



City of Elkins

Regular Council Meeting

January 9, 2025

7:00 PM

Phil Gainer Community Center
142 Robert E Lee Ave. Ext.

AGENDA

1. **Invocation and Pledge of Allegiance**
2. **Call to order and roll call**
3. **Public comment**
4. **Minutes**
 - a. Proposed minutes for the meeting of Dec. 12, 2024
5. **Correspondence, Notifications, and Recognitions**
 - a. Building permits, zoning permits, and vacant property registrations
 - b. Memo concerning changes to Fourth and Fifth Ward polling places for the June 10 Municipal Election
6. **Presentation**
 - a. Vandalia Health
7. **Councilor Reports**
8. **Staff reports**
 - a. Treasurer's report
9. **Approval of vendor invoice payments**
 - a. Vendor invoices presented for approval: December 10, 2024-January 3, 2025

(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.)
10. **New business**
 - a. Ordinance 340: Amending City Code, Chapters 71 and 93, concerning skateboards, etc. (first of two readings)
 - b. Ordinance 341: Amending City Code, Chapter 152, Zoning, concerning signs (first of two readings)
 - c. Ordinance 342: Amending City Code, Chapter 35, concerning candidate filing for city elections (first of two readings)
 - d. Ordinance 343: Amending City Code, Chapter 151, Flood Damage Prevention (first of two readings)

- e. Resolution 1807: Lease with RCDA for office space
- f. Resolution 1808: Ratifying agreement to purchase the Four Seasons property

11. Mayor's comments

12. Adjournment



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of Dec. 12, 2024
Recommended By:	City Clerk
Summary:	Minutes proposed for the council meeting of December 12
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. city council - 2024_12_12 - minutes_proposed_rev1

Proposed Minutes

ELKINS COMMON COUNCIL REGULAR COUNCIL MEETING MINUTES

***Phil Gainer Community Center
142 Robert E Lee Ave. Ext.
Elkins, WV 26241
December 12, 2024
7 p.m.***

Elkins Common Council met in regular session in the council chamber of city hall. Present were Mayor Jerry A. Marco; 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).

Councilors N.E. Bross-Fregonara and C.C. Lowther were absent.

PUBLIC COMMENT

There was no comment.

MINUTES

Chenoweth **MOVED APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 21, 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 November 18-December 6, 2024.

NEW BUSINESS

Carroll **MOVED APPROVAL OF RESOLUTION 1800: REAPPOINTING SUTTON STOKES AS CITY CLERK.** The motion carried.

Hinchman **MOVED APPROVAL OF RESOLUTION 1801: FY 2025 GENERAL FUND BUDGET REVISIONS 2-8.** The motion carried.

Proposed Minutes

Hinchman MOVED APPROVAL OF RESOLUTION 1802: FY 2025 COAL SEVERANCE FUND BUDGET REVISION 1. The motion carried.

Hinchman MOVED APPROVAL OF RESOLUTION 1803: FY 2025 GENERAL FUND BUDGET REVISION SAO 2025-002-01, AS REVISED TO AUTHORIZE GRANTING THE FUNDING REQUEST LISTED SEPARATELY AS AGENDA ITEM (H) “MID-YEAR FUNDING REQUEST FROM YMCA FOR POOL FILTRATION SYSTEM PROJECT.” In accordance with the requirements of the state auditor’s office for inter-departmental budget revisions, the chair ordered a roll-call vote. The motion carried. Council votes were as follows:

Bross-Fregonara	Absent	Kerns	Yes	Severino	Abstained
Chenoweth	Yes	Lowther	Absent	Thompson	Yes
Carroll	Yes	Parker	Yes	Mayor J. Marco (in case of tie)	n/a
Hinchman	Yes	Plishka	Yes		

Carroll MOVED APPROVAL OF RESOLUTION 1804: ADOPTING ADMINISTRATIVE PROCEDURE FOR REVIEW OF SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE, IN COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM. The motion carried.

Chenoweth MOVED APPROVAL OF RESOLUTION 1805: ADOPTING RULES FOR USE OF THE CITY HALL PARKING LOT. The motion carried.

Plishka MOVED APPROVAL OF RESOLUTION 1806: REAPPOINTING MEMBERS OF VARIOUS BOARDS AND COMMISSIONS. The motion carried.

Kerns MOVED APPROVAL OF RESCHEDULING JANUARY COUNCIL MEETINGS TO JANUARY 9 AND 23. The motion carried.

Mr. Kesecker provided updates about City Hall renovations and construction, including plans for IT and networking upgrades.

Chenoweth moved that council enter executive session under the exemption for matters involving or affecting the purchase, sale or lease of property (WVC §6-9A-4(b)9) for the agenda item “Update and planning related to real estate purchase.” The motion carried. The executive session began at 7:45 p.m. and ended at 8:15 p.m. The mayor announced that no decisions were made and no actions taken.

The meeting was adjourned at 8:17 p.m.

Attest: S.R. Stokes, City Clerk

Jerry A. Marco, Mayor

Proposed Minutes



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	Correspondence, Notifications, and Recognitions
Category:	Presentation
Agenda Item Name:	Building permits, zoning permits, and vacant property registrations
Recommended By:	Building Officer
Summary:	The attached report shows building permits issued 12/03/2024-1/07/2025. There were 12 projects with a total valuation of \$17,295,562.00 Zoning permits show 1 new business. There are currently 54 structures registered as vacant. This year, 41 structures have been billed with \$6,200 in vacant property registration fees have been collected and 11 liens have been placed upon properties.
Fiscal Impact:	See attached.
Recommendation:	Review presented information
Attachments:	1. Building Permits - 2025_01_09

The attached report shows building permits issued 12/03/2024-1/07/2025. There were 12 projects with a total valuation of \$17,295,562.00

Zoning permits show 1 new business.

There are currently 54 structures registered as vacant. This year, 41 structures have been billed with \$6,200 in vacant property registration fees have been collected and 11 liens have been placed upon properties.

BUILDING PERMITS

```
1/07/2025 2:01 PM                PROJECT MASTER REPORT                PAGE: 1
PROJECTS:      THRU ZZZZZZZZZZ      REPORT SEQUENCE: Project
PROJECT TYPE: Exclude: BPZONING      CONTRACTOR CLASS: All      - All Contractor Classes
CONTRACTORS: All
APPLIED DATES: 12/03/2024 THRU 1/07/2025      EXPIRE DATES: 0/00/0000 THRU 99/99/9999
STATUS INCLUDED: All      ISSUED DATES: 0/00/0000 THRU 99/99/9999
=====
=====

PROJECT: 240334  - RESIDENTIAL REMODEL      TYPE: BR-REM  RESIDENTIAL REMODEL
PROPERTY:      322 TYGART CT
APPLIED DATE: 12/09/2024      ISSUED DATE: 12/09/2024      EXPIRATION DATE: 6/08/2025      COMPLETION DATE: 0/00/0000
CONTRACTOR: ALFORD  ALFORD HOME SOLUTIONS INC      ISSUED TO: STRAIN, CHAD
6316 MACCORKLE AVENUE      322 TYGART CT
ST. ALBANS, WV 25177      ELKINS, WV 26241
SQUARE FEET: 1,500
DWELLING TYPE: PRIVATE      UNITS: 1
STATUS: OPEN      BALANCE: 0.00

PROJECT: 240335  - SIGN      TYPE: SIGN  SIGN
PROPERTY:      104 THIRD ST
APPLIED DATE: 12/09/2024      ISSUED DATE: 12/09/2024      EXPIRATION DATE: 6/08/2025      COMPLETION DATE: 0/00/0000
CONTRACTOR: CITYNEONUS CITY NEON USA LLC      ISSUED TO: BLUE RIDGE RISK PARTNERS LLC
1095 CHAPLIN RD      531 JONES AVENUE
MORGANTOWN, WV 26501      OAK HILL, WV 25901
SQUARE FEET: 23
DWELLING TYPE: PUBLIC      UNITS: 1
STATUS: OPEN      BALANCE: 0.00

PROJECT: 240336  - RESIDENTIAL REMODEL      TYPE: BR-REM  RESIDENTIAL REMODEL
PROPERTY:      4 LINCOLN AVE
APPLIED DATE: 12/10/2024      ISSUED DATE: 12/10/2024      EXPIRATION DATE: 6/09/2025      COMPLETION DATE: 0/00/0000
CONTRACTOR:      ISSUED TO: DAVIS, WILLIAM F
4 LINCOLN AVE
ELKINS, WV 26241
SQUARE FEET: 621
DWELLING TYPE: PRIVATE      UNITS: 1
STATUS: OPEN      BALANCE: 0.00
```

PROJECT: 240338 - COMMERCIAL SIDEWALK/DRIVEWAY TYPE: BC-SIDE COM SIDEWALK/DRIVEWAY
 PROPERTY: 13 NORTHVIEW DR
 APPLIED DATE: 12/12/2024 ISSUED DATE: 12/12/2024 EXPIRATION DATE: 12/18/2024 COMPLETION DATE: 0/00/0000
 CONTRACTOR: SIMON SIMON CONCRETE SOLUTIONS ISSUED TO: JORDAN, CHARLES & SANDR
 1801 LIVINGSTON AVENUE 13 NORTHVIEW DR
 ELKINS, WV 26241 ELKINS, WV 26241-4153
 SQUARE FEET: 1,300
 DWELLING TYPE: PRIVATE UNITS: 1
 STATUS: OPEN BALANCE: 0.00

PROJECT: 240339 - RESIDENTIAL ROOFING TYPE: ROOF-RES RESIDENTIAL ROOFING
 PROPERTY: 311 TENTH ST
 APPLIED DATE: 12/12/2024 ISSUED DATE: 12/12/2024 EXPIRATION DATE: 6/11/2025 COMPLETION DATE: 0/00/0000
 CONTRACTOR: TW CONST TW CONSTRUCTION ISSUED TO: BLEVINS, JOHN H & LYLA D
 392 MCDOWELL LANE 311 10TH ST
 ROCK CAVE, WV 26234 ELKINS, WV 26241
 SQUARE FEET: 1,500
 DWELLING TYPE: PRIVATE UNITS: 1
 STATUS: OPEN BALANCE: 0.00

PROJECT: 240340 - NEW COMMERCIAL BUILDING TYPE: BC-NEW NEW COMMERCIAL BUILDING
 PROPERTY: RAILYARD
 APPLIED DATE: 12/12/2024 ISSUED DATE: 12/12/2024 EXPIRATION DATE: 6/11/2025 COMPLETION DATE: 0/00/0000
 CONTRACTOR: PARAMOUNTB PARAMOUNT BUILDERS LLC ISSUED TO: RANDOLPH CO DEVELOPMENT AUTHO
 PO BOX 1370 10 11TH ST
 SAINT ALBANS, WV 25177 ELKINS, WV 26241
 SQUARE FEET: 27,900
 DWELLING TYPE: PUBLIC UNITS: 1
 STATUS: OPEN BALANCE: 0.00

