In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote. The clerk called roll in random order. The motion failed. Council votes were as follows:

N. Bross-Fregonara	Absent	C. Metheny	No	L. Vest	Yes
M. Cuonzo	No	G. Ochsendorf	No	R. Woolwine	No
R. Dusenbury	Yes	D. Parker	No		
C. Friddle III	No	M. Scott	Yes		

Cm. Woolwine, seconded by, Cm. Metheny, **MOVED APPROVAL OF RESOLUTION 976: AUTHORIZING CONDITIONS OF AGREEMENT BETWEEN HART SOLUTIONS, LLC AND THE CITY OF ELKINS, AND AUTHORIZING EXECUTION OF AGREEMENT.** The motion carried.

Cw. Cuonzo, seconded by, Cm. Ochsendorf, **MOVED APPROVAL OF THE FOLLOWING EVENTS WHICH HAVE BEEN APPROVED BY THE APPROPRIATE ADMINISTRATIVE OFFICERS PER THE CITY’S EVENTS PROTOCOL.** The motion carried.

- i. August 12, 2017, 10:00 am – 5:00 pm.; Augusta Festival food vendors.

Cm. Metheny, seconded by, Cm. Dusenbury, **MOVED ENTERING INTO EXECUTIVE SESSION FOR THE PURPOSE OF ATTORNEY-CLIENT CONSULTATION CONCERNING THE MAYOR AND THE TREASURER.** The motion carried. The executive session began at 8:19 pm and ended at 8:40 pm. The chair announced that no action was taken.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Woolwine, seconded by Cm. Parker, **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:

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- Accounts Payable check transactions for the period 11/16 – 11/28, 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.

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
160244	Gainer, John	132 Vector Ave.	Remove and Replace Roof Shingles	9,620.00
160245	Tingler, Freddie	69 S. Twelfth St.	Build Wash Bay Onto Existing Garage	20,000.00
160246	First Baptist Church	226 Evergreen Dr.	Crawlspace Remediation	1,600.00
160247	Legg Properties LLC	1002 Cole Ave.	Replace Failing Sewer Line From House to Street	3,000.00
160248	Morrall, Michael & Jennifer	105 Grandview Ave.	Upgrade Service Entrance	1,000.00
160249	Martin, Steve	1527 Taylor Ave.	Tinstall Metal Roof	3,000.00
160250	Jackson & Kaye, LLC	320-322 Davis Ave.	Recoat Roof	7,718.00
160251	Lambert, Patricia	1736 S Davis Ave.	Service Inspection	1,200.00
160252	Holland, Richard	Central School Bldg.	Install 3 Entry Doors and Locks Exterior Lighting & 2 Storage Walls	10,000.00
160253	Ross, Wilson	16 Henry Ave.	Remodel Bath	2,000.00
160254	Hutton, Bradford	45 George St.	Stairs on the Front of the House	2,000.00

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160255	Crawford, Dave	204 Sylvester Dr.	Roofing and Build Front Porch	40,000.00
160256	Karlen, Tom & Patricia	28 Diamond St.	Install Vinyl Siding	34,000.00
160257	Talkington, Dariel	1012 S Kerens Ave.	Gutter, Porch Railings and Fence	1,500.00
160258	Conklin, Tim	120 Sunset Dr.	Renovate Bathroom and Repair Floor	2,500.00
160259	Ryan, Richard	420 Center St	Remodel Kitchen	3,000.00
160260	Judy, Tracy	311 Scot Ford Rd	Install HVAC and Drywall	6,090.00
160261	Talbott, Kenneth Jr.	109 Mountain View Dr.	Deck on Rear of Home	13,500.00
160262	Metheny, Jerry & Wallace, James	100 Third St.	Remove the Aluminum Façade	11,498.00
160263	Sharp, Wanda	122 Heavner Ave.	Replace Shingles	5,950.00
160264	Jordan, Christina	20 Northview Dr.	Fence	4,000.00
160265	Legg Properties LLC	124 Third St.	Sign	2,100.00
160266	Scott, Kay	121 Robert E Lee Ave.	Driveway	1,000.00

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

Cm. Scott announced this would be the last meeting of common council he will attend. His resignation is effective December 31, 2016 so that he may assume his County Commission post. Cm. Scott expressed his gratitude and best wishes to the council.

The meeting adjourned at 8:47 p.m.

*Approved by council at the meeting
of MONTH DAY, YEAR*

Van T. Broughton, Mayor

Attest:

Jessica R. Sutton, City Clerk