

## COUNCIL MEETING OF MARCH 4, 2013

The first regular March meeting of the Mannington City Council with Mayor Bob Garcia presiding was held Monday, March 4, 2013 at 7:00 p.m. at city hall. Council members attending were Christina Dunigan, Larry Smith, Terry Starsick, Rana Taylor and Becky Williams.

City Clerk Michele Fluharty read the minutes of the last regular meeting. Dunigan made the motion to approve the minutes as read. Taylor seconded the motion and it carried.

Several visitors were present. Charlie Kolb thanked the police department for cleaning up the drugs from his neighborhood. Linda Fravel, Jackie Fitch and Iris Canfield who were representing Make Marion County Shine asked for council's support for their project to clean up our area. Fitch said they would like to do something with Route 250 and she plans to contact the DOH.

In department reports, Superintendent Ted Nice gave the work detail for his crew during the last two weeks. Fluharty reminded everyone that the filing for the City election begins on March 12 and ends March 26.

The first item on the agenda was the public hearing on Ordinance #408 which establishes a transportation fee for Downs Public Service District to purchase water from Fairmont through Mannington's lines and system. Mayor Garcia asked for any public comment. Wanda Suarez, Downs PSD's secretary, asked if council could postpone the decision on the ordinance. Fluharty read an email from Jim Boggess of the WV PSC in which he advised the City to proceed with the ordinance since Mannington and Downs were in violation of the PSC's order to establish a transportation fee. He said if Downs PSD did not agree with the fee, they could protest it through the PSC. Lotta Neer also asked council to delay action on the ordinance since Downs' attorney did not have adequate time to respond to the City's attorney. Garcia said that would mean that the ordinance procedure must be started over and another legal ad be placed in the newspaper. He said Downs had time to respond so at this point, the City is following the advice of the PSC. Dunigan made the motion to read the heading of Ordinance #408. Starsick seconded the motion and it carried. Garcia read the heading. Starsick made the motion to adopt Ordinance #408. Taylor seconded the motion and all approved.

Council then discussed the alternate choices for the Sidewalk Project since it had earlier been decided that a new sidewalk by the fairgrounds was not feasible. Pictures of several sidewalks in need of replacement or repair were reviewed prior to the meeting. Starsick made a motion to recommend to the Department of Transportation to replace the sidewalks by the Brookside Bridge and as much of the sidewalks on Pyles Avenue as the money will allow. Dunigan seconded the motion and it carried.

The Clarksburg Street Bridge was the final item under Old Business. Randy Elliott said he believes the Bridge Committee's recent meeting in which they made a recommendation on

the naming of the Clarksburg Street Bridge was in violation of the Open Meeting Act. He asked council to table any decision on the bridge until there could be more public input. Mayor Garcia said the Committee was not in violation because they have no executive or legislative power. At his suggestion, they were simply making a recommendation which is not binding on council. Garcia said since the committee has worked so hard on getting funding for the bridge, he felt they should have a say in the naming of the bridge. The creation of the committee was then discussed and Lotta Neer, who is a member, said she was asked to join the committee by the other members. Dunigan said it was her idea to refer the matter to the committee but she did not expect them to be the sole decision makers. She understood that it would come back to city council. Starsick made the motion for council to review all the names submitted before making a decision. Dunigan seconded the motion and it carried. Council agreed there was no rush on the decision since they have until November when the new bridge construction will be done.

In New Business, the sole item was the first reading of the General, Fire, Water, Coal Severance, and Mead Fund budgets. Dunigan made the motion to approve the budgets as presented. Starsick seconded the motion and it carried.

Starsick made the motion to adjourn. Taylor seconded the motion and it carried. The meeting adjourned at 8:52 p.m.