



City of Elkins

Regular Council Meeting

November 7, 2024

7:00 PM

Phil Gainer Community Center

142 Robert E Lee Ave. Ext.

Elkins, WV 26241

AGENDA

1. **Invocation and Pledge of Allegiance**
2. **Call to order and roll call**
3. **Public comment**
4. **Minutes**
 - a. Minutes proposed for the meeting of October 10, 2024
5. **Correspondence, Notifications, and Recognitions**
6. **Councilor Reports**
7. **Staff reports**
8. **Approval of vendor invoice payments**
 - a. Vendor invoices presented for approval: Oct. 7-Nov. 1, 2024

(Available for public review in the city clerk's office two business days before this meeting, as required by W. Va. Ethics Commission Open Meetings Advisory Opinion 2012-04.)
9. **New business**
 - a. Ordinance 339: Amending City Code Chapter 32: City Officers, concerning duties and powers of the City's Administrative Officers (first of two readings)
 - b. Resolution 1794: Clarifying expenditure authorizations for the City Hall HVAC project
 - c. Resolution 1795: Authorizing application to DOH for permission to install an on-demand crossing signal on Randolph Avenue in front of the Art Center
 - d. Other matters related to City Hall repairs and renovations
 - e. Update and planning concerning W. Va. PSC order to assume responsibility for the Whitmer Public Water System
10. **Mayor's comments**
11. **Adjournment**



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	November 7, 2024
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Minutes proposed for the meeting of October 10, 2024
Recommended By:	City Clerk
Summary:	Minutes proposed for Council's meeting of October 10
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. city council - 2024_10_10 - minutes_proposed

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***Phil Gainer Community Center
142 Robert E Lee Ave. Ext.
Elkins, WV 26241
October 10, 2024
3:30 p.m.***

Elkins Common Council met in regular session in the council chamber of city hall. Present were Councilors N.E. Bross-Fregonara, A.C. Carroll, R.C. Chenoweth, G.M. Hinchman, B.C. Kerns, D.C. Parker, E. L. Plishka, L.S. Severino, and C.H. Thompson; City Treasurer T. Judy; Fire Chief S.D. Himes; Police Chief T. Bennett; Operations Manager M. Kesecker; City Attorney G. S. Roberts; and City Clerk S.R. Stokes (recording secretary).

Mayor Jerry A. Marco and Councilor C.C. Lowther were absent.

PUBLIC COMMENT

There was no public comment.

MINUTES

Chenoweth **MOVED APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 19, 2024.** The motion carried.

Plishka **MOVED APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 25, 2024.** The motion carried.

APPROVAL OF VENDOR INVOICE PAYMENTS

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 Sept. 16-Oct. 4, 2024.

NEW BUSINESS

Chenoweth **MOVED APPROVAL OF RESOLUTION 1792: AUTHORIZING CONTRACTING WITH VANNOSTRAND ARCHITECTS FOR PREPARATION OF A FORMAL SCOPE-OF-WORK FOR THE RENOVATION OF CITY HALL.** The motion carried.

Proposed Minutes

Chenoweth MOVED APPROVAL OF RESOLUTION 1793: IMPLEMENTING A FRAMEWORK FOR COMPENSATION ADJUSTMENTS FOR THE GENERAL FUND ADMINISTRATIVE OFFICERS. The motion carried.

Kesecker provided information about the ongoing recovery and restoration work at City Hall.

Parker MOVED THAT COUNCIL ENTER EXECUTIVE SESSION UNDER THE ATTORNEY/CLIENT EXEMPTION FOR THE AGENDA ITEM “UPDATE CONCERNING REAL ESTATE NEGOTIATION.” The motion carried. The executive session began at 8:13 p.m. and ended at 8:41 p.m. The chair announced that no decisions were made and no actions were taken.

The meeting was adjourned at 8:42 p.m.

Attest: S.R. Stokes, City Clerk

Jerry A. Marco, Mayor



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	November 7, 2024
Section:	Approval of vendor invoice payments
Category:	Action Item
Agenda Item Name:	Vendor invoices presented for approval: Oct. 7-Nov. 1, 2024 <i>(Available for public review in the city clerk's office two business days before this meeting, as required by W. Va. Ethics Commission Open Meetings Advisory Opinion 2012-04.)</i>
Recommended By:	City Treasurer
Summary:	Accounts payable transactions in all funds October 7-November 1, 2024
Fiscal Impact:	Report details \$1,766,299.44 in transactions from all funds.
Recommendation:	Consider for approval
Attachments:	1. AP Check Report - 2024_11_07

VENDOR SET: 01 Elkins

BANK: ARPA America Rescue Plan Act

DATE RANGE:10/07/2024 THRU 11/01/2024

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02671	CP&H Inc dba City Plumbing & H							
I-Application #2	HVAC Project Application #2	R	10/09/2024	90,450.00		000121		90,450.00
02671	CP&H Inc dba City Plumbing & H							
I-Application #3	Application #3	R	10/29/2024	229,782.72		000122		229,782.72

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	2	320,232.72	0.00	320,232.72
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: ARPA TOTALS:	2	320,232.72	0.00	320,232.72
BANK: ARPA TOTALS:	2	320,232.72	0.00	320,232.72

VENDOR SET: 01 Elkins
BANK: GCBAN Grant Co Bank-Whitmer
DATE RANGE:10/07/2024 THRU 11/01/2024

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00140	City of Elkins							
I-CKREQ DEP	Reimb for DEP Invoices pd w/cc	R	10/16/2024	210.00		000016		210.00
02249	CITCO Water							
I-S100268621.001	ABS 08776100 Start Kit	R	10/16/2024	233.77		000017		233.77
02431	Ferguson Waterworks #527							
I-0920344	6 in Duck Bill	R	10/16/2024	507.69		000018		507.69
00132	Clarksburg Water Board							
I-M92231	Compliance Sample	R	10/23/2024	23.00		000019		23.00
00140	City of Elkins							
I-CKREQ 101824	Reimb for mower/chem/samples	R	10/23/2024	980.07		000020		980.07
00471	FirstEnergy MP/PE							
I-Whitmer 101024	Church Hill Rd 090824-100624	R	10/23/2024	460.93		000021		460.93
00310	Griffith & Associates, PLLC							
I-15048	Prof Services 07/2024	R	10/29/2024	326.00		000022		326.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	7	2,741.46	0.00	2,741.46
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: GCBANTOTALS:	7	2,741.46	0.00	2,741.46
BANK: GCBAN TOTALS:	7	2,741.46	0.00	2,741.46

VENDOR SET: 01 Elkins
BANK: OVBSA Construction Draw
DATE RANGE:10/07/2024 THRU 11/01/2024

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02605	Commercial Builders Inc							
I-Appl #5	contracted services	R	10/23/2024	119,025.00		000006		119,025.00

