

Approved Minutes

**ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

**401 Davis Avenue
Council Chamber, 2nd Floor
February 7, 2013
7:00 p.m.**

Elkins Common Council met in regular session in the council chamber of city hall. 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, 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 Alec Rader.

Cm. C. L. Metheny and Cm. J. J. Sabatino were absent.

AGENDA ADJUSTMENTS

- a. Attendance at 2013 National Main Streets Conference.

PUBLIC COMMENT

Representatives of the Family Resource Network informed council about a faith-based twelve-step recovery program called Celebrate Recovery. (Council unanimously granted approval to hear a presentation that was not related to an agenda item.)

INFORMATIONAL PRESENTATION

Laura Ward, executive director of Country Roads transit, provided council with a summary of her program's recent operations and plans.

CONSENT CALENDAR

Cw. Bross-Fregonara, seconded by Cm. Broughton, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE MEETING OF JANUARY 17, 2013. The motion carried.**

Cm. Bibey, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE SPECIAL MEETING OF JANUARY 30, 2013. The motion carried.**

NEW BUSINESS

Cm. Scott, seconded by Cm. Hensil, **MOVED THAT COUNCIL APPROVE ORDINANCE 163, AMENDING ELKINS CITY CODE §7-23, CONCERNING THE PERIOD OF EARLY VOTING IN CITY ELECTIONS, ON SECOND AND FINAL READING. The motion carried.**

Cw. Cuonzo, seconded by Cm. Bibey, **MOVED THAT COUNCIL APPROVE ORDINANCE 164, AMENDING ELKINS CITY CODE TO ESTABLISH PAYMENTS FOR VARIOUS CLASSES OF ELECTION OFFICIALS, ON FIRST READING. The motion carried.**

Cm. Hensil, seconded by Cm. Broughton, **MOVED THAT COUNCIL GRANT PERMISSION FOR THE PURCHASE OF A SERVICE BODY FOR A WATER DEPARTMENT TRUCK OUT OF THE WATER DEPRECIATION ACCOUNT. The motion carried.**

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Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL GRANT PERMISSION FOR THE OPERATIONS MANAGER TO ADVERTISE FOR SEALED BIDS FOR THREE STREET DEPARTMENT VEHICLES.** The motion carried.

Council next took up various budget revisions:

Cm. Woolwine, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 422 (BUDGET REVISION 13), ACCOUNTING FOR REIMBURSEMENTS FROM THE RANDOLPH COUNTY COMMISSION FOR THE FLOOD-CONTROL PROJECT.** 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	Absent
V. T. Broughton	Yes	J. J. Sabatino	Absent
M. D. Cuonzo	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

Cm. Woolwine, seconded by Cm. Bibey, **MOVED THAT COUNCIL ADOPT RESOLUTION 423 (BUDGET REVISION 14), ACCOUNTING FOR RECEIPT OF \$36,771 FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.** 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	Absent
V. T. Broughton	Yes	J. J. Sabatino	Absent
M. D. Cuonzo	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

Cm. Bibey, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 424 (BUDGET REVISION 15), ACCOUNTING FOR RECEIPT OF COPS GRANT FUNDS.** 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	Absent
V. T. Broughton	Yes	J. J. Sabatino	Absent
M. D. Cuonzo	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

Cm. Woolwine, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 425 (BUDGET REVISION 16), ACCOUNTING FOR FEMA REIMBURSEMENTS RELATED TO THE JUNE DERECHO STORM.** 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	Absent
V. T. Broughton	Yes	J. J. Sabatino	Absent
M. D. Cuonzo	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

Cm. Bibey, seconded by Cm. Hensil, **MOVED THAT COUNCIL ADOPT RESOLUTION 426 (BUDGET REVISION 17), TRANSFERRING FUNDS TO INCREASE THE CITY'S FY 2012 POLICE PENSION FUND CONTRIBUTION.** 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	Absent
V. T. Broughton	Yes	J. J. Sabatino	Absent
M. D. Cuonzo	Yes	M. D. Scott	Yes
T. Z. Hensil	Yes	R. A. Woolwine	Yes

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Cm. Woolwine, seconded by Cm. Broughton, **MOVED THAT COUNCIL ADOPT RESOLUTION 427 (BUDGET REVISION 18), RECLASSIFYING CERTAIN ELECTION EXPENSES INTO THE APPROPRIATE CATEGORY.** The motion carried.

Cm. Scott, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ADOPT RESOLUTION 430, ADOPTING COUNCIL RULES.** The motion carried.

