

***Approved Minutes***

**ELKINS COMMON COUNCIL  
REGULAR COUNCIL MEETING  
MINUTES**

*401 Davis Avenue  
Council Chamber, 2nd Floor  
August 2, 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, August 2, 2012. Present were Mayor Duke Talbott; Councilpersons: 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; Treasurer L. D. Daniels-Smith; Lieutenant R. Canfield (police department); City Clerk S.R. Stokes; City Attorney G. S. Roberts; and Inter-Mountain Reporter Anthony Gaynor. Absent were: Cm. J. S. Bibey, Cw. N. E. Bross-Fregonara, Operations Manager R. Pingley, Fire Chief T. W. Meader, and Police Chief Captain H. R. White, Jr.

**AGENDA ADJUSTMENTS**

Request for endorsement of Brewstel’s application for one-day special-event WVABCA license.

**PUBLIC COMMENT**

There was none.

**INFORMATIONAL PRESENTATION**

City Clerk Stokes presented a report from the Elkins 911 Committee.

**CONSENT CALENDAR**

Cw. Cuonzo, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE MEETING OF JULY 19, 2012. The motion carried.**

**UNFINISHED BUSINESS**

There was none.

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**NEW BUSINESS**

Cm. Hensil, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE A REQUEST FROM TIM POWELL, PROPRIETOR OF BREWSTEL, FOR ENDORSEMENT OF HIS APPLICATION FOR A ONE-DAY SPECIAL-EVENT WVABCA LICENSE.** The motion carried.

Cm. Metheny, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 355, ACCEPTING THE CONDITIONS OF AND AUTHORIZING THE MAYOR TO EXECUTE A PURDUE PHARMA ASSET FORFEITURE FUNDS GRANT PROGRAM CONTRACT FOR AN AWARD OF \$15,000 (PROJECT 12P-IBR-02).** The motion carried.

Cm. Metheny, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 356, ACCEPTING THE CONDITIONS OF AND AUTHORIZING THE MAYOR TO SIGN A PURDUE PHARMA ASSET FORFEITURE FUNDS GRANT PROGRAM CONTRACT FOR AN AWARD OF \$19,357 (PROJECT 12P-PDI-20).** The motion carried.

Cw. Cuonzo, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 357, ACCEPTING THE CONDITIONS OF AND AUTHORIZING THE MAYOR TO EXECUTE A GOVERNOR'S COMMUNITY PARTICIPATION GRANT PROGRAM CONTRACT FOR AN AWARD OF \$4,000 (PROJECT NO. 12LEDA0584).** The motion carried.

Cm. Scott, seconded by Cm. Metheny, **MOVED THAT COUNCIL ADOPT RESOLUTION 358, AUTHORIZING THE PAYMENT OF A SHARE OF \$3,000 OF THE COST OF THE NATIONAL GUARD ARMORY FEASIBILITY STUDY.** The mayor said that the winning proposal, by Alpha Associates, was available for review in the mayor's office. The motion carried.

Cm. Hensil, seconded by Cm. Broughton, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION TO DISCUSS A LEGAL MATTER RELATED TO 911 MAPPING AND ADDRESSING.** The motion carried. The executive session began at 7:38 p.m. and ended at 8:07 p.m. The mayor announced that no decisions were made and no actions were taken. Cm. Scott, seconded by Cm. Broughton, **MOVED THAT COUNCIL AUTHORIZE THE CITY ATTORNEY TO MOVE FORWARD ON THE LEGAL MATTER RELATED TO 911 MAPPING AND ADDRESSING.** The motion carried.

Cm. Hensil, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 354, ADOPTING AND IMPLEMENTING AN EVENTS PROTOCOL.** The motion carried. (The adopted protocol is incorporated into these minutes, below.)

**Approved Minutes****Events Protocol As Adopted by Council under Resolution 354, August 2, 2012**

**City of Elkins  
Events Protocol  
Presented to council August 2, 2012**

Persons, groups, or organizations who want to hold Runs/Walks/Ride-Ins/Block Parties and related events in the City of Elkins that utilize City streets or City facilities must do the following:

- 1) Request an event application form from the Mayor's Office.
- 2) Submit the completed application to the Mayor's Office at least two months in advance of the proposed event. The date of the request will be noted by the Mayor's Executive Secretary in a log kept for the purpose. Events will be scheduled on a first-come/first-served basis.
- 3) In the application, provide the name of the contact person and an alternate contact person, their telephone numbers, organization represented, address, date of the event, route for the event, certification of insurance naming the City as an additional insured, and any other relevant information. (Under special circumstances, the Mayor may recommend that council waive the insurance requirement.) Any requests for assistance from the Police Department, Fire Department, or Street Department must be detailed in full. All safety measures must be described in the request. The City reserves the right to implement additional safety measures if warranted.
- 4) Information, especially the route for event and safety measures to be followed, will be reviewed by the Police Chief, Fire Chief, and Operations Manager. If the request is recommended for approval by the Police Chief, Fire Chief, and the Operations Manager, it will be forwarded to the Mayor's Office for final consideration. If additional information or planning is required the applicant will be notified by the Mayor's office.
- 5) If the request involves use of City Park facilities, it will also be referred to the Parks and Recreation Director before consideration by the Mayor. (Note: Good alternatives to City Streets for walks and runs are the Riverbend/Glendale walking trail--1.5 miles--and the Allegheny Rail Trail. Whenever possible, groups are encouraged to use these alternatives. Contact the Parks Office for reservations at 304-636-3960. The Davis and Elkins College cross-country trail is also a possibility. Contact the Athletic Director at the College.)
- 6) If the request involves street closures, it will be referred by the Mayor to the Street Committee for a recommendation. If the Street Committee recommends approval, it will be returned to the Mayor's office for referral to Council for final action. If the Street Committee does not recommend approval, at the option of the Chair of the Street Committee, it will be returned to the Mayor's office to remedy any deficiencies or for referral to the full Council for final action as a non-recommended request.
- 7) Once the approval process is complete, the Mayor's Office will contact the person making the request and notify them of the approval. The date, place, and time of event will be recorded so that it will not conflict with other events planned for the City.
- 8) The Mayor's office will provide final information to the Operations Department, Police Department, Fire Department, and City Council.
- 9) The approval of the event request is subject to cancellation by the City, with or without notice and without liability whatever, for any reason found appropriate by the City.