PROJECT: 240341 - COMMERCIAL ROOFING TYPE: ROOF-COM COMMERCIAL ROOFING
 PROPERTY: 100 MAIN ST
 APPLIED DATE: 12/16/2024 ISSUED DATE: 12/16/2024 EXPIRATION DATE: 6/15/2025 COMPLETION DATE: 0/00/0000
 CONTRACTOR: DESIGN DESIGN ROOFING & SHEET METAL ISSUED TO: WILFONG, ROBERT
 2224 BEVERLY PIKE 100 MAIN ST
 ELKINS, WV 26241 ELKINS, WV 26241
 SQUARE FEET: 11,000
 DWELLING TYPE: PUBLIC UNITS: 1
 STATUS: OPEN BALANCE: 600.00

PROJECT: 240342 - RESIDENTIAL ELECTRICAL TYPE: ELEC-RES RESIDENTIAL ELECTRICAL
 PROPERTY: 226 EVERGREEN DR
 APPLIED DATE: 12/16/2024 ISSUED DATE: 12/16/2024 EXPIRATION DATE: 6/15/2025 COMPLETION DATE: 0/00/0000
 CONTRACTOR: CRITSELEC CRITES ELECTRIC INC ISSUED TO: BARNES, DEBORAH L
 50 S KANAWHA ST 226 EVERGREEN DR
 BUCKHANNON, WV 26201 ELKINS, WV 26241
 SQUARE FEET: 1
 DWELLING TYPE: PRIVATE UNITS: 1
 STATUS: OPEN BALANCE: 0.00

PROJECT: 240343 - COMMERCIAL ROOFING TYPE: ROOF-COM COMMERCIAL ROOFING
 PROPERTY: 212 JOHN ST
 APPLIED DATE: 12/20/2024 ISSUED DATE: 12/20/2024 EXPIRATION DATE: 6/19/2025 COMPLETION DATE: 0/00/0000
 CONTRACTOR: BURKHOLDER BURKHOLDER ENTERPRISE ISSUED TO: GRACE EPISCOPAL CHURCH
 5698 MORGANTOWN PIKE PO BOX 2244

BELINGTON, WV 26250
SQUARE FEET: 3,150
DWELLING TYPE: PUBLIC UNITS: 1
STATUS: OPEN BALANCE: 0.00

ELKINS, WV 26241-2244

PROJECT: 240344 - RESIDENTIAL REMODEL TYPE: BR-REM RESIDENTIAL REMODEL
PROPERTY: 117 DAVIS ST
APPLIED DATE: 12/20/2024 ISSUED DATE: 12/20/2024 EXPIRATION DATE: 6/19/2025 COMPLETION DATE: 0/00/0000
CONTRACTOR: ISSUED TO: HADDIX, RODNEY
90 GORDON RD
BEVERLY, WV 26253

SQUARE FEET: 2,000
DWELLING TYPE: PRIVATE UNITS: 1
STATUS: OPEN BALANCE: 0.00

PROJECT: 240345 - RESIDENTIAL ELECTRICAL TYPE: ELEC-RES RESIDENTIAL ELECTRICAL
PROPERTY: 1421 TAYLOR AVE
APPLIED DATE: 12/30/2024 ISSUED DATE: 12/30/2024 EXPIRATION DATE: 6/29/2025 COMPLETION DATE: 0/00/0000
CONTRACTOR: SOLAR SOLAR HOLLER LLC ISSUED TO: PERRY, ROGER & SUSAN
2835 PARK AVENUE PO BOX 112
HUNTINGTON, WV 25704 LOGAN, WV 25601

SQUARE FEET: 378
DWELLING TYPE: PRIVATE UNITS: 1
STATUS: OPEN BALANCE: 41.34

PROJECT: 240346 - RESIDENTIAL REMODEL TYPE: BR-REM RESIDENTIAL REMODEL
PROPERTY: 117 BARRON AVE
APPLIED DATE: 1/07/2025 ISSUED DATE: 1/07/2025 EXPIRATION DATE: 7/07/2025 COMPLETION DATE: 0/00/0000
CONTRACTOR: BASEMENTA BASEMENT AUTHORITY OF WV ISSUED TO: JONES, JAMES
132 ROCKY STEP RD 117 BARRON AVE
SCOTT DEPOT, WV 25560 ELKINS, WV 26241

SQUARE FEET: 241
DWELLING TYPE: PRIVATE UNITS: 1
STATUS: OPEN BALANCE: 32.23

ZONING PERMITS

1/07/2025 2:04 PM PROJECT MASTER REPORT PAGE: 1
PROJECTS: THRU ZZZZZZZZZZ REPORT SEQUENCE: Project
PROJECT TYPE: Include: BPZONING CONTRACTOR CLASS: All - All Contractor Classes

CONTRACTORS: All
APPLIED DATES: 12/02/2024 THRU 1/07/2025 EXPIRE DATES: 0/00/0000 THRU 99/99/9999
STATUS INCLUDED: All ISSUED DATES: 0/00/0000 THRU 99/99/9999

PROJECT: 240347 - ZONING PERMIT TYPE: BPZONING ZONING
PROPERTY: 220 DAVIS AVE
APPLIED DATE: 1/07/2025 ISSUED DATE: 1/07/2025 EXPIRATION DATE: 1/07/2026 COMPLETION DATE: 0/00/0000
CONTRACTOR: ISSUED TO: LUKESTONE LEGACY LLC
1308 KINGS RUN ROAD
BEVERLY, WV 26253

SQUARE FEET: 1
DWELLING TYPE: PUBLIC UNITS: 1
STATUS: OPEN BALANCE: 10.00

VACANT STRUCTURE BILLING

1/07/2025 2:07 PM
 LICENSES: THRU ZZZZZZZZZZ
 LIC CODES: Include: CE-VAC
 LIC STATUS: Pending, Active
 FEE CODES: All

FEE CODE REPORT

PAGE: 1

ORIGINATION DATE: 3/01/2023 THRU 1/07/2025
 EFFECTIVE DATE: 0/00/0000 THRU 99/99/9999
 EXPIRATION DATE: 0/00/0000 THRU 99/99/9999
 PRINT DATE: 0/00/0000 THRU 99/99/9999

FEE CODE: VACANT - VACANT PROPERTY FEE

LICENSE	PERIOD	LIC CODE	STATUS	REPORT	ISSUED TO	# of Years	CHARGES
24226	9/12/23 - 9/13/23	CE-VAC	Active	CODE	WOODLANDS DEVELOPMENT GRO	3.0000	400.00
24285	3/04/24 - 3/05/24	CE-VAC	Pending	CODE	HOSEY LINDA	1.0000	200.00
24286	3/04/24 - 3/05/24	CE-VAC	Pending	CODE	HOSEY LINDA	1.0000	200.00
24287	3/04/24 - 3/05/24	CE-VAC	Active	CODE	HIGGINS MARIE	1.0000	200.00
24289	3/04/24 - 3/05/24	CE-VAC	Active	CODE	METHENY MICHE	1.0000	200.00
24290	3/04/24 - 3/05/24	CE-VAC	Active	CODE	MILLER LINDA	1.0000	200.00
24294	3/12/24 - 3/13/24	CE-VAC	Active	CODE	CHUA DOMIN	1.0000	200.00
24295	3/12/24 - 3/13/24	CE-VAC	Active	CODE	ARBOGAST GARY	1.0000	200.00
24302	3/19/24 - 3/20/24	CE-VAC	Active	CODE	AUVIL BENJA	1.0000	200.00
24303	3/19/24 - 3/20/24	CE-VAC	Active	CODE	PROUDFOOT LINDA	1.0000	200.00
24305	3/19/24 - 3/20/24	CE-VAC	Pending	CODE	HALLE SHANE	1.0000	200.00
24306	3/19/24 - 3/20/24	CE-VAC	Pending	CODE	ARMENTROUT WILLI	1.0000	200.00
24307	3/19/24 - 3/20/24	CE-VAC	Pending	CODE	ARMENTROUT WILLI	1.0000	200.00
24308	3/19/24 - 3/20/24	CE-VAC	Pending	CODE	CORDER DEBOR	2.0000	200.00
24309	10/16/24 - 10/17/24	CE-VAC	Active	CODE	GUSTKE JAMES		200.00
24310	3/19/24 - 3/20/24	CE-VAC	Pending	CODE	GRAHAM ANNA	1.0000	200.00
24311	3/19/24 - 3/20/24	CE-VAC	Pending	CODE	ANGER MIKE	1.0000	200.00
24312	3/19/24 - 3/20/24	CE-VAC	Active	CODE	SHIFFLETT DAVID	2.0000	200.00
24314	3/19/24 - 3/20/24	CE-VAC	Active	CODE	BEVERLY PIKE LAND LLC	2.0000	200.00
24315	3/19/24 - 3/20/24	CE-VAC	Active	CODE	GUSTKE JAMES	2.0000	200.00
24323	4/04/24 - 4/05/24	CE-VAC	Active	CODE	COMIS DINO	2.0000	200.00
24324	4/04/24 - 4/05/24	CE-VAC	Active	CODE	BOGGS ANGEL	2.0000	200.00
24325	4/04/24 - 4/05/24	CE-VAC	Active	CODE	SHOMO LINDA	2.0000	200.00
24326	4/04/24 - 4/05/24	CE-VAC	Active	CODE	STEVENSON JULIA	2.0000	200.00
24327	4/04/24 - 4/05/24	CE-VAC	Active	CODE	YEAGER MARVI	2.0000	200.00
24328	4/04/24 - 4/05/24	CE-VAC	Active	CODE	KIRKPATRICK KRIST	2.0000	200.00
24333	4/16/24 - 4/17/24	CE-VAC	Active	CODE	VARNEY CHARL	2.0000	200.00
24334	4/16/24 - 4/17/24	CE-VAC	Active	CODE	MESSINGER DAVID	2.0000	200.00
24335	6/24/24 - 6/25/24	CE-VAC	Active	CODE	WHITE DELAI	2.0000	200.00
24336	4/16/24 - 4/17/24	CE-VAC	Active	CODE	KNUTTI FREDE	2.0000	200.00
24337	6/04/24 - 6/05/24	CE-VAC	Active	CODE	LOTHES WILFR	2.0000	200.00
24343	4/29/24 - 4/30/24	CE-VAC	Active	CODE	KHAN FARUK	2.0000	200.00
24344	4/29/24 - 4/30/24	CE-VAC	Active	CODE	HATFIELD WANDA	2.0000	200.00
24345	4/29/24 - 4/30/24	CE-VAC	Pending	CODE	SHOCKEY KATHE	2.0000	200.00
24346	4/29/24 - 4/30/24	CE-VAC	Pending	CODE	SHOCKEY KATHE	2.0000	200.00
24347	4/29/24 - 4/30/24	CE-VAC	Pending	CODE	KIRKPATRICK REBEC	2.0000	200.00
24406	8/12/24 - 8/13/24	CE-VAC	Active	CODE	MOORE GREGO	2.0000	200.00
24407	8/12/24 - 8/13/24	CE-VAC	Active	CODE	CARR CAROL	2.0000	200.00
24425	10/03/24 - 10/04/24	CE-VAC	Active	CODE	HUNTINGTON NATIONAL BANK	2.0000	200.00
24439	11/01/24 - 11/02/24	CE-VAC	Active	CODE	SAFEGUARD PROPERTIES PRES	2.0000	200.00
24448	12/02/24 - 12/25/25	CE-VAC	Active	CODE	KING WILLI	2.0000	200.00

