



City of Elkins

Municipal Properties Committee Meeting

January 8, 2024
11:00 AM
401 Davis Avenue
Council Chamber, 2nd Floor

Charter Authority of the Municipal Properties Committee: Monitor and report to Council on the condition of and proposed plans for city buildings, real estate, and rights-of-way. Review and propose to Council capital investment in buildings, real estate, and associated infrastructure.

AGENDA

1. **Public hearing on the petition of Coca Cola Consolidated, Inc. (CCCI) to abandon an opened portion of an alley known as Coke Lane.**
2. **Call to order and roll call**
3. **Public comment**
4. **Minutes**
 - a. Proposed minutes for the meeting of December 11, 2023
5. **Reports**
6. **New business**
 - a. Petition of Coca Cola Consolidated, Inc. (CCCI) for the city to abandon an opened portion of an alley known as Coke Lane
 - b. Update on open bids and contracts
 - c. City-owned real property
7. **Announcements**
8. **Adjournment**



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 8, 2024
Section:	Minutes
Category:	Action Item
Agenda Item Name:	Proposed minutes for the meeting of December 11, 2023
Recommended By:	City Clerk
Summary:	Minutes proposed for the committee's December 11 meeting
Fiscal Impact:	n/a
Recommendation:	Consider for approval
Attachments:	1. Municipal Properties - 2023_12_11 - minutes_proposed

MUNICIPAL PROPERTIES COMMITTEE REGULAR MEETING MINUTES

***401 Davis Avenue
City Hall, Council Chambers
December 11, 2023
11:00 a.m.***

Present were Committee Members: Cody Kerns, Nanci Bross-Fregonara, Dave Parker

Also present were: Gerry Roberts (City Attorney), Tracy Judy (Treasurer), Steve Himes (Fire Chief), Travis Bennett (Police Chief), Mike Kesecker (Operation Manager), Jeremy Deighan (Communication Specialist), Liz Roberts (Executive Secretary)

MINUTES

Parker **MOVED APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 13, 2023.** The motion carried.

NEW BUSINESS

Dave Parker **MOVED RECOMMENDING COUNCIL APPROVAL FOR ROTARY CLUB INTERNATIONAL'S APPLICATION TO W. VA. DOH TO PLACE THE GOLD STAR FAMILY MEMORIAL MONUMENT ON DOH PROPERTY CURRENTLY LEASED BY CITY OF ELKINS, ADJACENT TO THE ALL-VETERANS MEMORIAL.** The motion carried.

Kesecker updated the committee on plans for a new round of public bidding for the Sanitation Department garage, due to the rejection of the previous bids.

Kesecker updated the committee on plans for City Hall security improvements, such as replacing electronic key fobs with a mobile phone app and moving the lobby stairwell door outboard of the elevator for improved access control.

Kesecker updated the committee on planning concerning the Streetscape Master Plan.

Kesecker and Roberts updated the committee concerning tenant leases at the Darden House. The current lease period ends December 31, but Woodlands won't take possession of the property until sometime in January, so the city will shift the leases to month-to-month.

The meeting adjourned at 12:08 p.m.

The foregoing minutes were approved at the meeting of _____, 2023

Name & Title

Signature



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 8, 2024
Section:	New business
Category:	Action Item
Agenda Item Name:	Petition of Coca Cola Consolidated, Inc. (CCCI) for the city to abandon an opened portion of an alley known as Coke Lane
Recommended By:	Before committee via statutory process
Summary:	Coca Cola Consolidated, Inc. (CCCI) operates the Coca Cola bottling plant located along Eleventh Street, on parcels divided by an open alley known as Coke Alley. CCCI proposes that the city abandon the section of Coke Alley dividing its properties, potentially creating a dead-end alley. Alternatively, CCCI may be willing to cede a piece of its property between the alley and Davis Avenue, such that a new open right-of-way at right angles to the course of the alley might be created. (See attached petition, including maps.) This request is before the committee because of a provision in city code (§ 93.070 et. seq.), Street and Alley Abandonment Procedures. Although the legislative intent section of this law indicates that it was originally intended to apply to unopened alleys, this is a request to close an open alley. However, city law does not create any obstacle to such a request being heard. City Code stipulates the following requirements be met prior to consideration of such a request: • A petition by the requesting party • An engineer's or surveyor's map of such right-of-way together with abutting property owners (there aren't abutting property owners, in this case, since CCCI property lies on both sides of the proposed abandonment) • A Class I legal advertisement announcing today's hearing All of these requirements have been met.



