

**ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

**401 Davis Avenue
Council Chamber, 2nd Floor
August 7, 2014
7:00 p.m.**

Elkins Common Council met in regular session in the council chamber of city hall. Present were Mayor Van T. Broughton; Councilpersons: J. S. Bibey, N. E. Bross-Fregonara, M. D. Cuonzo, M. L. Marsteller, C. L. Metheny, E.R. Ochsendorf, L.E. Randall, J. J. Sabatino, M. D. Scott, and R. A. Woolwine; Operations Manager R.P. Pingley; Treasurer L. D. Daniels-Smith; Police Chief S.D. Richards; Fire Chief T. W. Meader; City Clerk S.R. Stokes (acting as recorder); City Attorney G. S. Roberts; and Inter-Mountain Reporter B. Johnson.

INFORMATIONAL PRESENTATION

Chelle Depp presented the annual report of the Randolph County Convention and Visitors' Bureau.

CONSENT CALENDAR

Cm. Metheny, seconded by Cm. Ochsendorf, **MOVED THAT COUNCIL APPROVE THE MINUTES OF THE MEETING OF JULY 17, 2014.** The motion carried.

NEW BUSINESS

Cw. Bross-Fregonara, seconded by Cm. Scott, **MOVED APPROVAL OF ORDINANCE 181, ADOPTING THE 2012 INTERNATIONAL BUILDING CODES, ON THE FIRST OF TWO READINGS.** The motion carried.

Cm. Woolwine announced that he would recuse himself from discussion of and any votes related to the agenda item concerning the Elkins National Guard Armory, because of his membership on the board of the Mountain State Forest Festival, at one point an interested party to the possible purchase. He left council chambers.

Cm. Sabatino, seconded by Cm. Marsteller, **MOVED THAT COUNCIL ENTER EXECUTIVE SESSION ON A REAL-ESTATE MATTER RELATED TO THE PURCHASE OF THE ELKINS NATIONAL GUARD ARMORY.** The motion carried. The executive session began at 7:25 p.m. and ended at 8:25 p.m. The mayor announced that no action was taken and no decisions were made.

Cm. Metheny, seconded by Cm. Marsteller, **MOVED APPROVAL OF ORDINANCE 182, APPROVING THE JOINT PURCHASE OF THE ELKINS NATIONAL GUARD ARMORY BY THE CITY OF ELKINS AND RANDOLPH COUNTY, ON THE FIRST OF TWO READINGS.** Cm. Marsteller requested a roll-call vote. The clerk called the roll in random order. The motion carried. Council votes were as follows:

J. S. Bibey	Yes	G. Ochsendorf	Yes
N. E. Bross-Fregonara	Yes	L. E. Randall	No
M. D. Cuonzo	Yes	J. J. Sabatino	Yes
M. L. Marsteller	Yes	M. D. Scott	Yes
C.L. Metheny	Yes	R. A. Woolwine	Abstained

Cm. Woolwine reentered council chambers.

Cm. Ochsendorf, seconded by Cm. Marsteller, **MOVED APPROVAL OF ORDINANCE 183, REDUCING THE SPEED LIMIT FROM 25 MPH TO 15 MPH ON SOUTH HENRY AVENUE BETWEEN ELEVENTH AND NORTH TWELFTH STREETS, ON THE FIRST OF TWO READINGS.** The results of a voice vote being inconclusive, the mayor requested a roll-call vote. The clerk called the roll in random order. There was a tie vote. Council votes were as follows:

J. S. Bibey	No	G. Ochsendorf	Yes
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Approved Minutes

N. E. Bross-Fregonara	Yes	L. E. Randall	Yes
M. D. Cuonzo	No	J. J. Sabatino	Yes
M. L. Marstiller	No	M. D. Scott	No
C.L. Metheny	Yes	R. A. Woolwine	No

As allowed under Elkins City Charter Section 25, the mayor cast the tie-breaking vote, in the affirmative. The motion carried.

