

Approved Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

*401 Davis Avenue
Council Chamber, 2nd Floor
August 16, 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 16, 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 R. Pingley; 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 was Treasurer L. D. Daniels-Smith.

AGENDA ADJUSTMENTS

FY 2013 budget revision 3: transfer from the rainy day fund to city hall capital outlay. (State approval required.)

Request from United Way of Randolph County to conduct the annual United We Run 5K Run/Walk on August 27.

Travel request for Steve Poage to attend APCO certification training at Snowshoe, Oct. 15-18.

PUBLIC COMMENT

There was none.

CONSENT CALENDAR

Cm. Metheny, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE MEETING OF AUGUST 2, 2012.** The motion carried.

UNFINISHED BUSINESS

There was none.

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NEW BUSINESS

City Clerk Stokes, the chair of the 911 Committee, and members of council discussed next steps for the committee.

Cm. Metheny, seconded by Cm. Broughton, **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 FOR OCTOBER 4.** (Council had previously approved a similar request for an event scheduled for September 9, but Mr. Powell subsequently asked to change the date to October 4.) The motion carried.

Cm. Broughton, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE A REQUEST FROM UNITED WAY OF RANDOLPH COUNTY TO CONDUCT THE ANNUAL UNITED WE RUN 5K RUN/WALK ON AUGUST 27.** The motion carried.

Cm. Bibey, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE A TRAVEL REQUEST FOR STEVE POAGE TO ATTEND APCO DISPATCHER CERTIFICATION TRAINING AT SNOWSHOE, OCTOBER 15-18.** The motion carried.

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION TO DISCUSS A LEGAL MATTER CONCERNING THE SUDDENLINK CABLE FRANCHISE RENEWAL REQUEST.** The motion carried. The executive session began at 7:26 p.m. and ended at 7:42 p.m. The mayor announced that no decisions were made and no actions were taken. Cm. Scott, seconded by Cm. Woolwine, **MOVED THAT COUNCIL AUTHORIZE THE CITY'S UTILITIES COUNSEL TO CONTINUE NEGOTIATIONS WITH SUDDENLINK AS PROPOSED.** The motion carried. Cm. Sabatino abstained.

Cm. Metheny, seconded by Cm. Hensil, **MOVED THAT COUNCIL ADOPT RESOLUTION 359, AUTHORIZING PAYMENT OF CITY OF ELKINS INVOICES FOR THE RANDOLPH AVENUE WATER-LINE REPLACEMENT THROUGH JUNE 30.** The motion carried.

Cm. Woolwine, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 360, AUTHORIZING FY 2013 BUDGET REVISION 1, A TRANSFER FROM THE COAL SEVERANCE FUND TO THE FIRE DEPARTMENT'S EQUIPMENT CAPITAL OUTLAY.** The motion carried.

Cm. Woolwine, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 361, AUTHORIZING FY 2013 BUDGET REVISION 2, A TRANSFER WITHIN THE FIRE DEPARTMENT.** The motion carried.

Cw. Cuonzo, seconded by Cm. Metheny, **MOVED THAT COUNCIL ADOPT RESOLUTION 362, AUTHORIZING FY 2013 BUDGET REVISION 3, A TRANSFER FROM THE RAINY DAY FUND TO CITY HALL CAPITAL OUTLAY.** In accordance with the requirements of the state auditor's office for inter-departmental transfers, the chair requested a roll-call vote. The motion carried. Council votes were as follows:

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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	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

Cm. Hensil, seconded by Cm. Scott, **MOVED THAT COUNCIL APPROVE A REQUEST FROM THE CHURCH OF GOD TO ENCLOSE AN EXISTING BASEMENT-ACCESS STAIRWELL THAT IS BELIEVED TO ENCROACH ON THE CITY RIGHT OF WAY.** The chair requested a roll-call vote. The motion carried. Council votes were as follows.

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

Cw. Bross-Fregonara, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 363, IMPLEMENTING A CODE ENFORCEMENT PROTOCOL.** Cm. Scott, seconded by Cm. Sabatino, **MOVED TO AMEND THE ORIGINAL MOTION BY DIRECTING THE CLERK TO MAKE CHANGES TO ONE SECTION OF THE PROTOCOL.** (In section 1.2, change “reasonable amount of time” to “appropriate amount of time” and, immediately following, insert “(but no more than 14 business days)”.) The motion to amend carried. The amended motion carried.

