

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

*401 Davis Avenue
Council Chamber, 2nd Floor
October 20, 2022
7:00 p.m.*

Elkins Common Council met in regular session in the council chamber of city hall. Present were Acting Mayor Jessica R. Sutton; Councilpersons N.E. Bross-Fregonara, R.C. Chenoweth, M. D. Cuonzo, J.A. Guye, G.M. Hinchman, D.C. Parker, L.S. Severino, 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; and R.A. Wickham (acting as recording secretary).

Councilpersons C.J. Higgins and C.C. Lowther were absent.

MINUTES

Cm. Parker, **MOVED APPROVAL OF THE MINUTES OF THE SEPTEMBER 15, 2022, REGULAR COUNCIL MEETING.** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF THE MINUTES OF THE SEPTEMBER 15, 2022, PUBLIC HEARING.** The motion carried.

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

- Issued building permits
- Events
- Approved minutes of committees, boards and commissions

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

ISSUED BUILDING PERMITS				
Permit	Applicant	Location	Description	Value
220204	Ironhorse Enterprise, LLC	213 Henry Ave.	Remove Door and Replace with Window	4,000.00
220205	Varney, Caitlyn	1527 Taylor Ave.	Fence	1,000.00
220206	Batchelor, Alan	1525 Taylor Ave.	Fence	3,500.00
220207	Corder, Deborah	119 Main St	Roof	29,425.00
220208	Lamb, Robert	115 Vector Ave	Roof	8,000.00
220209	Ashburn, Rebecca	128 Boundary Ave.	Roof	21,000.00
220210	Gosnell, Dorothy	1010 W Central St	Fence	1,500.00
220211	West, Sidney	102 Third St	Electric	5,000.00
220212	Hostetler, Joan	163 Delaware Ave	Fence	9,000.00
220213	Welshonce, Jeffrey	69 Heavner Acres	Electric Service Inspection	100.00
220214	Brewster, Teresa	600 Wilson St	Stand-by Generator	8,470.00
220215	Valdez, Michael	219 Elm St	Fence	8,000.00
220216	Powers, Richard	145 Delaware Ave.	Upgrade Electric	1,500.00
220217	Riggleman, Sherwood	1429 S Henry Ave.	Replace Windows	13,370.00

220218	Weaver, Porsche	1513 Harrison Ave Ste C	Sign	50.00
220219	Tanner, Justin	1418 S Davis Ave.	Roof	4,300.00
220220	Wyatt, Terry	117 Evans Dr	Roof	4,800.00
220221	Randolph Co Housing Authority	110 Bruce St	New Home	112,000.00
220222	Perry, Roger & Susan	1421 Taylor Ave.	Re-roof Garage	3,400.00
220223	Smith, Sandra	25 Grace Circle	New Home	210,000.00
220224	Heatherly, Ronald	103 Mountain View Dr.	Steps and Sidewalk	8,557.00
220225	Hutton, Bradford	500 Center St	Build 14 X 29 Room	3,000.00
220226	Davis & Elkins College	100 Campus Dr	Construct a 3400 Sq Ft Amphitheater	275,000.00
220227	Engstrom, Ronda	125 Ridgetop Ct	Repair Siding	4,800.00
220228	Smith, Dustin	121 High St	Kitchen & Bath Remodel	5,000.00
220229	Mussi, Richard	611A W Main St	Roof	5,000.00
220230	Fallon, James Jr	107 Pleasant Ave.	Electric Inspection	100.00
220231	Biller, Clifford	128 Boundary Ave.	Roof	13,765.00
220232	Stiles, Sherry	231 Bruce St	Roof	9,416.00
220233	Hamrick, Wendy	19 Main St.	One Exterior Door & Three Interior Doors & Windows	3,500.00
220234	Elkins Metal Recycling	1320 Livingston Ave.	Electrical Inspection	300.00
220235	Citizens Bank	211 Third St	Roof	68,070.00
220236	McCauley, Matthew	206 First St	Roof & Gutters	13,000.00
220237	Cooper, Cody	101 Randolph Ave.	Roof	12,717.00
220238	Spanitz, Charles	1004 Cole Ave	Roof	8,000.00
220239	Unger, Joan	84 Pleasant Ave.	Replace Decking Boards & Steps	1,500.00
220240	Conrad, Lloyd	64 Thirteenth St.	Privacy Fence	3,500.00
220241	Lothes, James	32 Baxter St	Roof	7,431.00
220242	Judy, Tracy	311 Scott Ford Rd.	Cabinets, Counter Tops, Window & Door	15,100.00
220243	Ryan, William	107 Bruce St	Crawlspace Encapsulation	6,571.00
220244	Runkle, Emery	9 Thorn Ave	Electric Inspection	1,200.00
220245	Taylor, Jimmy	700 Seventh St	Install Metal Roof	6,025.00
220246	Appalachian Community Health	725 Yokum St	Roof	59,586.00
220247	Gillispie, Sidney	120 Guy St	Roof	6,236.00
220248	Gillispie, Sidney	107 Buffalo St	Roof	7,983.00

