

Approved Minutes

**ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

***401 Davis Avenue
Council Chamber, 2nd Floor
December 6, 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, December 6, 2012. Present were Mayor Duke Talbott; Councilpersons: J. S. Bibey, N. E. Bross-Fregonara, 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.P. Pingley; Treasurer L. D. Daniels-Smith; Police Chief Captain H. R. White, Jr.; Fire Chief T. W. Meader; City Clerk S.R. Stokes (acting as recorder); City Attorney G. S. Roberts; and Inter-Mountain Reporter Anthony Gaynor.

Cm. V. T. Broughton was absent.

AGENDA ADJUSTMENTS

There were none.

PUBLIC COMMENT

There was none.

CONSENT CALENDAR

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

NEW BUSINESS

Cm. Scott, seconded by Cm. Cuonzo, **MOVED THAT COUNCIL CLOSE CITY HALL TO THE PUBLIC ON CHRISTMAS EVE AND NEW YEAR'S EVE.** With permission from their supervisors, employees may use annual leave or personal days on these dates. The motion carried.

Cm. Woolwine, seconded by Cm. Hensil, **MOVED THAT COUNCIL ADOPT RESOLUTION 396, IMPLEMENTING A SCHEDULE OF FEES TO BE CHARGED FOR FREEDOM OF INFORMATION ACT REQUESTS.** The motion carried.

Cm. Woolwine, seconded by Cm. Bross-Fregonara, **MOVED THAT COUNCIL APPROVE ORDINANCE 162, AMENDING ELKINS CITY CODE § 21-82, CONCERNING FEES CHARGED**

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FOR FILING APPEALS WITH THE BOARD OF ZONING APPEALS, ON THE FIRST OF TWO READINGS. The motion carried.

Cw. Cuonzo, seconded by Cm. Hensil, **MOVED THAT COUNCIL ADOPT RESOLUTION 397, BUDGET REVISION 7, TRANSFERRING FUNDS RELATED TO THE COMPENSATION OF THE CITY CLERK FOR THE TERM BEGINNING JANUARY 1, 2013.** In accordance with the requirements of the state auditor’s office for inter-departmental budget revisions, 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	Absent	J. J. Sabatino	Yes
M. D. Cuonzo	Yes	M. D. Scott	No
T. Z. Hensil	Yes	R. A. Woolwine	Yes

Cm. Bibey, seconded by Cm. Woolwine, **MOVED THAT COUNCIL ADOPT RESOLUTION 398, REAPPOINTING THE CITY CLERK FOR THE TWO-YEAR TERM BEGINNING JANUARY 1, 2013, AND THAT THE CLERK BE MADE FULL TIME AT \$39,520 PER ANNUM WITH BENEFITS.** 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	Absent	J. J. Sabatino	Yes
M. D. Cuonzo	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 399, BUDGET REVISION 8, TRANSFERRING FUNDS RELATED TO EQUIPPING A POLICE VEHICLE.** In accordance with the requirements of the state auditor’s office for inter-departmental budget revisions, 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	Absent	J. J. Sabatino	Yes
M. D. Cuonzo	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

Cm. Sabatino, seconded by Cm. Hensil, **MOVED THAT COUNCIL ADOPT RESOLUTION 400, BUDGET REVISION 9, TRANSFERRING FUNDS RELATED TO THE COMPENSATION OF A GRANT-FUNDED POLICE OFFICER.** In accordance with the requirements of the state auditor’s office for inter-departmental budget revisions, 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	Absent	J. J. Sabatino	Yes
M. D. Cuonzo	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

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Resolution 401 concerned a budget revision that further research had determined was unnecessary; the needed adjustment will instead be made by journal entry. Accordingly, this agenda item had been withdrawn prior to this meeting.

Cm. Sabatino, seconded by Cm. Hensil, **MOVED THAT COUNCIL ADOPT RESOLUTION 402, CERTIFYING MACY, THE ELKINS POLICE DEPARTMENT'S NEW SEARCH DOG, AS A LAW-ENFORCEMENT ANIMAL UNDER WEST VIRGINIA CODE §19-20-24. The motion carried.**

Cm. Woolwine, seconded by Cm. Hensil, **MOVED THAT COUNCIL ADOPT RESOLUTION 403, PAYING J.F. ALLEN INVOICES FOR STREET PAVING. The motion carried.**

Cm. Hensil, seconded by Cm. Metheny, **MOVED THAT COUNCIL ADOPT RESOLUTION 404, REVISING RESOLUTION 388, WHICH PAID INVOICES FOR THE WATER SYSTEM IMPROVEMENT PROJECT. The motion carried.**

Cm. Hensil, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ADOPT RESOLUTION 405, PAYING INVOICES FOR THE WATER SYSTEM IMPROVEMENT PROJECT. The motion carried.**

Cm. Hensil, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 406, ACCEPTING THE CONDITIONS OF AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR A \$2,468,300 LOAN FROM THE WEST VIRGINIA CLEAN WATER STATE REVOLVING FUND TO BE USED FOR PHASE 1 OF THE COMBINED SEWER SYSTEMS IMPROVEMENTS PROJECT. The motion carried.**