* * T O T A L S * *	NO			INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1			119,025.00	0.00	119,025.00
HAND CHECKS:	0			0.00	0.00	0.00
DRAFTS:	0			0.00	0.00	0.00
EFT:	0			0.00	0.00	0.00
NON CHECKS:	0			0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS	0.00			
		VOID CREDITS	0.00	0.00	0.00	

TOTAL ERRORS: 0

	NO			INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: OVBSATOTALS:	1			119,025.00	0.00	119,025.00
BANK: OVBSA TOTALS:	1			119,025.00	0.00	119,025.00

VENDOR SET: 01 Elkins

BANK: Pool Pooled Cash

DATE RANGE:10/07/2024 THRU 11/01/2024

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00471	FirstEnergy MP/PE							
I-LT31 Barron 091824	LT Barron 081524-091624	D	10/08/2024	14,740.26		006432		14,740.26
00741	Great-West Trust Company LLC							
I-VF 202410151688	Voya	D	10/16/2024	620.00		006433		
I-VF202410151688	Voya AT	D	10/16/2024	100.00		006433		720.00
00792	WV Consolidated Retirement Boa							
I-RTD202409301678	Retirement	D	10/16/2024	7,916.00		006434		
I-RTD202409301679	Retirement	D	10/16/2024	2,025.00		006434		
I-RTD202410151688	Retirement	D	10/16/2024	8,094.61		006434		18,035.61
00952	WV Consolidated Retirement Boa							
I-RTF202409301678	Retirement	D	10/16/2024	2,745.04		006435		
I-RTF202409301679	Retirement	D	10/16/2024	595.00		006435		
I-RTF202410151688	Retirement	D	10/16/2024	3,399.62		006435		
I-RTN202409301678	Retirement	D	10/16/2024	5,918.44		006435		
I-RTN202409301679	Retirement	D	10/16/2024	850.00		006435		
I-RTN202410151688	Retirement	D	10/16/2024	7,596.22		006435		21,104.32
00993	WV Consolidated Retirement Boa							
I-RT6202409301678	Retirement 6%	D	10/16/2024	9,762.42		006436		
I-RT6202409301679	Retirement 6%	D	10/16/2024	3,000.00		006436		
I-RT6202410151688	Retirement 6%	D	10/16/2024	10,042.49		006436		
I-RT6202410151689	Retirement 6%	D	10/16/2024	103.68		006436		22,908.59
02667	Health Equity							
I-HSA202410151688	Health Savings	D	10/16/2024	956.54		006437		956.54
02417	US Bank Corporate Payment Syst							
I-Visa Fleet 093024	Visa Fleet Stmt Pmt 093024	D	10/21/2024	16,779.09		006448		16,779.09
02417	US Bank Corporate Payment Syst							
I-VisaNonFleet 09/24	Visa NonFleet Stmt Pmt 093024	D	10/21/2024	116,190.73		006539		116,190.73
00741	Great-West Trust Company LLC							
I-VF 202410291697	Voya	D	10/29/2024	620.00		006540		
I-VF202410291697	Voya AT	D	10/29/2024	100.00		006540		720.00
02667	Health Equity							
I-HSA202410291697	Health Savings	D	10/29/2024	906.54		006541		906.54
00047	Truist Governmental Finance							
I-00007 101924	9948000234-07 101924	R	10/08/2024	4,984.55		016063		4,984.55

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00082	Builders Group, Inc.							
I-749150	stakes/coil tie wire	R	10/08/2024	31.27		016064		31.27
00102	Central Supply Company of WV							
I-573534	Trench Drains Metal w/Cap	R	10/08/2024	1,197.95		016065		1,197.95
00143	COE General Fund 2							
I-10/24 Indirects	Monthly Indirects 10/2024	R	10/08/2024	16,751.44		016066		16,751.44
00154	COE Sanitation							
I-202410026484	Hauling Fee Ticket 28753	R	10/08/2024	299.48		016067		299.48
00156	COE Sewer Depreciation Account							
I-09/24 Sewer Depr	09/24 Sewer Depr Deposit	R	10/08/2024	6,010.96		016068		6,010.96
00158	COE Water Depreciation Account							
I-09/24 Water Depr	09/24 Water Depr Deposit	R	10/08/2024	8,757.96		016069		8,757.96
00202	Davis Trust Company							
I-12755 102224	3113776/12755 102224	R	10/08/2024	4,256.84		016070		4,256.84
00283	Frontier							
I-092024	Phone 092024	R	10/08/2024	1,456.16		016071		1,456.16
00483	Mountain Valley Bank							
I-1202553-24 101524	1202553-24 10/15/24	R	10/08/2024	6,518.78		016072		6,518.78
00500	Newlons International Sales, L							
I-01P22170.02	Front drum/Kit BK OH Maj	R	10/08/2024	945.30		016073		945.30
00688	Terra Flora Landscaping							
I-1282	Work at CH Parking Lot	R	10/08/2024	1,228.41		016074		1,228.41
00711	Tygart Valley Transfer, Inc.							
I-00028000	Comm	R	10/08/2024	132.81		016075		
I-00028012	Comm	R	10/08/2024	263.72		016075		
I-00028023	Comm	R	10/08/2024	248.43		016075		
I-00028030	Res	R	10/08/2024	1,105.51		016075		
I-00028038	Comm	R	10/08/2024	1,123.67		016075		
I-00028040	Res	R	10/08/2024	1,044.36		016075		
I-00028044	Res	R	10/08/2024	724.27		016075		
I-00028069	Comm	R	10/08/2024	151.92		016075		
I-00028075	Comm	R	10/08/2024	418.51		016075		
I-00028077	Comm	R	10/08/2024	308.63		016075		
I-00028082	Res	R	10/08/2024	716.63		016075		
I-00028083	Res	R	10/08/2024	1,001.36		016075		
I-00028087	Comm	R	10/08/2024	947.86		016075		
I-00028104	Comm	R	10/08/2024	482.53		016075		

