

# ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

*401 Davis Avenue  
Council Chamber, 2nd Floor  
April 5, 2012  
7:00 p.m.*

Elkins Common Council met in regular session in the council chamber of city hall at 7:00 p.m. Thursday, April 5, 2012. Present were Mayor Duke Talbott; Councilpersons: J. S. Bibey, N. E. Bross-Fregonara, V. T. Broughton, T. Z. Hensil, C. G. Kinnison, C. L. Metheny, J. J. Sabatino, M. D. Scott, and R. A. Woolwine; Operations Manager R. Pingley; Treasurer L. D. Daniels-Smith; EPD First Sergeant E.R. Canfield; Fire Chief T. W. Meader; City Clerk S.R. Stokes; City Attorney G. S. Roberts, and Inter-Mountain Reporter Anthony Gaynor. Cw. M. D. Cuonzo and Police Chief Captain H. R. White, Jr. were absent.

## AGENDA ADJUSTMENTS

- a) Travel request for Patrolman Tice to attend Criminal Patrol/Drug Interdiction training in Summersville, West Virginia, June 7-8, 2012.
- b) Proposal to reschedule the next regular council meeting from 7 p.m. on April 19, 2012 to 7 p.m. on April 17, 2012 (the state-mandated date of the special council meeting for laying the levy).
- c) Resolution 322, authorizing application to the West Virginia Division of Justice and Community Services for \$22,000 of Justice Assistance funding for fiscal year 2012/2013, to be used for the support of Women's Aid in Crisis.

Mayor Talbott explained that, because agenda adjustment "c" was added later than 48 hours before tonight's meeting, council must vote whether to add it to tonight's agenda. Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADD AGENDA ADJUSTMENT "C" TO TONIGHT'S AGENDA.** The motion carried.

## PUBLIC COMMENT

There was none.

## CONSENT CALENDAR

Cm. Metheny, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE MEETING OF MARCH 15, 2012.** The motion carried.

Cm. Metheny, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE MEETING OF MARCH 26, 2012.** Cm. Woolwine, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL AMEND THE MOTION TO REQUIRE THE CORRECTION OF A CLERICAL ERROR.** (On the roll-call vote to approve the FY 2013 Coal Severance Budget, the votes of Cm. Hensil, Cm. Metheny, and Cm. Woolwine had erroneously been recorded as "no" and should be changed to "yes.") The motion to amend carried. The motion to approve the minutes as corrected carried.

## OLD BUSINESS

There was none.

## NEW BUSINESS

Cm. Woolwine, seconded by Cm. Scott, **MOVED THAT COUNCIL APPROVE RESOLUTION 321, AUTHORIZING BUDGET REVISION 8, WHICH TRANSFERS FUNDS FROM “POLICE SPECIAL DUTY” TO “POLICE DEPARTMENT.”** The chair requested a roll-call vote. The motion carried. Council votes were as follows:

|                       |        |                |     |
|-----------------------|--------|----------------|-----|
| J. S. Bibey           | Yes    | C. G. Kinnison | Yes |
| N. E. Bross-Fregonara | Yes    | C.L. Metheny   | Yes |
| V. T. Broughton       | Yes    | J. J. Sabatino | Yes |
| M. D. Cuonzo          | Absent | M. D. Scott    | Yes |
| T. Z. Hensil          | Yes    | R. A. Woolwine | Yes |

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL APPROVE THE PROMOTION OF SECOND LIEUTENANT S.D. RICHARDS TO FIRST LIEUTENANT, RETROACTIVE TO MARCH 26, 2012.** The motion carried.

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL APPROVE THE PROMOTION OF FIRST SERGEANT E.R. CANFIELD TO SECOND LIEUTENANT, RETROACTIVE TO MARCH 26, 2012.** The motion carried.

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL APPROVE THE PROMOTION OF CORPORAL S.R. JUDY TO SERGEANT, RETROACTIVE TO MARCH 26, 2012.** The motion carried.

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL APPROVE THE PROMOTION OF PATROLMAN A.M. CHANNELL TO CORPORAL, RETROACTIVE TO MARCH 26, 2012.** The motion carried.

Cm. Hensil, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE RESOLUTION 316, AUTHORIZING PAYMENT OF WATER-PROJECT INVOICES.** The motion carried.

