

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
December 7, 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.C. Lowther, C. L. Metheny, E.R. Ochsendorf, D.C. Parker, L.H. Vest and R. A. Woolwine; Police Chief G. Galloway; 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 B. Johnson.

PUBLIC COMMENT

Ellen Shepherd - parent, teacher and resident, is concerned about the sales tax and how it will affect her students, most of whom have limited transportation and do most of their shopping downtown. If businesses close this will hurt her students as well as the school overall, as many of these businesses support Jennings Randolph through donations. Ms. Shepherd also believes that employees of the downtown businesses may be negatively affected. She cannot support a tax without knowing the specific and direct benefit it will bring to the community. She asked that council table to ordinance until they have a more definite plan of where the money will be spent.

Martha Metheny – resident and downtown property and business owner asked council to table the sales tax ordinance until they have a plan. She believes a lot of what she has seen and heard from council is all “smoke and mirrors”. She has reviewed the budgets and has concerns over the allocation of funds.

Kathy Vance – resident and business owner at 122 Second St. asks that council table the sales tax ordinance until there is a plan. Over the last year she has asked for budget workshops so that the public can be more involved in the budget process. The burden of the budget is on the residents. In FY2017 the City did business with twenty-five businesses outside of city limits that could be annexed in. The City is spending money at Wal-Mart when they could be spending this money at businesses inside the city limits.

Andres Kniffen – owner of Beander’s stated that she doesn’t know many of the council members or if they are business owners. Ms. Kniffen receives frequent requests for donations and she loves to help, especially where children are involved. However, it has become harder to do business and also harder to make these outside donations. Although she acknowledges the money she collects for the State sales tax is not hers, she uses it for the operation of her business prior to sending it to the state. She feels the extra one-percent tax will be a further burden to her business and her ability to contribute to outside causes.

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Dave Rao, resident of S. Henry Ave urges council to table to sales tax ordinance and take some time to think about it. He would also like to see Mayor Van Broughton come out one way or the other, to back it or not.

Joe Biola – Prospect St resident advised council that the Charleston paper recently reported five businesses closing in the Town Center Mall. This was on top of an earlier five businesses that have closed. Our businesses are our “Town Center Mall” and he can’t believe that city council wants to put another burden on them.

PRESENTATION

Mark Doak of the Downtown Business Owners reported that their informal group has been meeting since September 2016 for the purpose of discussing relevant issues and how they can help move businesses and Elkins forward. At their early meetings they identified themes which Mr. Doak presented in a handout to council and discussed further in his presentation.

Terry Carrington of the WV DEP Make It Shine program presented the City of Elkins with the West Virginia Rehabilitation Environmental Action Plan Clean Community Award for 2017. Elkins was one of eight communities to receive the award, which is based on volunteer engagement, volunteer hours, recycling efforts, youth programs, litter clean up and anti-dumping efforts. The Mayor accepted the award on behalf of the City.

MINUTES

Cm. Metheny **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 16, 2017 MEETING.** The motion carried.

NEW BUSINESS

Cm. Woolwine **MOVED APPROVAL OF ORDINANCE 247: AMENDING CITY CODE CHAPTER 6, BUSINESS LICENSES, REGULATIONS AND TAXES, SECTION 6.02, TAX ON CONSUMER AND ORDINANCE 180 (3RD AND FINAL READING).** The motion carried.

Cm. Woolwine **MOVED APPROVAL OF ORDINANCE 248: AMENDMENT TO THE ELKINS CITY CODE PROVIDING FOR THE REDUCTION OF BUSINESS & OCCUPATIONAL TAX AND IMPOSING CONSUMER SALES TAX (3RD AND FINAL READING).** Cm. Chenoweth **MOVED THE ITEM BE LAID ON THE TABLE.** 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 to table failed. Council votes were as follows:

R. Chenoweth	Yes	C. Lowther	Yes	L. Vest	Yes
M. Cuonzo	No	C. Metheny	No	R. Woolwine	No
C. Friddle III	No	G. Ochsendorf	No		
M. Hazen	No	D. Parker	No		