Cw. Bross-Fregonara, seconded by Cm. Sabatino, **MOVED THAT COUNCIL ADOPT RESOLUTION 407, ACCEPTING THE CONDITIONS OF AND AUTHORIZING THE MAYOR TO EXECUTE A WEST VIRGINIA DEVELOPMENT OFFICE GRANT PROGRAM CONTRACT ACCEPTING A \$4,000 AWARD TO BE USED TO IMPROVE THE ENTRANCE TO THE KUMP EDUCATION CENTER. The motion carried.**

Cw. Cuonzo, seconded by Cm. Bibey, **MOVED THAT COUNCIL ADOPT RESOLUTION 408, ACCEPTING THE CONDITIONS OF AND AUTHORIZING THE MAYOR TO EXECUTE A WEST VIRGINIA DEVELOPMENT OFFICE GRANT PROGRAM CONTRACT ACCEPTING A \$4,000 AWARD TO BE USED TOWARD THE INSTALLATION OF A SPRINKLER SYSTEM AT THE ELKINS-RANDOLPH COUNTY YMCA. The motion carried.**

Cw. Cuonzo, seconded by Cm. Woolwine, **MOVED THAT COUNCIL ADOPT RESOLUTION 409, PUTTING THE LANDFILL SCALES OUT FOR SEALED BIDS.** In response to a question from a council member concerning whether a minimum bid amount has been established, Operations Manager Pingley said that he will bring any received bids to council for evaluation and a final decision. The motion carried.

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City Clerk Stokes explained that Elkins City Code instructs the city clerk to appoint the city’s ballot commissioners “in consultation with council.” He proposed reappointing the two former Elkins ballot commissioners, Roberta Dye and Elizabeth Kittle. There were no objections.

Cm. Woolwine, seconded by Cm. Hensil, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION TO DISCUSS A LEGAL MATTER CONCERNING PENSION PLANS. The motion carried.** The executive session began at 7:40 p.m. and ended at 8:10 p.m. The mayor announced that no decisions were made and no actions were taken.

Cm. Metheny, seconded by Cm. Kinnison, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION FOR AN ATTORNEY CONSULTATION REGARDING CITY ELECTIONS. The motion carried.** The executive session began at 8:12 p.m. and ended at 8:36 p.m. The mayor announced that no decisions were made and no actions were taken.

APPROVAL OF VENDOR INVOICE PAYMENTS

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

COMMITTEE REPORTS

Building Committee

The Building Committee has approved the following building permits since the previous regular council meeting. There was no other report.

APPROVED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
1172	Harris, Ann	108 Ellis Ave	Replace bathroom floor	\$1,000
1173	Taylor, Nancy	1619 S. Davis	Free standing carport	\$1,147
1174	Chen, Judy	1511 Harrison Ave.	EPDM roof on front	\$18,350
1175	Talbott, Mark (Talbott Realty)	218 Third Street	Rewire, remodel apartment	\$20,000
1176	O'Quinn, Roberta	15 Moore Street	Privacy fence	\$2,500
1177	CGP Development	1513 Harrison Ave.	Re-roof	\$70,776
1178	Holland Enterprise	817-821 N Randolph Ave.	Siding & gutter	\$7,000

Sanitation and Landfill Committee

No report.

Water Committee

No report.

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Parks Committee

Cm. Broughton was absent.

Finance Committee

Cm. Woolwine announced that planning for the FY 2014 budget would begin in January.

Street Committee

No report.

Rules and Ordinances Committee

Cm. Scott announced that the committee is working on a protocol for council meetings and agendas. A draft will be circulated to committee members and various city personnel for comment.

Municipal Property Committee

Cw. Bross-Fregonara announced that the committee's December meeting is cancelled.

Personnel Committee

Cw. Cuonzo announced that the committee's December meeting is cancelled.

Public Safety Committee

Cm. Bibey announced that the committee's December meeting is cancelled.

ADMINISTRATIVE OFFICER REPORTS

Operations Manager

Operations Manager Pingley reported the following statistics concerning ongoing cleanup after Hurricane Sandy:

- Work hours: 816 regular; 451 overtime.
- Dump-truck loads of chipped brush removed: 48.
- Wards completed (except for alleys): First and Second.

The operations manager also reported that the Street Department has caught up on some of the special pickup requests that had been postponed during the immediate aftermath of the storm. The city's float in the Christmas parade won first place. A company offering to repair city residents' water lines is not affiliated with the city.

Treasurer

Treasurer Daniels-Smith reported that the process of training all city personnel in the use of state purchasing cards (P-cards) is nearly complete. Accounting Clerk Tracy Fox has already shifted about \$60,000 in pending city purchases to the P-card.

Police Chief

No report.

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Fire Chief

No report.

MAYOR’S COMMENTS

The mayor had no comments.

ANNOUNCEMENTS

Cw. Bross-Fregonara announced that the West Virginia Department of Highways is in the process of improving the signs and markings for some pedestrian crossings on Randolph Avenue.

Operations Manager Pingley announced that, in compliance with EPA requirements, there will be a public educational program concerning the Combined Sewer Systems Improvements project at 6:30 p.m. on Thursday, December 20, immediately preceding the next regular council meeting.

The meeting adjourned at 9:02 p.m.

*Approved by council at the meeting
of December 20, 2012*

Duke Talbott, Mayor

Date

Attest:

Sutton R. Stokes, City Clerk

Date