Regarding the agenda item "Action related to already adopted Resolution 627, concurring with the Sanitary Board to pursue funding for the phase 1 sewer project," City Attorney Roberts explained that no action was necessary. Operations Manager Pingley explained that the funding contemplated in Resolution 627 was no longer necessary as the Infrastructure and Jobs Development Council (IJDC) had reinstated funding for the city's phase 1 sewer project. He presented a letter over the signature of the IJDC's Jason Pizatella pledging "the amount that will be remaining in District 2 after the SCBG cumulative total is known" and stating that "Elkins will be responsible for [any] difference." City Treasurer Daniels-Smith asked how any "difference" would be funded; Pingley stated that no source had been identified.

Cm. Marstiller, seconded by Cm. Bibey, **MOVED ADOPTION OF RESOLUTION 631, GRANTING FULL-TIME REGULAR STATUS FOR B. CONNER.** The motion carried.

Cw. Bross-Fregonara, seconded by Cw. Cuonzo, **MOVED ADOPTION OF RESOLUTION 632, ACCEPTING THE TERMS OF AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HUFFMAN CORPORATION FOR CONSTRUCTION RELATED TO THE WEES HISTORIC DISTRICT STREETScape PROJECT.** The motion carried.

Cw. Cuonzo, seconded by Cm. Ochsendorf, **MOVED ADOPTION OF RESOLUTION 633, AUTHORIZING DRAFT ON THE OHIO VALLEY BANK LINE-OF-CREDIT FOR THE WATER SYSTEM IMPROVEMENT PROJECT.** The motion carried.

Cm. Marstiller, seconded by Cm. Ochsendorf, **MOVED THAT COUNCIL GRANT A REQUEST FROM BEANDER'S, INC. FOR ENDORSEMENT OF APPLICATION FOR A SPECIAL-EVENT PERMIT TO SELL BEER AND WINE IN THE ALLEY ADJACENT TO BEANDER'S (314 DAVIS AVENUE), OCTOBER 1-5, 2014.** The motion carried.

Cm. Metheny, seconded by Cw. Cuonzo, **MOVED THAT COUNCIL GRANT A REQUEST FROM VINTAGE, LLC FOR ENDORSEMENT OF APPLICATION FOR A SPECIAL-EVENT PERMIT TO SELL BEER AND WINE ON THE PARKING LOT ADJACENT TO THE BUSINESS (25 RANDOLPH AVENUE), OCTOBER 1-5, 2014.** The motion carried. (Cm. Scott abstained from voting due to his daughter's employment at Vintage.)

Cw. Cuonzo, seconded by Cw. Bross-Fregonara, **MOVED THAT COUNCIL APPOINT MICHELLE MABRY, PH. D., TO THE ELKINS TREE BOARD.** The motion carried.

Cm. Metheny, seconded by Cm. Ochsendorf, **MOVED APPROVAL OF TWO REQUESTS TO USE OR CLOSE CITY STREETS FOR SPECIAL EVENTS THAT HAD BEEN APPROVED BY THE APPROPRIATE ADMINISTRATIVE OFFICERS PER THE CITY'S EVENTS PROTOCOL.** The motion carried. The two approved requests were as follows:

Rivers of Living Water Ministry to close Lincoln Avenue, August 16.

First United Methodist Church to close Kerens Avenue, August 23.

APPROVAL OF VENDOR INVOICE PAYMENTS

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

The invoices in question were as specified on the following lists, which are attached and made part of this record:

Approved Minutes

- Accounts Payable check transactions dated printed on August 4, 2014 and totaling \$1,495,330.48.

