

Proposed Minutes

ELKINS COMMON COUNCIL PUBLIC HEARING MINUTES

Virtual

September 3, 2020

7:00 p.m.

Elkins Common Council met in regular session virtually. Present were Mayor Van T. Broughton; Councilpersons R.C. Chenoweth, C.H. Friddle, III, J.A. Guye, G.M. Hinchman, C.C. Lowther, L.H. Vest, and K.L. Wilmoth; City Treasurer T. Judy; Fire Chief T. W. Meader; Operations Assistant M. Himes; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter A. Gaynor.

Councilors M. D. Cuonzo, C. L. Metheny and D.C. Parker; Police Chief T. Bennett and Operations Manager R.P. Pingley were absent.

Mayor Broughton opened the floor for comment on the following item:

- i.** *Ordinance 273: Ordinance Authorizing the Acquisition and Construction of Certain Extensions, Additions, Betterments and Improvements to the Existing Public Sewerage System of the City of Elkins and the Financing of the Cost Thereof, Not Otherwise Provided, Through the Issuance By the City of Elkins of Not More Than \$4,964,800 in Original Aggregate Principal Amount of Sewer Revenue Bonds, Series 2020 A (West Virginia SRF Program); Providing For the Rights and Remedies Of and Security For the Registered Owners of Such Bonds; Authorizing Execution and Delivery Of All Documents Relating To the Issuance of Such Bonds; Approving a Loan Agreement Relating to Such Bonds; Authorizing the Sale and Providing For the Terms and Provisions of Such Bonds and Adopting Other Provisions Relating Thereto*

Michael C Elza, 1311 S. Kerens Ave., Elkins, WV - 1st Ward:

I would like to remind council that I hope they have done their due diligence on Ordinance 273, because the issuance of City of Elkins Revenue Bonds, Series 2020 A is a complex and technical process. I have read about many misrepresented professionals in accounting, law and engineering. I hope you have confidence in your administrative officers and responsibilities, as this is a huge undertaking. I am not objecting to this per se, but with Covid19 going on in our community, I think they could hold off on pushing this Ordinance 273 without me being able to attend in public, to voice my opinion. Many of you all complained last meeting on Zoom, and here we are again, combining a regular council meeting with a virtual public hearing, which I cannot attend in public, to present my opinion. Thank you for the due consideration.

Hearing no further comment, Mayor V. T. Broughton **CLOSED THE PUBLIC HEARING.**

The hearing adjourned at 7:11 p.m.

Proposed Minutes

**ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

Virtual

September 3, 2020

Immediately following Public Hearing

Elkins Common Council met in regular session virtually. 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; Operations Assistant M. Himes; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter A. Gaynor.

Councilor M. D. Cuonzo, Police Chief T. Bennett and Operations Manager R.P. Pingley were absent.

PUBLIC COMMENT

Three public comments were received and read allowed by J. Sutton on behalf of:

Mark Doak; Alan Huffman and Mike Elza. Comments are attached.

For the purpose of clarity during this audio-only virtual meeting the Clerk was directed to conduct a roll call vote for every matter of business a vote was called for.

MINUTES

Cm. Chenoweth, **MOVED APPROVAL OF THE MINUTES OF THE AUGUST 20, 2020 MEETING.** The motion carried.

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

*Councilor Metheny had been counted present at roll call, but upon being called to vote for the minutes was not heard to respond and so no response was recorded.

NEW BUSINESS

City charter review and discussion continued. The Clerk reviewed a memo issued to council describing what the Clerk and Mr. Stranko understood to be the difference between items that

Proposed Minutes

have council consensus and public approval and those that do not have council consensus or a known objection from the public. Mr. Stranko advised of two options most likely for council to pursue. The first is passing by ordinance the non-controversial items and moving the objectionable items to the ballot as set out in W.Va. Code § 8-4-8. The second as described in W. Va. Code §8-4-7 would require a referendum to proceed to be put before the public, the creation of a charter board and then a ballot of the proposed charter amendments. Mr. Stranko advised council the first option may be the better choice considering the work they’ve already done and is less expensive for the city. There was no discussion of the charter content. Councilors Friddle, Wilmoth, Vest, Hinchman and Chenoweth all expressed interest in having more time to review the proposal and suggested a special call meeting for further discussion.

Cw. Guye, **MOVED APPROVAL OF ORDINANCE 273: ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF CERTAIN EXTENSIONS, ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE EXISTING PUBLIC SEWERAGE SYSTEM OF THE CITY OF ELKINS AND THE FINANCING OF THE COST THEREOF, NOT OTHERWISE PROVIDED, THROUGH THE ISSUANCE BY THE CITY OF ELKINS OF NOT MORE THAN \$4,964,800 IN ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF SEWER REVENUE BONDS, SERIES 2020 A (WEST VIRGINIA SRF PROGRAM); PROVIDING FOR THE RIGHTS AND REMEDIES OF AND SECURITY FOR THE REGISTERED OWNERS OF SUCH BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS RELATING TO THE ISSUANCE OF SUCH BONDS; APPROVING A LOAN AGREEMENT RELATING TO SUCH BONDS; AUTHORIZING THE SALE AND PROVIDING FOR THE TERMS AND PROVISIONS OF SUCH BONDS AND ADOPTING OTHER PROVISIONS RELATING THERETO (3rd AND FINAL READING).** The motion carried.

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		

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Friddle, **MOVED APPROVAL OF THE INVOICES PRESENTED.** The motion carried.

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		

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 August 17 – 28, 2020.

Proposed Minutes

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

The meeting adjourned at 8:09 p.m.

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

Van T. Broughton, Mayor

Attest:

Jessica R. Sutton, City Clerk