Cw. Bross-Fregonara, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE RESOLUTION 317, AUTHORIZING APPLICATION TO THE OFFICE OF ECONOMIC OPPORTUNITY FOR APPROXIMATELY \$40,000 IN EMERGENCY SHELTERS GRANT PROGRAM FUNDING FOR FY 2013, TO BE USED FOR THE SUPPORT OF WOMEN’S AID IN CRISIS.** The motion carried.

Cm. Hensil, seconded by Cm. Kinnison, **MOVED THAT COUNCIL APPROVE RESOLUTION 318, AUTHORIZING APPLICATION TO THE OFFICE OF ECONOMIC OPPORTUNITY FOR \$26,370.13 IN EMERGENCY SHELTERS GRANT PROGRAM FUNDING FOR FY 2013, TO BE USED FOR THE SUPPORT OF THE RANDOLPH COUNTY HOMELESS SHELTER.** The motion carried.

Cw. Bross-Fregonara, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE RESOLUTION 319, AUTHORIZING CHANGE ORDER NO. 1 FOR THE CITY HALL STORM WINDOWS PROJECT.** The motion carried.

Cw. Bross-Fregonara, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE RESOLUTION 320, AUTHORIZING PAY APPLICATION NO. 1 FOR THE CITY HALL STORM WINDOWS PROJECT.** The motion carried.

Cm. Metheny, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE THE REQUEST FROM THE MOUNTAIN STATE FOREST FESTIVAL FOR ENDORSEMENT OF AN APPLICATION FOR A TEN DAY FAIR AND FESTIVAL ABC LICENSE FOR THIS FALL’S FOREST FESTIVAL.** The motion carried.

Cw. Bross-Fregonara, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE A TRAVEL REQUEST FOR PATROLMAN TICE TO ATTEND CRIMINAL PATROL/DRUG INTERDICTION TRAINING IN SUMMERSVILLE, WEST VIRGINIA, JUNE 7-8, 2012.** The motion carried.

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL RESCHEDULE ITS NEXT REGULAR COUNCIL MEETING FROM 7 P.M. ON APRIL 19, 2012 TO 7 P.M. ON APRIL 17, 2012 (THE STATE-MANDATED DATE OF THE SPECIAL COUNCIL MEETING FOR LAYING THE LEVY).** The motion carried.

Cm. Metheny, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE RESOLUTION 322, AUTHORIZING APPLICATION TO THE WEST VIRGINIA DIVISION OF JUSTICE AND COMMUNITY SERVICES FOR \$22,000 OF JUSTICE ASSISTANCE FUNDING FOR FISCAL YEAR 2012/2013, TO BE USED FOR THE SUPPORT OF WOMEN'S AID IN CRISIS.** The motion carried.

## APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Scott, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL APPROVE THE INVOICES PRESENTED.** The motion carried.

## COMMITTEE REPORTS

### Building Committee

Cm. Sabatino, seconded by Cm. Woolwine, **MOVED THAT COUNCIL GRANT BUILDING PERMITS FOR THE APPLICATIONS LISTED ON THE AGENDA, INCLUDING CONDITIONAL APPROVALS OF PERMITS 941, 945, AND 947 PENDING PRESENTATION OF CONTRACTOR LICENSES.** The motion carried.

| <b>BUILDING PERMITS TO BE ACTED UPON</b> |                                 |                         |  |              |
|--|---------------------------------|-------------------------|--|--------------|
| <b>April 5, 2012</b>                     |                                 |                         |  |              |
| <b>Permit</b>                            | <b>Applicant</b>                | <b>Location</b>         | <b>Description</b>   | <b>Value</b> |
| 932                                      | Randolph Co. Probation Building | Randolph Ave. 2nd Floor | Interior: Remodel Offices  | \$15,000     |
| 933                                      | Collett, Kim R.                 | 520 Davis St.           | Wrap, Windows, Vinyl siding, Soffit, Fascia<br>Remove old 8 X 10 Porch | \$20,000     |
| 934                                      | Marrs, Mike                     | 1 Savannah St.          | Replace Siding with Vinyl, Install new Bathroom, Extend Porch Roof     | \$6,000      |
| 935                                      | Stokes, Erika                   | 117 Grandiew Dr.        | Install Fence  | \$1,400      |
| 936                                      | Rosenberger, Dean & Ann Maria   | 301 Marro Drive         | Tub to Shower Conversion   | \$8,395      |
| 937                                      | Holland Ent.-Richard Holland    | 213 Fourth Street       | Replace Six Windows & 2 Closets, HVAC                                  | \$7,500      |
| 938                                      | Gay, Mary Ann                   | 204 Alexander Ave.      | 400 Sq. Ft. Room Addition  | \$49,000     |
| 939                                      | Howell, John                    | 126 Delaware Ave.       | New 200 Amp Electrical Service   | \$1,095      |
| 940                                      | Metheny, Carman & Sylvia        | 100 1/2 Hanley St.      | Remodel Kitchen  | \$8,000      |
| 941                                      | Daft, Tony                      | 120 Third Street        | Interior Remodel   | \$6,500      |

