

COUNCIL MEETING OF JUNE 18, 2012

THE SECOND REGULAR JUNE MEETING OF THE MANNINGTON CITY COUNCIL WITH MAYOR BOB GARCIA PRESIDING WAS HELD MONDAY, JUNE 18, 2012 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.

IN THE VISITORS' PORTION OF THE MEETING, EVELYN MAYO SAID THE TRAFFIC NEEDS SLOWED DOWN ON BUFFALO STREET. SHE SAID IT IS NOT SAFE FOR HER HUSBAND TO CUT THE WEEDS ALONG THEIR PROPERTY BECAUSE OF IT. JUDY HAMILTON SAID SHE WAS BACK ABOUT HER CHICKENS. MAYOR GARCIA SAID THAT MATTER HAD ALREADY BEEN ADDRESSED BY THE CODE ENFORCEMENT OFFICER AND IT WAS NOT GOING TO BE DISCUSSED AGAIN. REESE CUP BATES WAS PRESENT AGAIN ABOUT PRICE'S FENCE. CODE ENFORCEMENT OFFICER ANTHONY HORTON SAID THE CODE HAS NO SPECIFICATIONS ABOUT THE TYPE OF MATERIAL THAT CAN BE USED FOR FENCES. COUNCILMAN STARSICK SAID THAT THE PLANNING COMMISSION NEEDS TO CORRECT THAT. BATES SAID HE IS HAVING THE PROPERTY SURVEYED.

IN DEPARTMENT REPORTS, SUPERINTENDENT TED NICE OUTLINED THE WORK HIS MEN COMPLETED DURING THE LAST TWO WEEKS. FLUHARTY REPORTED THAT THE PSC RULED IN DOWNS PSD'S FAVOR TODAY WHICH MEANS DOWNS WILL NO LONGER BE MANNINGTON'S CUSTOMER AND WILL INSTEAD PURCHASE THEIR WATER FROM FAIRMONT. COUNCIL ASKED IF THE CITY COULD APPEAL AND FLUHARTY SAID SHE WOULD CHECK WITH THE ATTORNEY.

IN OLD BUSINESS, THE REVISED POLICE DEPARTMENT REGULATIONS WERE DISCUSSED AGAIN. MAYOR GARCIA SAID HE DISCUSSED THE PROPOSED CHANGES WITH CHIEF OF POLICE DAVID JAMES BUT JAMES SAID THE CITY COULD NOT APPLY THE REGULATIONS TO THE OFFICERS' OFF DUTY ACTIVITIES. DUNIGAN MADE THE MOTION TO ADOPT THE REGULATIONS AS PRESENTED. STARSICK SECONDED THE MOTION AND IT CARRIED.

ORDINANCE #403 WHICH ABANDONS THE ALLEY OFF RAILROAD STREET BETWEEN TWO PROPERTIES OWNED BY THE MANNINGTON ELKS WAS PRESENTED FOR THE SECOND READING. STARSICK MADE THE MOTION TO READ THE HEADING ONLY. SMITH SECONDED THE MOTION AND IT CARRIED. GARCIA READ THE HEADING. SMITH MADE THE MOTION TO ADOPT ORDINANCE #403. DUNIGAN SECONDED THE MOTION AND IT CARRIED.

AT THIS POINT, HORTON GAVE HIS REPORT IN WHICH HE NOTED THAT HE HAD ISSUED 16 CODE VIOLATIONS AND 13 BUILDING PERMITS IN JUNE.

THE SECOND READING OF ORDINANCE #404 WHICH PROHIBITS THE USE OF CELL PHONES AND TEXTING WHILE DRIVING WAS THE NEXT ITEM ON THE AGENDA. DUNIGAN MADE THE MOTION TO READ THE HEADING

ONLY. SMITH SECONDED THE MOTION AND IT CARRIED. GARCIA READ THE HEADING. SMITH MADE THE MOTION TO ADOPT ORDINANCE #404. DUNIGAN SECONDED THE MOTION. SMITH AND DUNIGAN VOTED AYE, STARSICK VOTED NO AND WILLIAMS DID NOT VOTE. THE ORDINANCE WAS NOT ADOPTED.

GARCIA SAID RUDY CUTRONE CANNOT SERVE ON THE BUILDING COMMISSION BECAUSE HE IS AN EMPLOYEE OF THE FEDERAL GOVERNMENT. IN HIS PLACE, GARCIA NOMINATED CHARLIE KOLB. STARSICK MADE THE MOTION TO APPOINT KOLB TO THE BUILDING COMMISSION. SMITH SECONDED THE MOTION AND IT CARRIED.

IN NEW BUSINESS, NEW TIRES ARE NEEDED FOR THE BACKHOE AT A COST OF \$2,000 FOR ALL FOUR. SMITH MADE THE MOTION TO APPROVE THE PURCHASE OF FOUR BACKHOE TIRES. STARSICK SECONDED THE MOTION AND ALL APPROVED.

NICE PRESENTED THREE QUOTES FOR A NEW RIDING MOWER WITH A 52 INCH DECK. THEY WERE AS FOLLOWS:

PARCS	\$3,199.00
CUSTER CUTS	3,199.99
MOUNTAINEER POWER	4,895.00

NICE SAID HE WOULD PREFER TO BUY THE ONE AT CUSTER CUTS SINCE IT IS CLOSER AND HE CAN PICK IT UP ON HIS WAY HOME. DUNIGAN MADE THE MOTION TO PURCHASE THE HUSQVARNA MOWER FROM CUSTER CUTS. SMITH SECONDED THE MOTION AND ALL APPROVED.

STARSICK ASKED ABOUT THE SWINGING BRIDGE REPAIRS AND GARCIA SAID HE DID NOT KNOW WHEN THEY PLANNED TO START WORK ON IT. STARSICK SAID HE WOULD TALK TO DON WHITE.

DUNIGAN MADE THE MOTION TO ADJOURN. STARSICK SECONDED THE MOTION AND IT CARRIED. THE MEETING ADJOURNED AT 7:25 P.M.