

## ***Proposed Minutes***

# **ELKINS COMMON COUNCIL PUBLIC HEARING MINUTES**

***401 Davis Avenue  
Council Chamber, 2nd Floor  
November 18, 2021  
6:30 p.m.***

Elkins Common Council met in special session in the council chamber of city hall. Present were Mayor Jerry A. Marco; Councilpersons N.E. Bross-Fregonara, R.C. Chenoweth, M. D. Cuonzo, C.H. Friddle, III, J.A. Guye, G.M. Hinchman, C.C. Lowther, D.C. Parker, and L.H. Vest; City Treasurer T. Judy; Fire Chief S.D. Himes; Interim Operations Manager M. Himes; City Attorney G. S. Roberts; and City Clerk J.R. Sutton (acting as recording secretary).

Councilor C.J. Higgins and Police Chief T. Bennett were absent.

The hearing was called to order at 6:30 p.m.

- i. Ordinance 291: An Ordinance of the City of Elkins, West Virginia Authorizing the Governing Body to Submit a Municipal Home Rule Amendment to the Approved Written Plan to the Municipal Home Rule Board*

No comments were entered.

The hearing was closed at 6:31 p.m.

# **ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES**

***401 Davis Avenue  
Council Chamber, 2nd Floor  
November 18, 2021  
7:00 p.m.***

Elkins Common Council met in regular session in the council chamber of city hall. Present were Mayor Jerry A. Marco; Councilpersons N.E. Bross-Fregonara, R.C. Chenoweth, M. D. Cuonzo, C.H. Friddle, III, J.A. Guye, C.J. Higgins, G.M. Hinchman, C.C. Lowther, D.C. Parker, and L.H. Vest; City Treasurer T. Judy; Fire Chief S.D. Himes; Police Chief T. Bennett; Interim Operations Manager M. Himes; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter B. Johnson.

## **Proposed Minutes**

### **PRESENTATION**

Kurt Barkley, Executive Director for the Randolph County Creative Arts Center, presented to council. Mr. Barkley thanked council and the mayor for their continued support, which contributes to the quality of services the RCCAC can provide to the community. They are in their 20<sup>th</sup> year of operation with a mission of providing high quality art exhibits, cultural events, and classes to the community. The RCCAC offers the only stained-glass studio in the region. Three years ago, they broke into the tour bus market, although this was disrupted by the pandemic, they have hosted three busses this year, all from the northern Midwest and all were successful. The RCCAC is funded by entry fees for juried exhibits; class tuition; ticket sales to events; grants; fundraising; and state and local funding. They have several events planned for 2022 including the annual gala, an Oktoberfest, monthly brown bag concerts and a Halloween event. The Center also serves as a polling place and meeting place for many organizations. Their afterschool program is currently full, and they hope to expand this option in the future. Mr. Barkley invites councilors and the mayor to visit the RCCAC in December for their artist's market (3&4); the quilt exhibition luncheon (12) and the holiday brown bag concert with Raymond Godwin.

### **MINUTES**

Cm. Chenoweth, **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 4, 2021, MEETING.**  
The motion carried.

### **UNFINISHED BUSINESS**

Cm. Friddle, **MOVED APPROVAL OF ENTERING INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A PERSONNEL MATTER.** The motion carried. The Chair announced that no action was taken.

Cm. Chenoweth, **MOVED APPROVAL TO POSTPONE RESOLUTION 1465: APPOINTING A TREASURER AND CONFIRMING THE AMOUNT OF COMPENSATION.** The motion carried.

### **NEW BUSINESS**

Without objection, the chair moved items f and g to the top of new business.

Cm. Lowther, **MOVED APPROVAL OF RESOLUTION 1468: APPROVING THE PROMOTION OF AND ESTABLISHING A NEW COMPENSATION LEVEL FOR C. BOATWRIGHT.** The motion carried.

Cm. Parker, **MOVED APPROVAL OF RESOLUTION 1469: APPROVING THE PROMOTION OF AND ESTABLISHING A NEW COMPENSATION LEVEL FOR D. SAYRE.** The motion carried.

Cm. Friddle, **MOVED APPROVAL OF ORDINANCE 290: AN ORDINANCE OF THE CITY OF ELKINS, WEST VIRGINIA, TO VACATE, ABANDON AND CLOSE A PORTION OF THOSE CERTAIN PUBLIC**

**Proposed Minutes**

**RIGHTS OF WAY KNOWN AS WILMOTH LANE AND MAIN STREET (2<sup>ND</sup> AND FINAL READING).** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF ORDINANCE 291: AN ORDINANCE OF THE CITY OF ELKINS, WEST VIRGINIA, AUTHORIZING THE GOVERNING BODY TO SUBMIT A MUNICIPAL HOME RULE AMENDMENT TO THE APPROVED WRITTEN PLAN TO THE MUNICIPAL HOME RULE BOARD (1<sup>ST</sup> OF TWO READINGS).** The motion carried.

