ELKINS COMMON COUNCIL
REGULAR COUNCIL MEETING
MINUTES

401 Davis Avenue
Council Chamber, 2nd Floor
December 1, 2022
7:00 p.m.

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

Councilpersons J.A. Guye and L. Severino and City Treasurer T. Judy were absent.

PUBLIC COMMENT

Pat Varchetto, resident of 217 Sylvester Drive, spoke in reference to the proposed cable franchise agreement before council. Mr. Varchetto asks that council hold Optimum's feet to the fire on the issue of maintaining a local office.

Mayor Marco read a letter from Buckhannon Mayor Robbie Skinner expressing thanks to the city and specifically the Elkins Fire Department for their assistance with two structure fires in the last week. Further, Mayor Skinner congratulated the city on their designation as the next Ascend Program location.

MINUTES

Cm. Lowther, **MOVED APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2022, MEETING.** The motion carried.

CORRESPONDENCE AND NOTIFICATIONS

Council received the following correspondence and notifications:

- Issued building permits
- Approved minutes of committee, board and commission meetings

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

ISSUED BUILDING PERMITS				
Permit	**Applicant**	**Location**	**Description**	**Value**
220281	Hutton, Cody	608 Capitol St	200 Amp Electrical Upgrade	1,200.00
220282	Woodford Oil Co.	1214 S Davis Ave (T-Mart)	Demolition	10,000.00
220283	Pniewski, Leslie	109 Findley St	Electric Service Up-Grade	1,000.00
220284	Seneca Mall	222 Davis Ave	HVAC	11,200.00

PRESENTATION

Shane Whitehair, Executive Director of the Region VII Planning and Development Council, spoke to council about the mission of the organization and highlighted projects they have partnered with the city on. Mr. Whitehair asked council to reach out anytime they have a need that the PDC may be able to help with.

COMMITTEE REPORTS provided by all committee chairs present.

STAFF REPORTS were provided by all administrative officers present.

APPROVAL OF VENDOR INVOICE PAYMENTS

Cm. Hinchman **MOVED APPROVAL OF THE INVOICES PRESENTED.** The motion carried.

The invoices in question were as specified on the following list, which is attached and made part of this record:

- Accounts Payable check transactions for the period of November 14 – 25, 2022

NEW BUSINESS

Cm. Chenoweth, **MOVED APPROVAL OF ORDINANCE 309: AN ORDINANCE OF THE COMMON COUNCIL OF ELKINS, WEST VIRGINIA, RENEWING FRANCHISE AGREEMENT WITH CEQUEL III COMMUNICATIONS II, LLC DBA OPTIMUM (1ST OF TWO READINGS).** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF RESOLUTION 1588: AUTHORIZING THE DISPOSITION OF MUNICIPAL OWNED PROPERTY TO A NON-PROFIT ORGANIZATION.** The motion carried.

Cm. Lowther, **MOVED APPROVAL OF RESOLUTION 1589: APPOINTING A CITY CLERK AND ESTABLISHING THE AMOUNT OF ANNUAL COMPENSATION.**

Cw. Cuonzo, **MOVED APPROVAL OF AN AMENDMENT TO RESOLUTION 1589, SPECIFICALLY STRIKING $57,000 AND INSERTING $58,000 FOR THE AMOUNT OF ANNUAL COMPENSATION.** In

accordance with Resolution 924 and the amended City of Elkins Rules of Council the chair called for a roll call vote. The clerk called roll in random order. The motion to amend carried. Council votes were as follows:

N. Bross-Fregonara	Yes	(vacant)		L. Severino	Absent
R. Chenoweth	No	M. Hinchman	Yes	L. Vest	No
M. Cuonzo	Yes	C. Lowther	No	Mayor J. Marco (in case of tie)	n/a
J. Guye	Absent	D. Parker	Yes		

The motion to approve carried.

Cm. Chenoweth, **MOVED APPROVAL OF RESOLUTION 1590: CREATION OF A HUMAN RESOURCES GENERALIST POSITION WITH THE OFFICE OF THE CITY CLERK INCLUDING AMENDMENTS TO THE CITY OF ELKINS ORGANIZATIONAL CHART AND ASSIGNMENT TO THE CLASSIFICATION AND COMPENSATION PLAN.** The motion carried.

Cm. Lowther, **MOVED APPROVAL OF RESOLUTION 1591: APPROVING TRANSFER OF FUNDS FROM THE FINANCIAL STABILIZATION ACCOUNT.** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF RESOLUTION 1592: APPOINTING OPERATIONS MANAGER AND ESTABLISHING AMOUNT OF ANNUAL COMPENSATION.** Cm. Chenoweth, **MOVED APPROVAL OF TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A PROSPECTIVE EMPLOYEE.** The motion carried. Council entered executive session at 7:42 p.m. and returned at 8:10 p.m. The mayor announced no action was taken. Cm. Chenoweth, **MOVED TO POSTPONE RESOLUTION 1592: APPOINTING OPERATIONS MANAGER AND ESTABLISHING AMOUNT OF ANNUAL COMPENSATION.** The motion carried.

Cm. Chenoweth, **MOVED APPROVAL OF RESOLUTION 1593: ANNOUNCING COUNCIL VACANCY AND OPENING PERIOD OF APPLICATION FOR UNEXPIRED TERM.** The motion carried.

MAYOR'S COMMENTS were provided.

Cw. Bross-Fregonara, **MOVED ADJOURNMENT.** The motion carried.

The meeting adjourned at 8:14 p.m.

Approved by council at the meeting of MONTH DAY, YEAR

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Jerry A. Marco, Mayor

Attest:

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Jessica R. Sutton, City Clerk