

REGULAR COUNCIL MEETING

January 19, 2012

Elkins Common Council met in regular session in the council chamber of city hall at 7:25 p.m. Thursday, January 19, 2012. Present were Mayor Duke Talbott; Councilpersons: J. S. Bibey, N. E. Bross-Fregonara, V. T. Broughton, M. D. Cuonzo, T. Z. Hensil, C. G. Kinnison, C. L. Metheny, J. J. Sabatino, M. D. Scott, and R. A. Woolwine; Operations Manager/Acting City Clerk R. P. Pingley, Deputy City Treasurer J. R. Chenoweth; Sr. Patrolman A. M. Channell; Fire Chief T. W. Meader; Executive Secretary L. M. Barrick taking minutes; City Attorney G. S. Roberts, and Inter-Mountain Reporter Anthony Gaynor. Treasurer L. D. Daniels-Smith and Police Chief Captain H. R. White, Jr. were absent.

AGENDA ADJUSTMENTS

The Mayor noted two agenda adjustments—a) Resolution Opposing Dismemberment of Randolph County for Congressional Reapportionment Purposes and b) Consideration of a contract with Burgess & Niple for engineering services for levee certification.

PUBLIC COMMENT

There was none.

INFORMATIONAL PRESENTATION

Greg Belcher of Chapman Technical Group has been working with accountant on the Cost of Service Study to be completed by the end of the month. Upon completion, next to the PSC, RUS/RCAP. Greg has been working with Treasurer Lisa Daniels-Smith and Joe Crickenberger of RCAP.

Included in packet is an Amendment to the Engineering Agreement. Mr. Belcher left it with the Mayor to be signed upon approval by Council.

CONSENT CALENDAR

Cm. Metheny, seconded by Cm. Sabatino, **MOVED COUNCIL APPROVE THE MINUTES OF THE MEETING OF JANUARY 5, 2012.** The motion carried.

NEW BUSINESS

Elkins Planning Commission Discussion and Action—Cw. Bross-Fregonara would like to bring back the Planning Commission. State Code says that the Planning Commission should have 7 members that are long-term residents. She feels it would be very beneficial in working with OnTrac, RCDA, on street lights, bricks, etc. This could be an opportunity where dialog could take place. She would also like to see Rules & Ordinances move forward and a Comprehensive Plan be developed for the City of Elkins. Mayor Duke Talbott said that he would be glad to meet with the Planning Commission or to form an *ad hoc* committee to make recommendations. Cm. Metheny and Cw. Bross-Fregonara recommended that the City Council meet with the Planning Commission. Cm. Hensil mentioned that some of the members of the Planning Commission may no longer want to serve. Mayor Talbott offered to poll the members to see if they are still interested in serving and to set up a meeting between them and City Council. Cm. Broughton suggested that they meet monthly. City Attorney Roberts said that State Code states that the Planning Commission should meet at least quarterly.

Cm. Woolwine, seconded by Cm. Sabatino, **MOVED COUNCIL APPROVE THE SECOND READING OF ORDINANCE 139 FIRE SERVICE FEE.** The motion carried. There was some discussion on the fire contracts for those who live outside of the city limits. The Mayor asked the City Attorney to research Fire Contracts for those living outside city limits. Cm. Scott offered to take this up in Rules and Ordinances. Cm. Metheny, seconded by Cm. Broughton, **MOVED TO CLOSE DISCUSSION.** The motion to close discussion carried. Ordinance 139 carried.

Cm. Scott, seconded by Cm. Sabatino, **MOVED COUNCIL APPROVE THE SECOND READING OF ORDINANCE 140 AMENDING CHAPTER 5, SECTION 5-31 THROUGH 5-37, REGARDING ADOPTION OF THE INTERNATIONAL BUILDING CODE AND THE STATE OF WEST VIRGINIA BUILDING CODE.** The motion carried.

NEW BUSINESS

Cm. Hensil, seconded by Cm. Broughton, **MOVED COUNCIL AUTHORIZE THE CLOSURE OF THE TREASURER'S OFFICE AND THE MAYOR'S OFFICE ON TUESDAY, FEBRUARY 14, 2012 FOR AUDITOR'S BUDGET PREPARATION AND FRAUD/EMBEZZLEMENT PREVENTION AND DETECTION REGIONAL WORKSHOP.** The motion carried.