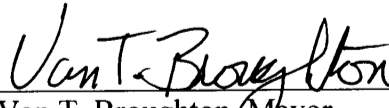
COMMITTEE REPORTS**Building Committee**

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


ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
1761	Severino, Sue	128 Elm St.	Re- Shingle	\$6,200
1762	Milnes, Gerald	34 Vine St.	Metal Roof	\$14,990
1763	Carpenter, Warren	202 First St.	Metal Roof	\$14,736
1764	Campbell, Denise	21 Fayette St.	Siding on garage.	\$2,500
1765	Wilson, James	703 N. Randolph Ave.	Demolition	\$16,000
1766	Pritt, Cecil	1624 S Davis	20' X 24' Garage/Storage Building	\$8,778
1767	Shreve, Tammy	413-419 Robert E. Lee Ave.	4 Town Houses	\$230,000
1768	Himes, Violet	110 Sunset Dr.	Re-Shingle House	\$9,243
1769	Rowan, Richard	109 Evergreen Dr.	Re-Shingle House	\$8,642
1770	Shepler, Brian	1428 Cole Ave.	Re-Shingle House	\$3,248
1771	Mattingly, Steve	145 Buffalo St.	Remove and Replace Stoop and Sidewalk	\$5,550
1773	Coberly, Patrick	5 Grace Circle	1904 Sq Ft Ranch Style Dwelling	\$182,300
1774	Whiteman, Gary	1217 S. Henry Ave.	Electrical Service upgrade	\$800
1775	Thompson, Leona	317 Wilson St.	Replace Furnace	\$2,622
1776	Earle, Richard	312 Randolph Ave.	Install Metal Roof	\$13,000
1777	G S A (U S Forestry Service)	200 Sycamore St.	UST Closure for 6000 gal. fuel oil tank	\$24,250
1778	Kennedy, Wayne	135 Robert E. Lee Ave.	Metal Roof	\$8,000
1779	Pyles, Victor III	933 S. Henry Ave	12' X 12' Deck on the Rear of the House	\$1,500
1780	Shepler, Steve	215 Sylvester Dr.	Install Tile	\$5,900

The meeting adjourned at 9:18 p.m.

*Approved by council at the meeting
of August 21, 2014*


Van T. Broughton, Mayor

Attest:



Sutton R. Stokes, City Clerk

City of Elkins, WV
User: Tracyf

Accounts Payable
Checks by Date - Summary by Check Number

Printed: 08/04/2014 10:54
Summary

<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
102	KumpHo	Kump House Endowment Trust	07/15/2014	4,000.00
138	CastoCh	Kay Casto & Chaney PLLC	07/16/2014	1,907.70
139	McNeer	McNeer, Highland, McMunn and V	07/16/2014	885.00
140	BurgeNi	Burgess & Niple, Inc.	07/28/2014	2,585.89
141	CastoCh	Kay Casto & Chaney PLLC	07/28/2014	418.50
142	GriffAs	Griffith & Associates, PLLC	07/28/2014	1,683.00
143	McNeer	McNeer, Highland, McMunn and V	07/28/2014	275.00
286	Dtc	Davis Trust Company	07/28/2014	10.00
287	McNeer	McNeer, Highland, McMunn and V	07/28/2014	6,390.00
309	Payroll	COE Payroll	07/22/2014	42,249.65
310	99	COE Disbursement Account	07/23/2014	63,444.52
311	99	COE Disbursement Account	07/23/2014	20,261.88