REPORT TOTALS:

41

67.0000

8,400.00



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	Correspondence, Notifications, and Recognitions
Category:	Presentation
Agenda Item Name:	Memo concerning changes to Fourth and Fifth Ward polling places for the June 10 Municipal Election
Recommended By:	City Clerk
Summary:	For the next city election (June 10), circumstances prevent City of Elkins from using two of its usual polling places on election day, i.e., for Fourth Ward and Fifth Ward. The attached memo explains the steps that must be followed to shift these to the Wees Annex (Fourth Ward) and the Old Brick Playhouse (Fifth Ward).
Fiscal Impact:	n/a
Recommendation:	Review presented information
Attachments:	1. COE Memo - changing polling place locations - 2025_01_05

Memo

To: City Council

From: City Clerk

cc: City Attorney

Date: Jan. 5, 2025

Re: Changing Fourth and Fifth Ward Polling Places

For the next city election (June 10), circumstances prevent City of Elkins from using two of its usual polling places on election day, i.e., for Fourth Ward and Fifth Ward. I have confirmed that the customary polling places for Wards 1-3 are available as usual.

Fourth Ward's usual location, the Randolph County Courthouse Annex commission meeting room, is no longer available, because that space is being converted for use by the new judge. I have reserved the meeting room at the Wees Annex for use of the replacement Fourth Ward polling place on June 10.

Fifth Ward's usual location, the Municipal Courtroom in city hall, may not be available due to renovation work. The Municipal Court's temporary location, a modular building behind city hall, is not ideal for this purpose. I have reserved the Old Brick Playhouse for use as the replacement Fifth Ward polling place on June 10.

Changes in location of polling places are governed by West Virginia Code §3-1-7.

This code section states that the location of a polling place may be changed "whenever the public convenience may require it," provided the following steps are taken:

- Publish a Class II legal advertisement advising of the planned change, with first publication to occur NLT one month before council will take action to effect the change.
- The order making the change may not occur closer than 90 days to an election (although there are provisions for making a later change due to unforeseen circumstances).
- After council has ordered the change, the order itself shall also be published as a Class II legal advertisement.

The deadline for council to order such changes for the 2025 election, i.e., 90 days before June 10, is March 12. I recommend the following schedule:

- Plan to order the change at the regular council meeting of Feb. 20
- Publish a notice of this plan as a Class II legal advertisement ASAP but NLT Jan. 20
- Take action effecting the change at the meeting of Feb. 20
- Publish the order effecting the change as a Class II immediately after the meeting of Feb. 20

Other considerations:

- Notice of the change (i.e., the locations of the new polling places) must be posted on Election Day on the doors of the previous polling places.

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CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	Staff reports
Category:	Presentation
Agenda Item Name:	Treasurer's report
Recommended By:	City Treasurer
Summary:	See attached Invoice Cloud annual report
Fiscal Impact:	Online payments greatly reduce the cost of processing each payment
Recommendation:	Review presented information
Attachments:	1. Invoice Cloud 2024 Annual Report - 2025_01_09



City of Elkins WV:

Daily Management Report for 12/31/2024:

Invoice Type	YTD #	YTD \$	MTD #	MTD \$	Day #	Day \$	Paperless #	AutoPay #
Utility	26,986	\$3,421,398.29	2,420	\$311,879.17	42	\$6,085.40	2,454	683
Non Utility Payments	442	\$68,980.99	20	\$2,453.37	0	\$0.00	873	0



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CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	Approval of vendor invoice payments
Category:	Action Item
Agenda Item Name:	Vendor invoices presented for approval: December 10, 2024-January 3, 2025 <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 December 10, 2024-January 3, 2025
Fiscal Impact:	Report details \$1,385,160.16 in transactions from all funds.
Recommendation:	Consider for approval
Attachments:	1. AP Check Report - 2025_01_09

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00202	Davis Trust Company							
C-CHECK	Davis Trust Company	VOIDED	V 12/12/2024			016400		4,256.84CR
02251	H&K Equipment Inc							
C-CHECK	H&K Equipment Inc	VOIDED	V 12/17/2024			016436		18,600.00CR

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
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:	2 VOID DEBITS	0.00		
	VOID CREDITS	22,856.84CR	22,856.84CR	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: TOTALS:	2	22,856.84CR	0.00	0.00
BANK: TOTALS:	2	22,856.84CR	0.00	0.00

VENDOR SET: 01 Elkins
BANK: GCBAN Grant Co Bank-Whitmer
DATE RANGE:12/10/2024 THRU 1/03/2025

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02705	PumpMan Pittsburgh LLC							
I-137000408	Filler Repair	R	12/12/2024	1,200.00		000028		1,200.00
00471	FirstEnergy MP/PE							
I-Whitmer 121124	Whitmer 110624-120724	R	12/26/2024	747.95		000029		747.95

* * T O T A L S * *		NO	INVOICE AMOUNT		DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:		2	1,947.95		0.00	1,947.95
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: GCBAN	2	1,947.95		0.00	1,947.95
BANK: GCBAN	TOTALS:	2	1,947.95		0.00	1,947.95

VENDOR SET: 01 Elkins
BANK: OVBSA Construction Draw
DATE RANGE:12/10/2024 THRU 1/03/2025

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02605	Commercial Builders Inc							
I-Appl #7	contracted services	R	12/17/2024	226,290.00		000008		226,290.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	226,290.00	0.00	226,290.00
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	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: OVBSATOTALS:	1	226,290.00	0.00	226,290.00
BANK: OVBSA TOTALS:	1	226,290.00	0.00	226,290.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02553	Audubon Animal Clinic							
C-130885	CR - Invoice issue	N	12/17/2024	540.56CR		000000		
I-130885	Creed - Meds	N	12/17/2024	540.56		000000		
00741	Great-West Trust Company LLC							
I-VF 202412101714	Voya	D	12/10/2024	620.00		006668		
I-VF2202412101714	Voya AT	D	12/10/2024	100.00		006668		720.00
02667	Health Equity							
I-HSA202412101714	Health Savings	D	12/12/2024	906.54		006669		906.54
02417	US Bank Corporate Payment Syst							
C-CentralSply CR1121	CentralSupply Pallet 112124	D	12/18/2024	30.00CR		006744		
C-DUNHAMS 111324	Dunhams-Credit Tax 111324	D	12/18/2024	23.84CR		006744		
C-MCRGlobal 111424	MCR Global Return of Tee 11142	D	12/18/2024	230.09CR		006744		
C-WPEngine 103124	WPEngine CR Taxes 103124	D	12/18/2024	1.26CR		006744		
C-WPEngine 3 103124	WPEngine CR Taxes 103124	D	12/18/2024	1.74CR		006744		
C-WPEngine CR103124	WPEngine CR Taxes 103124	D	12/18/2024	19.26CR		006744		
I-Visa NF Pmt 113024	Visa NonFleet Pmt 113024	D	12/18/2024	89,782.22		006744		89,476.03
02417	US Bank Corporate Payment Syst							
I-Visa Fleet 113024	Visa Fleet Pmt 113024	D	12/19/2024	14,816.54		006755		14,816.54
00741	Great-West Trust Company LLC							
I-VF 202412221723	Voya	D	12/23/2024	620.00		006756		
I-VF2202412221723	Voya AT	D	12/23/2024	100.00		006756		720.00
00792	WV Consolidated Retirement Boa							
I-RTD202412101714	Retirement	D	12/23/2024	7,609.61		006757		
I-RTD202412101715	Retirement	D	12/23/2024	169.16		006757		
I-RTD202412221723	Retirement	D	12/23/2024	7,464.76		006757		15,243.53
00952	WV Consolidated Retirement Boa							
I-RTF202412101714	Retirement	D	12/23/2024	3,833.00		006758		
I-RTF202412221723	Retirement	D	12/23/2024	2,653.32		006758		
I-RTN202412101714	Retirement	D	12/23/2024	5,777.54		006758		
I-RTN202412101715	Retirement	D	12/23/2024	758.60		006758		
I-RTN202412221723	Retirement	D	12/23/2024	5,189.50		006758		18,211.96
00993	WV Consolidated Retirement Boa							
I-RT6202412101714	Retirement 6%	D	12/23/2024	9,547.72		006759		
I-RT6202412221723	Retirement 6%	D	12/23/2024	9,360.09		006759		
I-RT6202412221724	Retirement 6%	D	12/23/2024	82.30		006759		18,990.11