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Cm. Hensil, seconded by Cm. Broughton, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER.** The motion carried. The executive session began at 8:09 p.m. and ended at 9:13 p.m. The mayor announced that no decisions were made and no actions were taken.

### **APPROVAL OF VENDOR INVOICE PAYMENTS**

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

### **COMMITTEE REPORTS**

#### **Building Committee**

Cm. Sabatino, seconded by Cm. Woolwine, **MOVED THAT COUNCIL ISSUE THE APPROVED BUILDING PERMITS.** The motion carried.

<b>APPROVED BUILDING PERMITS</b>				
<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
1065	CVS Pharmacy	505 Randolph Ave.	Electrical hookup for "rental red box"	\$500
1066	Nollenberger, Fred	143 Buffalo St.	Re-roof and gutters	\$13,140
1067	Parsons, Jay	404 16th Street	New modular home	\$190,000
1068	Singleton, Benson L.	941 Tygart Ave.	Carport 18' x 21'	\$1,200
1069	Jordan, Philipp	459 Cenral St.	Replace shingles	\$1,969
1070	Hawkins, Heidi	307 Marro Drive	12' x 20' storage building	\$2,200
1071	Randolph Co. Housing Authority	4th St. Apart. 123 & 125	Electrical upgrade	\$16,000
1072	Martin, Donald	1036 Harrison Ave.	Repair wiring , interior walls and ceilings	\$1,500
1073	Lopez, Tommy	108 Riverview Dr.	Replace shingle roof	\$3,300
1074	Coffman, Stacy	924 S. Davis Ave.	Change window & door and install log siding	\$1,800
1075	Alday, Robert	232 Buffalo St.	Replace shingle roof	\$8,951
Sign 03-12	Armentrout, Max	329 Davis Ave.	4' x 2-1/2' sign on building	\$400

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1076	Hostetler, Eli	1610 Taylor Ave.	10' x 10' utility building	\$1,449
1077	Lamb, Robert	115 Vector Ave.	Replace siding	\$1,200

**Sanitation and Landfill Committee**

Cm. Metheny reported that the company that was evaluating the possibility of operating the landfill had informed the city that it has elected not to proceed.

**Water Committee**

No report.

**Parks Committee**

No report.

**Finance Committee**

Cm. Woolwine announced that the committee's next meeting will be Wednesday, August 8.

**Street Committee**

Cm. Kinnison reported that the committee is working with Operations Manager Pingley to generate a list of streets to be paved.

**Rules and Ordinances Committee**

No report.

**Municipal Property Committee**

No report.

**Personnel Committee**

Cw. Cuonzo advised that the next regularly scheduled meeting would be postponed; the date and time will be announced.

**Public Safety Committee**

No report.

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### **ADMINISTRATIVE OFFICER REPORTS**

#### **Operations Manager**

No report. (Operations Manager Pingley and Operations Assistant Blosser were at a meeting about the city's claim to FEMA for damages from the June 29<sup>th</sup> storm).

#### **Treasurer**

Treasurer Daniels-Smith reported that all of her staff had attended WVSAO customer service training. The process of implementing the state purchasing card program for the city is proceeding and is expected to be complete within 45 days.

#### **Police Chief**

No report.

#### **Fire Chief**

No report. (Fire Chief Meader was also at the FEMA meeting.)

### **MAYOR'S COMMENTS**

#### **DEP Settlement**

Mayor Talbott updated council on a settlement with the West Virginia Department of Environmental Protection for a spill that occurred during the 1990s.

#### **Cable Television Proposal**

The mayor advised council that he had received a renewal request for the Suddenlink cable television franchise and asked if this should be referred to any committees. The consensus was that the mayor and the city's public utilities counsel should review the request and make a recommendation directly to council at a later meeting.

#### **Brownfield Grant Proposal for 11<sup>th</sup> Street Property**

The mayor reported that Robbie Morris of the Randolph County Development Authority thinks it likely that the city can receive grant funds to cover all of the costs of the phase II environmental study on the city's 11<sup>th</sup> Street property.

#### **Planning Commission**

The mayor told council that he is still looking for eligible candidates to fill vacancies on the planning commission, preferably representing all five wards of the city. Although council members had recently suggested some possible members, all of the people in question had declined.

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**OTHER BUSINESS**

There was no other business.

The meeting adjourned at 9:26 p.m.

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