312	99	COE Disbursement Account	07/24/2014	3,500.00
313	99	COE Disbursement Account	07/30/2014	63,250.18
1932	Payroll	COE Payroll	07/22/2014	6,449.09
1933	99	COE Disbursement Account	07/23/2014	3,738.27
1934	99	COE Disbursement Account	07/23/2014	801.97
1935	99	COE Disbursement Account	07/30/2014	2,839.86
2050	Payroll	COE Payroll	07/22/2014	1,530.28
2051	99	COE Disbursement Account	07/23/2014	3,490.32
2052	99	COE Disbursement Account	07/23/2014	12,286.90
2053	99	COE Disbursement Account	07/30/2014	5,093.38
2183	Payroll	COE Payroll	07/22/2014	10,890.47
2184	99	COE Disbursement Account	07/23/2014	20,347.98
2185	99	COE Disbursement Account	07/23/2014	2,185.86
2186	99	COE Disbursement Account	07/30/2014	22,845.72
2187	99	COE Disbursement Account	07/30/2014	406.79
2195	Payroll	COE Payroll	07/22/2014	14,671.82
2196	99	COE Disbursement Account	07/23/2014	26,678.79
2197	99	COE Disbursement Account	07/23/2014	5,700.40
2198	99	COE Disbursement Account	07/30/2014	27,079.76
2277	Payroll	COE Payroll	07/22/2014	5,418.37
2278	99	COE Disbursement Account	07/23/2014	13,356.77
2279	99	COE Disbursement Account	07/23/2014	3,721.40
2280	99	COE Disbursement Account	07/30/2014	10,907.79
2863	MountVa	Mountain Valley Bank	07/23/2014	140,000.00
24518	CoeGen2	COE General Fund	07/15/2014	2,881.72
24519	CoeLand	COE Landfill	07/15/2014	2,646.59
24520	CoeSana	COE Sanitation	07/15/2014	8,286.72
24521	CoeSewe	COE Sewer	07/15/2014	11,666.93
24522	COEWate	COE Water Fund	07/15/2014	8,561.13
24523	CoeGen2	COE General Fund	07/16/2014	6,227.34
24524	CoeLand	COE Landfill	07/16/2014	8,278.21
24525	CoePark	COE Parks and Recreation	07/16/2014	40.00
24526	CoeSana	COE Sanitation	07/16/2014	4,783.38
24527	CoeSewe	COE Sewer	07/16/2014	29,688.18
24528	COEWate	COE Water Fund	07/16/2014	23,027.84
24529	CoeGen2	COE General Fund	07/17/2014	5,209.92
24530	CoeLand	COE Landfill	07/17/2014	1,751.46
24531	CoeSana	COE Sanitation	07/17/2014	5,446.73
24532	CoeSewe	COE Sewer	07/17/2014	24,528.49
24533	COEWate	COE Water Fund	07/17/2014	11,327.05
24534	CoeGen2	COE General Fund	07/18/2014	9,890.59
24535	CoeLand	COE Landfill	07/18/2014	1,335.33
24536	CoeSana	COE Sanitation	07/18/2014	4,437.86
24537	CoeSewe	COE Sewer	07/18/2014	6,655.73
24538	COEWate	COE Water Fund	07/18/2014	6,507.87
24539	CoeGen2	COE General Fund	07/21/2014	8,252.91
24540	CoeLand	COE Landfill	07/21/2014	3,266.71
24541	CoeSana	COE Sanitation	07/21/2014	12,838.94
24542	CoeSewe	COE Sewer	07/21/2014	16,964.75
24543	COEWate	COE Water Fund	07/21/2014	17,516.49