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02667	I-HSA202412221723	Health Equity Health Savings	D 12/23/2024	906.54		006760		906.54
00471	I-Barron Ave 120924	FirstEnergy MP/PE Barron Ave 101724-111424	D 12/26/2024	14,074.55		006761		14,074.55
00116	I-CDS202412101714	Child Support Enforcement Child Support	R 12/10/2024	681.40		016381		681.40
00121	I-FP 202412101714	Citizens Bank of WVFP Fire Pension	R 12/10/2024	406.44		016382		406.44
00122	I-PP 202412101714	Citizens Bank of WVFP Police Pension	R 12/10/2024	199.52		016383		
	I-PPN202412101714	Police Pension-2010 Forward	R 12/10/2024	270.75		016383		470.27
00147	I-MIS202412101714	COE Misc Misc Reimbursements	R 12/10/2024	301.69		016384		301.69
00150	I-T1 202412101714	COE Payroll Federal Withholding	R 12/10/2024	15,461.39		016385		15,461.39
00151	I-T3 202412101714	COE Payroll FICA	R 12/10/2024	22,093.58		016386		
	I-T4 202412101714	Medicare	R 12/10/2024	5,491.80		016386		27,585.38
00152	I-T2 202412101714	COE Payroll State Withholding	R 12/10/2024	6,497.00		016387		6,497.00
00203	I-CC 202412101714	Davis Trust Company Employee Christmas Club	R 12/10/2024	2,680.00		016388		2,680.00
00747	I-WN 202412101714	Washington National Insurance Washington National Insurance	R 12/10/2024	604.60		016389		604.60
00837	I-001202412101714	COE Payroll Reimbursement Payroll Reimbursement	R 12/10/2024	60,588.97		016390		
	I-006202412101714	Payroll Reimbursement	R 12/10/2024	5,448.90		016390		
	I-036202412101714	Payroll Reimbursement	R 12/10/2024	18,572.01		016390		
	I-400202412101714	Payroll Reimbursement	R 12/10/2024	23,314.86		016390		
	I-401202412101714	Payroll Reimbursement	R 12/10/2024	13,874.80		016390		
	I-404202412101714	Payroll Reimbursement	R 12/10/2024	13,324.67		016390		135,124.21

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01885	Colonial Life							
I-CL 202412101714	Colionial Life-AT	R	12/10/2024	112.10		016391		
I-CLP202412101714	Colonial Life-PT	R	12/10/2024	52.52		016391		164.62
00150	COE Payroll							
I-T1 202412101715	Federal Withholding	R	12/10/2024	1,305.63		016392		1,305.63
00151	COE Payroll							
I-T3 202412101715	FICA	R	12/10/2024	1,146.92		016393		
I-T4 202412101715	Medicare	R	12/10/2024	268.22		016393		1,415.14
00152	COE Payroll							
I-T2 202412101715	State Withholding	R	12/10/2024	363.00		016394		363.00
00837	COE Payroll Reimbursement							
I-001202412101715	Payroll Reimbursement	R	12/10/2024	3,539.56		016395		
I-400202412101715	Payroll Reimbursement	R	12/10/2024	1,637.83		016395		
I-401202412101715	Payroll Reimbursement	R	12/10/2024	630.03		016395		
I-404202412101715	Payroll Reimbursement	R	12/10/2024	630.03		016395		6,437.45
00032	Absolute Assurance Drug Test L							
I-6001	Random Testing	R	12/12/2024	199.00		016396		
I-6002	Random Testing	R	12/12/2024	35.00		016396		234.00
00047	Truist Governmental Finance							
I-00005 122424	9948000234-05 122424	R	12/12/2024	2,596.05		016397		2,596.05
00075	Encova Insurance							
I-36902859	WCB 11/04/24-12/01/24	R	12/12/2024	6,765.00		016398		6,765.00
00132	Clarksburg Water Board							
I-M92487	Compliance Sample	R	12/12/2024	46.00		016399		46.00
00202	Davis Trust Company							
I-12755 FINAL	3113776-12755 #84 122224	V	12/12/2024	4,256.84		016400		4,256.84
00202	Davis Trust Company							
M-CHECK	Davis Trust Company	VOIDED	V	12/12/2024		016400		4,256.84CR
00211	Elkins Depot Welcome Center							
I-10/24 Hotel/Motel	Hotel/Motel Collections 10/24	R	12/12/2024	18,921.77		016401		18,921.77
00471	FirstEnergy MP/PE							
I-90009839839	Consumption/Lighting 112024	R	12/12/2024	45,432.70		016402		45,432.70

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00483 I-1202553-21 122824	Mountain Valley Bank 1202553-21 75/84 122824	R	12/12/2024	2,369.18		016403		2,369.18
00483 I-1202553-24 121524	Mountain Valley Bank 1202553-24 #9 121524	R	12/12/2024	6,518.78		016404		6,518.78
00484 I-11/24 Scott Fd I-11/27 Bearhntr	Mountaineer Gas Company Scott Fd 101524-111424 153 Bearhunter 101524-111424	R R	12/12/2024 12/12/2024	40.02 49.14		016405 016405		89.16
00540 I-PSTG ALLOC 10/24 I-PSTG ALLOC 11/24	Pitney Bowes Bank Inc Postage Allocation 10/24 Postage Allocation 11/24	R R	12/12/2024 12/12/2024	415.55 454.77		016406 016406		870.32
00569 I-CKREQ 120924	Randolph County Clerk Lien Rmvl Hatfield/Place Cordr	R	12/12/2024	24.00		016407		24.00
00688 I-1392	Terra Flora Landscaping Parking lot work	R	12/12/2024	635.00		016408		635.00
00812 I-11124B49F	WV Regional Jail and Correctio 31 Days Inmate Housing TVRJ	R	12/12/2024	1,781.26		016409		1,781.26
00884 I-590150	Colonial Court Service Station Tires	R	12/12/2024	1,211.96		016410		1,211.96
01594 I-2430571037	Pace Analytical Services LLC Lab Contract 11/24	R	12/12/2024	1,637.00		016411		1,637.00
01681 I-11302024	HdL Companies BL Revenue 11/24	R	12/12/2024	449.12		016412		449.12
01727 I-578571-120524	Enterprise FM Trust Fleet Leases 12/2024	R	12/12/2024	20,582.71		016413		20,582.71
01751 I-202412096809	COE WWTP Backwash 11/1-11/30/24	R	12/12/2024	968.48		016414		968.48
01790 I-445	Crim Law Office PLLC Water Bd Services 07/2024	R	12/12/2024	1,390.00		016415		1,390.00
01942 I-1214756-11 121524	Elkins Municipal Building Comm 1214756-11 #40 121524	R	12/12/2024	4,833.20		016416		4,833.20

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02403	I-INV-186735	Diversified Air Systems Inc Blower #2	R 12/12/2024	1,482.00		016417		1,482.00
02619	I-276	D&L Mallow Construction LLC Roof replacement pavilions	R 12/12/2024	9,900.00		016418		9,900.00
02649	I-453201	Civil & Enviromental Consultan GeorgetownRd Project	R 12/12/2024	5,000.00		016419		5,000.00
02718	I-2963	ACE Materials Concrete	R 12/12/2024	1,330.00		016420		
	I-2965	Concrete	R 12/12/2024	1,140.00		016420		
	I-2996	Concrete	R 12/12/2024	1,330.00		016420		
	I-2998	Concrete	R 12/12/2024	1,140.00		016420		4,940.00
1	I-000202412161719	MONGOLD MANAGEMENT L US REFUND	H 12/12/2024	19.54		016421		19.54
1	I-000202412161718	VANSCOY, AMBER US REFUND	H 12/12/2024	2.61		016422		2.61
1	I-000202412161720	MCGEE, GARY US REFUND	H 12/12/2024	50.00		016423		50.00
1	I-000202412061712	MICKETT, ERIC US REFUND	R 12/12/2024	130.40		016424		130.40
00047	I-00006 122724	Truist Governmental Finance 9948000234-06 #41 122724	R 12/17/2024	2,643.26		016425		2,643.26
00201	I-283341	Davis Electrical Svc. Inc Electrial Supplies	R 12/17/2024	493.66		016426		
	I-283375	Electrical Supplies	R 12/17/2024	511.07		016426		
	I-283407	Electrical Supplies	R 12/17/2024	179.26		016426		
	I-283408	Electrical Supplies	R 12/17/2024	103.16		016426		1,287.15
00202	I-12755 Final	Davis Trust Company Final Pmt 3113776-12755	R 12/17/2024	4,146.46		016427		4,146.46
00252	I-CKREQ 121324	Elkins YMCA Pool Renovations	R 12/17/2024	5,000.00		016428		5,000.00
00430	I-1278	Jonathan Distefano dba Mainten Locks & Keys	R 12/17/2024	1,620.00		016429		1,620.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00468	I-WV24-5187	Miss Utility of West Virginia, Message Fees 11/2024	R 12/17/2024	191.70		016430		191.70
00471	I-ElkCtyPk 121124	FirstEnergy MP/PE Elkins City Pk 110824-120924	R 12/17/2024	23.80		016431		
	I-Park 121124	Park St 095 110824-120924	R 12/17/2024	10.95		016431		
	I-Park St 121124	Park St 110824-120924	R 12/17/2024	10.52		016431		
	I-ParkSt 121124	Park St 110824-120924	R 12/17/2024	10.52		016431		
	I-RRave 121624	Railroad Ave 111424-121224	R 12/17/2024	204.14		016431		259.93
00582	I-520-15	Region VII Plan. & Development GIS Services 11/2024	R 12/17/2024	110.00		016432		110.00
00628	I-47232	Seneca Designs TShirts-Employee Appreciation	R 12/17/2024	616.50		016433		616.50
00688	I-1408	Terra Flora Landscaping landscaping PGCC	R 12/17/2024	290.00		016434		290.00
01790	I-460	Crim Law Office PLLC Municipal Ct Matters 10/24	R 12/17/2024	3,410.00		016435		3,410.00
02251	I-1PS133472	H&K Equipment Inc ADSC500 Floor Scrubber	V 12/17/2024	9,300.00		016436		
	I-1SE16291	Floor Scrubber	V 12/17/2024	9,300.00		016436		18,600.00
02251	M-CHECK	H&K Equipment Inc H&K Equipment Inc	VOIDED V 12/17/2024			016436		18,600.00CR
02356	I-11/14/2024	Leon G. Mallow Surveying, Inc. Research Wk Baxter St Prop	R 12/17/2024	420.00		016437		420.00
02411	I-1259881	Zurich Insurance Deductible Billing	R 12/17/2024	1,344.25		016438		1,344.25
02490	I-109958	WVCorp City Insurance 3rd Qtr	R 12/17/2024	49,910.00		016439		49,910.00
02608	I-2956	Zinn's R Us Inc Septic Holding Tanks	R 12/17/2024	400.00		016440		400.00
02646	I-2808	Ford Hall Company, Inc. 14in Brown Brush w/trim	R 12/17/2024	146.48		016441		146.48

