

**ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

*401 Davis Avenue
Council Chamber, 2nd Floor
June 21, 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, June 21, 2012. Present were Mayor Duke Talbott; Councilpersons: M. D. Cuonzo, T. Z. Hensil, C. G. Kinnison, C. L. Metheny, M. D. Scott, and R. A. Woolwine; Operations Manager R. Pingley; Treasurer L. D. Daniels-Smith; Police Chief Captain H. R. White, Jr.; Fire Chief T. W. Meader; City Clerk S.R. Stokes; City Attorney G. S. Roberts; and Inter-Mountain Reporter Anthony Gaynor. Absent were Councilpersons J. S. Bibey, N. E. Bross-Fregonara, V. T. Broughton, and J. J. Sabatino.

AGENDA ADJUSTMENTS

Resolution authorizing pro rata share of expenditure for feasibility study for National Guard Armory in Elkins.

PUBLIC HEARINGS

Water Rate Increase

The public hearing concerning Ordinance 154, a water rate increase, began at 7:06 p.m.

No one requested to address council.

The hearing closed at 7:07 p.m.

Sewer Rate Increase

The public hearing concerning Ordinance 155, a sewer rate increase, began at 7:07 p.m.

At Mayor Talbott's request, Operations Manager Pingley and Treasurer Daniels-Smith presented background information on the terms of a 2011 settlement between the city of Elkins and the U.S. Environmental Protection Agency concerning violations of the federal Clean Water Act that occurred during the 1990s and early 2000s. Joe Chabut, owner of Elkins Truck Service, requested to address council and objected to passage of the ordinance. No one else requested to address council.

The hearing closed at 7:17 p.m.

INFORMATIONAL PRESENTATION

Karen Carper, the Elkins ON TRAC/Main Street liaison, presented information about ON TRAC/Main Street's activities to date and plans for this year.

PUBLIC COMMENT

There was none.

CONSENT CALENDAR

Cm. Metheny, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE MEETING OF JUNE 7, 2012.** The motion carried.

UNFINISHED BUSINESS

Cm. Hensil, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE ORDINANCE 154, A WATER-RATE INCREASE, ON SECOND AND FINAL READING.** The motion carried.

Cw. Cuonzo, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE ORDINANCE 155, A SEWER-RATE INCREASE, ON SECOND AND FINAL READING.** At the mayor's request, Operations Manager Pingley explained that, until the city is able to offer separate storm-water connections, no sewage customer will be charged for failure to segregate storm-water run-off. The motion carried.

Cm. Scott, seconded by Cm. Metheny, **MOVED THAT COUNCIL APPROVE ORDINANCE 156, WHICH ZONES A PREVIOUSLY ANNEXED SECTION OF NORTH RANDOLPH AVENUE AS "C-COMMERCIAL," ON SECOND AND FINAL READING.** The motion carried.

Cm. Scott, seconded by Cm. Woolwine, **MOVED THAT COUNCIL APPROVE ORDINANCE 157, WHICH ZONES THE PREVIOUSLY ANNEXED WILSON LANE, AS "B-RESIDENTIAL," ON SECOND AND FINAL READING.** The motion carried.

City Clerk Stokes presented the interim report of the 911 Committee.

NEW BUSINESS

Cw. Cuonzo, seconded by Cm. Woolwine, **MOVED THAT COUNCIL ADOPT RESOLUTION 343, AUTHORIZING APPLICATION FOR MUNICIPAL TREE RESTORATION GRANT PROGRAM FUNDS.** The motion passed.

Cm. Metheny, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE ORDINANCE 158, WHICH ZONES THE PREVIOUSLY ANNEXED SITE OF THE FORMER WASTEWATER RETENTION PONDS NEAR WILSON LANE, AS “B-RESIDENTIAL,” ON FIRST READING. The motion carried.**

Cm. Woolwine, seconded by Cm. Metheny, **MOVED THAT COUNCIL ADOPT RESOLUTION 344, AUTHORIZING A PAY ADJUSTMENT FOR CHIEF MUNICIPAL JUDGE THOMAS PRITT. The motion carried.**

Cm. Woolwine, seconded by Cm. Metheny, **MOVED THAT COUNCIL ADOPT RESOLUTION 345, AUTHORIZING A PAY ADJUSTMENT FOR MUNICIPAL JUDGE DAVID L. CRAWFORD. The motion carried.**

Cm. Metheny, seconded by Cm. Scott, **MOVED THAT COUNCIL ADOPT RESOLUTION 346, AUTHORIZING A PAY ADJUSTMENT FOR FIRE CHIEF THOMAS W. MEADER. The motion carried.**

Cm. Metheny, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL GRANT PERMISSION TO CLOSE RIVER STREET FOR THE RIVERSIDE BLUES FEST. THE STREET WILL BE CLOSED FROM THE ALLEY ACCESS ON KERENS AVENUE TO THE BLUE HOUSE THAT BORDERS THE VACANT LOT ACROSS THE STREET FROM RIVERSIDE SCHOOL ON JULY 21, 8 A.M.-11 P.M. The motion carried.**

Cm. Scott, seconded by Cm. Metheny, **MOVED THAT COUNCIL GRANT PERMISSION TO CLOSE BOUNDARY AVENUE FOR A NEIGHBORHOOD BLOCK PARTY. The street will be closed between Earle Street and Guy Street on July 8, 5 p.m.-8 p.m. The motion carried.**