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
I-00028110	Comm	R	10/08/2024	96.51		016075		
I-00028127	Res	R	10/08/2024	710.89		016075		
I-00028128	Res	R	10/08/2024	632.54		016075		
I-00028129	Comm	R	10/08/2024	559.92		016075		
I-00028149	Comm	R	10/08/2024	280.92		016075		
I-00028164	Res	R	10/08/2024	588.59		016075		
I-00028165	Res	R	10/08/2024	418.51		016075		
I-00028166	Comm	R	10/08/2024	644.01		016075		
I-00028167	Comm	R	10/08/2024	166.26		016075		
I-00028182	Comm	R	10/08/2024	80.26		016075		
I-00028188	Res	R	10/08/2024	258.94		016075		
I-00028205	Comm	R	10/08/2024	859.95		016075		
I-00028207	Res	R	10/08/2024	868.55		016075		
I-00028210	Res	R	10/08/2024	799.75		016075		
I-00028231	Comm	R	10/08/2024	204.48		016075		
I-00028236	Res	R	10/08/2024	169.12		016075		
I-00028248	Comm	R	10/08/2024	257.03		016075		
I-00028252	Res	R	10/08/2024	531.26		016075		
I-00028253	Comm	R	10/08/2024	467.24		016075		
I-00028254	Res	R	10/08/2024	594.32		016075		
I-00028277	Comm	R	10/08/2024	119.44		016075		
I-00028282	Comm	R	10/08/2024	487.31		016075		
I-00028290	Comm	R	10/08/2024	223.59		016075		
I-00028295	Comm	R	10/08/2024	639.23		016075		
I-00028297	Res	R	10/08/2024	492.08		016075		
I-00028299	Res	R	10/08/2024	607.70		016075		
I-00028310	Comm	R	10/08/2024	210.21		016075		
I-00028319	Comm	R	10/08/2024	312.45		016075		
I-00028340	Comm	R	10/08/2024	498.77		016075		
I-00028342	Res	R	10/08/2024	622.99		016075		
I-00028343	Res	R	10/08/2024	671.72		016075		
I-00028363	Comm	R	10/08/2024	243.65		016075		
I-00028372	Res	R	10/08/2024	456.73		016075		
I-00028377	Comm	R	10/08/2024	709.94		016075		
I-00028382	Res	R	10/08/2024	462.46		016075		
I-00028399	Comm	R	10/08/2024	269.45		016075		
I-00028405	Comm	R	10/08/2024	209.25		016075		
I-00028413	Comm	R	10/08/2024	111.79		016075		
I-00028420	Res	R	10/08/2024	926.84		016075		
I-00028421	Comm	R	10/08/2024	901.04		016075		
I-00028422	Res	R	10/08/2024	771.09		016075		
I-00028444	Comm	R	10/08/2024	49.69		016075		
I-00028464	Comm	R	10/08/2024	467.24		016075		
I-00028469	Res	R	10/08/2024	574.26		016075		
I-00028471	Res	R	10/08/2024	511.19		016075		
I-00028488	Comm	R	10/08/2024	280.92		016075		
I-00028493	Res	R	10/08/2024	160.52		016075		
I-00028502	Comm	R	10/08/2024	649.74		016075		

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
I-00028503	Res	R	10/08/2024	535.08		016075		
I-00028504	Res	R	10/08/2024	571.39		016075		
I-00028515	Comm	R	10/08/2024	512.15		016075		
I-00028533	Comm	R	10/08/2024	136.64		016075		
I-00028539	Comm	R	10/08/2024	222.63		016075		
I-00028545	Comm	R	10/08/2024	624.90		016075		
I-00028546	Res	R	10/08/2024	676.49		016075		
I-00028548	Res	R	10/08/2024	657.38		016075		
I-00028559	Comm	R	10/08/2024	251.30		016075		
I-00028580	Res	R	10/08/2024	434.75		016075		
I-00028581	Res	R	10/08/2024	613.43		016075		
I-00028582	Comm	R	10/08/2024	698.47		016075		
I-00028597	Comm	R	10/08/2024	144.28		016075		
I-00028605	Comm	R	10/08/2024	68.80		016075		
I-00028614	Res	R	10/08/2024	846.57		016075		
I-00028615	Res	R	10/08/2024	1,075.89		016075		
I-00028618	Comm	R	10/08/2024	1,183.86		016075		
I-00028635	Comm	R	10/08/2024	312.45		016075		
I-00028640	Res	R	10/08/2024	75.48		016075		
I-00028643	Comm	R	10/08/2024	70.71		016075		
I-00028658	Comm	R	10/08/2024	558.01		016075		
I-00028659	Res	R	10/08/2024	604.83		016075		
I-00028662	Res	R	10/08/2024	665.03		016075		
I-00028681	Comm	R	10/08/2024	454.82		016075		
I-00028682	Res	R	10/08/2024	124.22		016075		
I-00028689	Comm	R	10/08/2024	221.68		016075		
I-00028692	Res	R	10/08/2024	589.54		016075		
I-00028693	Res	R	10/08/2024	579.99		016075		
I-00028694	Comm	R	10/08/2024	713.76		016075		
I-00028709	Comm	R	10/08/2024	325.83		016075		
I-00028724	Comm	R	10/08/2024	104.15		016075		
I-00028738	Res	R	10/08/2024	802.62		016075		
I-00028739	Comm	R	10/08/2024	603.88		016075		
I-00028741	Res	R	10/08/2024	713.76		016075		
I-00028753	Comm	R	10/08/2024	166.26		016075		
I-00028756	Comm	R	10/08/2024	575.21		016075		
I-00028759	Res	R	10/08/2024	114.66		016075		
I-00028762	Comm	R	10/08/2024	209.25		016075		
I-00028765	Res	R	10/08/2024	648.78		016075		
I-00028768	Res	R	10/08/2024	536.04		016075		
I-00028769	Comm	R	10/08/2024	853.26		016075		
I-00028786	Comm	R	10/08/2024	322.96		016075		
I-00028808	Res	R	10/08/2024	1,112.20		016075		
I-00028813	Res	R	10/08/2024	868.55		016075		
I-00028814	Comm	R	10/08/2024	1,079.72		016075		53,762.21

