

Approved Minutes

**ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

***401 Davis Avenue
Council Chamber, 2nd Floor
February 16, 2017
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 N. E. Bross-Fregonara, R.P. Dusenbury, C. Friddle, III, C.C. Lowther, C. L. Metheny, E.R. Ochsendorf, D.C. Parker, L.H. Vest and R. A. Woolwine; City Treasurer T. Judy; Fire Chief T. W. Meader; Operations Manager R.P. Pingley; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter M. Burdette.

M. D. Cuonzo and Police Chief J.C. Raffety were absent.

PRESENTATION

Karen Carper, Executive Director of Elkins Main Street, presented their annual report.

MINUTES

Cm. Metheny, seconded by Cm. Ochsendorf, **MOVED APPROVAL OF THE MINUTES OF THE FEBRUARY 2, 2017 REGULAR MEETING.** The motion carried.

Cm. Metheny, seconded by Cm. Woolwine, **MOVED APPROVAL OF THE MINUTES OF THE FEBRUARY 9, 2017 SPECIAL MEETING.** The motion carried.

NEW BUSINESS

Cw. Bross-Fregonara, seconded by Cm. Woolwine, **MOVED APPROVAL OF ORDINANCE 229: INDEMNIFICATION OF CITY OFFICIALS, AGENTS AND EMPLOYEES (2ND OF TWO READINGS).** The motion carried.

Cw. Bross-Fregonara, seconded by Cm. Parker, **MOVED APPROVAL OF ORDINANCE 230: ADDRESSING THE AUTHORITY WITH REGARD TO DISPOSITION OF MUNICIPAL PROPERTY (1ST OF TWO READINGS).** In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote. The clerk called roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	C. Metheny	Yes	R. Woolwine	Yes
M. Cuonzo	Absent	G. Ochsendorf	Yes		
R. Dusenbury	No	D. Parker	Yes		
C. Friddle III	Yes	L. Vest	Yes		

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Cm. Metheny, seconded by Cw. Bross-Fregonara, **MOVED APPROVAL OF ORDINANCE 231: EXEMPT THE CITY’S POLICE CIVIL SERVICE COMMISSION FROM THE PARTY AFFILIATION REQUIREMENT OF WEST VIRGINIA CODE §8-14-7 (1ST OF TWO READINGS)**. In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote. The clerk called roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	C. Metheny	Yes	R. Woolwine	Yes
M. Cuonzo	Absent	G. Ochsendorf	Yes		
R. Dusenbury	No	D. Parker	Yes		
C. Friddle III	Yes	L. Vest	Yes		

Cw. Bross-Fregonara, seconded by Cm. Ochsendorf, **MOVED APPROVAL OF ORDINANCE 232: EXEMPT THE CITY’S FIRE CIVIL SERVICE COMMISSION FROM THE PARTY AFFILIATION REQUIREMENT OF WEST VIRGINIA CODE §8-15-12 (1ST OF TWO READINGS)**. In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote. The clerk called roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	C. Metheny	Yes	R. Woolwine	Yes
M. Cuonzo	Absent	G. Ochsendorf	Yes		
R. Dusenbury	No	D. Parker	Yes		
C. Friddle III	Yes	L. Vest	Yes		

Cm. Metheny, seconded by Cm. Parker, **MOVED APPROVAL OF ORDINANCE 233: EXEMPT THE ELKINS MUNICIPAL BUILDING COMMISSION FROM THE PARTY AFFILIATION REQUIREMENT OF WEST VIRGINIA CODE §8-33-3 (1ST OF TWO READINGS)**. In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote. The clerk called roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	C. Metheny	Yes	R. Woolwine	Yes
M. Cuonzo	Absent	G. Ochsendorf	Yes		
R. Dusenbury	No	D. Parker	Yes		
C. Friddle III	Yes	L. Vest	Yes		