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02743 I-Appl 1	Hull's Contracting Inc Application #1	R	12/17/2024	134,800.00		016442		134,800.00
00202 I-CKREQ 121324	Davis Trust Company Direct Deposit Fees	R	12/17/2024	250.00		016443		250.00
02251 I-1PS133472 110724	H&K Equipment Inc Walk behind Scrubber	R	12/17/2024	9,300.00		016444		9,300.00
1 I-000202412131716	IOOF HOME US REFUND	R	12/17/2024	2.50		016445		2.50
1 I-000202412131717	IOOF HOME US REFUND	R	12/17/2024	20.00		016446		20.00
00116 I-CDS202412221723	Child Support Enforcement Child Support	R	12/23/2024	681.40		016447		681.40
00121 I-FP 202412221723	Citizens Bank of WVFP Fire Pension	R	12/23/2024	323.07		016448		323.07
00122 I-PP 202412221723 I-PPN202412221723	Citizens Bank of WVFP Police Pension Police Pension-2010 Forward	R R	12/23/2024 12/23/2024	219.71 231.92		016449 016449		451.63
00147 I-MIS202412221723	COE Misc Misc Reimbursements	R	12/23/2024	411.00		016450		411.00
00150 I-T1 202412221723	COE Payroll Federal Withholding	R	12/23/2024	13,412.97		016451		13,412.97
00151 I-T3 202412221723 I-T4 202412221723	COE Payroll FICA Medicare	R R	12/23/2024 12/23/2024	21,213.04 5,247.90		016452 016452		26,460.94
00152 I-T2 202412221723	COE Payroll State Withholding	R	12/23/2024	6,013.00		016453		6,013.00
00203 I-CC 202412221723	Davis Trust Company Employee Christmas Club	R	12/23/2024	2,600.00		016454		2,600.00
00747 I-WN 202412221723	Washington National Insurance Washington National Insurance	R	12/23/2024	586.69		016455		586.69

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00837	COE Payroll Reimbursement							
I-001202412221723	Payroll Reimbursement	R	12/23/2024	62,201.21		016456		
I-006202412221723	Payroll Reimbursement	R	12/23/2024	5,331.15		016456		
I-036202412221723	Payroll Reimbursement	R	12/23/2024	13,353.52		016456		
I-400202412221723	Payroll Reimbursement	R	12/23/2024	23,377.17		016456		
I-401202412221723	Payroll Reimbursement	R	12/23/2024	14,602.80		016456		
I-404202412221723	Payroll Reimbursement	R	12/23/2024	12,032.15		016456		130,898.00
01885	Colonial Life							
I-CL 202412221723	Colionial Life-AT	R	12/23/2024	112.10		016457		
I-CLP202412221723	Colonial Life-PT	R	12/23/2024	52.52		016457		164.62
00150	COE Payroll							
I-T1 202412221724	Federal Withholding	R	12/23/2024	40.00		016458		40.00
00151	COE Payroll							
I-T3 202412221724	FICA	R	12/23/2024	68.04		016459		
I-T4 202412221724	Medicare	R	12/23/2024	15.92		016459		83.96
00152	COE Payroll							
I-T2 202412221724	State Withholding	R	12/23/2024	13.00		016460		13.00
00837	COE Payroll Reimbursement							
I-400202412221724	Payroll Reimbursement	R	12/23/2024	420.75		016461		420.75
00006	AFLAC							
I-AF 202412101714	Aflac-After Tax Ins	R	12/23/2024	582.29		016462		
I-AF 202412221723	Aflac-After Tax Ins	R	12/23/2024	564.09		016462		
I-AFL202412101714	Aflac Insurance	R	12/23/2024	297.78		016462		
I-AFL202412221723	Aflac Insurance	R	12/23/2024	297.78		016462		1,741.94
00242	Elkins Professional Firefighte							
I-EPF202412101714	Elkins Professional FF	R	12/23/2024	135.00		016463		
I-EPF202412221723	Elkins Professional FF	R	12/23/2024	135.00		016463		270.00
00591	Retiree Health Benefit Trust F							
I-12/24 RHBT	Retirees 12/2024	R	12/23/2024	2,137.00		016464		
I-RChen 12/2024	RChenoweth RHBT 12/2024	R	12/23/2024	34.00		016464		
I-RHB202412221723	Retiree Health Benefit Trust	R	12/23/2024	2,618.00		016464		4,789.00
00805	WV FBMC							
I-MFB202412101714	Mt. Flex Benefit	R	12/23/2024	2,052.17		016465		
I-MFB202412221723	Mt. Flex Benefit	R	12/23/2024	2,078.92		016465		
I-RChen 12/2024	RChenoweth 12/2024	R	12/23/2024	102.84		016465		4,233.93

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00810	WV Public Employee Insurance A							
I-BL 202412221723	Basic Life Benefit	R	12/23/2024	188.10		016466		
I-CEC202412101714	Plan C E/C	R	12/23/2024	1,268.00		016466		
I-CEC202412221723	Plan C E/C	R	12/23/2024	1,268.00		016466		
I-CF 202412101714	Plan C Family	R	12/23/2024	19,135.00		016466		
I-CF 202412221723	Plan C Family	R	12/23/2024	19,135.00		016466		
I-CS 202412101714	Plan C Single	R	12/23/2024	6,180.00		016466		
I-CS 202412221723	Plan C Single	R	12/23/2024	6,180.00		016466		
I-DL 202412101714	Dependent Life	R	12/23/2024	121.53		016466		
I-DL 202412221723	Dependent Life	R	12/23/2024	121.53		016466		
I-OL 202412101714	Optional Life	R	12/23/2024	419.13		016466		
I-OL 202412221723	Optional Life	R	12/23/2024	419.13		016466		
I-RChen 12/2024	RChenoweth Health/Life Ins	R	12/23/2024	891.98		016466		
I-TOF202412101714	Tobacco Surcharge Family	R	12/23/2024	425.00		016466		
I-TOF202412221723	Tobacco Surcharge Family	R	12/23/2024	425.00		016466		
I-TOS202412101714	Tobacco Surcharge Single	R	12/23/2024	87.50		016466		
I-TOS202412221723	Tobacco Surcharge Single	R	12/23/2024	112.50		016466		56,377.40
00202	Davis Trust Company							
I-311377635239 01/25	3113776 35239 01/25	R	12/26/2024	1,425.22		016467		
I-35269 010125	3113776-35269 010125	R	12/26/2024	717.08		016467		2,142.30
00517	Ohio Valley Bank							
I-6300002950 010125	Int Pmt 6300002950 010125	R	12/26/2024	3,244.61		016468		3,244.61
02685	Selective Insurance Company of							
I-QTRLY Penalty	QTRLY Penalty	R	12/26/2024	30.00		016469		30.00
00119	First-Citizens Bank & Trust Co							
I-46173040	Konica Minolta Pmt 010825	R	1/02/2025	55.00		016470		55.00
00143	COE General Fund 2							
I-01/25 Indirects	Monthly Indirects 01/2025	R	1/02/2025	16,751.44		016471		16,751.44
00149	COE Parks and Recreation							
I-01/25 Support	Monthly Support 01/25	R	1/02/2025	25,483.00		016472		25,483.00
00235	Elkins Building Comm.							
I-01/25 Pmt	Monthly Pmt 01/2025	R	1/02/2025	3,483.79		016473		3,483.79
00381	Grover C Jackson Jr							
I-01/2025 Rent	Rent 01/2025	R	1/02/2025	1,800.00		016474		1,800.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00471	I-90009879388	FirstEnergy MP/PE Consumption/Lighting	R	1/02/2025	52,686.11		016475	52,686.11
00484	I-1Baxter 122024	Mountaineer Gas Company 1 Baxter WD 110424-120924	R	1/02/2025	470.14		016476	
	I-1Baxter St 122024	Mountaineer Gas Company	R	1/02/2025	603.68		016476	
	I-216 4th 122024	216 4th B 110424-120924	R	1/02/2025	39.23		016476	
	I-401 Davis 122024	401 Davis 110524-120924	R	1/02/2025	3,050.30		016476	
	I-4th 216 122024	216 4th St 110424-120924	R	1/02/2025	1,465.91		016476	
	I-917 SRand 122024	917 S RR 110524-120924	R	1/02/2025	987.00		016476	
	I-Barron 122024	Barron 110424-120924	R	1/02/2025	163.71		016476	
	I-BaxterSt 122024	Baxter Street 110424-120924	R	1/02/2025	977.44		016476	
	I-Center St 122024	Center St 110424-120924	R	1/02/2025	163.71		016476	
	I-Fld Cntrl 122024	Flood Cntrl 110524-120924	R	1/02/2025	973.20		016476	
	I-Glendale 122024	Glendale Ave 110524-120924	R	1/02/2025	239.37		016476	
	I-Ind Pk Rd 122024	Inds Pk Rd 110524-120924	R	1/02/2025	182.21		016476	
	I-RELee 122024	RELee 110524-120924	R	1/02/2025	714.83		016476	
	I-Stewart 122024	Stewart Ave 110424-120924	R	1/02/2025	65.40		016476	10,096.13
00573	I-6545	Randolph County Development Au Rent January 2025	R	1/02/2025	400.00		016477	400.00
00644	I-105176	Smith Backhoe & Dozer Service, 120C Excavator w Hammer	R	1/02/2025	400.00		016478	400.00
00665	I-17548965-00	State Electric Supply Company Electrical Materials	R	1/02/2025	168.41		016479	
	I-17601380-00	Electrical Supplies	R	1/02/2025	352.03		016479	520.44
01790	I-464	Crim Law Office PLLC Attny Services 11/2024	R	1/02/2025	6,970.00		016480	
	I-465	Municipal Ct 11/2024	R	1/02/2025	2,790.00		016480	9,760.00
01833	I-27154	P3 Cost Analysts Visa VUIRF Prgm 12/24	R	1/02/2025	621.53		016481	621.53
01957	I-INV15375807	Zoro Tools, Inc. Inspection Camera	R	1/02/2025	263.99		016482	263.99
02322	I-80181577	Badger Meter Beacon Hosting 12/2024	R	1/02/2025	257.64		016483	257.64
02347	I-17517711	LEAF Tosh E478S Baxter 121824	R	1/02/2025	106.41		016484	
	I-17517712	Tosh E478S 121824	R	1/02/2025	106.41		016484	
	I-17614393	Toshiba 5525AC	R	1/02/2025	304.49		016484	
	I-17628951	Tosh E4515AC	R	1/02/2025	304.80		016484	
	I-17635529	Tosh ES4515AC	R	1/02/2025	133.78		016484	