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00812 I-9124B9F	WV Regional Jail and Correctio 16 days Inmate housing 09/2024	R	10/08/2024	919.36		016076		919.36
00824 I-IN72508	WV Tractor Company Vactor Truck Parts	R	10/08/2024	5,856.21		016077		5,856.21
00884 I-590942	Colonial Court Service Station Repair Wheel	R	10/08/2024	83.95		016078		83.95
00927 I-51013994	Interstate Battery System of S MTP-65HD	R	10/08/2024	155.95		016079		155.95
00990 I-INPP6081026 I-INPP6083295	Cleveland Brothers Washer/Bolt/Cmprsr/Rod Coolant/Switch AS/Switch AS-P	R R	10/08/2024 10/08/2024	1,076.62 222.96		016080 016080		 1,299.58
01292 I-09/24 Sewer O&M	COE Sewer O & M Account Sewer O&M Deposit 09/2024	R	10/08/2024	13,153.88		016081		13,153.88
01313 I-09/24 Water O&M	COE Water O & M Account 09/24 Water O&M Deposit	R	10/08/2024	12,902.14		016082		12,902.14
01427 I-14899592	K&K Collision & Towing 21 Chev Tahoe Repairs	R	10/08/2024	4,729.01		016083		4,729.01
01727 I-578571-100424	Enterprise FM Trust Fleet Leases 10/2024	R	10/08/2024	15,957.02		016084		15,957.02
01790 I-452	Crim Law Office PLLC Attorney Serv 09/2024	R	10/08/2024	9,320.00		016085		9,320.00
01942 I-1214756-11 101524	Elkins Municipal Building Comm 1214756-11 #38 101524	R	10/08/2024	4,833.20		016086		4,833.20
02216 I-318030	CivicPlus CC Boards/Committees	R	10/08/2024	8,379.93		016087		8,379.93
02322 I-80172639	Badger Meter Services for Sept 2024	R	10/08/2024	257.52		016088		257.52
02525 I-004	DTC Farms LLC Mini Excavotor Rental	R	10/08/2024	550.00		016089		550.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02709 I-8186	Brooks Network Services LLC Install 3 laptop mounts	R	10/08/2024	95.00		016090		95.00
02710 I-Hamrick 24CR136	Kandice Michael Bond Refund KHamrick CR24136	R	10/08/2024	380.01		016091		380.01
1 I-000202410011680	BRIDGES, KELLY M US REFUND	R	10/08/2024	86.01		016092		86.01
1 I-000202410011681	MONGOLD MANAGEMENT L US REFUND	R	10/08/2024	94.34		016093		94.34
1 I-000202410011682	THOMPSON, EDGAR W US REFUND	R	10/08/2024	57.89		016094		57.89
1 I-000202410181693	HALL, OAK US REFUND	H	10/08/2024	100.00		016095		100.00
00116 I-CDS202410151688	Child Support Enforcement Child Support	R	10/16/2024	690.10		016096		690.10
00121 I-FP 202410151688	Citizens Bank of WVFP Fire Pension	R	10/16/2024	335.07		016097		335.07
00122 I-PP 202410151688 I-PPN202410151688	Citizens Bank of WVFP Police Pension Police Pension-2010 Forward	R R	10/16/2024 10/16/2024	326.86 367.59		016098 016098		 694.45
00147 I-MIS202410151688	COE Misc Misc Reimbursements	R	10/16/2024	275.31		016099		275.31
00150 I-T1 202410151688	COE Payroll Federal Withholding	R	10/16/2024	18,072.82		016100		18,072.82
00151 I-T3 202410151688 I-T4 202410151688	COE Payroll FICA Medicare	R R	10/16/2024 10/16/2024	25,077.48 6,242.80		016101 016101		 31,320.28
00152 I-T2 202410151688	COE Payroll State Withholding	R	10/16/2024	7,454.00		016102		7,454.00
00203 I-CC 202410151688	Davis Trust Company Employee Christmas Club	R	10/16/2024	2,680.00		016103		2,680.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00747	Washington National Insurance							
I-WN 202410151688	Washington National Insurance	R	10/16/2024	604.60		016104		604.60
00837	COE Payroll Reimbursement							
I-001202410151688	Payroll Reimbursement	R	10/16/2024	76,830.18		016105		
I-006202410151688	Payroll Reimbursement	R	10/16/2024	7,600.49		016105		
I-036202410151688	Payroll Reimbursement	R	10/16/2024	16,800.27		016105		
I-400202410151688	Payroll Reimbursement	R	10/16/2024	24,510.45		016105		
I-401202410151688	Payroll Reimbursement	R	10/16/2024	14,390.50		016105		
I-404202410151688	Payroll Reimbursement	R	10/16/2024	14,204.23		016105		154,336.12
01885	Colonial Life							
I-CL 202410151688	Colonial Life-AT	R	10/16/2024	112.10		016106		
I-CLP202410151688	Colonial Life-PT	R	10/16/2024	52.52		016106		164.62
00150	COE Payroll							
I-T1 202410151689	Federal Withholding	R	10/16/2024	51.90		016107		51.90
00151	COE Payroll							
I-T3 202410151689	FICA	R	10/16/2024	85.70		016108		
I-T4 202410151689	Medicare	R	10/16/2024	20.04		016108		105.74
00152	COE Payroll							
I-T2 202410151689	State Withholding	R	10/16/2024	17.00		016109		17.00
00837	COE Payroll Reimbursement							
I-400202410151689	Payroll Reimbursement	R	10/16/2024	527.96		016110		527.96
1	LAWRENCE PROPERTIES							
I-000202410111685	US REFUND	R	10/16/2024	0.10		016111		0.10
1	HAMMER, SHARON D							
I-000202410161690	US REFUND	R	10/16/2024	2,650.50		016112		2,650.50
00006	AFLAC							
I-AF 202409301678	Aflac-After Tax Ins	R	10/16/2024	582.29		016113		
I-AF 202410151688	Aflac-After Tax Ins	R	10/16/2024	582.29		016113		
I-AFL202409301678	Aflac Insurance	R	10/16/2024	297.78		016113		
I-AFL202410151688	Aflac Insurance	R	10/16/2024	297.78		016113		1,760.14
00047	Truist Governmental Finance							
I-00005 102424	9948000234-05 102424	R	10/16/2024	2,596.05		016114		
I-00006 102724	9948000234-06 102724	R	10/16/2024	2,643.26		016114		5,239.31

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00075	Encova Insurance							
I-36864449	WCN6010582	R	10/16/2024	6,765.00		016115		6,765.00
00126	City of Clarksburg							
I-202410151527	Compost/Yd Waste 1725	R	10/16/2024	160.00		016116		160.00
00154	COE Sanitation							
I-202410146527	Hauling Fee City Hall	R	10/16/2024	414.16		016117		
I-202410146529	Hauling Fee Tkt 1725 Brush 109	R	10/16/2024	299.48		016117		
I-202410156549	Tipping Fees	R	10/16/2024	496.08		016117		1,209.72
00201	Davis Electrical Svc. Inc							
I-280466	City Hall repairs	R	10/16/2024	225.97		016118		
I-280472	City Hall repairs	R	10/16/2024	367.09		016118		
I-280603	City Hall repairs	R	10/16/2024	89.64		016118		
I-280715751	City Hall Repairs	R	10/16/2024	4,241.66		016118		
I-280813	City Hall repairs	R	10/16/2024	448.71		016118		5,373.07
00242	Elkins Professional Firefighte							
I-EPF202409301678	Elkins Professional FF	R	10/16/2024	135.00		016119		
I-EPF202410151688	Elkins Professional FF	R	10/16/2024	135.00		016119		270.00
00244	Rotary Club of Elkins							
I-4552432	Annual Dues 23-24/24-25 Mayor	R	10/16/2024	2,006.00		016120		2,006.00
00430	Jonathan Distefano dba Mainten							
I-1300	Code lock install and program	R	10/16/2024	530.00		016121		530.00
00446	McCarty's Septic Service							
I-A-12799	Sludge 09/23-10/01/24	R	10/16/2024	16,380.00		016122		16,380.00
00457	Metalworks, Inc.							
I-13536	Tornado Aerator Repair	R	10/16/2024	3,266.00		016123		
I-13546	Supply SS Angle	R	10/16/2024	350.00		016123		3,616.00
00471	FirstEnergy MP/PE							
I-90009757551	Consumption/Lighting	R	10/16/2024	47,266.58		016124		47,266.58
00482	Mountain State Forest Festival							
I-1302	Distng Guest Dinner-Mayor	R	10/16/2024	60.00		016125		60.00
00483	Mountain Valley Bank							
I-1202553-21	1202553-21 09/24 and 10/24	R	10/16/2024	4,738.36		016126		4,738.36

