

## ***Proposed Minutes***

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

***401 Davis Avenue  
Council Chamber, 2nd Floor  
October 19, 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 R.C. Chenoweth, M. D. Cuonzo, C. Friddle, III, M.M. Hazen, C. L. Metheny, E.R. Ochsendorf, D.C. Parker, and L.H. Vest; Police Chief G. Galloway; City Treasurer T. Judy; Fire Chief T. W. Meader; City Attorney G. S. Roberts; Operations Assistant M. Himes; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter T. McVean.

C.C. Lowther, R. A. Woolwine and Operations Manager R.P. Pingley were absent.

### **PUBLIC COMMENT**

Andy Mendleson of 32 High Street urged the City to work with the County Commission to prevent the recently announced closure of the Suddenlink office in Elkins. Mr. Mendleson also expressed his support for the proposed municipal sales tax, including what benefits a similar tax has produced for other municipalities. Finally, Mr. Mendleson thanked the City for taking care of the smell at the wastewater treatment facility near Riverbend Park.

Martha Metheny of 1700 Taylor Avenue is displeased with the proposed one-percent sales tax without seeing a plan of how that money will be spent. She believes it should directly benefit downtown business owners.

Robert Mullenex of 44 Sugar Run Road in Montrose is frustrated by the first due fire fees.

### **PRESENTATION**

Tina Hord Vial, President of the Randolph County Humane Society Board of Directors presented information from the organization's annual report.

### **MINUTES**

Cm. Ochsendorf **MOVED APPROVAL OF THE MINUTES OF THE SEPTEMBER 21, 2017.** The motion carried.

### **NEW BUSINESS**

Cw. Hazen **MOVED APPROVAL OF ORDINANCE 246: AMENDING CITY CODE CHAPTER 8, ARTICLE II, FIRE PREVENTION CODE (2<sup>ND</sup> AND FINAL READING).** The motion carried.

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Cw. Hazen **MOVED APPROVAL OF RESOLUTION 1062: ACCEPTING THE RETURN OF AND AUTHORIZING REIMBURSEMENT FOR TWO SURPLUS POLICE DEPARTMENT VEHICLES TO THE TOWN OF BEVERLY.** Cm. Chenoweth recused himself from the vote due to his law firm serving as general counsel for the Town of Beverly. The motion carried.

Cm. Parker **MOVED APPROVAL OF RESOLUTION 1063: AUTHORIZING RENEWAL OF LINE OF CREDIT WITH MOUNTAIN VALLEY BANK FOR FUNDING DEMOLITION.** The motion carried.

Cm. Ochsendorf **MOVED APPROVAL OF RESOLUTION 1064: APPROVING THE PROMOTION OF AND ESTABLISHING A NEW COMPENSATION LEVEL FOR G.L. BROWN AND M.J. SIGLEY.** The motion carried.

Cm. Ochsendorf **MOVED APPROVAL OF RESOLUTION 1065: AMENDING AND IMPLEMENTING POLICY CONCERNING SUPPLEMENTAL LONGEVITY PAY FOR POLICE OFFICERS.** The motion carried.

Cw. Hazen **MOVED APPROVAL OF RESOLUTION 1066: CITY OF ELKINS WATER SYSTEM IMPROVEMENTS PROJECT CHANGE ORDER NO. 4 TO CONTRACT NO. 4.** The motion carried.

Cw. Hazen **MOVED APPROVAL OF RESOLUTION 1067: CITY OF ELKINS WATER SYSTEM IMPROVEMENTS PROJECT CHANGE ORDER NO.7 TO CONTRACT NO.1.** The motion carried.

Cw. Cuonzo **MOVED APPROVAL OF RESOLUTION 1068: APPROVING INVOICES RELATING TO THE WATER SYSTEM IMPROVEMENTS PROJECT AND AUTHORIZING PAYMENT THEREOF.** The motion carried.

Cm. Metheny **MOVED APPROVAL OF RESOLUTION 1069: PARTIAL TERMINATION OF DEED COVENANT AND PARTIAL SURRENDER OF REVERSIONARY INTEREST FOR 911 CENTER PROPERTY.** Cm. Chenoweth recused himself from the vote due to his law firm serving as general counsel for the Elkins-Randolph Airport Authority. The motion carried.

Cm. Metheny **MOVED APPROVAL OF THE ADDRESS CHANGES ON THE WILSON LUMBER PROPERTY RECOMMENDED AND PRESENTED TO COUNCIL BY CITY CLERK J. SUTTON.** The motion carried.

Cm. Parker **MOVED APPROVAL OF THE ADDRESS CHANGES IN THE HIGHLAND PARK AREA RECOMMENDED AND PRESENTED TO COUNCIL BY CITY CLERK J. SUTTON.** The motion carried.