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
I-17664287	Toshiba E478S 011825	R	1/02/2025	96.74		016484		
I-17664288	Tosh E478S 01/18/25	R	1/02/2025	96.74		016484		
I-17690622	Tosh/Lexmark 012425	R	1/02/2025	607.43		016484		
I-17705679	Tosh 478S	R	1/02/2025	113.97		016484		
I-17705680	Tosh E4515AC 012525	R	1/02/2025	196.83		016484		
I-17705681	Tosh E3025AC 01/25/25	R	1/02/2025	302.54		016484		2,370.14
02431	Ferguson Waterworks #527							
I-0889419-4	LF 2x1 Y48-347NL Y BRCH	R	1/02/2025	228.69		016485		
I-0896363-2	LF 2x1 Y48-347-NL Y BRCH	R	1/02/2025	457.38		016485		
I-0903627-1	6x2 BRZ SDL	R	1/02/2025	236.48		016485		
I-0914570-1	Std Pentagon/FIPBvs/Cplngs	R	1/02/2025	1,917.23		016485		
I-0914570-2	48Lg Key F/STD Pent/Comp Cplng	R	1/02/2025	838.11		016485		
I-0927944	PVC/Tees/Cstr/Cplng/Saddle	R	1/02/2025	4,534.74		016485		
I-0927944-1	Brass Saddles	R	1/02/2025	698.97		016485		
I-0930959	12-LF 1 CCxCTS PJ Corp	R	1/02/2025	1,079.40		016485		
I-0932763	Coup/Pipe/Locking Lid	R	1/02/2025	287.65		016485		10,278.65
02451	Waypoint Resource Group LLC							
I-20224	Collections 12/2024	R	1/02/2025	76.24		016486		76.24
02501	Casto Technical Service							
I-283130	Service Agreement	R	1/02/2025	1,812.00		016487		
I-284654	Boiler Repair	R	1/02/2025	1,178.50		016487		2,990.50
02608	Zinn's R Us Inc							
I-2963	4 Septic Holding Tanks	R	1/02/2025	400.00		016488		400.00
02619	D&L Mallow Construction LLC							
I-278	Repair/Re-roof Lg Pavilion CP	R	1/02/2025	12,260.00		016489		12,260.00
1	HAMMER, SHARON D							
I-000202501021725	US REFUND	R	1/02/2025	75.00		016490		75.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	105	983,751.19	0.00	960,894.35
HAND CHECKS:	3	72.15	0.00	72.15
DRAFTS:	10	174,065.80	0.00	174,065.80
EFT:	0	0.00	0.00	0.00
NON CHECKS:	1	0.00	0.00	0.00
VOID CHECKS:	2 VOID DEBITS	0.00		
	VOID CREDITS	22,856.84CR	22,856.84CR	0.00

TOTAL ERRORS: 0

VENDOR SET: 01	BANK: Pool	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			121	1,135,032.30	0.00	1,135,032.30
BANK: Pool	TOTALS:		121	1,135,032.30	0.00	1,135,032.30

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02744	Tri-County Trailers							
I-CO-0003259	2024 Spartan CargoTrailer	R	12/17/2024	3,325.00		000012		3,325.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	3,325.00	0.00	3,325.00
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	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: SPINVTOTALS:	1	3,325.00	0.00	3,325.00
BANK: SPINV TOTALS:	1	3,325.00	0.00	3,325.00

VENDOR SET: 01 Elkins
BANK: WATDP Water Depreciation
DATE RANGE:12/10/2024 THRU 1/03/2025

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02431 I-0917648	Ferguson Waterworks #527 2-14x12 Hymax	R	12/12/2024	5,173.56		000058		5,173.56
02403 I-INV-186969	Diversified Air Systems Inc Blower	R	1/02/2025	6,195.07		000059		6,195.07
02431 I-0882909	Ferguson Waterworks #527 18 Hymax Rep Coup	R	1/02/2025	7,196.28		000060		7,196.28

* * T O T A L S * *	NO		INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	3		18,564.91	0.00	18,564.91
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: WATDP TOTALS:	3		18,564.91	0.00	18,564.91
BANK: WATDP TOTALS:	3		18,564.91	0.00	18,564.91
REPORT TOTALS:	128		1,385,160.16	0.00	1,385,160.16

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999
DATE RANGE: 12/10/2024 THRU 1/03/2025
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



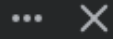
CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 340: Amending City Code, Chapters 71 and 93, concerning skateboards, etc. (first of two readings)
Recommended By:	Rules & Ordinances Committee
Summary:	The attached ordinance removes and clarifies out of date and unenforcable provisions in city code concerning skateboards, etc. The need for changes was recognized after a comment was received via Facebook. See attached screenshot and memo for more information.
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. skatepark question from Facebook 2. COE Memo - code regarding skateboards - 2024_12_05 - as amended by the committee 3. O-340 - amending rules concerning sidewalks and similar conveyances



David Helmick

2h · 🌐



[Elkins City Hall](#) so is it still illegal for me to skate in Elkins? Since the skate park is gonna be gone? Am I still gonna get a 100 some dollar fine and my skateboard taken? Or do I have to learn how to play "pickle ball" ?



17

4 comments 3 shares

Rules & Ordinances Committee

Proposed Amendments to Code Provisions Regarding Skateboards

As Recommended to Council Dec. 09, 2024

Below are proposed amendments to § 71.46. These amendments eliminate geographic restrictions concerning where skateboards, rollerblades, and similar devices may be used. They also eliminate reference to “motorized scooters,” which is undefined.

Markup of Section 71.46

§ 71.46 SKATEBOARDS, ROLLER SKATES, ROLLERBLADES AND SIMILAR DEVICES.

~~—(A) No person shall ride or propel skateboards, in-line skates, roller skates or motorized scooters in those districts of the city which are designated as commercial or industrial zones on the city’s official zoning map.~~

(B) No person shall ride or propel skateboards, in-line skates or roller skates except in a prudent and careful manner, ~~Operation of such devices in a prudent and careful manner is operation which will result in efficient control of such devices so that they be utilized with~~ reasonable regard ~~to~~ **for** the safety of the operator, other ~~and the safety of the persons, and the~~ ~~or~~ property of other persons.

~~—(C) (1) When any person is arrested or charged with a violation of this section, the skateboard, in-line skates, or roller skates or motorized scooter of that person shall be seized by the arresting or charging officer.~~

~~—(2) Upon conviction for a first or second offense and payment of the applicable fine, or upon any acquittal, such skateboard, in-line skates, or roller skates or motorized scooter shall be returned to the offender.~~

~~—(3) Upon conviction for a third or subsequent offense, such skateboard, in-line skates or roller skates or motorized scooter shall be forfeited to the city.~~

~~—(D) Notwithstanding any other provision of this section, it shall not be an offense for any person to ride or propel skateboards, in-line skates, or roller skates, upon any private property or sidewalk located outside the said commercial and industrial zones of the city; provided, however, that such activity may take place only with the permission of the resident or owner of such private property or, in the case of a sidewalk, the residents or owners of private property abutting such sidewalk. This provision shall also apply to motorized scooters with the exception that motorized scooters shall be prohibited from being ridden upon any sidewalk within the city.~~

~~—(E) It shall also be deemed a violation of this section for any person to ride a motorized scooter upon any street or roadway within the city.~~

~~—(F) The provisions of this section shall not apply to any person who is physically challenged and must use a motorized scooter to aid in ambulation, and not for recreational purposes.~~

New Wording of 71.46

§ 71.46 SKATEBOARDS, ROLLER SKATES, ROLLERBLADES AND SIMILAR DEVICES.

(B) No person shall ride or propel skateboards, in-line skates or roller skates except in a prudent and careful manner, with reasonable regard for the safety of the operator, other persons, and the property of other persons.

Below are proposed amendments to § 93.004 and § 93.005. The amendments eliminate any prohibition against using skateboards on sidewalks. Allowing use of skateboards on sidewalks is common throughout the United States.

Markup of Sections 93.004 and 93.005

§ 93.004 ANIMALS OR BICYCLES ON SIDEWALKS.

(A) No person shall lead, ride or drive any horse or other **livestock** animal, except dogs, along or upon any of the sidewalks or footwalks.

(B) ~~No person shall drive, ride, roll or wheel any bicycle upon or along any sidewalk or footwalk; except, that persons may roll but not ride bicycles along the sidewalks and footwalks, if careful not to interfere with pedestrians.~~ **No person** shall ride any bicycle upon any sidewalk within the City; provided, that riders of bicycles, when dismounted, may walk their bicycles along the sidewalks in single file.

~~§ 93.005 PLAYING, COASTING OR SKATING ON SIDEWALKS.~~

~~—(A) No one shall engage in or play any game upon any sidewalk or footwalk nor coast thereon with sleds or skateboards.~~

~~—(B) Nor shall anyone, without the consent of the owner or occupant of the premises adjacent thereto, skate upon any such sidewalk or footwalk.~~

New Wording of Sections 93.004 and 93.005

§ 93.004 ANIMALS OR BICYCLES ON SIDEWALKS.

(A) No person shall lead, ride, or drive any horse or other livestock along or upon any sidewalks or footwalks.

(B) No person shall ride any bicycle upon any sidewalk within the City; provided, that riders of bicycles, when dismounted, may walk their bicycles along the sidewalks in single file.

§ 93.005 - **DELETED**

ORDINANCE 340

AN ORDINANCE OF THE COMMON COUNCIL OF ELKINS, WEST VIRGINIA AMENDING AND REVISING CHAPTER 71, <u>STOPPING, STANDING AND PARKING SPECIFICALLY § 71.46 AND CHAPTER 93, <u>STREETS, SIDEWALKS AND PUBLIC PLACES SPECIFICALLY § 93.004 and § 93.005</u></u>

WHEREAS, the Common Council of the City of Elkins, West Virginia previously adopted ordinances, which are codified and reflected in City Code, Chapter 71, Stopping, Standing And Parking, specifically § 71.46 and City Code, Chapter 93, Streets, Sidewalks And Public Places, specifically § 93.004 and § 93.005;and

WHEREAS, subsequent to the passages of these ordinances, it has become apparent that these specific provisions of the City Code namely, § 71.46, § 93.004 and § 93.005 need to be amended and revised , for clarity and for enforceability issues; and

WHEREAS the Rules and Ordinance Committee has recommended these changes, the Common Council has accepted the recommendations and has determined that by making these amendments to said Chapters, it is in the best interests of the citizens of the City.

NOW THEREFORE BE IT ORDAINED and ENACTED by the Common Council that City Code, § 71.46, § 93.004 and § 93.005 shall only be amended and revised as follows :

§ 71.46 SKATEBOARDS, ROLLER SKATES, ROLLERBLADES AND SIMILAR DEVICES.

(A) No person shall ride or propel skateboards, in-line skates, or roller skates except in a prudent and careful manner, with reasonable regard for the safety of the operator, other persons, and the property of other persons.

§ 93.004 ANIMALS OR BICYCLES ON SIDEWALKS.

(A) No person shall lead, ride, or drive any horse or other livestock along or upon any sidewalks or footpaths.