Cm. Metheny, seconded by Cm. Broughton, **MOVED COUNCIL APPROVE THE MEMORANDUM OF UNDERSTANDING FOR THE MAYOR AND TREASURER'S OFFICES EMERGENCY OPERATION AT THE AIRPORT.** The motion carried.

Cm. Hensil, seconded by Cm. Broughton, **MOVED COUNCIL APPROVE THE AMENDMENT NO. 1 TO THE CITY OF ELKINS/CHAPMAN TECHNICAL GROUP AGREEMENT FOR THE WATER SYSTEM IMPROVEMENTS PROJECT.** The motion carried.

Cm. Hensil, seconded by Cm. Broughton, **MOVED COUNCIL APPROVE REQUISITION/RESOLUTION 291 APPROVING INVOICE TO MCNEER, HIGHLAND, MCMUNN, AND VARNER FOR SIEMENS CONTRACT IN THE AMOUNT OF \$2,248.00.** The motion carried.

Cm. Scott, seconded by Cm. Metheny, **MOVED COUNCIL TABLE THE APPOINTMENT OF JOANNA MCKAY TO THE ELKINS HISTORIC LANDMARKS COMMISSION.** The motion carried.

Cm. Hensil, seconded by Cm. Broughton, **MOVED COUNCIL APPROVE THE PROPOSAL FOR THE LEASE PURCHASE FOR A NEW STREET SWEEPER.** The motion carried. Contract must be changed in order to be signed by the Mayor.

The Mayor recessed the meeting at 8:50 p.m. Meeting reconvened at 8:58 p.m.

Cm. Scott, seconded by Cm. Broughton, **MOVED COUNCIL APPROVE AUTHORIZATION FOR EMPLOYEE UNITED WAY PAYROLL DEDUCTIONS.** The motion carried.

Cm. Scott, seconded by Cw. Bross-Fregonara, **MOVED COUNCIL APPROVE RESOLUTION 289 AUTHORIZING TWO-YEAR GRACE PERIOD FOR B & O TAXES.** The motion carried.

Cm. Scott, seconded by Cw. Cuonzo, **MOVED COUNCIL APPROVE RESOLUTION 290 OPPOSING DISMEMBERMENT OF RANDOLPH COUNTY FOR CONGRESSIONAL REAPPORTIONMENT PURPOSES.** The motion carried.

Cm. Scott, seconded by Cm. Metheny, **MOVED COUNCIL APPROVE CONSIDERATION OF A CONTRACT WITH BURGESS & NIPLE FOR ENGINEERING SERVICES FOR LEVEE CERTIFICATION.** The motion carried.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Woolwine, seconded by Cm. Broughton, **MOVED COUNCIL APPROVE THE INVOICES PRESENTED.** The motion carried.

COMMITTEE REPORTS

BUILDING

Cm. Sabatino, seconded by Cm Scott, **MOVED COUNCIL GRANT PERMITS FOR THE NINE APPLICATIONS LISTED ON THE AGENDA.** The motion carried.

BUILDING PERMITS TO BE ACTED UPON				
January 19, 2012				
PERMIT	APPLICANT	LOCATION	DESCRIPTION	VALUE
867	Williams, Dan	120 Grandview Dr	Remodel Kitchen and Bath	\$ 16,000
868	KBAR LLC	14 Baxter St	Flooring, Bathroom & Kitchen Remodel	\$ 5,000
869	Golden China (Christine Lin)	412 Kerens Av	Install Metal Roof	\$ 26,000
870	Jones, Phil	114 3rd St	Install Metal Around Windows	\$ 1,200
871	Hight, Ron	411 Central St	Electrical Upgrade	\$ 2,000
872	Beckwith, Marie	1120 S. Henry Av	Window Replacement	\$ 4,361
873	Jones, Anita & Greg	218 Graham St	Remodel Laundry Room	\$ 1,700
874	Singleton, Tom	207 Alexander Av	Remodel Kitchen & New Electric Service	\$ 10,000
875	Rich Mountain Properties	1426 Lavalette Av	Repair/Replace Metal Roof	\$ 1,200

PUBLIC SAFETY

Next meeting is January 25, 2012 at 5:45. Police Chief Captain H. R. White, Jr. provided committee with a listing of Ranking Testing & Promotions information. A couple of officers are ready to move up.