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00591	Retiree Health Benefit Trust F							
I-RChen 10/2024	RChenoweth 10/2024	R	10/16/2024	34.00		016127		
I-RHB202410151688	Retiree Health Benefit Trust	R	10/16/2024	2,686.00		016127		
I-RHBT 10/2024	RHBT 10/2024	R	10/16/2024	1,971.93		016127		4,691.93
00714	WORKFORCE West Virginia							
I-QTR END 09/30/24	K Bell/G Hartley	R	10/16/2024	4,216.56		016128		4,216.56
00786	WV Bureau for Public Health							
I-CKREQ 101424	J Thompson Class C Cert	R	10/16/2024	100.00		016129		100.00
00805	WV FBMC							
I-MFB202409301678	Mt. Flex Benefit	R	10/16/2024	1,988.46		016130		
I-MFB202410151688	Mt. Flex Benefit	R	10/16/2024	1,909.40		016130		
I-RChen 10/2024	RChenoweth 10/2024	R	10/16/2024	102.84		016130		4,000.70
00810	WV Public Employee Insurance A							
I-BL 202410151688	Basic Life Benefit	R	10/16/2024	190.08		016131		
I-BL1202410151688	Basic Life Benefit +	R	10/16/2024	1.98		016131		
I-CEC202409301678	Plan C E/C	R	10/16/2024	1,268.00		016131		
I-CEC202410151688	Plan C E/C	R	10/16/2024	1,268.00		016131		
I-CF 202409301678	Plan C Family	R	10/16/2024	19,580.00		016131		
I-CF 202410151688	Plan C Family	R	10/16/2024	19,580.00		016131		
I-CKREQ ADMN 10/24	Admn Fees 10/2024	R	10/16/2024	200.00		016131		
I-CS 202409301678	Plan C Single	R	10/16/2024	6,180.00		016131		
I-CS 202410151688	Plan C Single	R	10/16/2024	6,180.00		016131		
I-DL 202409301678	Dependent Life	R	10/16/2024	126.44		016131		
I-DL 202410151688	Dependent Life	R	10/16/2024	126.44		016131		
I-IFA202409301678	Ins - Family - Plan A	R	10/16/2024	747.00		016131		
I-IFA202410151688	Ins - Family - Plan A	R	10/16/2024	747.00		016131		
I-OL 202409301678	Optional Life	R	10/16/2024	411.86		016131		
I-OL 202410151688	Optional Life	R	10/16/2024	411.86		016131		
I-RChen 10/2024	RChenoweth Health/life 10/24	R	10/16/2024	891.98		016131		
I-TOF202409301678	Tobacco Surcharge Family	R	10/16/2024	450.00		016131		
I-TOF202410151688	Tobacco Surcharge Family	R	10/16/2024	450.00		016131		
I-TOS202409301678	Tobacco Surcharge Single	R	10/16/2024	125.00		016131		
I-TOS202410151688	Tobacco Surcharge Single	R	10/16/2024	125.00		016131		59,060.64
00970	TLC Stump Grinding & Tree							
I-2550	2 Stumps City Park	R	10/16/2024	300.00		016132		300.00
01751	COE WWTP							
I-202410116519	Backwash 09/2024	R	10/16/2024	582.73		016133		582.73

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01790	Crim Law Office PLLC							
I-453	Municipal Ct Matters 09/2024	R	10/16/2024	3,980.00		016134		3,980.00
01957	Zoro Tools, Inc.							
I-INV1500563	Line Marking Paint	R	10/16/2024	146.68		016135		146.68
02308	Sheriff of Randolph County							
I-CKREQ 101124	42 EMS Salary Enhancement Fnd	R	10/16/2024	6,484.89		016136		6,484.89
02719	Lee Reger Builds Inc							
I-App #1	WW Coll Bldng App #1	R	10/16/2024	89,318.00		016137		89,318.00
02721	Snyder Farms							
I-CKREQ 100924	50 Pumpkins -Parks	R	10/17/2024	150.00		016138		150.00
1	MCGEE, GARY							
I-000202410181694	US REFUND	H	10/18/2024	25.00		016139		25.00
1	HBC RENTALS							
I-000202410181695	US REFUND	R	10/18/2024	705.96		016140		705.96
00079	Broughton Sports							
I-T-2639	Engraving	R	10/23/2024	60.00		016141		60.00
00132	Clarksburg Water Board							
I-M92232	Compliance Sample	R	10/23/2024	230.00		016142		230.00
00337	Hart Office Solutions							
I-CKREQ 101724	Cable for Toshiba EPD	R	10/23/2024	21.07		016143		21.07
00369	The Inter-Mountain							
I-76420	Statement of Accounts	R	10/23/2024	1,956.00		016144		1,956.00
00471	FirstEnergy MP/PE							
I-Park 101124	Park St 095 091124-100924	R	10/23/2024	51.74		016145		
I-Park St 101124	Park St 091124-100924	R	10/23/2024	45.08		016145		
I-ParkSt 101124	Park St 465 091124-100924	R	10/23/2024	80.01		016145		
I-RRAVE 101624	RR Avenue	R	10/23/2024	1,128.26		016145		1,305.09
00573	Randolph County Development Au							
I-6430	October 2024 Rent	R	10/23/2024	400.00		016146		400.00
00582	Region VII Plan. & Development							
I-520-14	GIS Services 09/2024	R	10/23/2024	440.00		016147		440.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00670	Steptoe & Johnson PLLC							
I-1148065	Prof Srv through 7/31/24	R	10/23/2024	2,804.13		016148		
I-1153667	Prof Services through 8/31/24	R	10/23/2024	1,918.19		016148		4,722.32
01594	Pace Analytical Services LLC							
I-2430557058	09/24 Contract Lab Analysis	R	10/23/2024	2,327.00		016149		2,327.00
01665	WV Division of Labor - Safety							
I-EVO0001149	Elevator Cert of Operation	R	10/23/2024	90.00		016150		90.00
01790	Crim Law Office PLLC							
I-448	Attnty Srv 08/2024	R	10/23/2024	600.00		016151		
I-454	Attnty Srv 09/2024	R	10/23/2024	410.00		016151		1,010.00
01935	TRAF-O-TERIA							
I-18482	Parking Tickets	R	10/23/2024	348.48		016152		348.48
02072	Rocky Fork Enterprizes LLC							
I-10085	Computer Mounts for Cruisers	R	10/23/2024	1,638.11		016153		1,638.11
02157	Jerry A Marco							
I-EXP 101624	Exp 101624-101724 WVMWQA	R	10/23/2024	210.71		016154		210.71
02160	Emblazon Sign Company							
I-2480	Breast Cancer Decals Cruisers	R	10/23/2024	280.00		016155		280.00
02608	Zinn's R Us Inc							
I-2694	4 Septic Holding Tanks	R	10/23/2024	400.00		016156		
I-2704	4 Septic Holding Tanks	R	10/23/2024	400.00		016156		800.00
02719	Lee Reger Builds Inc							
I-App #2	WW Coll Bldgn App #2	R	10/23/2024	81,682.00		016157		81,682.00
00116	Child Support Enforcement							
I-CDS202410291697	Child Support	R	10/29/2024	690.10		016158		690.10
00121	Citizens Bank of WVFP							
I-FP 202410291697	Fire Pension	R	10/29/2024	359.68		016159		359.68
00122	Citizens Bank of WVPP							
I-PP 202410291697	Police Pension	R	10/29/2024	168.19		016160		
I-PPN202410291697	Police Pension-2010 Forward	R	10/29/2024	213.75		016160		381.94