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Cm. Friddle III **MOVED THE PREVIOUS QUESTION.** In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote on the original motion. The clerk called roll in random order. The motion to stop debate and vote carried. Council votes were as follows:

R. Chenoweth	No	C. Lowther	No	L. Vest	No
M. Cuonzo	Yes	C. Metheny	Yes	R. Woolwine	Yes
C. Friddle III	Yes	G. Ochsendorf	Yes		
M. Hazen	Yes	D. Parker	Yes		

The Chair called for a vote on the previous question of Ordinance #248. In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote on the original motion. The clerk called roll in random order. The motion carried. Council votes were as follows:

R. Chenoweth	No	C. Lowther	No	L. Vest	No
M. Cuonzo	Yes	C. Metheny	Yes	R. Woolwine	Yes
C. Friddle III	Yes	G. Ochsendorf	Yes		
M. Hazen	Yes	D. Parker	Yes		

Cw. Cuonzo **MOVED APPROVAL OF RESOLUTION 1076: AUTHORIZING CITY TO ACT IN RELATION TO DOWNTOWN PARKING.** The motion carried.

Cm. Metheny **MOVED APPROVAL OF RESOLUTION 1077: APPROVING THE PROMOTION OF AND ESTABLISHING A NEW COMPENSATION LEVEL FOR T.C. BENNETT AND A.M. WYSHYVANUK.** The motion carried.

Cm. Parker **MOVED APPROVAL OF RESOLUTION 1078: REAPPOINTING SIDNEY GILLISPIE TO THE HOUSING AUTHORITY OF THE CITY OF ELKINS.** The motion carried.

Cw. Cuonzo **MOVED APPROVAL OF RESOLUTION 1079: CITY OF ELKINS WATER SYSTEMS IMPROVEMENT PROJECT CHANGE ORDER NO. 4 TO CONTRACT NO.2.** The motion carried.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Woolwine **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 November 15 – December 1, 2017.

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

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- Issued building permits.
- Events
- Home Rule annual report

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

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
170304	Randolph Co. Housing Authority	316 Railroad Ave.	Build Staircase, New Electric Service, Fire Service Line and Concrete pad	18,000.00
170305	Howell, Bruce	954 Harrison Ave.	Replace Windows	1,400.00
170306	Howell, Bruce	306,308 &310 Second St. 118 Henry Ave.	Replace Windows Repair Roof, Upg	6,000.00
170307	Watson, Gloria	126 Chestnut St.	Electric Service	1,000.00
170308	Mindel, Valerie	104 Vista Ave.	Remodel Sunroom, Windows and Heat	35,000.00
170309	Randolph Co. Child Advocacy	313 Henry Ave.	Relocate Bathroom and Kitchen	2,400.00
170310	Graziani, Philip	200 Elm St.	Re-Shingle Roof	10,436.00
170311	Summerfield Asset Management	1216 S Henry Ave.	Re-Shingle Roof	17,241.00
170312	Lothes, Charles	107 White Oak Ln.	Replace Wood Siding with Vinyl Siding	13,000.00
170313	George, Rebecca	1708 Lavalette Ave.	Vinyl Siding, Electrical Upgrade, Remodel Baths and Kitchen	15,000.00
170314	Realand LLC.	1710 Lavalette Ave.	New Vinyl Siding and Front Porch	3,500.00
170315	Coberly, Micheal	1117 S Kerens Ave.	Replace Roof Shingles, Soffit and Fascia	7,000.00
170316	Haynes, Stephanie	706 W Main St.	New Shower	3,500.00
170317	Hinchman, Michael & Sharon	116 White Oak LN	Replace Roof Shingles	14,960.00

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MAYOR'S COMMENTS

The Mayor thanked Fire Chief Tom Meader and his department on stepping up and doing a great job with the Christmas Lights. It took a lot of work and donations of time and expertise to repair them. The Mayor stated he will work with Fifth Ward council representatives and a committee to be sure this doesn't happen again.

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

The meeting adjourned at 8:04 p.m.

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

Van T. Broughton, Mayor

Attest:

Jessica R. Sutton, City Clerk