Cm. Hensil, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE THE APPOINTMENT OF CM. WOOLWINE, CM. SCOTT, AND TREASURER DANIELS-SMITH TO TWO-YEAR TERMS ON THE AUDIT COMMITTEE REQUIRED BY PROVISIONS OF THE WEST VIRGINIA STATE AUDITOR’S PROCEDURES MANUAL FOR PROCURING AND CONDUCTING AUDITS AND REVIEWS OF LOCAL GOVERNMENTS.** The motion carried.

Cm. Hensil, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 364, APPROVING AN ADDENDUM TO THE CONTRACT WITH GRIFFITH & ASSOCIATES FOR THE WATER IMPROVEMENT PROJECT.** The motion carried.

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL ADOPT RESOLUTION 365, APPROVING PAYMENT OF INVOICES FROM GRIFFITH & ASSOCIATES FOR THE WATER IMPROVEMENT PROJECT.** The motion carried.

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL ADOPT RESOLUTION 366, APPROVING PAYMENT OF INVOICES FROM VARIOUS OTHER VENDORS FOR THE WATER IMPROVEMENT PROJECT.** The motion carried.

Cm. Scott, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ADOPT RESOLUTION 367, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE RANDOLPH COUNTY BOARD OF EDUCATION CONCERNING COST-SHARING AND IN-SCHOOL UTILIZATION PROCEDURES FOR THE ELKINS POLICE DEPARTMENT’S NEW SEARCH DOG.** The motion carried.

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Cw. Cuonzo, seconded by Cm. Scott, **MOVED THAT COUNCIL APPROVE PROPOSED CHANGES TO THE CITY'S PERSONNEL MANUAL.** The motion carried.

Cm. Woolwine, seconded by Cm. Broughton, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER.** The motion carried. The executive session began at 8:31 p.m. and ended at 9:31 p.m. The mayor announced that no decisions were made and no actions were taken.

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

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

APPROVED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
1078	Vannoy, Rocky	136 Riverview Drive	New metal roof	\$6,300
1079	Schoonover, James A.	245 Boundary Ave.	New metal roof	\$10,280
1080	Jordan, Bryan	116-1/2 First Street	Replace shingles and gutters	\$2,400
1081	Fry, Chris	201 Center Street	Repair handrail and treads & risers	\$2,500
1082	Hackman, Becky (Smith Apartments)	218 First Street	Replace existing deck	\$10,000
1083	Thompson, Brian and Anita	106 Glendale Ave.	Kitchen remodel and replace shingles on garage	\$6,000
1084	Gongola, Andrew	34 & 35 Factory St.	Asbestos abatement	\$4,375
1085	CVS Pharmacy	505 Randolph Ave.	Repair & replace roofing and spouting	\$18,600
1086	Coberly, Hobart	90 Locust St.	Remove old blocks and replace with new	\$1,890
1087	Hamrick, Sonny	1321 Livingston Ave.	New windows and interior remodeling	\$2,000
1088	Mills, Cheryl	400 Wilson St.	436 sq. Ft. Addition and 6' x 13' covered porch w/ramp	\$85,000

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1089	McDonalds U.S.A. LLC	Randolph Ave.	Replace kitchen area heating & cooling unit	\$12,761
DENIED FOR SETBACK 1090				\$3,842
	Romine, Tom	115 Ellis Ave.	18 x 36' car port	
1091	Workman, Donna	1614 Taylor Ave.	12' x 100' privacy fence	\$1,000
1092	Workman, Donna	1614 Taylor Ave.	24'-8" x 21' 2 story addition	\$10,000
DENIED FOR SETBACK 1093			Increase front porch with handicap ramp and roof over porch	\$4,000
	Stahl, Richard	405 Central St.		
1094	Terry, Justin	922 S. Kerns Ave	24' x 32' garage	\$10,000
1095	Sullivan, Sean	113 Elm St.	Re-roof spring house	\$1,450
1097	Nucilli, Dominic	117 Ellis Ave.	384 sq. ft. addition on rear of house	\$35,000

OTHER BUSINESS

No other business.

The meeting adjourned at 10:02 p.m.

Duke Talbott, Mayor

Date