CITY OF ELKINS AGENDA ITEM REPORT

	This is an open alley. It is currently used by the city's Sanitation Department for weekly household trash collection.
Fiscal Impact:	n/a
Recommendation:	Per city code: After considering the evidence presented at the public hearing, as well as any other documented evidence which may come before the Municipal Properties Committee, the Committee shall report its recommendations to Council at the next Council meeting. The recommendations of the Municipal Properties Committee to Council may include a recommendation as to a value to be placed on the right-of-way or portion thereof to be considered for abandonment. Upon receipt of the Municipal Property Committee's recommendations, Council shall direct the preparation of an ordinance in the manner prescribed by law. Council shall then vote on passage or rejection of the ordinance by a simple majority vote of the members present at a regular or special meeting at which a quorum is present. Accordingly, the committee may either recommend or not recommend that council grant this abandonment request. If recommended, council can only approve the recommendation for abandonment via an ordinance following the standard procedure (two readings).
Attachments:	1. Committee submission - ELKINS ABANDONMENT PETITIONER DOC- FINAL (002) 2. AD-76004

City of Elkins, WV
401 Davis Avenue
Elkins, WV 26241
(304) 636-1777
County: Randolph

PETITION FOR PUBLIC THOROUGHFARE DISCONTINUATION

Petitioner's Information:

Coca-Cola Consolidated, Inc. (CCCI)
1030 S Davis Avenue, Elkins, WV 26241
(304) 636-3500/ Ext 4203 / (443) 306-6606 cell

Purpose For Petition

The purpose for this petition is to increase public safety in and around the intersection of 11th Street and Coke Alley, bolster CCCI efforts to make capital improvements to our facility and property that align with the city's redevelopment initiatives, enhance CCCI employee safety during hours of operation, strengthen security measures for CCCI company assets, and reduce crimes of opportunity.

Thoroughfare Discontinuation Location:

Approximately 90 feet of thoroughfare located on the south end of Coke Alley between lot 665 of block 68 (DB 408/774) and lot 654 of block 68 (DB 430/444-TR#2) on the west: And lot 686 of block 69 (DB 430/44-TR#5) and lot 687 of block 69 (DB 430/444-TR#1) on the east.

Portion of the alley between tax map 17, parcels 182 and 192 on the west: tax map 17, parcels 183 and 193 on the east. (Refer to diagram A)

Supporting Signatures

Property owners who abut the portion of right-of-way to be vacated and have property rights on Coke Lane, support this petition agree to the following:

We, the undersigned, hereby petition the Council of the City of Elkins for consideration to quit-claim the portions of right-of-way to be abandoned as described above; and

I do hereby certify that I am the rightful and lawful owner and/or representative of property abutting right-of-way property to be vacated and quit-claimed.

Name (Print): Thomas L. Rexrode
Signature: Thomas L. Rexrode
Date: 4/4/21
Address: 1022 S. Davis Ave
(Map/Parcel): _____

Name (Print): Emily Benigni
Signature: Emily Benigni
Date: 4.4.23
Address: 1002 S. Davis Ave.
(Map/Parcel): _____

Name (Print): Thomas Benigni
Signature: Thomas Benigni
Date: 4.4.23
Address: 1008 S. Davis Ave
(Map/Parcel): _____

Name (Print): Etha Jean Kendall
Signature: Etha Jean Kendall
Date: 4-5-2023
Address: 1004 S. Davis Ave Elkins, WV 26241
(Map/Parcel): _____

Additional information:

This thoroughfare discontinuation would not affect the ingress/egress of property owners north of the petitioned area. Property owners will still be able to enter onto their property from both Coke Alley (south bound) and South Davis Avenue.