PRESENTATION

Dave Clark, Executive Director of Woodlands Development and Lending, presented a written report and oral presentation on the recent activities and future plans of the organization. The lending side has seen an increase in activity. They are working with multiple downtown property owners to access historic tax credits and other funding aids. The development arm is also busy with several single and multi-family projects throughout Elkins. Mr. Clark is expecting a final report on a housing needs assessment they worked on in conjunction with the Virginia Tech and

West Virginia University. This will help inform, along with community input, where the housing gaps are and help them prioritize resources.

Mark Doak spoke to council as a representative of the informal group of downtown commercial property owners called Envision Elkins. They meet monthly and discuss opportunities for existing and new businesses.

COMMITTEE REPORTS were provided by all committee chairs present.

STAFF REPORTS were provided by all administrative officers and the city attorney.

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 September 12 – October 14, 2022

Councilor C.C. Lowther arrived at 7:30 p.m.

NEW BUSINESS

Cw. Cuonzo, **MOVED APPROVAL OF ORDINANCE 307: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA, REPEALING AND AMENDING ELKINS CITY CODE SEC. 90.03 BARKING AND HOWLING (1ST OF TWO READINGS).** The motion carried.

Cw. Bross-Fregonara, **MOVED APPROVAL OF ORDINANCE 308: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA, AMENDING ELKINS CITY CODE SECTION 152: ZONING (1ST OF TWO READINGS).** The motion carried.

Cm. Lowther, **MOVED APPROVAL OF RESOLUTION 1568: APPROVING “FULL-TIME REGULAR EMPLOYEE” STATUS AND CONFIRMING COMPENSATION LEVEL FOR Z. JUDY.** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF RESOLUTION 1569: APPROVING “FULL-TIME REGULAR EMPLOYEE” STATUS AND CONFIRMING COMPENSATION LEVEL FOR T. BURCHILL.** The motion carried.

Cm. Lowther, **MOVED APPROVAL OF RESOLUTION 1570: APPROVING “FULL-TIME REGULAR EMPLOYEE” STATUS AND CONFIRMING COMPENSATION LEVEL FOR S. ARBOGAST.** The motion carried.

Cw. Cuonzo, **MOVED APPROVAL OF RESOLUTION 1571: ACCEPTING CONDITIONS AND TERMS OF THE WALMART/WEST VIRGINIA STATEWIDE SETTLEMENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE ELECTION AND RELEASE FORM PROVIDED BY THE WEST VIRGINIA ATTORNEY GENERAL.** The motion carried.

Cm. Parker, **MOVED APPROVAL OF RESOLUTION 1572: ACCEPTING CONDITIONS AND TERMS OF THE CVS/WEST VIRGINIA STATEWIDE SETTLEMENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE ELECTION AND RELEASE FORM PROVIDED BY THE WEST VIRGINIA ATTORNEY GENERAL.** The motion carried.

Cm. Hinchman, **MOVED APPROVAL OF RESOLUTION 1573: ACCEPTING CONDITIONS AND TERMS OF THE TEVA PHARMACEUTICAL/WEST VIRGINIA STATEWIDE SETTLEMENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE ELECTION AND RELEASE FORM PROVIDED BY THE WEST VIRGINIA ATTORNEY GENERAL.** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF RESOLUTION 1574: ACCEPTING CONDITIONS AND TERMS OF THE ALLEGAN/WEST VIRGINIA STATEWIDE SETTLEMENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE ELECTION AND RELEASE FORM PROVIDED BY THE WEST VIRGINIA ATTORNEY GENERAL.** The motion carried.

Cw. Cuonzo, **MOVED APPROVAL OF RESOLUTION 1575: AUTHORIZING PARKING UPON A WEST VIRGINIA STATE HIGHWAY.** The motion carried.

Cm. Hinchman, **MOVED APPROVAL TO WAIVE THE BID PROCESS AS REQUIRED IN ELKINS CITY CODE SECTION 30.20 BASED ON SECTION (B) WHERE THE PROCUREMENT OF THE CONTEMPLATED GOODS OR SERVICES IS OF SUCH URGENCY AS TO BROOK NO DELAY, FOR THE PURCHASE OF A TRUCK FOR THE STREET DEPARTMENT.** The motion carried.

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

The meeting adjourned at 8:07 p.m.

*Approved by council at the meeting
of November 3, 2022*

Jessica R. Sutton, Acting Mayor

Attest:

Rachel A. Wickham, Recording Secretary