

Approved Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

*401 Davis Avenue
Council Chamber, 2nd Floor
May 17, 2012
7:00 p.m.*

Elkins Common Council met in regular session in the council chamber of city hall at 7:05 p.m. Thursday, May 17, 2012. Present were Mayor Duke Talbott; Councilpersons: J. S. Bibey, N. E. Bross-Fregonara, V. T. Broughton, M. D. Cuonzo, T. Z. Hensil, J. J. Sabatino, M. D. Scott, and R. A. Woolwine; Operations Manager R. P. Pingley; Treasurer L. D. Daniels-Smith; Police Captain H. R. White, Jr.; Fire Chief T. W. Meader; Executive Secretary L. M. Barrick; City Attorney G. S. Roberts; and Inter-Mountain Reporter Anthony Gaynor. Absent were Cm. C. G. Kinnison, Cm. C. L. Metheney, and City Clerk S. R. Stokes.

AGENDA ADJUSTMENTS

- a. Annexation zoning ordinances; second and final reading.
- b. Mountain States Street Machines event.
- c. Executive session: personnel matter.

PUBLIC COMMENT

Mike House requested to address Council about a matter that was not on the agenda. No member objected. Mr. House addressed some of the problems in Elkins and expressed his desire to work with Council in an attempt to correct the problems.

INFORMATIONAL PRESENTATION

Chapman Technical Group—Engineer Greg Belcher addressed Council to provide an update on the status of the new Water Treatment Plant.

CONSENT CALENDAR

Cm. Broughton, seconded by Cm. Woolwine, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE MEETING OF MAY 3, 2012.**

OLD BUSINESS

There was none.

Approved Minutes

NEW BUSINESS

Cm. Broughton, seconded by Cm. Woolwine, **MOVED TO APPROVE RESOLUTION NO. 328 REGARDING DESIGNATED AREAS FOR TEXTING AND CELL PHONE USE.** The motion carried.

Cm. Scott, seconded by Cm. Woolwine, **MOVED TO ACCEPT THE RULES AND REGULATIONS OF THE FIREMEN'S CIVIL SERVICE COMMISSION.** Cm. Hensil, seconded by Cm. Woolwine, **MOVED TO AMEND THE MOTION BY DELETING THE RANK STRUCTURE AND PAY SCALE.** The motion to amend carried. The motion as amended carried.

Cw. Bross-Fregonara, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE A MOTION TO RESTART THE PLANNING COMMISSION JULY 1, 2012.** The motion carried.

Cm. Hensil, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE RESOLUTION 330, APPROVING INVOICES RELATED TO PRE-CONSTRUCTION ACTIVITIES AND OTHER SERVICES FOR THE PROPOSED WATER PROJECT AND AUTHORIZING PAYMENT THEREOF.** The motion carried.

Cm. Broughton, seconded by Cm. Sabatino, **MOVED THAT COUNCIL APPROVE THE REQUEST OF THE RANDOLPH COUNTY CANCER SUPPORT GROUP TO HOLD AN ANNUAL 3-MILE WALK/5-MILE RUN.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 141 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 92-1 AS THE LAW OFFICES OF WALLACE, ROSS, AND HARRIS ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 142 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 92-2 AS THE MOUNTAIN SCHOOL ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 143 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 94-5 AS THE ELKINS REGIONAL CONVALESCENT CENTER ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 144 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 97-12 AS BRIDGEWATER ESTATES ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 145 AUTHORIZING ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 082 AS THE DAVIS TRUST COMPANY, BEVERLY PIKE BRANCH ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 146 AUTHORIZING ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 085 AS COLONIAL ESTATES, LLC. ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 147 AUTHORIZING ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 096 AS A SUBDIVISION KNOWN AS HIGHLAND MEADOWS ON THE SECOND AND FINAL READING.** The motion carried.