Cw. Bross-Fregonara, **MOVED APPROVAL OF ORDINANCE 292: AN ORDINANCE OF THE CITY OF ELKINS, WEST VIRGINIA REVISING AND AMENDING ELKINS CITY CODE §71.99 REGARDING PENALTIES FOR PARKING OFFENSES (1<sup>ST</sup> OF TWO READINGS).** The motion carried.

Cm. Higgins, **MOVED APPROVAL OF ORDINANCE 293: AN ORDINANCE OF THE CITY OF ELKINS, WEST VIRGINIA REVISING AND AMENDING ELKINS CITY CODE §152.245 REGARDING MEETINGS OF THE BOARD OF ZONING APPEALS (1<sup>ST</sup> OF TWO READINGS).** The motion carried.

Cw. Cuonzo, **MOVED APPROVAL OF AN AMENDMENT TO RESOLUTION 1453: APPROVING THE PURCHASE OF SOFTWARE AND HARDWARE FROM TYLER TECHNOLOGIES, TO INCLUDE AN EXEMPTION OF THE BID REQUIREMENT ON THE BASIS OF THERE BEING NO SUPPLIER OF GOODS OR SERVICES SOUGHT WITHIN THE AREA OF GENERAL CIRCULATION OF THE CITY NEWSPAPER.** The motion carried.

Cw. Guye, **MOVED APPROVAL OF RESOLUTION 1470: AUTHORIZING THE REAPPOINTMENT OF D. TURNER TO THE BOARD OF ZONING APPEALS.** The motion carried.

Cw. Bross-Fregonara, **MOVED APPROVAL OF RESOLUTION 1471: AUTHORIZING THE APPOINTMENT OF R. LABROZZI TO THE ELKINS TREE BOARD.** The motion carried.

Cw. Bross-Fregonara, **MOVED APPROVAL OF RESOLUTION 1472: AUTHORIZING THE REAPPOINTMENT OF C. FRY TO THE FIRE SERVICE FEE APPEALS BOARD.** The motion carried.

Cw. Guye, **MOVED APPROVAL OF RESOLUTION 1473: ACCEPTING CONDITIONS OF CONTRACT BETWEEN DELMONTE MARKET DBA TAMMY’S FLORAL AND THE CITY OF ELKINS, AND AUTHORIZING EXECUTION OF CONTRACT.** 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	J. Guye	Yes	D. Parker	No
R. Chenoweth	Yes	C. Higgins	Yes	L. Vest	Yes
M. Cuonzo	Yes	M. Hinchman	Yes	Mayor J. Marco (in case of tie)	n/a
C. Friddle, III	Yes	C. Lowther	No		

**Proposed Minutes**

Cm. Friddle, MOVED APPROVAL OF RESOLUTION 1474: ADOPTING AND IMPLEMENTING AN AMENDED CITY OF ELKINS ORGANIZATIONAL CHART. The motion carried.

Cm. Chenoweth, MOVED APPROVAL OF RESOLUTION 1475: AMENDING THE CITY OF ELKINS PERSONNEL POLICY CH. 4.G: TEMPORARY ASSIGNMENT. The motion carried.

Cm. Hinchman, MOVED APPROVAL TO ACCEPT RECOMMENDATIONS FROM THE AD-HOC ARPA COMMITTEE FOR EXPENDITURE OF ARPA FUNDS, INCLUDING: UP TO \$55,000 FOR UPGRADES TO THE WASTEWATER TREATMENT PLANT SCADA SYSTEM AND UP TO \$102,000 FOR THE PURCHASE OF A LOADER FOR THE WASTEWATER SYSTEM, AND THAT ANY EXCESS BE RETURNED TO THE APRA FUND ACCOUNT. The motion carried.

**APPROVAL OF VENDOR INVOICE PAYMENTS**

Cm. Hinchman, 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 November 1 – 12, 2021.

**CORRESPONDENCE AND NOTIFICATIONS**

Council received the following correspondence and notifications:

- Issued building permits
- Treasurer’s report
- Events

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

<b>ISSUED BUILDING PERMITS</b>				
<b>Permit</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>	<b>Value</b>
<b>210254</b>	<b>Band, Barry</b>	<b>123 Sunset Dr.</b>	<b>Build Roof Over Rear Deck</b>	<b>6,500.00</b>
<b>210255</b>	<b>Batchelor, Alan</b>	<b>122-1/2 Elm St</b>	<b>Replace Breaker Panel</b>	<b>800.00</b>
<b>210256</b>	<b>Douglas Coal Co.</b>	<b>12 Fourth St</b>	<b>Replace Roof</b>	<b>33,406.00</b>

Cm. Hinchman, MOVED ADJOURNMENT. The motion carried.

**Proposed Minutes**

The meeting adjourned at 8:29 p.m.

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

---

Jerry A. Marco, Mayor

*Attest:*

---

Jessica R. Sutton, City Clerk