PERSONNEL

There are six solid applicants for the vacant City Clerk position. Interviews will begin Friday, January 27, 2012.

MUNICIPAL PROPERTY

Minutes of last meeting were provided in packets. Next meeting is tentatively February 22, 2012 (January 25 in case there is an action item). A Phase I Environmental Study may need to be done at the 11th Street Property.

RULES AND ORDINANCES

Committee is currently working on Nuisance Ordinance which would give enforcement powers to the Code Enforcement Officer. Next Meeting changed from February 14 to February 7 at 4:00 p.m.

SANITATION AND LANDFILL

Minutes of last meeting are included in packets. Larry Riggleman is working on closure plan. The Committee met with two companies that want to use the landfill—one to utilize, the other to mine.

WATER

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Next meeting. First Monday of February (2/6/12) at 3:30 p.m.

PARKS

Public Comment Meeting usually held at City Hall in January or February. Committee planning on holding the meeting this year in March. Update on Geese at next Council meeting.

FINANCE

Special Call Finance Committee Meeting January 24, 2012 at 3:00 for Budget Preparation talks.

STREETS

Next meeting February 1, 2012 at 1:00 p.m. Looking at reconditioning old street sweeper for backup.

ADMINISTRATIVE OFFICER REPORTS

OPERATIONS MANAGER

Operations Manager Bob Pingley reported that the Street Department has been using the good weather to trim trees, shrubs, and brush at right-of-ways. This must be done as this material is tearing up the City's trucks.

The Tree Board will provide 22 new trees. The City will remove the old trees and plant the new ones. The planting will begin in March or April 2012.

Wastewater Treatment Plant—The plant is now up to the maximum daily of 48,000 gallons of leachate which is more capacity than the landfill is currently producing daily.

Water Distribution—Department must go out at night and listen on lines to find any possible leaks in the lines. Night is the best time to perform this duty as it is the most quiet time. Current lost water best guesstimate is in excess of 30%.

TREASURER

Deputy Treasurer Joyce Chenoweth reported that Treasurer Lisa Daniels-Smith and Utility Billing Manager Carolyn Dolly arrived safely in Portland, Oregon for their Springbrook training. They had their training on Monday through Wednesday. They should arrive home sometime tonight—delays due to bad weather. Treasurer Lisa Daniels-Smith told Deputy Treasurer Joyce Chenoweth that their training was very beneficial and should solve some of our problems.

POLICE

Senior Patrolman A. M. Channell had no report.

FIRE CHIEF

Fire Chief T. W. Meader reported that the Volunteer Firemen purchased \$69,000.00 in equipment, payments, etc. during the past year. The paid staff has been working with the Fire Marshall's Office at all local schools assisting with annual inspections.

MAYOR'S COMMENTS

State Auditor's Exit Interview will be held in Council Chambers Monday, January 23, 2012 at 10:30 a.m. There will be ten or eleven issues to address and no gallery questions will be answered. The forum will be set up like it has been in the past when the Randolph County Commissioners have attended City Council. All Councilpersons are encouraged to attend.

Auditor's Regional Training Workshops—All Councilpersons and Administrative Officers are encouraged to attend. Contact Lucinda to register. Carpool arrangements may be available.

Chamber of Commerce Appointments—The Elkins-Randolph County Chamber of Commerce has confirmed the appointments of Donnie Pritt to the Police Civil Service Commission Board and John Gainer to the Firemen's Civil Service Board.

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Congratulations to Chief Meader and the Elkins Fire Department for their quick response in extinguishing a fire at the Wood Tech Center.

Crow Problem—USDA APHIS—The problem in the area is minimal at this time. Not enough to justify contract per Chris Croston of the U.S.D.A.

OTHER BUSINESS

Cm. Metheny asked about the contractor in Morgantown who was to check on the acoustics in Council Chambers. Operations Manager Bob Pingley said that the contractor, Electronic Specialty Company, should be in Council Chambers on Monday, January 23, 2012 at 10:00 a.m. to see what they can do to solve the problem.

The meeting adjourned at 9:50 p.m.