City of Elkins, WV
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24544	CoeGen2	COE General Fund	07/22/2014	17,110.88
24545	CoeLand	COE Landfill	07/22/2014	340.69
24546	CoeSana	COE Sanitation	07/22/2014	1,022.70
24547	CoeSewe	COE Sewer	07/22/2014	1,804.14
24548	COEWate	COE Water Fund	07/22/2014	1,631.17
24549	CoeGen2	COE General Fund	07/23/2014	7,186.38
24550	CoeLand	COE Landfill	07/23/2014	275.36
24551	CoeSana	COE Sanitation	07/23/2014	845.21
24552	CoeSewe	COE Sewer	07/23/2014	1,278.66
24553	COEWate	COE Water Fund	07/23/2014	916.54
24554	CoeGen2	COE General Fund	07/24/2014	19,046.07
24555	CoeLand	COE Landfill	07/24/2014	285.67
24556	CoePark	COE Parks and Recreation	07/24/2014	95.00
24557	CoeSana	COE Sanitation	07/24/2014	822.06
24558	CoeSewe	COE Sewer	07/24/2014	1,447.63
24559	COEWate	COE Water Fund	07/24/2014	1,116.15
24560	CoeGen2	COE General Fund	07/25/2014	10,284.17
24561	CoeLand	COE Landfill	07/25/2014	462.85
24562	CoeSana	COE Sanitation	07/25/2014	1,963.23
24563	CoeSewe	COE Sewer	07/25/2014	1,267.55
24564	COEWate	COE Water Fund	07/25/2014	2,066.78
24565	CoeGen2	COE General Fund	07/28/2014	57,020.66
24566	CoeLand	COE Landfill	07/28/2014	1,222.77
24567	CoePark	COE Parks and Recreation	07/28/2014	25,116.45
24568	CoeSana	COE Sanitation	07/28/2014	5,902.16
24569	CoeSewe	COE Sewer	07/28/2014	4,130.16
24570	COEWate	COE Water Fund	07/28/2014	4,656.76
24571	CoeGen2	COE General Fund	07/29/2014	13,039.86
24572	CoeLand	COE Landfill	07/29/2014	383.57
24573	CoeSana	COE Sanitation	07/29/2014	1,017.56
24574	CoeSewe	COE Sewer	07/29/2014	1,193.55
24575	COEWate	COE Water Fund	07/29/2014	885.94
24576	CoeGen2	COE General Fund	07/30/2014	19,242.57
24577	CoeLand	COE Landfill	07/30/2014	238.50
24578	CoeSana	COE Sanitation	07/30/2014	752.97
24579	CoeSewe	COE Sewer	07/30/2014	1,316.35
24580	COEWate	COE Water Fund	07/30/2014	1,091.54
24581	CoeGen2	COE General Fund	07/31/2014	93,598.86
24582	CoeLand	COE Landfill	07/31/2014	219.58
24583	CoePark	COE Parks and Recreation	07/31/2014	55.00
24584	CoeSana	COE Sanitation	07/31/2014	834.90
24585	CoeSewe	COE Sewer	07/31/2014	1,918.36
24586	COEWate	COE Water Fund	07/31/2014	1,558.16
24587	Grants	COE Grants	07/31/2014	728.01
24588	CoeGen2	COE General Fund	08/01/2014	33,747.75
24589	CoeLand	COE Landfill	08/01/2014	788.03
24590	CoePark	COE Parks and Recreation	08/01/2014	16,666.66
24591	CoeSana	COE Sanitation	08/01/2014	4,006.77
24592	CoeSewe	COE Sewer	08/01/2014	5,103.18
24593	COEWate	COE Water Fund	08/01/2014	4,705.07
61268	81	COE Sewer	07/15/2014	5,251.92
61269	001	COE General Fund 2	07/15/2014	28.85
61270	06	COE Parks	07/15/2014	40.00
61271	35	COE Sanitation	07/15/2014	19.54
61272	80	COE Water	07/15/2014	12,297.12
61273	81	COE Sewer	07/15/2014	21.74
61274	Aflac	AFLAC	07/23/2014	66.30
61275	CbwwFp	Citizens Bank of WV	07/23/2014	903.95
61276	CbwwPp	Citizens Bank of WV	07/23/2014	2,952.55
61277	ChildSu	Child Support Enforcement	07/23/2014	709.90
61278	CoeFed	COE Payroll	07/23/2014	10,685.77
61279	CoeFica	COE Payroll	07/23/2014	14,206.66