Cm. Metheny, seconded by Cm. Woolwine, **MOVED THAT COUNCIL APPROVE RESOLUTION 347, AUTHORIZING PAYMENT OF A PRO-RATA SHARE IN THE COST OF A FEASIBILITY STUDY ON THE WEST VIRGINIA NATIONAL GUARD ARMORY IN ELKINS. Cw. Cuonzo, seconded by Cm. Metheny, **MOVED TO AMEND THE RESOLUTION TO AUTHORIZE PARTICIPATION WITHOUT AUTHORIZING PAYMENT OF A PRO-RATA SHARE. The motion to amend carried. The amended motion carried.****

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Kinnison, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE THE INVOICES PRESENTED. The motion carried.**

COMMITTEE REPORTS

Building Committee

Cm. Woolwine, seconded by Cm. Kinnison, **MOVED THAT COUNCIL GRANT BUILDING PERMITS FOR THE APPLICATIONS PRESENTED. The motion carried.**

BUILDING PERMITS TO BE ACTED UPON				
June 21, 2012				
Permit	Applicant	Location	Description	Value
1021	Herron, Micheal J..	1104 South Kerns Ave.	Replace roof shingles	\$6,000
1022	Corrick, Bob	324 Central Street	Metal roof	\$9,000
1023	Earl, Dick	118 Mountain View Drive	Metal roof	\$8,000
1024	Collier, Dollena M.	165 Delaware Ave	Replacing existing deck	\$800
1025	Kyle, Phil	115 Orchard St.	Replace furnace	\$4,500
Com-07-12	D&E College Hermanson Center	Hermanson Center Arts Department	7-1/2 ton hot/cold water chiller	\$40,000
Com-08-12	D&E College	Roxanna Booth Hall	Replacing water & sewer lines, installing new toilets and showers, ceramic tile	\$275,000
1026	Ogden, Matt	213 Cherokee St.	10' x 12' portable storage building	\$500
1027	Randolph Co. Housing Authority	117-1/2 4th St. Apt. 117-1/2	Paint, patch, repair walls, ceilings, floors, new toilet, tub, vanity and replace counter tops	\$9,000
1028	Shiflett, Ronald & Artie	432 Wilson Street	Install tub wall and fixtures	\$5,775
1029	Amorese, Shannon	317 Main Street	Remodel kitchen, hardwood flooring and temporary fence	\$2,500
1030	McCollam, Leslie	220 Davis Street	Wood privacy fence	\$900
1031	Ahern, Dean	221 Second Street	Siding on dormer	\$800

1032	Shoulders Anna	626 Yokum St.	Remodel, convert covered porch into bathroom	\$11,725
1033	Kittle, Beth	1715 S Davis	Replace dining room ceiling	\$1,600
1034	Fisher, Jim	40 Cherry Street	Gutters	\$1,400

Sanitation and Landfill Committee

At the request of Cm. Metheny, Operations Manager Pingley reported that the city has until July 25th to inform the Public Service Commission of the planned disposition of the landfill. He said he had provided this information to the party that was considering purchasing the landfill.

Water Committee

No report.

Parks Committee

No report.

Finance Committee

No report.

Street Committee

Cm. Kinnison reported that the committee's next meeting has been postponed to July 11.

Rules and Ordinances Committee

Cm. Scott reported that recodification work has uncovered resolutions and ordinances that are missing original signatures. He will report further as work proceeds. A discussion of possible approaches to vacant and condemned properties followed.

Municipal Property Committee

No report.

Personnel Committee

No report.

Public Safety Committee

No report.

ADMINISTRATIVE OFFICER REPORTS

Operations Manager

Operations Manager Pingley reported on the progress of the Randolph Avenue water-line-replacement project and street patching efforts. The storm windows project is complete. The company that installed the demonstration crosswalk at Railroad and 4th streets estimates a cost of \$123,000 for installing four similar crosswalks at each of six additional downtown intersections.

Treasurer

Treasurer Daniels-Smith reported on progress toward adopting state purchasing cards.

Police Chief

Chief White reported on progress equipping two new police cars.

Fire Chief

No report.

MAYOR'S COMMENTS

Water Rationing

Mayor Talbott advised council of the need to establish a committee that would set water-rationing priorities to be implemented in the event of a catastrophic failure of the city's water-treatment plant.

Software Passwords

The mayor reported that attempts to obtain passwords to pre-2008 financial records from former city employees had been unsuccessful. However, with the assistance of a computer technician, city employees have now bypassed those passwords and gained access to those records.

Update on Planning Commission

The mayor told council that he estimates that he will be able to present a slate of nominees for the planning commission to council at the meeting of July 5.

Code Enforcement and Events Protocols

The mayor reported that work is proceeding on the code enforcement and events protocols and that both should be in review by the appropriate committees soon.

Arts and Culture Economic Impact

The mayor presented findings on the value of arts and cultural activities from a study performed by Americans for the Arts and Helianthus LLC, entitled *Arts and Economic Prosperity IV*.

Council Offices

The mayor and council discussed how best to provide after-hours access to council offices for council members.

Flower-Planting

The mayor thanked the volunteers who planted flowers in city tree boxes.

OTHER BUSINESS

There was no other business.

The meeting adjourned at 9:25 p.m.

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