

Approved Minutes

**ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

**401 Davis Avenue
Council Chamber, 2nd Floor
May 16, 2013
6:30 p.m.**

Elkins Common Council met in regular session in the council chamber of city hall, one half hour early to allow time to interview candidates for the vacant Second Ward council seat. Present were Mayor Van T. Broughton; Councilpersons: J. S. Bibey, N. E. Bross-Fregonara, M. D. Cuonzo, M. L. Marsteller, L.E. Randall, M. D. Scott, and R. A. Woolwine; Operations Manager R.P. Pingley; Treasurer L. D. Daniels-Smith; Police Lieutenant E. R. Canfield; Fire Chief T. W. Meader; City Clerk S.R. Stokes (acting as recorder); City Attorney G. S. Roberts; and Inter-Mountain Reporter Brad Johnson.

Councilpersons C. L. Metheny and J. J. Sabatino and Police Chief Captain H. R. White, Jr. were absent.

AGENDA ADJUSTMENTS

- a. Water-plant property acquisitions.
- b. Request from Conrad Auctions to close one block of Wayne Street, June 1.

PUBLIC COMMENT

There was none.

INFORMATIONAL PRESENTATION

Operations Assistant Peggy Blosser reported on her attendance at the 2013 Main Streets Conference.

CONSENT CALENDAR

Cm. Marsteller, seconded by Cm. Woolwine, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE REGULAR MEETING OF May 2, 2013.** The motion carried.

Cm. Bibey, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE SPECIAL MEETING OF May 8, 2013.** The motion carried.

Cm. Woolwine, seconded by Cm. Scott, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE SPECIAL MEETING OF May 10, 2013.** The motion carried.

NEW BUSINESS

(Mayor Broughton made agenda item "a"—"Second Ward council vacancy"—a special order of business, moving it before the scheduled Informational Presentation.) Cm. Bibey, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION TO INTERVIEW CANDIDATES FOR APPOINTMENT TO THE VACANT SECOND WARD COUNCIL SEAT.** The motion carried. The executive session began at 6:35 p.m. and ended at 7:22 p.m. The mayor announced that no decisions were made and no actions were taken. Cm. Marsteller, seconded by Cm. Scott, **MOVED THAT COUNCIL APPOINT EUGENE OCHSENDORF TO THE VACANT SECOND WARD COUNCIL SEAT.** The motion carried. City Clerk Stokes administered the oath of office to Cm. Ochsendorf.

Cm. Woolwine, seconded by Cm. Scott, **MOVED THAT COUNCIL APPROVE THE PROMOTION OF JANSON ROWAN TO WATER WORKER II, EFFECTIVE APRIL 23, 2013.** The motion carried.

Cm. Woolwine, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL APPROVE THE APPOINTMENT OF CM. MARSTILLER TO THE ELKINS TREE BOARD.** The motion carried.

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Cm. Bibey, seconded by Cm. Marstiller, **MOVED THAT COUNCIL APPROVE THE COST OF OVERNIGHT TRAVEL FOR SCOTT JUDY TO ATTEND FIREARMS INSTRUCTOR SCHOOL IN BETHLEHEM, PENN., SEPTEMBER 9-13.** The motion carried.

Cm. Bibey, seconded by Cm. Marstiller, **MOVED THAT COUNCIL APPROVE THE COST OF OVERNIGHT TRAVEL FOR CRAIG CROSS TO ATTEND A WORKING DOGS CONFERENCE IN NASHVILLE, TENN., JULY 14-17.** The motion carried.

Cw. Bross-Fregonara, seconded by Cm. Scott, **MOVED THAT COUNCIL DISPOSE OF THE AGENDA ITEM "PARKING ON SIDEWALKS."** The motion carried.

Cw. Bross-Fregonara, seconded by Cm. Woolwine, **MOVED THAT COUNCIL ADOPT RESOLUTION 454, APPROVING THE EXECUTION OF AN AGREEMENT WITH THE WEST VIRGINIA DEVELOPMENT OFFICE FOR GRANT FUNDS AWARDED TO PARKS AND RECREATION.** The motion carried.

Cm. Bibey, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL APPROVE A REQUEST FROM THE MOUNTAIN STATE FOREST FESTIVAL FOR ENDORSEMENT OF ITS APPLICATION FOR A TEN DAY FAIR AND FESTIVAL WVABCA CLASS A LICENSE.** The motion carried.

Cm. Marstiller, seconded by Cm. Woolwine, **MOVED THAT COUNCIL APPROVE A REQUEST FROM CONRAD AUCTIONS TO CLOSE ONE BLOCK OF WAYNE STREET ON JUNE 1.** The request had been approved by all relevant administrative officers, as required by the city's events protocol. The motion carried.

