

***Proposed Minutes***

**ELKINS COMMON COUNCIL  
REGULAR COUNCIL MEETING  
MINUTES**

***401 Davis Avenue  
Council Chamber, 2nd Floor  
March 2, 2017  
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.C. Lowther, C. L. Metheny, E.R. Ochsendorf, D.C. Parker, L.H. Vest and R. A. Woolwine; Police Chief J.C. Raffety; City Treasurer T. Judy; Fire Chief T. W. Meader; Operations Assistant M. Himes; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter M. Burdette.

Operation Manager R.P. Pingley was absent.

**MINUTES**

Cm. Metheny, seconded by Cm. Ochsendorf **MOVED APPROVAL OF THE MINUTES OF THE FEBRUARY 16, 2017 REGULAR MEETING.** The motion carried.

**NEW BUSINESS**

Cw. Bross-Fregonara seconded by, Cm. Woolwine, **MOVED BY TITLE ONLY APPROVAL OF ORDINANCE 230: ADDRESSING THE AUTHORITY WITH REGARD TO DISPOSITION OF MUNICIPAL PROPERTY (2<sup>ND</sup> AND FINAL READING).** 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 carried. Council votes were as follows:

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

Cw. Bross-Fregonara seconded by, Cm. Lowther, **MOVED BY TITLE ONLY APPROVAL OF ORDINANCE 231: EXEMPT THE CITY’S POLICE CIVIL SERVICE COMMISSION FROM THE PARTY AFFILIATION REQUIREMENT OF WEST VIRGINIA CODE §8-14-7 (2<sup>ND</sup> AND FINAL READING).** 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 carried. Council votes were as follows:

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

**Proposed Minutes**

Cw. Bross-Fregonara seconded by, Cw. Cuonzo, **MOVED BY TITLE ONLY APPROVAL OF ORDINANCE 232: EXEMPT THE CITY’S FIRE CIVIL SERVICE COMMISSION FROM THE PARTY AFFILIATION REQUIREMENT OF WEST VIRGINIA CODE §8-15-12 (2<sup>ND</sup> AND FINAL READING).** 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 carried. Council votes were as follows:

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

Cw. Bross-Fregonara seconded by, Cm. Parker, **MOVED BY TITLE ONLY APPROVAL OF ORDINANCE 233: EXEMPT THE ELKINS MUNICIPAL BUILDING COMMISSION FROM THE PARTY AFFILIATION REQUIREMENT OF WEST VIRGINIA CODE §8-33-3 (2<sup>ND</sup> AND FINAL READING).** 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 carried. Council votes were as follows:

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

Cw. Bross-Fregonara seconded by, Cm. Parker, **MOVED BY TITLE ONLY APPROVAL OF ORDINANCE 234: EXEMPT THE CITY’S ELECTION BOARDS (BALLOT COMMISSIONERS AND POLL WORKERS) FROM THE PARTY AFFILIATION REQUIREMENT OF WEST VIRGINIA CODE §3-1-29 AND §3-1-30 (2<sup>ND</sup> AND FINAL READING).** 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 carried. Council votes were as follows:

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

Council discussed the imposition of an ordinance regarding the distance between WVABCA License Holders and Churches and Schools. City Attorney G. Roberts reminded Council that they were granted Home Rule Authority to pass such an ordinance, eliminating the requirement for three hundred (300) feet, at their original application. Further, Cw. N. Bross-Fregonara, chair of the Rules and Ordinances Committee, advised that the committee was seeking input from council on whether they should proceed with this ordinance. After discussion, Cw. Bross-Fregonara announced that the Rules and Ordinances Committee would take a look at it.

Cm. Woolwine, seconded by, Cm. Metheny, **MOVED APPROVAL TO ENTER INTO EXECUTIVE SESSION FOR ATTORNEY-CLIENT PRIVILEGE IN REFERENCE TO FIRE FEES.** The motion carried.

## **Proposed Minutes**

Council entered executive session at 7:23 p.m. and returned at 7:57 p.m. The chair announced that no action was taken.

### **APPROVAL OF VENDOR INVOICE PAYMENTS**

Cm. Metheny, seconded by Cm. Ochsendorf, **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 Feb. 15 – Feb. 28, 2017.

### **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>
170037	Perry, Matthew	124 Boundary Ave.	Re-Wire	6,000.00
170038	Blumenfeld, Catherine	1204 S Henry Ave.	Tub-Shower Conversion	7,729.00
170039	Peck-Basil, Sarah	119 Riverview Dr.	Replace Tub, Surround	6,538.00
170040	Holland Enterprises LLC	Town Center Mall	HVAC, Electric & Plumbing	22,000.00
170041	Holland Enterprises LLC	Town Center Mall	Sign	800.00
170042	Anderson, Karen	1728 S Davis Ave.	Crawlspace Encapsulation	15,590.00
170043	Chidester, Chad	21 Main St.	Demolition	15,000.00
170044	Daley, Peter	404 Center St.	Electric Service	500.00
170045	Williams, Ronney	110 White Oak Ln.	Windows in Back Porch	1,600.00
170046	Kubichek, David	115 Mountain View Dr.	Privacy Fence	2,884.00
170047	Med Express	613 Randolph Ave.	Sign	2,750.00

**Proposed Minutes**

<b>ISSUED BUILDING PERMITS</b>				
<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
170048	Welshonce, Jeffrey	Lot 51 Heavner Acres	Electric Service	800.00
170049	Arbuthnot, Christina	102 Conaway Dr.	Enclose Back Porch & Replace Kit Cabinets	3,000.00
170050	Mallow, Michael	436 Wilson St.	Porch Roof & Window in Bath	2,000.00
170051	Sutton, Jessica	107 Elm St.	Drywall Bedroom	1,500.00
170052	Bailey, Jason	1080 Harrison Ave.	New Siding	8,000.00
170054	Tice, Alexander	41 Vine St.	16' X 16' Room Addition 256 Sq. Ft.	33,839.00
170055	Holiday Inn Express	50 Martin St.	Build a Pavilion in the Back of Building	30,000.00
170056	Corbin, Donald	114 White Oak Ln.	Re-Roof	7,242.00
170057	Aliveto, John	110 Riverview Dr.	Re-Roof	8,136.00

- The following events have been approved since the previous regular council meeting
  - Elkins Main Street welcome back celebration at the Dollar General Store, March 3, 2017, 5 p.m. to 7 p.m.

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

The meeting adjourned at 8:19 p.m.

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

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Van T. Broughton, Mayor

*Attest:*

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Jessica R. Sutton, City Clerk