Cm. Friddle spoke to council regarding the proposed municipal sales tax. He believes the B&O tax to be regressive and hopes that implementation of a one-percent sales tax would eventually allow for the elimination of the B7O tax entirely, at least in the retail category. Cm. Friddle also reported that estimates show a generation of \$800,000 annually for the City with the implementation of a one-percent municipal sales tax.

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Treasurer T. Judy presented information on the FY2018 revenues and expenditures.

Cm. Chenoweth advised council that he is opposed to the municipal sales tax because he feels that it is contrary to the City's goal to foster downtown businesses. Cm. Chenoweth also advised that he has spoken to multiple downtown business owners who would like to know what the revenue will be spent on. Finally, Cm. Chenoweth reported that he would prefer to consider internal cuts in expenditures and annexation instead of a tax. Finally, Cm. Chenoweth advised that Cm. Lowther asked that he express his opposition to the municipal sales tax for similar reasons.

Cw. Cuonzo spoke in favor of the municipal sales tax, stating that municipalities are restricted in how they can generate revenue. She would like to see any new revenues used in part for downtown improvements, City Hall maintenance and increases in salaries for City employees. Finally, Cm. Cuonzo advised council that in her nearly ten years of service as a councilwoman she has never seen financial waste.

City Clerk J. Sutton provided information to council regarding what the sales tax is applied to, who must collect and submit the tax to the state and the fact that there are currently forty-two municipalities in West Virginia who has implemented a municipal sales tax. Finally, the Clerk reported to council that she has met with volunteers to help coordinate a sales tax open house with the purpose of education and solicitation of input from the public. The details will be provided as they are confirmed.

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

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 September 20 – October 17, 2017.

### **CORRESPONDENCE AND NOTIFICATIONS**

Council received the following correspondence and notifications:

- Issued building permits.
- Events
- Code Enforcement report
- FY 2017 annual report
- Treasurer's report

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

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<b>ISSUED BUILDING PERMITS</b>				
<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
170257	Wendy's	414 W Harrison Ave.	Exterior and Interior Remodel	150,000.00
170258	Mountain Valley Bank	317 Davis Ave.	Replace Entrance Doors	25,000.00
170259	Williams & Associates	427 Kerens Ave.	Install Metal Roof	15,000.00
170260	Iseli, Billie Joe	119 Vector Ave.	Roof	2,500.00
170261	Wyatt, Marguerite	46 Baxter St.	Install Insulation, Windows and Siding	700.00
170262	Barnhart, Donald	1109 S Henry Ave.	6' X 9' Deck	600.00
170263	Jordan, Bryan	116-1/2 First St.	Demolition of Balcony	2,900.00
170264	Bialek, Karen	201 Robin Hood LN	Replace Roof Shingles	7,254.00
170265	Vallelonga, John	301 Andrews St.	Replace Roof Shingles	6,244.00
170266	Kerns, Ruth & Robert	103 Southview Dr.	Replace Concrete Pad	2,000.00
170267	Hawse, Joyce	408 Central St.	Upgrade Electrical Service	1,200.00
170268	Curtis, James	206 White Oak LN	Replace Roof Shingles	6,600.00
170269	Mon Health	501 Railroad Ave.	New Vascular Clinic	
170270	Mama Mia's Pizza	121 Third St.	Outdoor lighting	400.00
170271	Holland Enterprises LLC	104 S Randolph Ave	Install Vinyl Siding	8,000.00
170272	Corley Jr., Hobert	50 Locust St	Remodel Bathroom	2,000.00
170273	Dasher, Brenda	103 Riverview Dr.	Replace Shingle Roof	10,300.00
170274	Thompson, Gary	916 W Central St.	Build Bathroom and Garage	17,000.00

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<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
<b>170275</b>	<b>Casseday, Larry</b>	<b>101 Ellis Ave.</b>	<b>Replace Shingle Roof</b>	<b>9,620.00</b>
<b>170276</b>	<b>Stewart, Margaret</b>	<b>101 Evans Dr.</b>	<b>Replace Shingle Roof</b>	<b>4,750.00</b>
<b>170277</b>	<b>Davis &amp; Elkins College</b>	<b>Boiler House Theater</b>	<b>Re-Roof</b>	<b>81,242.00</b>
<b>170278</b>	<b>Wendy's</b>	<b>1507 Harrison Ave.</b>	<b>Roofing New Addition</b>	<b>15,500.00</b>
<b>170279</b>	<b>Tingler, Kevin</b>	<b>149-1/2 Delaware Ave.</b>	<b>Electric Upgrade</b>	<b>1,000.00</b>

Cm. Metheny **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 8:23 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