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00147	COE Misc							
I-MIS202410291697	Misc Reimbursements	R	10/29/2024	275.31		016161		275.31
00150	COE Payroll							
I-T1 202410291697	Federal Withholding	R	10/29/2024	13,606.25		016162		13,606.25
00151	COE Payroll							
I-T3 202410291697	FICA	R	10/29/2024	21,275.68		016163		
I-T4 202410291697	Medicare	R	10/29/2024	5,250.06		016163		26,525.74
00152	COE Payroll							
I-T2 202410291697	State Withholding	R	10/29/2024	6,117.00		016164		6,117.00
00203	Davis Trust Company							
I-CC 202410291697	Employee Christmas Club	R	10/29/2024	2,680.00		016165		2,680.00
00747	Washington National Insurance							
I-WN 202410291697	Washington National Insurance	R	10/29/2024	604.60		016166		604.60
00837	COE Payroll Reimbursement							
I-001202410291697	Payroll Reimbursement	R	10/29/2024	58,780.88		016167		
I-006202410291697	Payroll Reimbursement	R	10/29/2024	6,911.27		016167		
I-036202410291697	Payroll Reimbursement	R	10/29/2024	13,630.03		016167		
I-400202410291697	Payroll Reimbursement	R	10/29/2024	24,832.03		016167		
I-401202410291697	Payroll Reimbursement	R	10/29/2024	14,210.08		016167		
I-404202410291697	Payroll Reimbursement	R	10/29/2024	12,220.35		016167		130,584.64
01885	Colonial Life							
I-CL 202410291697	Colonial Life-AT	R	10/29/2024	112.10		016168		
I-CLP202410291697	Colonial Life-PT	R	10/29/2024	52.52		016168		164.62
00150	COE Payroll							
I-T1 202410291698	Federal Withholding	R	10/29/2024	64.94		016169		64.94
00151	COE Payroll							
I-T3 202410291698	FICA	R	10/29/2024	172.04		016170		
I-T4 202410291698	Medicare	R	10/29/2024	40.24		016170		212.28
00152	COE Payroll							
I-T2 202410291698	State Withholding	R	10/29/2024	36.00		016171		36.00
00837	COE Payroll Reimbursement							
I-400202410291698	Payroll Reimbursement	R	10/29/2024	1,097.15		016172		1,097.15

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00032	Absolute Assurance Drug Test L							
I-5580	Random Testing 10/10/24	R	10/29/2024	164.00		016173		164.00
00085	Burgess & Niple, Inc.							
I-1163785	Engineering Srv 080124-093024	R	10/29/2024	418.00		016174		418.00
00189	Cunningham Collision, LLC							
I-1011056	2022 Ram 2500 Repairs	R	10/29/2024	7,155.40		016175		7,155.40
00202	Davis Trust Company							
I-35239 110124	Interest Pmt 3113776-35239	R	10/29/2024	296.35		016176		296.35
00280	Tracy R Judy							
I-EXP 102224	Travel Exp 10/22/24	R	10/29/2024	76.38		016177		76.38
00484	Mountaineer Gas Company							
I-1 Baxter 101824	1 Baxter St 090524-100424	R	10/29/2024	39.23		016178		
I-216 4-101824	216 4th 090524-100724	R	10/29/2024	85.31		016178		
I-216 4th 101824	216 4th 090524-100724	R	10/29/2024	39.23		016178		
I-401 Davis 101824	401 Davis 090624-100724	R	10/29/2024	72.73		016178		
I-917 SRR 101824	917 SRR 090524-100424	R	10/29/2024	50.39		016178		
I-Barron 101824	Barron 090524-100424	R	10/29/2024	39.23		016178		
I-Baxter 101824	1 Baxter 090524-100424	R	10/29/2024	83.90		016178		
I-Baxter Street 1018	Baxter 090524-100524	R	10/29/2024	50.39		016178		
I-Center 101824	Center 090524-100424	R	10/29/2024	39.23		016178		
I-Flood Ctrl 101824	Flood Cntrl 090524-100424	R	10/29/2024	39.23		016178		
I-Glendale 101824	Glendale 090524-100424	R	10/29/2024	50.39		016178		
I-Indust Pk 101824	Industrial Pk 090524-100424	R	10/29/2024	39.23		016178		
I-RELee 101824	RELee 090524-100424	R	10/29/2024	83.90		016178		
I-Stewart 101824	Stewart Ave 090524-100724	R	10/29/2024	59.87		016178		772.26
00517	Ohio Valley Bank							
I-6300002950 110124	Int Pmt 6300002950 110124	R	10/29/2024	1,038.89		016179		1,038.89
00787	WV Bureau of Employment Progra							
I-SUV202409301678	State Unemployment-Vol Fire	R	10/29/2024	15.90		016180		
I-SUV202410151688	State Unemployment-Vol Fire	R	10/29/2024	9.58		016180		25.48
01790	Crim Law Office PLLC							
I-449	Attny Services 08/2024	R	10/29/2024	830.00		016181		
I-455	Attny Services 09/2024	R	10/29/2024	1,010.00		016181		1,840.00
01833	P3 Cost Analysts							
I-26207	Visa VUIRF 10/2024	R	10/29/2024	515.14		016182		515.14

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02098	Skasiks Quality Cleaners LLC							
I-24249-794	Sewing	R	10/29/2024	118.00		016183		118.00
02157	Jerry A Marco							
I-EXP 102224	Travel-St Auditors Training	R	10/29/2024	120.63		016184		120.63
02347	LEAF							
I-17293645	Tosh 5525AC 110824	R	10/29/2024	292.45		016185		
I-17319055	Toshiba E4515AC 11/11/24	R	10/29/2024	455.30		016185		
I-17335915	Toshiba ES4515AC 111324	R	10/29/2024	133.78		016185		
I-17354462	Toshiba E478S Baxter 111824	R	10/29/2024	96.74		016185		
I-17354463	Toshiba E478S 111824	R	10/29/2024	96.74		016185		1,075.01
02671	CP&H Inc dba City Plumbing & H							
I-Application 3	Application 3	R	10/29/2024	33,917.28		016186		33,917.28
02701	What-you-Need							
I-INV0003	Urinal/SS Bubbler/LED Bulbs	R	10/29/2024	1,174.99		016187		1,174.99
02723	Michael Mallow							
I-EXP 1021-102524	Travel Exp CDL Training	R	10/29/2024	165.49		016188		165.49
02725	Naternicola's Masonry LLC							
I-00001	Asphalt Paving Walking Trail	R	10/29/2024	87,000.00		016189		87,000.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	125	1,091,199.48	0.00	1,091,199.48
HAND CHECKS:	2	125.00	0.00	125.00
DRAFTS:	10	213,061.68	0.00	213,061.68
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	