(B) No person shall ride any bicycle upon any sidewalk within the City; provided, that riders of bicycles, when dismounted, may walk their bicycles along the sidewalks in single file.

§ 93.005 – DELETED

The changes to City Code § 71.46, § 93.004 and § 93.005 are only to the sections referred to herein specifically and all other sections of said Chapters 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 FIRST READING: _____, 2025.

PASSED AND APPROVED ON FINAL READING: _____, 2025.

CITY OF ELKINS, WEST VIRGINIA

Jerry A. Marco, Mayor

Attest:

Sutton Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 341: Amending City Code, Chapter 152, Zoning, concerning signs (first of two readings)
Recommended By:	Planning Commission
Summary:	This ordinance amends sign rules in City Residential and Single Family Residential. Currently, both residential and nonresidential uses in these districts are limited to 6 square feet of signs total. (In other words, the total surface area of all signs used cannot exceed 6 square feet.) The proposal is to increase that limit for nonresidential uses. Separately, there is a proposal to further amend rules on sign size by allowing structures on corners to utilize the total for other buildings per frontage (i.e., per side of the building adjacent to a city right-of-way.) That is, for a corner building, treating the two sides facing city streets separately. Review residential sign size limits here: https://codelibrary.amlegal.com/codes/elkinswv/latest/elkins_wv/0-0-0-13285
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. O-341 - amending rules concerning signs in residential areas

ORDINANCE 341

AN ORDINANCE OF THE COMMON COUNCIL OF ELKINS, WEST VIRGINIA AMENDING CITY CODE, CHAPTER 152, ZONING, § 152.228, SIGNS FOR SINGLE FAMILY RESIDENTIAL (R-1) AND CITY RESIDENTIAL (R-2)

WHEREAS, the Common Council previously adopted a zoning ordinance which is codified in City Code Chapter 152, Zoning; and

WHEREAS, following the enactment of the zoning ordinance there have been several instances where the imposition of the sections of Chapter 152, Zoning regarding certain sign regulations has proven problematic in their application; and

WHEREAS the Elkins Planning Commission has met and reviewed the instances where sign permits cannot be issued because of certain sign regulations which are applicable ; and

WHEREAS, the Elkins Planning Commission has voted , pursuant to City Code §152.04, thereby recommending to the Common Council that certain designated sections of Chapter 152; Zoning, only concerning sign regulations be amended ; and

WHEREAS it appears that the Elkins Planning Commission has made the recommendation in furtherance of its authority and responsibilities to advise Council of any amendments to Chapter 152: Zoning; and

WHEREAS, the Common Council has determined that by accepting the recommendation of the Elkins Planning Commission it is in the best interest of the citizens of the City.

NOW THEREFORE BE IT ORDAINED and ENACTED by the Common Council that City Code, Chapter 152: Zoning, namely § 152.228, be amended and shall read as follows:

§ 152.228 SIGNS FOR SINGLE FAMILY RESIDENTIAL (R-1) AND CITY RESIDENTIAL (R-2) DISTRICTS.

(A) Purpose. Signage in residential districts poses a heightened risk of visual blight and unsightly clutter, as residential neighborhoods typically contain markedly less

signage than other districts in order to maintain the residential character of the neighborhood. At the same time, communicating from one's residence is a distinct and impactful form of speech that should be protected, and nonresidential uses should be afforded adequate signage incidental to the primary use, i.e., on-premises signs. Signs permitted in these districts are smaller, fewer in number, and limited in sign type in order to limit visual clutter and distraction, while affording ample speech.

(1) Signs permitted as accessory to dwellings.

(a) Permitted permanent sign use as accessory to dwellings. Geological, minor, temporary, topiary, wall, and window signs. No more than four permanent signs are permitted by right per dwelling.

(b) Permitted temporary sign use as accessory to dwellings. Banner, minor, pennant, wall, wicket, window. No more than four temporary signs are permitted in one calendar year per dwelling.

(c) No more than four flags as accessory to a dwelling, excluding any flags that are minor signs.

(2) Signs permitted as accessory to non-dwellings.

(a) Permitted permanent sign use as accessory to non-dwellings. Freestanding, geological, minor, monument, temporary, topiary, wall, and window signs. Only one of each is permitted per use per frontage, except wall signs and window signs. No more than four permanent signs are permitted by right per use. No more than four temporary signs are permitted in one calendar year per use.

(b) Permitted temporary sign use as accessory to non-dwellings. A-frame, banner, chalkboard, minor, wall, wicket, window. No more than four temporary signs are permitted in one calendar year per use.

(c) No more than four flags as accessory to a non-dwelling are permitted.

(3) Off-premises signs are prohibited for both dwellings and non-dwellings.

(B) Dimension specifications chart. All maximum sign area requirements include the sum total sign area of all signs per use per frontage, unless otherwise specified.

	Permitted as Accessory to Dwellings	Permitted as Accessory to Non- Dwellings	Temporary Signs as Accessory to Dwellings and Non-Dwellings	Flags
Max. sign area	6 sq. ft.	32 sq. ft.	6 sq. ft. displayed at one time	24 sq. ft. ea.
Max. height	7 ft.	7 ft.	4 ft.	20 ft.

(Ord. 301, passed 8-18-2022) Penalty, see § 152.999

The changes and amendments to Chapter 152: Zoning are only to the section referred to herein and all other sections of said Chapter 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 FIRST READING: _____, 2025.

PASSED AND APPROVED ON FINAL READING: _____, 2025.

CITY OF ELKINS, WEST VIRGINIA

Jerry A. Marco, Mayor

Attest:

Sutton Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 342: Amending City Code, Chapter 35, concerning candidate filing for city elections (first of two readings)
Recommended By:	City Clerk
Summary:	The current election code bases the candidate filing period for city elections on the date of "the call of the election." An earlier revision eliminated the practice of "calling the election." The attached ordinance would establish a three week filing period that begins on the second Monday in the February preceding the regular city election (second Tuesday in June of odd-numbered years).
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. COE Memo - candidate filing period change - 2025_01_04 2. O-342 - amending election code concerning filing dates

Memo

To: Rules & Ordinances Committee

From: Sutton Stokes

cc: Gerry Roberts

Date: Jan. 4, 2025

Re: Needed change to city election code regarding candidate filing period

City Code currently states:

§ 35.06 CANDIDATE FILING PERIOD.

(A) The candidate filing period shall commence on the third Monday following the issuance of the call of the election. The candidate filing period shall continue until midnight of the third Friday following the day of its commencement.

This is archaic, as Code no longer requires the practice of “calling the election.”

Previously, Code required Council to call the election “not later than 124 days preceding each election.” Then, the date of the call would be used to calculate the dates of the candidate filing period, as stipulated in § 35.06.

Code was amended in January 2023 to eliminate the requirement to “call” the election, but § 35.06 still bases calculation of the dates of the filing period based on the date of the now nonexistent call.

In 2023, when the election fell on June 13, the filing period (based on the call of the election method) would have started on February 20, or 113 days before the election.

There is no requirement in state code that I can find requiring a “call of the election.”

The only state code provision that seems to apply to this situation is in **§3-5-24. Filing of nomination certificates; time; location; fees; effect of failure to timely file or pay fee.**

In this section appears the following:

(a) All certificates nominating candidates for office under section twenty-three of this article shall be filed not later than August 1 preceding the November general election: Provided, That for municipal or other elections not held in conjunction with regular state and county general elections, certificates shall be filed not later than ninety days before the date of the election, unless otherwise provided by charter, ordinance or code.

The above would seem to apply to the Elkins election (since it is not held in conjunction with any other election).

At any rate, it seems that:

- Past practice had the filing period starting approximately 110 days before the election and ending approximately 95 days before the election
- The closest we come to a relevant state code requirement is that it not END later than 90 days before the election, so the above was compliant with state code.

Recommendation:

- Amend City Code so that the candidate filing period always opens on the second Monday in February and closes on the third Friday thereafter.

Because the latest possible second occurrence of a day of the week is the 14th, the latest possible closing date of the filing period would be March 4 (18 days after Feb. 14). Because 90 days after March 4 would be June 2, and because the earliest possible election date is June 8, the filing period would always close more than 90 days before the election, complying with the only relevant stipulation in state code, above.

##

ORDINANCE 342

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA, TO AMEND AND REVISE CHAPTER 35: ELECTIONS §35.06, CANDIDATE FILING PERIOD.

WHEREAS, the Common Council of the City of Elkins, West Virginia previously adopted Ordinance 310 on its final reading on January 19, 2023, said ordinance amended and revised Chapter 35: Elections; and

WHEREAS, the City will hold an election on June 10, 2025, and the Common Council finds and determines that it would be in the best interest of the City and its citizens to amend and revise Chapter 35: Elections, §35.06, Candidate Filing Period.

NOW THEREFORE, BE IT ORDAINED and ENACTED by the Common Council of the City of Elkins, West Virginia that the Elkins City Code, Chapter 35, Elections, §35.06 be amended and shall read as follows:

§35.06 Candidate Filing Period

The candidate filing period shall commence **on the second Monday in the February preceding the date of the regular city election.** The candidate filing period shall continue until midnight of the third Friday **thereafter** ~~following the day of its commencement.~~ **In the event of a special election, the candidate filing period shall open on a Monday and close on the third Friday thereafter, provided that the closing date must be no later than 90 days preceding the date of the election.**

The changes and amendments to Chapter 35: Elections are only to the section referred to herein and all other section of said chapter shall remain 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: _____2025.

PASSED AND APPROVED ON THE FINAL READING: _____2025.

CITY OF ELKINS, WEST VIRGINIA

Jerry A. Marco, Mayor

Attest:

Sutton Stokes, City Clerk

ORDINANCE 342

2



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	New business
Category:	Ordinance
Agenda Item Name:	Ordinance 343: Amending City Code, Chapter 151, Flood Damage Prevention (first of two readings)
Recommended By:	City Attorney
Summary:	Makes recommended changes to the city's ordinance concerning floodplain management, as recommended by a FEMA site visit
Fiscal Impact:	TBD
Recommendation:	Consider for approval
Attachments:	1. O-343 - amending floodplain section

ORDINANCE 343

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA AMENDING AND REVISING CITY CODE, CHAPTER 151, FLOOD DAMAGE PREVENTION, §151.015 DEFINITIONS AND §151.062 (A)(2) APPROVAL OF PERMITS AND PLANS

WHEREAS, the Common Council of the City of Elkins, West Virginia, previously adopted an ordinance concerning flood damage prevention which is codified in the City Code, Chapter 151; and

WHEREAS, the Federal Emergency Management Agency, National Flood Insurance Program personnel issued a Community Assistance Visit (CAV) Report after their visit to the City; and

WHEREAS, the Community Assistance Visit (CAV) Report made several recommendations concerning Chapter 151 which would amend and revise §151.015 Definitions and §151.062 (A)(2) Approval of Permits and Plans; and

WHEREAS, the Common Council has determined that by making these amendments and revisions to said Chapter 151, and the specific sections referred to herein is in the best interests of the citizens of the City.

