

COUNCIL MEETING OF SEPTEMBER 15, 2008

The second regular September meeting of the Mannington City Council with Mayor Frank White presiding was held Monday, September 15, 2008 at 7:00 p.m. at city hall. Council members attending were Bob Garcia, Betty Liller, Harold Rosencrance, Terry Starsick and Del Watson.

City Clerk Michele Fluharty read the minutes of the last regular meeting and they stood approved as read.

Mayor White introduced Jim Taylor as the new Main Street Manager.

In the visitors' portion of the meeting, Terry McLain expressed concern about an incident on June 12th when he was threatened with a baseball bat. He was later arrested in connection to that incident and McLain said he felt that might have been in retaliation for his complaints that nothing was done for two months after the original incident. The mayor said he had spoken to McLain on the phone about the matter and asked Chief of Police David James to respond. James said that after the mayor's conversation with McLain, the mayor relayed McLain's concerns to him and in turn, James talked to Sgt Liller and urged her to move on the matter. White said that he knew McLain to be of good character and hoped that the matter is resolved and the truth comes out when the prosecutor's office investigates. Terry's wife, Carol, said she started a thread about the police department on Mannington Topix but it got out of control and she did not do it to hurt anyone. Mayor White said any concerns should be addressed to the City instead of airing them out on the internet.

On another matter, Carol McLain asked if the city could ask residents to move their vehicles when the sweeper is to be run so the streets can be better cleaned. The mayor said the schedule might be tweaked. He said it is normally run after a rain to eliminate the dust.

Al Wolfe asked about the Bob Stewart property at the end of Mead Avenue and was told that it is tied up with the heirs.

Taylor invited everyone to the Blues & Cruise-In on Saturday and said that the Octoberfest will be held October 4.

Denny Clark asked again that the drainage problem on Marshall Street Extension into Nay Street be corrected. White asked Superintendent Charles Rexrode to look into the problem and see if the size of the drainage lines can be increased. Clark also suggested that the city needs a liaison to work with Tractor Supply to encourage them to come to Mannington.

Under department reports, Fire Chief Jim Moran said they received 25 calls and had 34 hours and 23 minutes in response time during the month of August. Mayor White read the written Street & Water Department report. Chief James reported that Donnie Efaw graduated from the Academy with a 90% average scholastically and 80% in firearms. He also said his department recently received a laptop through the state. Fluharty advised council that the water department does not enough money to pay the invoice for the Huey Run pump repairs. She said \$3000 was budgeted for pumps this year and the bill exceeded \$16,000. Fluharty said she would see if payments could be arranged. Mayor White said that effective immediately, department heads must get quotes in writing for any expenditure over \$750.

Under old business, the first item of business was the public hearing on Ordinance #388 which transfers the television franchise. Mayor White asked the representatives from Comcast if there was any chance of a public channel. Rick Ricchuito said it is a possibility and can be discussed. He added that other features of Comcast include high definition, video recorders, high-speed internet and more programming. The rates will not change while the current system is being upgraded. The basic service is \$15.00 for twenty-one channels but they will offer many options. Attorney Joshua Sturm said the County Commission has already approved Comcast for the county service areas. Clark asked about free service to TKMI. Ricchuito said they have had discussions with TKMI and hope to work it out with them. When no further comments were heard, Garcia made the motion to read the heading only. Watson seconded the motion and it carried. Fluharty read the heading. Rosencrance made the motion to adopt Ordinance #388. Garcia seconded the motion and it carried. Sturm said he would need three signed copies of the ordinance. He also added that as an attorney, he has always had good experiences working with the Mannington Police Department.

The next item on the agenda was the Grandview alley. Mayor White reported that the work session was held at the site of the alley prior to this meeting and he said there are three options available to council:

1. Leave as is on the plat and order the fence moved by the Fair Board
2. Arrange a property exchange between the city and the board with the city reserving water/sewer rights of way and the Fair Board paying all the expenses
3. Do nothing and leave unresolved

White asked if there was any further discussion. When none was heard, he recommended to council that they consider a property exchange with the Fair Board provided they pay the expenses. Ron Powell asked about a buffer zone if the swap is okayed. White said those details must be worked out with the

Planning Commission. After waiting several minutes and no motion was made, Mayor White announced that the alley will stay as is and Code Enforcement Officer Anthony Horton will direct the Board to move the fence to their property.

Ordinance #389 which sets an auction of city surplus property was the first item under new business. Garcia made the motion to read the heading only. Liller seconded the motion and it carried. Fluharty read the heading. Rosencrance made the motion to accept the first reading of Ordinance #389. Watson seconded the motion and it carried.

A day and time for Trick or Treat was discussed. Rosencrance made the motion to set it for October 31 between the hours of 6 to 7 p.m. Watson seconded the motion and it carried.

A fall clean-up day was set for Saturday, October 11 in a motion by Liller. Starsick seconded the motion and all approved.

Garcia made the motion to adjourn. Starsick seconded the motion and it carried. The meeting adjourned at 8:25 p.m.