Cm. Scott, seconded by Cm. Woolwine, **MOVED THAT COUNCIL DISPOSE OF THE AGENDA ITEM "LEGAL MATTER CONCERNING RESIDENT COMPLAINT."** The motion carried.

Cm. Cuonzo, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION FOR A LEGAL MATTER CONCERNING WATER-PLANT PROPERTY ACQUISITIONS.** The motion carried. The executive session began at 7:44 p.m. and ended at 8:05 p.m. The mayor announced that no decisions were made and no actions were taken. Cw. Cuonzo, seconded by Cm. Bibey, **MOVED THAT COUNCIL AUTHORIZE THE CITY ATTORNEY TO PROCEED WITH PROPERTY ACQUISITIONS FOR THE WATER-PLANT CONSTRUCTION PROJECT.** The motion carried.

Mayor Broughton told council that there had been a meeting between the city (represented by him, Cm. Woolwine, the city treasurer, and the city clerk), all three county commissioners, the Mountain State Forest Festival (represented by Mark Tomblyn), the RCDA (represented by Robbie Morris), and West Virginia National Guard Adjutant General Major General James Hoyer concerning the possible sale of the Elkins National Guard Armory. He reported that no actions had been taken and said he would inform council of new developments as they occur.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Marstiller, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL APPROVE THE INVOICES PRESENTED.** The list of said invoices is attached and made part of this record. The motion carried.

COMMITTEE REPORTS**Building Committee**

The following building permits have been issued since the previous regular council meeting.

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
1311	Hostetler, Eli	1610 Taylor Ave.	768 sq. ft. garage	\$12,605
1312	Shreve, Tammy	Robert E. Lee Ave.	4 apartments	\$250,000
1313	Fitzpatrick, Ruth Ann	201 Whiteman Ave.	75 ft privacy fence	\$1,500

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1314	David & Charna Ferguson	131 Vector Ave.	New 12' x 24' deck	\$1,500
1315	Bob & Tina Breitinger	225 Sylvester Dr.	Construct 26' x 20' room; re-shingle, install new siding, change shed porch roof to gable and pour a patio at the rear of the house.	\$90,372
1316	Kittle, Janet / Wilson, Joyce	104 South Gate Rd.	Upgrade electrical service	\$1,500
1317	Johnson, Gregory	1521 S. Henry Ave.	Build fence	\$7,700
1318	Crawford, David & Penny	204 Sylvester Dr	Stand- by generator	\$5,865
1319	Dawson, Henry or Linda	308 Pleasant Ave.	Re-shingle house	\$3,500
1320	Stottlemyer, James	407 Central Street	Install fence	\$6,156
1321	Cox-Taylor, Dorothy	114 High St.	Repair electrical service entrance	\$550
1322	Hamrick, Daniel	209 Ferndale Dr.	Changing interior door	\$800
1323	Frontier Communications	525 Davis Ave	Office renovations	\$24,000
1324	Belan, John	20 Cherry St.	Replacement windows	\$5,000
1325	VanDeveder, Lisa	1405 Taylor Ave.	Replace 5 windows & upgrade electric in kitchen and bath	\$1,374
1326	Randolph County Senior Center	422 Railroad Ave.	Asbestos abatement	\$4,675
1327	Milstead, Dawn A.	119 Pleasant Ave.	Upgrade electrical service	\$800

Sanitation and Landfill Committee

No report.

Water Committee

No report.

Parks Committee

No report.

Finance Committee

No report.

Street Committee

No report.

Rules and Ordinances Committee

No report.

Municipal Property Committee

Cm. Marstiller reported on a meeting concerning drainage problems at the Kump Center. West Virginia DNR and the Canaan Valley Institute might be able to turn the area into a managed wild wetland.

Personnel Committee

No report.

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Public Safety Committee

No report.

ADMINISTRATIVE OFFICER REPORTS

Operations Manager

The street sweeper and the brush chipper are both broken down. West Virginia Department of Highways will soon pave Worth Avenue. A snapped high-voltage electrical line caused a grass fire at the landfill; the Elkins Fire Department extinguished the fire before any significant damage was caused. An inspection of the water treatment plant by the West Virginia Department of Environmental Protection found no deficiencies.

Treasurer

No report.

Police Chief

No report.

Fire Chief

No report.

MAYOR'S COMMENTS

None.

Cm. Marstiller, seconded by Cm. Randall, moved to adjourn the meeting.

The meeting adjourned at 8:44 p.m.

*Approved by council at the meeting
of June 6, 2013*

Van T. Broughton
Van T. Broughton, Mayor
6/10/13
Date

Attest:

Sutton R. Stokes
Sutton R. Stokes, City Clerk

June 10, 2013
Date