This abandonment would facilitate CCCI capital improvement initiatives, specifically, a new fence and gate project, paving, new CCTV system, building maintenance and painting.

Should the council require it, CCCI would be agreeable to work with the city council to utilize a portion CCCI property to create an alleyway to provide two-way ingress and egress onto Coke Lane. This area would be located on the northern portion of lot 686 (DB 05-17,183) between Coke Lane and South Davis Street with approximate dimensions of 20' x 150'. (Refer to diagram B)

Correspondence:

Please provide all mail correspondence to:

Coca-Cola Consolidated, Inc.
Attn: Security Director
1030 S Davis Avenue
Davis, WV 26241

Direct email correspondence to:

Alexandria Gormley, Director Government Relations
alexandria.gormley@cokeconsolidated.com

Sean McCarthy, Corporate Security Director
sean.mccarthy@cokeconsolidated.com

Submitted by: Sean McCarthy Submission date: November 3, 2023

Sean McCarthy for Coca-Cola Consolidated, Inc.

Attachments:

- I. Signature of abutting landowner Thomas L. Rexrode
- II. Additional landowner signatures in support of petition (original copy)
- III. Tax assessor's map with lot/parcel numbers
- IV. Revised plat survey – Leon Mallow Surveying Inc. dated 7/25/23

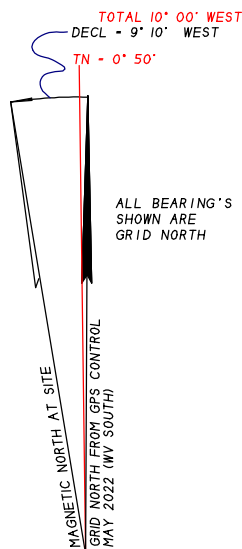
Name (Print): Thomas L. Rexrode
Signature: Thomas L. Rexrode
Date: 4/4/22
Address: 1022 S. Davis Ave
(Map/Parcel): _____

Name (Print): Emily Benigni
Signature: Emily Benigni
Date: 4.4.23
Address: 1002 S. Davis Ave.
(Map/Parcel): _____

Name (Print): Thomas Pessioylo
Signature: Thomas Pessioylo
Date: 4.4.23
Address: 1008 S. Davis Ave
(Map/Parcel): _____

Name (Print): Etha Jean Kendall
Signature: Etha Jean Kendall
Date: 4-5-2023
Address: 1004 S Davis Ave Elberton V26241
(Map/Parcel): _____





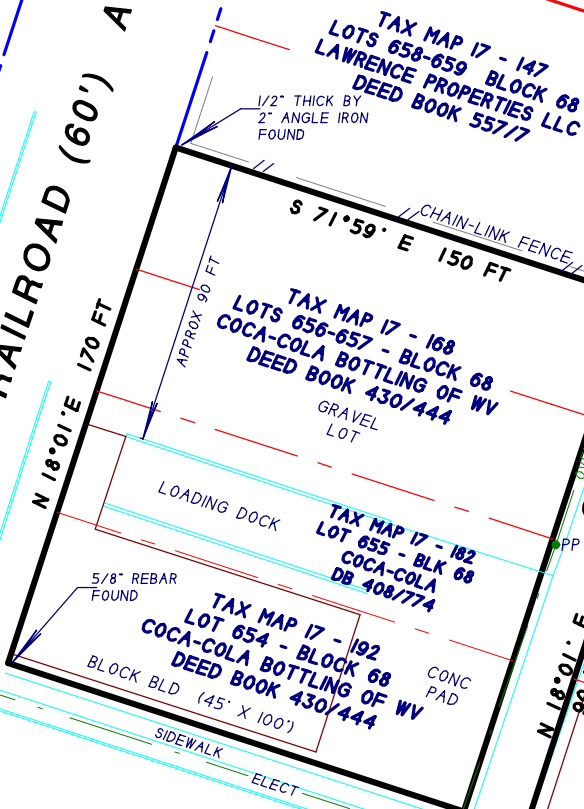
RAILROAD (60') AVENUE

10TH STREET (60')