Approved Minutes

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 148 AUTHORIZING ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 101 AS DAVIS HEALTH SYSTEM'S DIRECT CARE FACILITY ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 149 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 106 AS THE ELKINS SERVICE CENTER OF ALLEGHENY POWER ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 150 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 115 AS PART OF THE H. G. KUMP PROPERTY ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 151 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 116 AS THE RANDOLPH COUNTY BOARD OF EDUCATION—MIDLAND PROPERTY ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 152 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 117 AS KENNEDY STREET IN HIGHLAND PARK, A PORTION OF THE W. VA. SECONDARY ROUTE 1/7, AND TWO PARCELS THAT MAKE UP THE NORTH SCHOOL PROPERTY (OR NORTH ELEMENTARY SCHOOL AND CONNECTING STREETS, ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE ORDINANCE 153 AUTHORIZING THE ZONING OF THE ANNEXED AREA DESCRIBED IN ORDINANCE 118 AS A ONE-BLOCK SECTION OF HARRISON AVENUE, ALL OF NATHAN STREET, THE THIRD WARD SCHOOL PROPERTY, AND A PORTION OF A CLOSED ALLEY ADJACENT TO THE SCHOOL ON THE SECOND AND FINAL READING.** The motion carried.

Cm. Broughton, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE THE MOUNTAIN STATE STREET MACHINES EVENT SCHEDULED FOR JUNE 29, 2012.** The motion carried.

Cm. Scott, seconded by Cm. Woolwine, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER.** The motion carried. The executive session began at 8:15 p.m. and ended at 8:40 p.m. Mayor Talbott noted that no action was taken.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Sabatino, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE THE VENDOR INVOICE PAYMENTS PRESENTED.** The motion carried.

COMMITTEE REPORTS

Building Committee

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

Approved Minutes

BUILDING PERMITS TO BE ACTED UPON				
May 17, 2012				
Permit	Applicant	Location	Description	Value
984	Crowley, Jim and Wilma	116 Wilton Ave.	Installing a tub, wall, fixtures and doors	\$7,182
985	Varner, Julia	113 Spruce St.	Install 4' fence to property line	\$2,850
986	Jones, Ray	611 B West Main St.	Drywall patching, paint & install door	\$4,000
987	Wright, Daniel	1309 S Henry Ave.	Portable storage building	\$1,850
988	McQuain, Johanna	502 Center St.	Replace wood fence with vinyl and install new fence between 502 & 500 center street	\$1,400
989	Vision Worship Center	1612 Lavalette Ave.	Rewire, replace hvac and remodel interior	\$25,000
990	Fry, Chris	201 Center Street	Repair front porch floor and handrail	\$1,700
991	Gallagher, John	127 High Street	9' X 12' shed	\$800
992	Wright, Daniel	1309 S Henry Ave.	Re-roof and gutter	\$10,600
993	Cragg, Timothy S.	123 Guy St.	Privacy fence	\$800
994	Church of God	1402 Taylor Ave.	Cover 7 windows with drywall and finish, install french door	\$2,000
995	Randolph Co. Board of Education	100 Kennedy Dr.	Construction of a new concession stand	\$27,500

Approved Minutes

996	Stokes, Erika	117 Grandiew Dr.	Partition around furnace area of basement	\$1,500
997	Phillips, Beth	111 Riverview Dr.	Remodel bathrooms	\$2,000
998	VOID	VOID	VOID	
Sign 01-12	Advanced Hearing Solutions, INC,	307 Eleventh Street	8' X 9' sign	\$3,000
999	Mersing, Dwaine	61 George Street	Renovate existing bathroom	\$7,000
1000	Holland Ent.-Richard Holland	800 West Central	HVAC	\$9,000
1001	Halle, Shane	1101 S. Henry Ave.	Remodel interior	\$2,800
1002	Otterbein U. M. Church	1100 South Davis Ave.	Working on the church steeple	\$2,500
1003	E.P.R.C.	Elkins City Park	Repair soffit, fascia & gutter, remove floor tile in restrooms	\$7,240
1004	Hartel, Paul	211 Bridgewater Dr.	Replacing section of siding	\$3,000
1005	Wetzel, Forest	80 Pleasant Ave.	Concrete floor in garage, repair steps, roof over deck	\$3,500
1006	Neal, Patty	515 Central	Storage building	\$250

Sanitation and Landfill Committee

No report.

Water Committee

No report.