NOW THEREFORE BE IT ORDAINED and ENACTED by the Common Council that City Code, §151.015 Definitions and §151.062 (A)(2), Approval of Permits and Plans be amended and revised as follows:

§151.015 Definitions.

(Original Additional Omitted)

REMEDY A VIOLATION. To bring a structure or other development into compliance with the requirements of this chapter, or if full compliance is not possible, to reduce the adverse impact of the noncompliance to the greatest extent feasible.

REPETITIVE LOSS. Loss is flood damage to a structure on two occasions during a ten-year period that ends on the date of the second flood loss for which the cost to repair the flood damage, on average, equaled or exceeded 25 percent of the market value of the structure at the time of each loss.

SPECIAL FLOOD HAZARD AREA. The land in the floodplain area subject to a 1% or greater chance of flooding in any given year. SPECIAL FLOOD HAZARD AREAS are

designated by the Federal Emergency Management Agency in Flood Insurance Studies and on Flood Insurance Rate Maps as Zones A, AE, AO, A1-30, and A99. The term includes areas shown on other flood hazard maps that are specifically listed or otherwise described in this chapter.

(Original Additional Omitted)

§151.062 Approval of Permits and Plans.

(A)(2) The Floodplain Administrator shall ensure that substantial improvements, including any repair of a building that has been substantially damaged or suffered repetitive loss, are undertaken only with valid permits. All permits and plans shall be approved only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this chapter, state and federal laws and regulations. All the decisions made by the Floodplain Administrator shall be made according to the Administrative Procedure for Review of Substantial Improvement and Substantial Damage previously adopted by the City Common Council.

The changes and amendments to Chapter 51: Flood Damage Prevention are only to the sections referred to herein and all other sections of said chapter shall remain 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 FIRST READING: _____, 2025.

PASSED AND APPROVED ON FINAL READING: _____, 2025.

CITY OF ELKINS, WEST VIRGINIA

Attest: Sutton R. Stokes, City Clerk

Jerry A. Marco, Mayor



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1807: Lease with RCDA for office space
Recommended By:	City Attorney
Summary:	The city has been renting office space from RCDA since City Hall closed in September. The attached resolution approves an updated rental agreement.
Fiscal Impact:	TBD
Recommendation:	Consider for approval
Attachments:	1. R-1807 - updated contract with RCDA for office space at Wood Tech

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1807)

January 9, 2025

***Accepting Updated Conditions of Agreement between Randolph County Development Authority
and the City of Elkins, and Authorizing Execution of Agreement***

WHEREAS, The City of Elkins, West Virginia (“City”) has previously determined to obtain temporary office space for various city employees, while repairs and renovations are under way at City Hall; and,

WHEREAS, the City has previously executed an Agreement with the Randolph County Development Authority (via Resolution 1785) for the provision of such office space, at the West Virginia Wood Technology Center; and,

WHEREAS, the City has received an updated Agreement from the Randolph County Development Authority for the continued provision of such office space; and,

WHEREAS, it appears that entering into this updated Agreement is in the best interests of the citizens of the City of Elkins;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby accepts the terms of and authorizes execution of this Agreement with the Randolph County Development Authority by the Mayor on behalf of the City of Elkins, after approval of said Agreement by the City Attorney.

Jerry Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 9, 2025
Section:	New business
Category:	Resolution
Agenda Item Name:	Resolution 1808: Ratifying agreement to purchase the Four Seasons property
Recommended By:	City Attorney
Summary:	Ratifies the mayor's signature on an agreement to purchase the Four Seasons building, as part of the process authorized by council in 2023.
Fiscal Impact:	The purchase price is \$135,000
Recommendation:	Consider for approval
Attachments:	1. R-1808 - Ratifying agreement to purchase the Four Seasons property 2. Four Seasons purchase agreement

IN THE COMMON COUNCIL OF THE CITY OF ELKINS, WV

A RESOLUTION OF COMMON COUNCIL

(#1808)

January 9, 2025

Ratifying Purchase Agreement for the Four Seasons Building

WHEREAS, on June 15, 2023, the Elkins Common Council (“Council”) authorized the City Attorney and Mayor to negotiate the purchase of real property known as The Four Seasons (“the Property”); and,

WHEREAS, the City Attorney and Mayor have negotiated a price for the purchase of the Property after certain conditions have been met; and,

WHEREAS, the purchase price and conditions have been memorialized in the attached Purchase Agreement; and,

WHEREAS, the Mayor and the Owner of the property have both executed this Purchase Agreement;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Elkins Common Council hereby ratifies and approves the Mayor’s execution of this agreement.

Jerry A. Marco, Mayor

Attest:

Sutton R. Stokes, City Clerk

PURCHASE AGREEMENT

THIS AGREEMENT, made and entered into this 25th day of November, 2024, by and between **DONALD SMITH**, party of the first part, hereinafter referred to as "Seller", and the **CITY OF ELKINS**, party of the second part, hereinafter referred to as "Buyer".

1. **AGREEMENT TO PURCHASE:** The undersigned Seller agrees to sell, and the undersigned Buyer agrees to purchase, upon the terms and conditions herein set forth, all those certain tracts or parcels of real estate located in the Yokum and Hinkle Addition to the City of Elkins, situate in Elkins Corporation District, Randolph County, West Virginia, together with any and improvements situate thereon and any and all appurtenant easements which may benefit same, being more particularly bounded and described as follows:

Property Address: **Four Seasons Motel, Harrison Avenue, Elkins, West Virginia**

All those certain tracts and or parcels of real estate being designated as Lots 1, 2, 3, 4 and 5 of Block A of the Yokum and Hinkle Addition to the City of Elkins, (being locally known as the Four Seasons Motel), situate in Elkins Corporation District, Randolph County, West Virginia, and as shown on a Plat of said Addition, recorded in the Office of the Clerk of the County Commission of Randolph County, West Virginia, in Deed Book 81, at page 500.

AND BEING the same real estate as conveyed unto Donald Smith by John Miller, Amanda Miller and John J. Wallace, IV, as Trustee by Deed in Lieu of Foreclosure dated September 20, 2019 and of record in Deed Book 603, at page 306.

2. **PURCHASE PRICE:** ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS AND 00/100 (\$135,000.00).

3. **CLOSING DATE:** Seller shall sell and Buyer shall purchase said property, and close said transaction in the office of R. Mike Mullens & Associates, L.C. or at such other place as may be agreed upon. Unless otherwise agreed, possession will be given at closing.

4. **TERMS AND CONDITIONS:** Sale of property is subject to the following terms and conditions:

- a). The purchase of said real estate and personal property, if any, is subject to **"AS IS "** condition.
- b). In exchange for the purchase of the subject property, the City of Elkins will withdraw all alleged code enforcement violations and fines, assessed against the subject real estate and/or Donald Smith.
- c). The Seller will start the eviction process of all tenants upon the signing of this agreement and with the understanding that the Elkins City Police Department will cooperate with serving any and all notices required for the evictions.
- d). The City of Elkins agrees that the closing date for this transaction will take place after all tenants have vacated the premises.
- e). It shall be the responsibility of the Seller to make, prepare and deliver a general warranty deed to the Buyer. The Seller will be responsible for paying attorney fees for the preparation of the deed and for paying the transfer stamps imposed by state law and county ordinance, if any.
- f). The Buyer shall pay any expenses in connection with the examination of title, closing fees and recordation of deed.

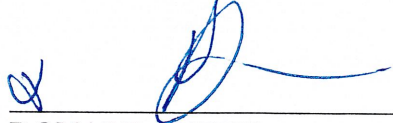
5. **REPRESENTATION OF SELLERS:** Seller warrants and represents to Buyer as follows:

- a). Seller has the full and sole right, power and authority to enter into this agreement to sell the aforesaid real estate;
- b). Seller has good and marketable title to all of the aforesaid real estate, at the aforesaid location, subject to no liens, restrictions, encumbrances, land contracts or security interests;
- c). The sale of Seller's real estate hereunder shall not conflict with or result in a breach of the terms of any agreement or instruments to which Seller is a party or by which they are or may be bound or which would constitute a default thereunder, or result in the creation or imposition of any lien, charge or encumbrance on, or give to others any interest or right of any of the aforesaid real estate of Seller.

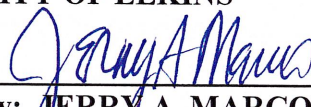
6. **TITLE:** Seller will convey fee simple title to said real estate by General Warranty deed, free and clear of liens and encumbrances, except utility easements and other matters not adversely affecting marketability of title. In the event Seller cannot deliver clear and marketable title upon closing, upon election of the Buyer, this transaction will be null and void.

7. **TAXES, RENTALS AND HOMEOWNERS ASSESSMENTS:** The 2024 real estate taxes have been paid by the Seller. The City of Elkins will be responsible for the 2025 real estate taxes, if any taxes are due and payable to the Randolph County Sheriff.

This Agreement has been reviewed and approved by the Elkins City Council and they have hereby authorized the Mayor of the City of Elkins to sign this Agreement and be bound by its terms herein.



DONALD SMITH
Seller

CITY OF ELKINS


By: **JERRY A. MARCO**
Mayor of the City of Elkins

STATE OF WEST VIRGINIA,

COUNTY OF RANDOLPH, to-wit:

The foregoing **PURCHASE AGREEMENT** was acknowledged before me this 20
day of November, 2024, by **DONALD SMITH, Seller**



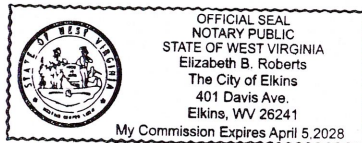
My commission expires: 9/2/24

Connie M. Rowe
Notary Public

STATE OF WEST VIRGINIA,

COUNTY OF RANDOLPH, to-wit:

The foregoing **PURCHASE AGREEMENT** was acknowledged before me this 25th
day of November, 2024, by **CITY OF ELKINS, Buyer**



My commission expires: April 5, 2028

Elizabeth B. Roberts
Notary Public

This Instrument Prepared by:

R. MIKE MULLENS, Attorney at Law
WV State Bar Identification No. 2672

R. Mike Mullens & Associates, L. C.
324 Randolph Avenue
Elkins, West Virginia 26241