TOTAL ERRORS: 0

VENDOR SET: 01	BANK: Pool	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			137	1,304,386.16	0.00	1,304,386.16
BANK: Pool	TOTALS:		137	1,304,386.16	0.00	1,304,386.16

VENDOR SET: 01 Elkins

BANK: SEWDP Sewer Depreciation

DATE RANGE:10/07/2024 THRU 11/01/2024

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02047	Cybertech Automation USA Inc							
I-13523	Final Comm SCADA 08/24	R	10/23/2024	19,914.10		000047		19,914.10

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	19,914.10	0.00	19,914.10
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: SEWDP TOTALS:	1	19,914.10	0.00	19,914.10
BANK: SEWDP TOTALS:	1	19,914.10	0.00	19,914.10
REPORT TOTALS:	148	1,766,299.44	0.00	1,766,299.44

SELECTION CRITERIA

VENDOR SET: 01-Elkins
VENDOR: ALL
BANK CODES: Exclude: PCARD
FUNDS: All

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 10/07/2024 THRU 11/01/2024
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
PRINT G/L: NO
UNPOSTED ONLY: NO
EXCLUDE UNPOSTED: NO
MANUAL ONLY: NO
STUB COMMENTS: NO
REPORT FOOTER: NO
CHECK STATUS: NO
PRINT STATUS: * - All



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	November 7, 2024
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 339: Amending City Code Chapter 32: City Officers, concerning duties and powers of the City's Administrative Officers (first of two readings)
Recommended By:	Rules & Ordinances Committee, Administrative Officers
Summary:	Via Resolution 1791, Council took temporary action clarifying the de facto authority of the five General Fund Administrative Officers (City Clerk, City Treasurer, Fire Chief, Operations Manager, and Police Chief). Resolution 1791 further directed the Administrative Officers, the City Attorney, and the Rules & Ordinances Committee to prepare an ordinance establishing these authorities in Code. The attached Ordinance has been prepared as Council directed. See the attached memo for a more detailed explanation of the need for this ordinance.
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. Memo - code change re admin officers - 2024_10_11 2. O-339 - (Amending Chapter 32- City Officers General Provisions)_

Memo

To: Rules & Ordinances Committee

From: Sutton Stokes, City Clerk

Date: October 11, 2024

Re: Proposed Code change concerning Administrative Officers

City staff have identified some sections of the Elkins City Charter and Elkins City Code that could be clarified to enable the city government to finetune and strengthen its administration and operations. The most extensive clarifications concern the roles and authority of the city’s Administrative Officers, as described in this memo.

Background

The need for these clarifications is primarily the result of certain actions not taken after the 2021 election. In that election, voters were asked to decide for or against a proposal to change the form, or “plan,” of the Elkins city government.

West Virginia Code (8-3-2) allows municipalities to choose from one of five “plans” for the shape of a city government. Since at least 1901, Elkins has been chartered under the Mayor-Council Plan (“Plan I”). In 2021, voters were asked to weigh in on amending the charter to adopt a new plan, the Manager-Mayor Plan (“Plan V” in 8-3-2). Voters rejected this amendment, preferring instead to remain with the Mayor-Council Plan.

Under the Mayor-Council Plan (the city’s longstanding and current plan, as endorsed by voters in the 2021 election), the mayor and council—acting *together*—are both the *governing* (i.e., lawmaking) and *administrative* (i.e., managerial and operating) authorities of the city.

If voters had endorsed the new Manager form of government, the Charter would *instead* have identified *Council* as the *governing* authority and the *Manager* as the *administrative* authority.

There would also have been a Manager section of the Charter, enumerating the administrative authorities assigned by council to the Manager, such as the hiring, termination, and supervision of staff; the supervision of the city’s departments and agencies; and so forth.

Who Holds Administrative Authority Now?

After voters rejected the Manager form of government, the Charter section describing the Manager's authorities was simply deleted. No later action was taken to reassign administrative authority to anyone else.

This oversight essentially left administrative authority with council and the mayor—but again, under the rules of the Mayor-Council Plan, acting only *as a body*, on a majority vote held at public meetings. Clearly, it is not possible for a group of 11 elected officials to be directly responsible for the numerous daily administrative decisions required for the effective functioning of a modern city. Instead, administrative authority must be delegated.

Role of Council's Five Administrative Officers

In practice, Council has long relied on its five appointed Administrative Officers (the City Clerk, the City Treasurer, the Fire Chief, the Operations Manager, and the Police Chief) to exercise administrative authority over their respective departments and the various personnel assigned thereto by council action.

However, neither this category of employee nor any of the related practices are explicitly described anywhere in the Charter or Code. Because of a range of problems that can arise when these authorities are not clearly delineated, it is important that Council take action to ensure that the above practice is clearly reflected in city law.

The best way to formalize the above practice would be by adding the attached "Powers and Duties of Administrative Officers" to Code.

This new language would fill in the above blanks by explicitly stipulating who the City's Administrative Officers are; clarifying that administrative authority is delegated to them; and confirming that they are empowered to exercise this authority over their respective departments. The section's preamble also assigns "mutual responsibility" for managing the affairs of the City on Council's behalf, underlining the crucial element of teamwork and collaboration that will always be vital to the success of a government structured in this way.

In addition to granting these powers, this section also imposes obligations and duties on these Officers, such as ensuring Council's laws and rules are faithfully executed, collaborating to prepare and submit a budget, advising Council on the condition and needs of the City, goal setting, and so forth. Further, the section clarifies the nature of the City's chain of command, to further strengthen communication and efficiency.

This language is proposed to be adopted as an ordinance amending Code, not the Charter, as the best means of clarifying the questions described earlier in this memo while still respecting the form of government selected by the voters in 2021.

##

ORDINANCE 339

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA AMENDING CITY CODE, CHAPTER 32: CITY OFFICERS, GENERAL PROVISIONS
--

WHEREAS, the Common Council of the City of Elkins, West Virginia, previously adopted City Code, Chapter 32: City Officers, General Provisions; and

WHEREAS, it has become apparent that certain provisions of the City Code need to be amended and supplemented for clarity purposes, and

WHEREAS, the Common Council has determined that by making this change and supplementation to said Chapter 32 of the City Code, it is in the best interests of the City and its residents;

NOW THEREFORE BE IT ORDAINED and ENACTED by the Common Council, that City Code, Chapter 32: City Officers, General Provisions be amended and supplemented as follows:

§ 32.02 POWERS AND DUTIES OF ADMINISTRATIVE OFFICERS

(A) There shall be five Administrative Officers of the City (the City Clerk, the City Treasurer, the Fire Chief, the Operations Manager, and the Police Chief), nominated and appointed as described in Charter Section 3.01, sworn to uphold the Constitution of the United States and the Constitution of this State, and mutually responsible for the conduct and management of the affairs of the City in accordance with the Charter, this Code, general law, and the ordinances, resolutions, and orders of Council.