Parks Committee

Cm. Broughton thanked Council for their contribution for the new restrooms. In addition, the Parks Commission has received a \$4,000 grant, a \$10,000 contribution from the County Commission, Neil Smith will be donating

Approved Minutes

equipment and labor in the amount of \$10,000, an anonymous donor contributed bathroom fixtures in the amount of \$6,000-\$8,000, and Central Supply discounted the price of blocks and concrete. Cm. Broughton thanked the Street Department for their help. Also, Youth Build will begin working on the restrooms Monday, May 21, 2012.

Finance Committee

There will be a meeting on May 23, 2012 for Final Budget Revisions. This memo was sent to the administrative officers and each will have an appointed time.

Street Committee

No report.

Rules and Ordinances Committee

Cm. Scott reported that the committee is working on Vacant Structure Protocol for Code Enforcement. The Rules and Ordinance Committee is also working on Standard Council Procedures (an addendum to Code) on how meetings are conducted. The next meeting is June 12 at 4:00 p.m.

Municipal Property Committee

Next meeting May 23 at 7:00 p.m.

Personnel Committee

Next meeting June 14 at 4:00 p.m.

Public Safety Committee

Next meeting May 23, 2012 at 5:45 p.m.

ADMINISTRATIVE OFFICER REPORTS

Operations Manager

Operations Manager Bob Pingley reported that the Randolph Avenue water line is going well. In regard to wastewater, this time of year downpours overpower system. The Phase I Control Plan will help, probably by next year. Street Department—New crosswalk on Fourth Street. The City is hoping to get a Transportation Enhancement Grant or other grants to get more of these crosswalks for the City. The crosswalk took only three to three and a half hours to complete, better skid resistance than asphalt, cheaper than concrete, and easier to maintain. Snowplows should not be an issue. City Hall—glass for Council Chamber windows should be in soon and Maintenance Supervisor B. Curtis is looking for air conditioners that can be used in Council Chambers.

Treasurer

In the Management Team Meeting, all administrative officers were in agreement with state purchasing card and debit and credit cards for customer payments. Also, Treasurer's Office is working on a grant for air conditioning for their office.

Police Chief

Chris Boatwright will be the City Police Department's new Patrolman. He will begin working on May 28, 2012. He will be attending academy beginning June 11, 2012. Police Chief Captain H. R. White also noted that the

Approved Minutes

department still needs two more officers. There was a question about the cameras that the Chief donated to the Parks. The Chief had donated a night vision camera to the Parks the whereabouts of which is unknown.

Fire Chief

No Report.

MAYOR'S COMMENTS

Appointment of Entry-Level Police Officer

Mayor Talbott advised council that Chris Boatwright had been hired as the City's new police officer. An additional two officers are needed. A Police Civil Service Test has been scheduled for June 2, 2012 to get a new eligibles list.

Protocol for Code Enforcement Officer

The Management Team addressed the issue and last Tuesday there was a meeting with the City Attorney to determine legal parameters. The Management Team will develop a rough draft of how ordinances can be administered. That draft will be submitted to appropriate committees for recommendation before a final draft is given to Council for review.

Protocol for Approval and Administration of Runs, Parades, and Street Fairs

Mayor Talbott reported on a growing number of requests for these activities. He expressed major concerns in regard to safety, overtime paid, and no formal process for approvals. There is also an issue of insurance liability. The Management Team is acting as a task force to come up with a process for approval. Their recommendations will be sent to appropriate committees and full Council for action.

Sharing Council Chambers with Supervisors

Mayor Talbott advised that the Operations Manager needs to have a place for supervisors to have Springbrook access to oversee their budgets. The Mayor also noted that the Supervisors will have a better chance of staying within their budgets if they have a voice in budget preparation. No one objected to Supervisors using the computer in the Council Offices.

OTHER BUSINESS

Cm. Broughton reminded Council of the On-Trac Bicycle Parade and Street Fair beginning at 10:00 a.m. on Saturday.

Cw. Bross-Fregonara encouraged all to attend the Arts Center Exhibit "The Way We Worked".

Parking for residents in apartment building on 4th Street was discussed. This matter was addressed previously in the Street Committee Meeting. The Mayor has already called and spoken to the building owner.

The meeting adjourned at 9:15 p.m.

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