| <b>BUILDING PERMITS TO BE ACTED UPON</b> |                                  |                     |   |              |
|--|----------------------------------|---------------------|---|--------------|
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| <b>Permit</b>                            | <b>Applicant</b>                 | <b>Location</b>     | <b>Description</b>                                | <b>Value</b> |
| 942                                      | Daft, Tony                       | 120 Third Street    | Re-Roof   | \$6,800      |
| 943                                      | Howell, Jane                     | 126 Delaware Ave.   | New Siding and Replace Windows                    | \$8,000      |
| 944                                      | Nestor, Thomas                   | 2 Kerns Hill        | Remodel and Rework house from Existing Foundation | \$431,256    |
| 945                                      | Fretwell, Richard                | 118 Riverview Drive | 10' X 12' Storage Building                        | \$4,200      |
| Com 02-12                                | Down Town Returns Inc. (Tribble) | 122 Third Street    | Remodel   | \$80,000     |
| 946                                      | *****VOID*****                   |                     |   |              |
| 947                                      | Miller, John                     | 1408 Harrison Ave   | 504 SQ.FT. Addition 21' X 24'                     | \$22,400     |
| 948                                      | Triplett, John                   | 109 Chestnut St.    | Siding, Soffit and Fascia                         | \$12,000     |
| 949                                      | Wyatt, Terry W. & Rosalind G.    | 107 Evans Drive     | Install Air Conditioning                          | \$4,444      |

#### **Sanitation and Landfill Committee**

Cm. Metheny announced that the next meeting would be postponed to April 16 at 5:30 p.m.

#### **Water Committee**

No report.

#### **Parks Committee**

No report.

#### **Finance Committee**

Cm. Woolwine reported that the FY 2013 budget submission was unconditionally accepted by the state auditor's office.

#### **Street Committee**

No report.

#### **Rules and Ordinances Committee**

Cm. Scott announced that the next meeting would be postponed to April 17 at 4 p.m.

#### **Municipal Property Committee**

No report.

#### **Personnel Committee**

No report.

**Public Safety Committee**

Cm. Bibey discussed the need to perform fire-hydrant flushing and testing to achieve a higher ISO rating.

**ADMINISTRATIVE OFFICER REPORTS**

**Operations Manager**

Operations Manager Pingley reported on various activities, including the operational status of the new street sweeper (no tickets will be issued until May); the ongoing removal of old trees downtown; ongoing progress on the Randolph Avenue water line project; and storm-window installation on city hall. Spring Clean-Up is April 16-27.

**Treasurer**

Treasurer Daniels-Smith reported that the West Virginia Lottery has confirmed that it will be correcting its \$11,500 underpayment to the city.

**Police Chief**

No report.

**Fire Chief**

Chief Meader reported that the state fire inspector's inspection has begun and the city will receive results in a few weeks. He also described plans for fire-hydrant testing and flushing.

**MAYOR'S COMMENTS**

Mayor Talbott reported on his attendance at the Main Street conference in Baltimore and advised that he would be making recommendations to ON TRAC/Main Street. He said that ON TRAC/Main Street would make an informational presentation based on the conference in early May.

The mayor requested council assistance in identifying additional prospective members of the 911 Addressing Committee.

The mayor also requested council assistance in identifying prospective members of the Planning Commission and the Board of Zoning Appeals.

**OTHER BUSINESS**

There was no other business.

The meeting adjourned at 8:07 p.m.

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