

## **COUNCIL MEETING OF APRIL 5, 2010**

The first regular April meeting of the Mannington City Council with Mayor Bob Garcia presiding was held Monday, April 5, 2010 at 7:00 p.m. at city hall. Council members attending were Jeff Michael, Harry Moore, Larry Smith, Terry Starsick and Rana Taylor.

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

Several visitors from Homewood were present about the cat problem in that area. They asked that an ordinance be passed making it an offense to let your cats run at large. Leeson said they all know where the cats are coming from and she is a city employee. He asked if the mayor would talk to her. Chief of Police David James said he has already talked to the employee about the problem. James also said neither the state nor county addresses the cat situation so it is unlikely any ordinance adopted by the city would stand up in court. Mayor Garcia said he would talk to County Commissioner Randy Elliott and to the employee in question about this matter.

Mae Linville asked for a speed bump on Fairfield Drive in Hough Addition.

Becka Efaw asked for speed bumps or stop signs on Meadow Avenue but she was told that is a state route and the city has no jurisdiction over that road.

In department reports, Garcia read the Street & Water Department report. Fluharty said council must meet, by law, on Tuesday, April 20 to officially lay the levy rates for the FY 2010-11 budget. The time was set for 6:00 p.m.

There was no old business.

In new business, a proclamation naming April as Fair Housing Month was read. Moore made the motion to adopt the proclamation. Smith seconded the motion and it carried. Fluharty said she would put the information on the city's website.

A spring clean-up day was discussed. Moore made the motion to set Saturday, April 23 as the Clean-up Day for Mannington residents only. Smith seconded the motion and it carried.

Chief James and Mayor Garcia recommended Jason Hibbs for the part time patrolman position. Smith made the motion to hire Hibbs for the part time position subject to a six month probation. Starsick seconded the motion and it carried.

The State Purchasing Agency's contract for a 2010 Ford F-150 truck for the Street/Water Department was reviewed. Moore made the motion to authorize the purchase of the truck for \$18,392 using Mead Fund monies. Smith seconded the motion and it carried.

Pay Requisition #32 for the Fairmont/Mannington water project was presented for approval. The requisition for payment to Sunrise Construction in the amount of \$23,005.58 was approved in a motion by Moore. Smith seconded the motion and it was approved.

The final item on the agenda was a ban on cell phone use in vehicles. Taylor asked how many people had approached the mayor about such a ban. Smith said he asked that it be put on the agenda. Starsick said he thinks such a ban would tie up the police department. Michael said if someone is weaving back and forth in traffic while talking or texting on the phone then they could be cited for reckless driving. A new ordinance would not be necessary. Smith suggested it be put on the ballot. Mayor Garcia said the next election is not until June 2011 and he does not think the city wants to go to the expense of a special election. He was agreed to table further discussion.

Smith asked who sets the hours for the code enforcement officer. Fluharty said the mayor is the code enforcement officer's supervisor and the previous mayor told Horton he must come to Mannington at least two days a week but he could do his paperwork at home since no computer was available for him at city hall. Smith said he does not feel he is working enough hours. Garcia said he would look into it but Horton is currently doing work at the court house checking on mineral rights for the city.

Starsick and Taylor said they had received calls about the logging trucks traveling on Pyles Avenue and damaging the street.

Moore made the motion to adjourn. Taylor seconded the motion and it carried. The meeting adjourned at 7:42 p.m.