Cw. Bross-Fregonara, seconded by Cm. Ochsendorf, **MOVED APPROVAL OF ORDINANCE 234: EXEMPT THE CITY’S ELECTION BOARDS (BALLOT COMMISSIONERS AND POLL WORKERS) FROM THE PARTY AFFILIATION REQUIREMENT OF WEST VIRGINIA CODE §3-1-29 AND §3-1-30 (1ST OF TWO READINGS)**. In accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote. The clerk called roll in random order. The motion carried. Council votes were as follows:

N. Bross-Fregonara	Yes	C. Metheny	Yes	R. Woolwine	Yes
M. Cuonzo	Absent	G. Ochsendorf	Yes		
R. Dusenbury	No	D. Parker	Yes		
C. Friddle III	Yes	L. Vest	Yes		

Cm. Woolwine, seconded by Cm. Ochsendorf, **MOVED APPROVAL OF RESOLUTION 999: ACCEPTING CONDITIONS OF AGREEMENT BETWEEN HART OFFICE SOLUTIONS AND THE CITY OF ELKINS, AND AUTHORIZING PAYMENT THEREOF.** The motion carried.

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Cw. Bross-Fregonara, seconded by Cm. Friddle III, **MOVED APPROVAL OF RESOLUTION 1000: APPROVING INVOICES RELATED TO THE WATER SYSTEM IMPROVEMENT PROJECT, AND AUTHORIZING PAYMENT THEREOF.** The motion carried.

Cm. Woolwine, seconded by Cm. Friddle III, **MOVED APPROVAL OF RESOLUTION 1001: COMPENSATION ADJUSTMENT FOR M. METHENY.** The motion carried. Cm. Metheny abstained.

Cm. Metheny, seconded by Cm. Friddle III, **MOVED APPROVAL OF RESOLUTION 1002: APPOINTMENT OF C. LOWTHER TO UNEXPIRED THIRD WARD COUNCIL SEAT.** The motion carried.

City Clerk J. Sutton announced the following dates related to the 2017 municipal election:

Canvass of the election – March 13 @ 12:00 p.m.

Certification of the election – March 15 @ 7:00 p.m.

Council discussed the Brunch Bill. City Attorney G. Roberts advised that approximately six to eight cities have made a similar request to the Home Rule Board and been approved. This only affects Class A license holders. The Rules and Ordinances committee will be discussion adding this request to the Home Rule amendment application later this year. All requested amendments will come before council before submission to the Home Rule Board.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Woolwine, seconded by Cm. Parker, **MOVED APPROVAL OF THE INVOICES PRESENTED.** The motion carried.

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

- Accounts Payable check transactions for the period February 1 – February 14, 2017

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

- Issued building permits.
- Event Requests

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

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ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
170024	Go-Mart #90	699 Railroad Ave.	Seal Canopy and Gutters	4,000.00
170025	Hicks, Lynn & Jennifer	139 Elm St.	Upgrade Electric Service	900.00
170026	Miller, Todd & Katherine	136 Buffalo St.	Install Tile Shower	1,800.00
170027	Vandevender, Penny	202 Barnard Ave.	Replace the Beam in the Crawl Space	4,500.00
170028	Dean, Mary	27 Key St.	Install Siding and Shingles	11,000.00
170029	Wyshyvanuk, Alex	133 Guy St	New Windows	1,000.00
170030	Walgreens #11238	615 Randolph Ave.	Interior Build Out Electric, Plumbing & Mechanical	300,000.00
170031	Walgreens #11238	615 Randolph Ave.	Electrical	57,000.00
170032	Leary, Greg & Kathy	302 Tygart Ct.	Cleanspace & Sump Pump	7,288.00
170033	Ferguson, David	131 Vector Ave.	New Gas Line and HVAC	4,900.00
170034	Dasher, Brenda	103 Riverview Dr.	Bathroom Remodel	1,000.00
170035	Walgreens #11238	615 Randolph Ave.	Plumbing & Mechanical	51,899.00
170036	Orr, Roberta	119 Guy St.	Soffit, Fascia and Gutter	5,800.00

Cm. Metheny, seconded by Cm. Ochsendorf, **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 8:05 p.m.

*Approved by council at the meeting
of March 2, 2017*

Van T. Broughton, Mayor

Attest:

Jessica R. Sutton, City Clerk