

COUNCIL MEETING OF DECEMBER 5, 2011

The first regular December meeting of the Mannington City Council with Mayor Bob Garcia presiding was held Monday, December 5, 2011 at 7:00 p.m. at city hall. Council members in attendance were Christina Dunigan, Larry Smith, Terry Starsick and Becky Williams.

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

There were no comments from the visitors.

In department reports, Street & Water Superintendent Ted Nice detailed their work done during the last two weeks. Code Enforcement Officer Anthony Horton gave his November report in which he told Council that he had issued 13 notices of violations and 20 building permits. Horton said he found two residences with illegal ventilation pipes and issued orders to correct them. Councilman Starsick asked about the Pyles Avenue apartment building and the house at the end of Washington Street. Horton said the Pyles Avenue building is empty but he has talked to the owner and advised him that a hardwired fire alarm is necessary before he can rent it. There was also a problem with the egress into the property. As for the Washington Street property, it is owned by Larry Washington who is in prison. He suggested that council consider setting money aside in the budget each year to demolish such properties. Councilman Smith asked about the Rumbaugh house on Burt Hill and Horton said he spoke to the realtor about cleaning it up.

Mayor Garcia reported on the PSC hearing held last week on Downs' request to become a customer of the City of Fairmont. The Administrative Law Judge recommended that a continuance be requested and the burden of proof be switched to Downs PSD. The other case involved Downs demand for a refund of \$40,000 due to their claim of a faulty meter. The PSC asked that the claim be mediated and both parties settled on \$9,000. An amount of \$750 will be deducted each month from Downs' bill beginning January 2012.

In Old Business, the first item of business was the second and final reading of Ordinance #401 which abandons a portion of an alley in New Burt Addition. Council agreed to read the heading only. Mayor Garcia read the heading. Dunigan made the motion to adopt Ordinance #401. Starsick seconded the motion and it carried.

The sampling report on the old State Road property was reviewed by Council and it was agreed to ask the DOH to include a clause stating that they would be responsible for any remediation, if it is necessary. Starsick asked about the amount of acreage and if it included the property on the other side of the road. If the final package from the DOH does not include a survey, it was agreed to get it surveyed.

In New Business, the drainage problem by Carnes Auto on Route 250 was discussed. Nice said Jeff Pethel from the DOH was contacted about the matter and he is to get back with him this week. Nice said it will take cooperation between the State and the City to get it corrected.

Year end stipends were the final item on the agenda. Fluharty said \$250 was given to all the employees last year and money was included in this year's budget. Starsick made the motion to approve the \$250 to all the employees as a year end stipend. Dunigan seconded the motion and it carried.

Starsick made the motion to adjourn. Smith seconded the motion and it carried. The meeting adjourned at 7:50 p.m.