

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***401 Davis Avenue
Council Chamber, 2nd Floor
October 17, 2019
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 R.C. Chenoweth, C.H. Friddle, III, J.A. Guye, G.M. Hinchman, C.C. Lowther, C. L. Metheny, D.C. Parker, L.H. Vest, and K.L. Wilmoth; City Treasurer T. Judy; Fire Chief T. W. Meader; Police Chief T. Bennett; Operations Manager R.P. Pingley; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter B. Johnson.

Councilperson M. D. Cuonzo was absent.

PUBLIC COMMENT

Judy Seamon of 1316 S. Davis Ave spoke to council of flooding in her basement whenever there is a hard rain over the last forty years. She was astonished to hear about the sewer separation project, and disappointed to learn that it would not affect her. Ms. Seamon also expressed frustration that she would be paying a higher tax without a solution her to problem.

Mike Elza of 1311 S. Kerens Ave has no gripe with the sewer system project except that he would like to see the City replace old terracotta pipes along with the installation of the new systems. Mr. Elza would also like to see more transparency and accountability of council. He believes the citizens should have been notified sooner and more often regarding this project. Mr. Elza would also like to see a larger employer come into the area to retain our population.

Diana Vera of 26 Harpertown Rd bought her house in 1990 and states it is pretty much destroyed because of the City's failure to maintain the culverts. She believes they have not been cleaned since 1992. Ms. Vera is also upset that the City has placed the responsibility of Buffalo Creek on to the individual property owners. She does not agree with the sewer rate increase and states that there are several residents that will refuse to pay for improvements in south Elkins.

Mike Elza was given to permission by council to speak on another matter. He would like to know how the sales tax money is being spent and also how the City is accounting for the over seventy vehicles he was told they own. Mr. Elza is also in favor of changing the Charter.

Karen Currence of 207 Wilson Lane understands that the sewer issues have existed for twenty-five to thirty years and that they were not taken care of or planned for as they should have been. However, she doesn't want to see the burden placed on current residents. She is aware of many

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elderly residents who experience sewer back-ups into their homes and thinks people may move away because of these issues.

PRESENTATION

The Kump House presentation by Heather Biola was rescheduled to November 21, 2019.

MINUTES

Cm. Metheny, **MOVED APPROVAL OF THE MINUTES OF THE SEPTEMBER 19, 2019 MEETING.**

The motion carried.

NEW BUSINESS

Operations Manager R. Pingley and Bond Counsel attorney Jason Turner of Steptoe & Johnson, explained the reason for and content of Ordinance 265.

Cm. Parker, **MOVED APPROVAL OF ORDINANCE 265: AN ORDINANCE OF THE CITY OF ELKINS AUTHORIZING (I) THE CONVEYANCE OF THE REAL PROPERTY AND ALL IMPROVEMENTS APPURTENANCES THERETO CONSISTING OF THE PHIL GAINER COMMUNITY CENTER TO THE ELKINS MUNICIPAL BUILDING COMMISSION (THE “BUILDING COMMISSION”), (II) THE DESIGN, ACQUISITION, CONSTRUCTION AND EQUIPPING OF IMPROVEMENTS TO THE PHIL GAINER COMMUNITY CENTER (THE “PROJECT”). (III) THE LEASING OF SUCH REAL PROPERTY AND ALL PROJECT IMPROVEMENTS AND APPURTENANCES THERETO BY THE CITY FROM THE BUILDING COMMISSION, AND (IV) THE ISSUANCE BY THE BUILDING COMMISSION OF ITS LEASE REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$750,000 FOR THE PURPOSE OF FINANCING THE PROJECT AND MATTERS RELATED THERETO (1ST OF TWO READINGS).** The motion carried.

Operations Manager R. Pingley, with the assistance of Bob Rodecker of Kay, Casto and Chaney, project attorney; Michael Griffith of Griffith and Associates, project accountant; and Mike Davis, project engineer, provided information and answered council questions regarding the Phase II Sewer project.

Cm. Parker, **MOVED APPROVAL OF ORDINANCE 266: AN ORDINANCE TO SET FORTH PROPOSED SEWER COLLECTION SYSTEM IMPROVEMENT PROJECT AND TO AMEND AND REENACT THE RATES, RULES AND REGULATIONS FOR FURNISHING SEWAGE AND SEWAGE DISPOSAL SERVICE AT ELKINS AND VICINITY, RANDOLPH COUNTY, WEST VIRGINIA BY INCREASING THE RATES CHARGED THEREFORE (1ST OF TWO READINGS).** The motion carried.

Cm. Metheny, **MOVED APPROVAL OF ORDINANCE 267: AN ORDINANCE AMENDING ORDINANCE 264 AND MODIFYING CITY CODE, ARTICLE II, CHAPTER 17, STREET VENDORS (1ST OF TWO READINGS).** The motion carried.