Council next took up requests for authorization to apply for two West Virginia Development Office (WVDO) Community Participation grants.

Cm. Broughton, seconded by Cm. Hensil, **MOVED THAT COUNCIL ADOPT RESOLUTION 428, AUTHORIZING APPLICATION TO THE WVDO BY THE MOUNTAIN PARTNERS IN COMMUNITY DEVELOPMENT/RIVERSIDE SCHOOL ASSOCIATION.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ADOPT RESOLUTION 429, AUTHORIZING APPLICATION TO THE WVDO BY ELKINS PARKS AND RECREATION COMMISSION.** The motion carried.

Cm. Kinnison, seconded by Cm. Broughton, **MOVED THAT COUNCIL GRANT A STREET-CLOSURE REQUEST FROM THE DAVIS HEALTH SYSTEM FOUNDATION TO CLOSE MARTIN STREET ON JULY 5 & 6 FOR A STREET FAIR.** The request had been approved by the appropriate administrative officers and the Street Committee per the city's Events Protocol. The motion carried.

Cm. Sabatino, who was absent, had docketed the agenda item "Attendance at 2013 National Main Streets Conference." Mayor Talbott explained certain logistical details concerning the conference and encouraged council members and city personnel to attend.

Cm. Bibey, seconded by Cm. Woolwine, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION TO CONSIDER A PERSONNEL MATTER CONCERNING THE POLICE DEPARTMENT.** The motion carried. The executive session began at 7:56 p.m. and ended at 8:25 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**

The Building Committee has approved the following building permits since the previous regular council meeting.

APPROVED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
1202	Smith, Donald	731 Harrison Ave	New electrical service	\$1,200
1203	Burks, Evan	121 Elm St.	Repair footer and install support columns	\$1,250
1204	Reckart, Patti	7 Key Street	Remodel bathrooms	\$4,800
1205	Hammer Pellet Fuel	46 Tom Waller Dr.	Enclosed trailer dumper	\$904,000
1206	Appalachian Animal Hospital	204 Martin St.	6203 sq. ft. animal hospital	\$948,501
1207	CGP Development	388 Beverly Pike ("Taj Mahal" bldg.)	Demolition	\$20,000
1208	Elkins Lodge #108 A.F. & A.M.	46 Randolph Ave.	Build 2 partition walls to make storage room	\$1,000

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1209	McDonald, Leamon	232 Evergreen Drive	Replace 9 windows	\$2,800
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Sanitation and Landfill Committee

No report.

Water Committee

No report.

Parks Committee

Cm. Broughton reported that a new, 100-car parking lot is being installed at Glendale Park. Materials, labor, and equipment for this are almost entirely donated.

Finance Committee

No report.

Street Committee

No report.

Rules and Ordinances Committee

No report.

Municipal Property Committee

No report.

Personnel Committee

No report.

Public Safety Committee

No report.

ADMINISTRATIVE OFFICER REPORTS**Operations Manager**

Wednesday's water-line rupture on Gorman Avenue lost 1.25 million gallons of water, or just over a half days' worth of pumping. The water plant pumped until 11 p.m. that night to catch up. Because the rupture resulted in a loss of pressure, a boil-water notice was issued for 2nd, 3rd, and parts of 4th Ward.

Today, the Sanitation Department sent off the second of what will probably be three tractor-trailer loads of electronics refuse that had been deposited in the Eleventh Street Garage.

Spring Cleanup will be April 8-19, two days per ward.

Despite rumors to the contrary, the sewage plant is not processing Marcellus Shale by-products. This would be illegal. Tractor trailers seen at the plant are bringing leachate from the landfill, 6-8 truckloads of which may be processed per day.

Treasurer

City hall now accepts debit and credit cards. The treasurer's office is hosting, Jennifer Daniels, an Elkins High School student who will be majoring in accounting at Fairmont State University in the fall. The city just received its first rebate check from the p-card program, in the amount of \$2,015.06.

Police Chief

A civil service exam will be held Saturday, February 9, 2013.

A business owner has approached the police department to express interest in funding another K-9 unit.

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Fire Chief

No report.

The mayor read aloud a letter from Steven Cook commending the performance of Lieutenant Steven Himes during a recent EFD response to a chimney fire at Mr. Cook's residence.

The meeting adjourned at 8:43 p.m.

*Approved by council at the meeting
of February 21, 2013*

Duke Talbott
Duke Talbott, Mayor

22 Feb 13
Date

Attest:

Sutton R. Stokes

Sutton R. Stokes, City Clerk

Feb. 22, 2013
Date