DRAFT COPY
FOR REVIEW ONLY

SOUTH DAVIS (60') AVENUE

11TH STREET (60')



5/23/2023

Site Location in May 2023
By LEON G. MALLOW
Professional Surveyor No. 567 of
LEON G. MALLOW SURVEYING, INC.
2000 Piercy Rd. Montrose, WV 26283

DISTANCES SHOWN ARE ONLY
APPROXIMATE UNTIL FINAL SURVEY
MEASUREMENTS ARE MADE.

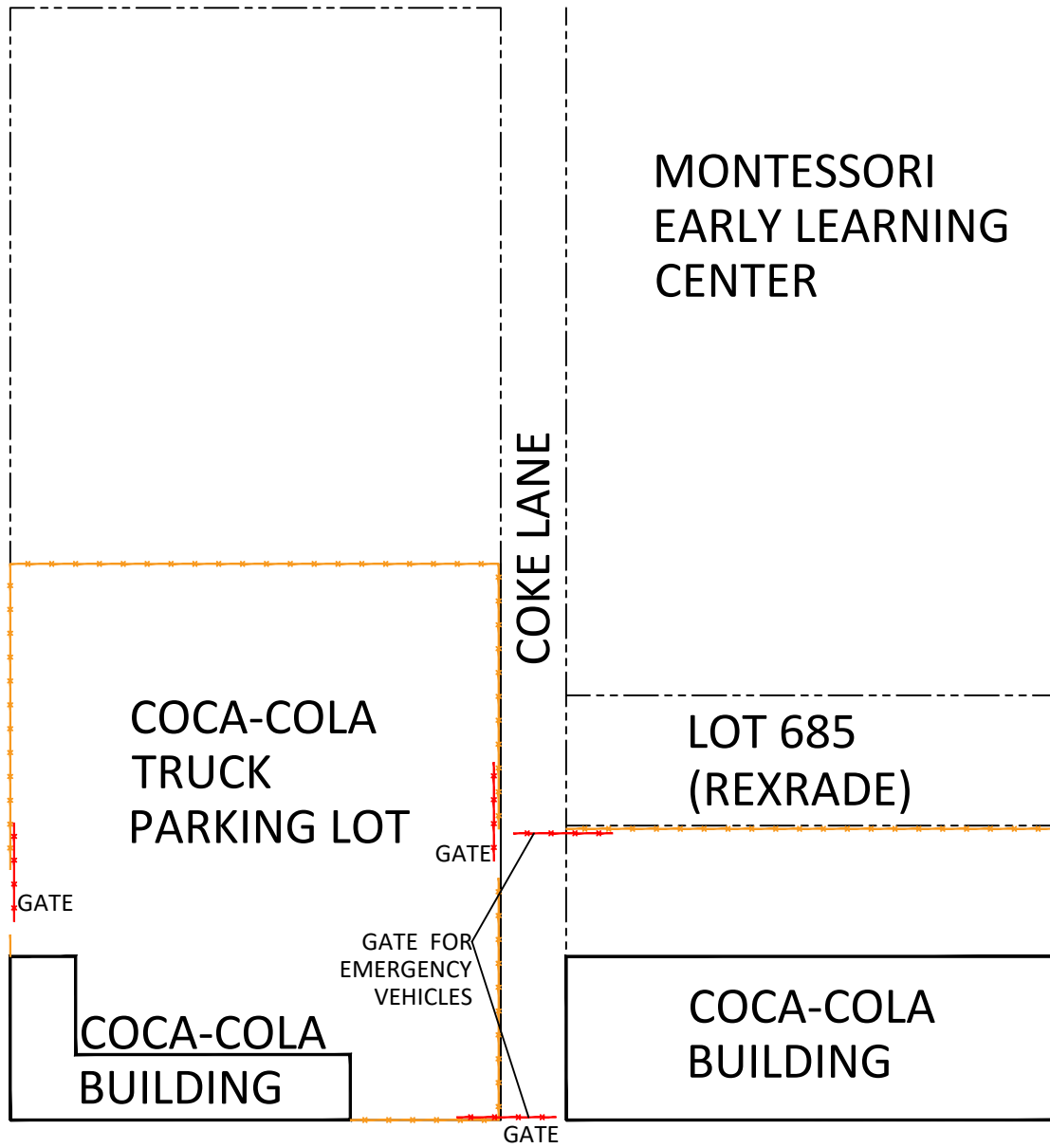
SURVEY WORK DRAWING
FOR
COCA-COLA BOTTLING COMPANY OF WV
SCALE: 1 INCH = 50 FEET