Cw. Guye, **MOVED APPROVAL OF RESOLUTION 1260: ASSIGNMENT OF OPERATIONS POSITION TO THE COMPENSATION AND CLASSIFICATION PLAN AND AUTHORIZING COMPENSATION FOR R. MOORE (AMENDED).** The motion carried.

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Cw. Wilmoth, **MOVED APPROVAL OF RESOLUTION 1261: APPOINTMENT OF C. CARTER TO THE ELKINS HISTORIC LANDMARKS COMMISSION.** The motion carried.

Cm. Lowther, **MOVED APPROVAL OF RESOLUTION 1262: APPOINTING L. BURKE TO THE ELKINS TREE BOARD.** The motion carried.

Cw. Guye, **MOVED APPROVAL OF RESOLUTION 1263: APPOINTING V. WINN TO THE ELKINS TREE BOARD.** The motion carried.

Cm. Friddle, **MOVED APPROVAL OF RESOLUTION 1264: APPROVAL OF BUDGET REVISION 2020-001-02 FOR FISCAL YEAR 2020.** In accordance with the requirements of the state auditor’s office for interdepartmental budget revisions, the chair ordered a roll-call vote. The recording secretary called roll in random order. The motion carried. Council votes were as follows:

R. Chenoweth	Yes	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	absent	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	Yes	D. Parker	Yes		

Cw. Guye, **MOVED APPROVAL OF RESOLUTION 1265: APPROVING “FULL-TIME REGULAR EMPLOYEE” STATUS AND CONFIRMING COMPENSATION LEVEL FOR S. SKIDMORE.** The motion carried.

Cm. Metheny, **MOVED APPROVAL OF RESOLUTION 1266: APPROVING AN INCREASE IN THE ACCIDENT REPORT FEE CHARGED BY THE ELKINS POLICE DEPARTMENT.** The motion carried.

Cm. Metheny, **MOVED APPROVAL OF RESOLUTION 1267: AUTHORIZING FOR THE CREATION OF AN INFORMATION SERVICES COORDINATOR POSITION WITHIN THE CITY CLERK’S OFFICE, AND AUTHORITY TO HIRE.** Cm. Friddle, **MOVED THE PREVIOUS QUESTION.** The motion carried. 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:

R. Chenoweth	No	M. Hinchman	Yes	L. Vest	Yes
M. Cuonzo	absent	C. Lowther	Yes	K. Wilmoth	Yes
C. Friddle, III	Yes	C. Metheny	Yes	Mayor V. Broughton (in case of tie)	n/a
J. Guye	No	D. Parker	Yes		

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APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Friddle, **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 September 16 – October 11, 2019

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

- Issued building permits
- Events
- Treasurer's report

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
190225	Dudley, Mara	1511 S Henry Ave.	Replace Roof	35,000.00
190226	Rhodes, Maureen	343 Blaine Ave.	Install Hard Wired Smoke Detectors	800.00
190227	Kelly, Charles	19-21 Fifth St.	Drywall Garage Ceiling	4,284.00
190228	Ross, Joseph	401 Andrews St.	Replace Roof	13,000.00
190229	Kimble, Jordan	201 First St.	Electrical Upgrade And Inspection	500.00
190230	Romine, Linda	104 Sunset Dr.	Storage Building	4,000.00
190231	Skidmore, Thomas	2 Wilson St.	Sidewalk	6,500.00
190232	Lockhart, Robert	113 Sixteenth St.	Re-Roof Garage	2,000.00
190233	Ervin, Bridget	118 Ervin Ln.	Build a 4' X 8' Deck	2,500.00
190234	Big Timber Brewing Co.	2 Davis Ave.	Build Tap Room	1,200,000.00
190235	Howell, Bruce	731 Harrison Ave.	Remodel Room from Fire & Electrical Insp.	3,000.00
190236	Gatehouse, Edward	915 S Kerens Ave.***	Electrical Upgrade & Inspection	200.00
190237	Shiflett, Calvin	909 S Henry Ave.	Drywall	800.00
190238	Rogers, Alice	224 Bruce St.	Deck	200.00
190239	Mcvey, Shane	1605 Lavalette Ave.	Remodel	30,000.00
190240	Powers, Richard	145 Delaware Ave.	Replace Roof	2,000.00
190241	Hardees	27 Randolph Ave.	Replace Fence	2,500.00
190242	Biola, Heather & Joseph	12 Prospect St.***	Build Slope Roof in Place of Flat Roof	4,330.00
190243	Scott, Randolph	615 Yokum St.	Replace Roof	8,000.00
190244	Polesnak, Thomas	115 Conaway Dr	Gutters and Downspouts	745.00
190245	Chua, Philip	109 Sixteenth St.	Replace Roof	10,000.00

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ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
190246	Sundelin, Grace	109 High St.	Dewatering and Install Sump Pump	5,800.00
190247	Humphries, Michael	118 Ellis Ave.	Electrical Inspection	100.00

Cm. Metheny, **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 8:22 p.m.

*Approved by council at the meeting
of MONTH DAY, YEAR*

Van T. Broughton, Mayor

Attest:

Jessica R. Sutton, City Clerk