(B) In addition to specific provisions concerning these officers elsewhere in the Charter and in this Code, these Officers shall hold administrative authority over their respective departments and shall competently and fairly exercise the power and duties described in this section over the personnel assigned to their departments by Council. These Officers shall:

- (1) Exercise sole responsibility for the appointment, delegation of authority, supervision, performance evaluation, and discipline, including removal, of all City employees assigned by Council to their respective departments, except as otherwise provided by law, or by rules adopted by Council.
- (2) Exercise sole responsibility for the direction, supervision, and administration of all departments, offices, and agencies of the City falling within their respective departments, except as otherwise provided by law, or by rules adopted by Council.
- (3) Serve as the point of contact between elected officials, when they are acting in their capacity as elected officials, and the personnel assigned to these Officers' departments. Individual elected officials shall not attempt to influence or direct the work or actions of any employee, except as otherwise specifically allowed by law, or by rules adopted by Council.
- (4) Attend all meetings of Council, with the right to take part in any discussion or deliberation. The Administrative Officers may not vote on issues before Council.
- (5) Ensure that all laws, ordinances, and provisions of the Charter, Code, and acts of the Council are faithfully executed and enforced.
- (6) Collaborate to prepare and submit to the Finance Committee and Council the annual budget and capital program.
- (7) Propose to the Council official acts of the City, including ordinances, policies, and rules, which Council may by ordinance or other action adopt with or without amendment.
- (8) Make such reports as the Council may require concerning the operations of City departments, offices, and agencies.
- (9) Keep the Council fully advised as to the condition and future needs of the City and make recommendations to the Council concerning the affairs of the City.
- (10) Devote all assigned working time to the performance of the duties of their offices, and while occupying such offices are not to engage, directly or indirectly, or be actively interested in any private business which would conflict with the performance of duties concerning the affairs of the City.
- (11) Propose annually to Council short- and long-term goals and objectives to be accomplished in the performance of their duties.
- (12) Perform such other duties as are specified in the Charter, this Code, or other acts of Council.

The changes to the City Code are only to the Section referred to herein as a new Section and all other Sections of the City Code shall remain unchanged and in full force and effect.

If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

This Ordinance shall become effective upon passage.

PASSED AND APPROVED ON THE FIRST READING: _____,
2024.

PASSED AND APPROVED ON THE SECOND AND FINAL READING:
_____, 2024.

CITY OF ELKINS, WEST VIRGINIA

Jerry A. Marco, Mayor

Attest:

Sutton Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	November 7, 2024
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1794: Clarifying expenditure authorizations for the City Hall HVAC project
Recommended By:	City Clerk, City Treasurer, Operations Manager, City Attorney
Summary:	Clarifies authority granted by Council for expenditures related to the City Hall HVAC project.
Fiscal Impact:	Any increase in overall project cost will require new authorization by Council.
Recommendation:	Consider for approval
Attachments:	1. R-1794 - authorizing expenditures related to the city hall HVAC project

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1794)

November 7, 2024

***Authorizing Expenditures Related to a Project to
Modernize and Upgrade the City Hall HVAC System***

WHEREAS, the Common Council of the City of Elkins, West Virginia (“Council”) has previously determined to install a new HVAC system in City Hall and make related improvements (“Project”); and,

WHEREAS, Council has identified and authorized funding for this project consisting of both monies held in the City’s Financial Stabilization account and monies to be obtained through the issuance of lease revenue bonds by the Elkins Building Commission; and,

WHEREAS, Council advertised for bids from contractors interested in and qualified to perform the work needed for this Project, subsequently awarding the primary contract to City Plumbing and Heating; and,

WHEREAS, Council authorized executing an initial contract with City Plumbing and Heating for the “base bid” (via Resolution 1758, on May 16); and,

WHEREAS, it appears that contracting for additional work to be performed under this contract is in the best interests of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby authorizes contracting for the following additional Project components, in the addition to the components authorized by Resolution 1758:

With City Plumbing and Heating:

- Bid Alternate #1 (Basement VRF System)
- Bid Alternate #2 (Jury Room and Penthouse HVAC)

With CIRA and Associates:

- Base Bid (Asbestos Abatement)
- Bid Alternate #1 (Basement and Attic Demolition)
- Bid Alternate #2 (Jury Room and Penthouse Demolition, etc.)

And such other Project components, change orders, and alternates as the Operations Manager may judge necessary, and that the City Treasurer finds do not exceed the funding available for the Project.

Attest: Sutton R. Stokes, City Clerk

Jerry A. Marco, Mayor



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	November 7, 2024
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1795: Authorizing application to DOH for permission to install an on-demand crossing signal on Randolph Avenue in front of the Art Center
Recommended By:	Public Safety Committee, Municipal Properties Committee, Police Chief
Summary:	Authorizes application to W. Va. DOH for a permit to install an on-demand pedestrian crossing signal on Randolph Avenue near the Art Center. DOH permission is necessary because Randolph Avenue is part of the state-maintained highway system.
Fiscal Impact:	Application for this permit is the first step in a project projected to cost \$15,000-\$20,000 in materials, in addition to labor and equipment for installation.
Recommendation:	Consider for approval
Attachments:	1. R-1795 - ROW application to DOH for pedestrian crossing signal

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1795)

November 7, 2024

Authorizing Execution of Right-of-Way Permit Application to W. Va. DOT/DOH for Construction of an On-Demand Pedestrian Signal on Randolph Avenue near Fourth Street

WHEREAS, The West Virginia Department of Transportation, Division of Highways (“DOH”) exercises authority over the state right-of-way known as Randolph Avenue, in the City of Elkins, West Virginia; and,

WHEREAS, the Common Council of the City of Elkins, West Virginia (“City”) proposes to install an on-demand pedestrian crossing signal on Randolph Avenue, near Fourth Street (the “Project”); and,

WHEREAS, it appears that authorizing application to DOH for a Right-of-Way Permit for this Project is in the best interests of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby authorizes application to DOH for a Right-of-Way Permit Application for permission to install an on-demand pedestrian crossing signal on Randolph Avenue, near Fourth Street.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	November 7, 2024
Section:	New business
Category:	Action Item
Agenda Item Name:	Other matters related to City Hall repairs and renovations
Recommended By:	Operations Manager
Summary:	This agenda item allows consideration of any needed matters or decisions concerning ongoing repairs and renovations to City Hall
Fiscal Impact:	TBD
Recommendation:	Consider for action as necessary
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	November 7, 2024
Section:	New business
Category:	Action Item
Agenda Item Name:	Update and planning concerning W. Va. PSC order to assume responsibility for the Whitmer Public Water System
Recommended By:	Chief Water Operator and City Attorney
Summary:	See our web page and blog post about this topic here: https://cityofelkinswv.com/city-government/projects-initiatives/whitmer-water-system-takeover/
Fiscal Impact:	TBD
Recommendation:	Review presented information and take action as needed.
Attachments:	None