ELKINS CORPORATION RANDOLPH COUNTY, WV
BEING PART OF THE VALLEY IMPROVEMENT CO'S
SOUTH ELKINS ADDITION OF RECORD IN
DEED BOOK 81 AT PAGE 414

COCA-COLA
1030 SOUTH DAVIS AVE.
PROPOSAL FOR NEW ACCESS DRIVE

RAILROAD AVENUE

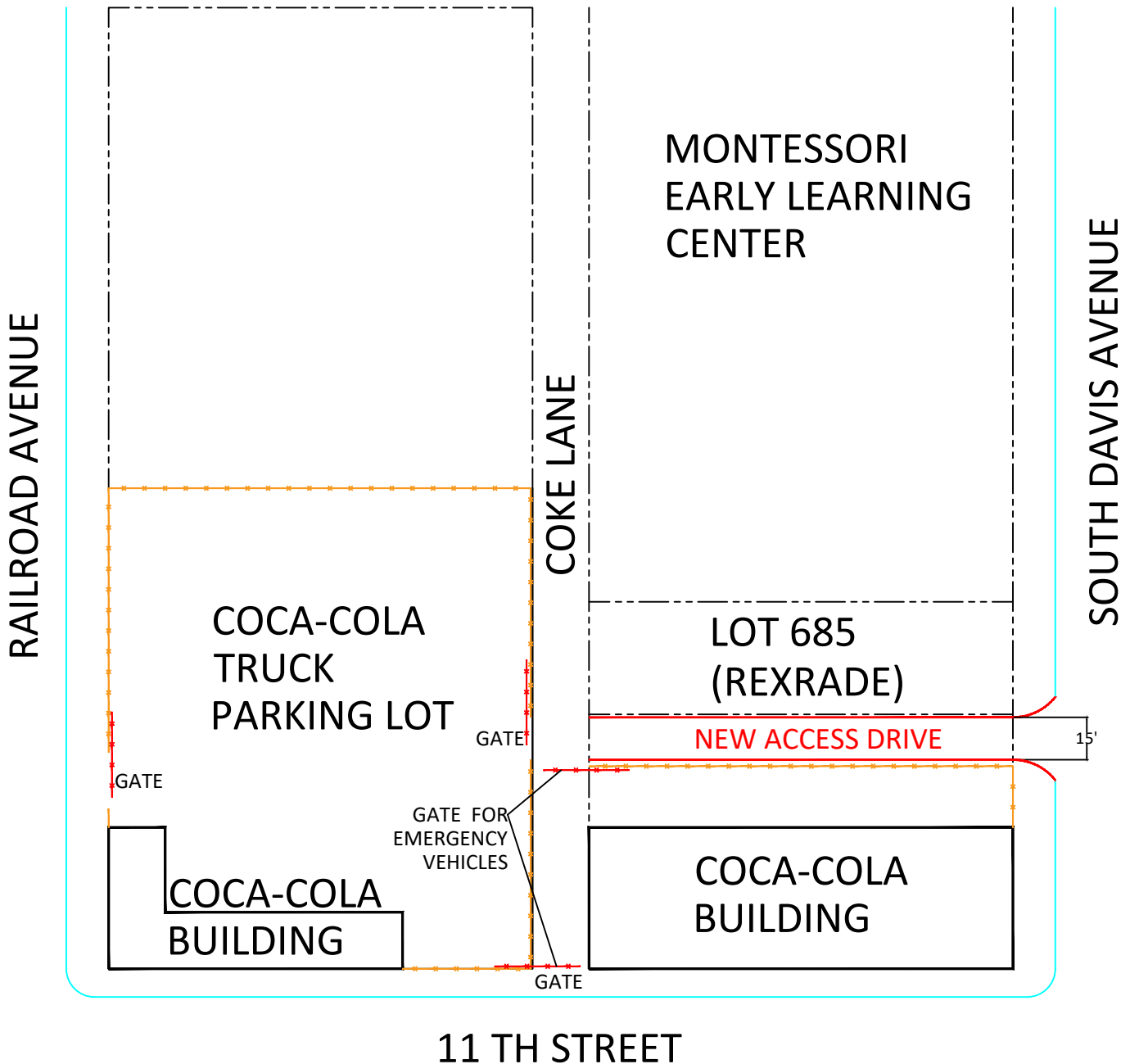


SOUTH DAVIS AVENUE

11 TH STREET

- NEW FENCE
- NEW GATES
- COCA-COLA BUILDING
- PROPERTIES LINES

COCA-COLA
1030 SOUTH DAVIS AVE.
PROPOSAL FOR NEW ACCESS DRIVE



- NEW ACCESS DRIVE
- NEW FENCE
- NEW GATES
- COCA-COLA BUILDING
- - - PROPERTIES LINES

The Inter-Mountain Legals Print Ad Proof

ADNo: 76004 Customer Number: L01320
Customer Name: SUTTON STOKES Company: CITY OF ELKINS
Address: 401 DAVIS AVE
City/St/Zip: ELKINS , WV 26241
Phone: (304) 636-1414 Solicitor: JH
Category: 10 Class: 1000 Rate: LE-0 Start: 12-23-2023 Stop: 12-23-2023
Lines: 32 Inches: 3.11 Words: 160

Credit Card: Expire:
Order Number:
Cost: 20.68 Extra Charges: 2.00 Adjustments: .00
Payments: .00 Discount: .00
Balance: 22.68

NOTICE OF PUBLIC HEARING

Please take notice that on January 8, at 11:00 a.m., in the Council Chamber of Elkins City Hall in Elkins, West Virginia, the Municipal Properties Committee will hold a public hearing on the petition of Coca Cola Consolidated, Inc. (CCCI) to abandon an opened portion of an alley known as Coke Lane. The portion of Coke Lane proposed to be abandoned passes between two CCCI properties at the south end of the block of Coke Lane between Tenth and Eleventh Streets.

The hearing will be open to the public and any interested parties may appear at the hearing and be heard with respect to the petition.

A copy of the petition and related documents are available for public inspection at the City Clerk's Office located at 401 Davis Avenue, Elkins, West Virginia. This office is open to the public Monday through Friday, 8:00 a.m. to 4:30 p.m.

City of Elkins
Sutton R. Stokes, City Clerk
12/23



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 8, 2024
Section:	New business
Category:	Action Item
Agenda Item Name:	Update on open bids and contracts
Recommended By:	Committee Chair
Summary:	The Operations Manager will update the committee concerning ongoing and pending major projects
Fiscal Impact:	n/a
Recommendation:	For the committee's information and review
Attachments:	None



CITY OF ELKINS AGENDA ITEM REPORT

Meeting Date:	January 8, 2024
Section:	New business
Category:	Action Item
Agenda Item Name:	City-owned real property
Recommended By:	n/a
Summary:	This placeholder agenda item enables discussion of matters pertaining to city real estate.
Fiscal Impact:	n/a
Recommendation:	Review presented information
Attachments:	None