City of Elkins, WV
User: Tracyf

Accounts Payable
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<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
61280	CoeMisc	COE Misc	07/23/2014	428.46
61281	CoeOpeb	COE OPEB Escrow Account	07/23/2014	5,372.00
61282	Conseco	Washington National Insurance	07/23/2014	232.86
61283	DtcXmas	Davis Trust Company	07/23/2014	990.00
61284	ElkProFF	Elkins Professional Firefighte	07/23/2014	40.00
61285	Ing	ING National Trust	07/23/2014	117.00
61286	LiveUn	Live United	07/23/2014	15.00
61287	RetirHe	Retiree Health Benefit Trust F	07/23/2014	13,465.30
61288	WVFBMC	WV FBMC	07/23/2014	1,273.16
61289	WVPeia	WV Public Employee Insurance A	07/23/2014	41,547.00
61290	WVPers	WV Consolidated Retirement Boa	07/23/2014	29,562.99
61291	WVPerso	COE Payroll	07/23/2014	8,487.75
61292	AbsolAs	Absolute Absolute Assurance Drug Testin	07/23/2014	52.00
61293	AppalCo	Appalachian Community Health C	07/23/2014	240.00
61294	Chase	Chase Equipment Finance	07/23/2014	2,092.01
61295	CiticVe	CIT Technology Finance Serv, I	07/23/2014	88.89
61296	ClarkWa	Clarksburg Water Board	07/23/2014	210.00
61297	CoePost	COE/Davis Trust Company	07/23/2014	3,750.00
61298	CommIns	Commercial Insurance	07/23/2014	1,416.00
61299	Dtc	Davis Trust Company	07/23/2014	3,125.34
61300	GuttmFl	Guttman Fleet Fueling	07/23/2014	6,785.51
61301	HammaKZ	K Zane Hammack	07/23/2014	300.00
61302	MercuOn	Mercury One LTD	07/23/2014	200.00
61303	MissUt	Miss Utility of WV	07/23/2014	40.30
61304	MonPowe	Mon Power	07/23/2014	6,196.07
61305	OgdenTr	Ted Ogden Trucking, Inc.	07/23/2014	8,190.00
61306	RegiVII	Region VII Plan. & Development	07/23/2014	7,094.00
61307	RodehSt	Steven C Rodeheaver	07/23/2014	145.00
61308	RossmCo	Rossman & Co./PCB	07/23/2014	4.94
61309	SteveEl	Steven Miller	07/23/2014	1,170.00
61310	ToshiFi	Toshiba Financial Services	07/23/2014	223.00
61311	TrickHa	Trickett Hardware	07/23/2014	18.00
61312	USPostm	US Postmaster	07/23/2014	307.96
61313	WeeseEd	Ed Weese	07/23/2014	897.10
61314	WoodfOi	Woodford Oil Company	07/23/2014	1,375.92
61315	WVBure2	Unemployment Compensation Divi	07/23/2014	5.22
61316	WVBurea	WV Bureau of Employment Progra	07/23/2014	351.26
61317	WVPeia	WV Public Employee Insurance A	07/23/2014	679.89
61318	ElkinsOn	Elkins ON TRAC	07/24/2014	2,500.00
61319	HillbiHa	Hillbilly Hardball Classic, In	07/24/2014	1,000.00
61320	BB&T	BB&T Governmental Finance	07/30/2014	2,722.68
61321	BB&T2	BB&T Governmental Finance	07/30/2014	2,286.67
61322	BendePa	Paul Bender	07/30/2014	850.00
61323	CbvwFp	Citizens Bank of WV	07/30/2014	6,096.55
61324	CbvwPp	Citizens Bank of WV	07/30/2014	14,355.51
61325	CoeGenl	COE General Fund	07/30/2014	34,300.37
61326	CoeOpeb	COE OPEB Escrow Account	07/30/2014	158.00
61327	CoePark	COE Parks and Recreation	07/30/2014	16,666.66
61328	CoeSana	COE Sanitation	07/30/2014	1,253.53
61329	DepotWe	Depot Welcome Center	07/30/2014	1,009.32
61330	ElkBuil	Elkins Building Comm.	07/30/2014	3,861.46
61331	ElkCham	Elkins Randolph County Chamber	07/30/2014	4,010.00
61332	GuttmFl	Guttman Fleet Fueling	07/30/2014	6,876.17
61333	JacksGr	Grover C. Jackson, Jr.	07/30/2014	1,800.00
61334	LewisTa	Tamara Lewis	07/30/2014	796.00
61335	MonPowe	Mon Power	07/30/2014	7,663.97
61336	MountGa	Mountaineer Gas Company	07/30/2014	218.73
61337	Mvb	Monongahela Valley Bank	07/30/2014	1,520.92
61338	ProgrBa	Progressive Bank	07/30/2014	9,877.03
61339	RCCvb	Rand Co CVB	07/30/2014	6,200.10
61340	RetirHe	Retiree Health Benefit Trust F	07/30/2014	352.00
61341	UnitedBa	United Bank Loan Processing Ce	07/30/2014	2,560.27

City of Elkins, WV
User: Tracyf

Accounts Payable
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<u>Check Number</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Amount</u>
61342	USPostm	US Postmaster	07/30/2014	1,878.26
61343	WVFBMC	WV FBMC	07/30/2014	11.38
61344	WVJail	WV Regional Jail and Correctio	07/30/2014	1,109.75
61345	WVPeia	WV Public Employee Insurance A	07/30/2014	1,098.00
61346	WVTreas2	WV State Treasurer's Office/ M	07/30/2014	2,483.36
61347	UnitedBa	United Bank Loan Processing Ce	07/30/2014	406.79

Report Total: 1,495,330.48

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