

COUNCIL MEETING OF MARCH 16, 2009

The second regular March meeting of the Mannington City Council with Mayor Frank White presiding was held Monday, March 16, 2009 at 7:00 p.m. 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.

In the visitors' portion, Fire Chief Jim Moran reported that all three recently purchased fire trucks will be in service soon. He said a stress test was done last week on the used ladder truck and there are some little things that need fixed on it. Moran said it will be housed at the Homewood station and additional lighting has been put up there. Mayor White said game cameras are useful in deterring vandalism and he said the city might buy a few to use throughout town.

Main Street Manager Jim Taylor said an Easter egg hunt in April and a citywide yard sale on May 2 are upcoming events. The 4H Club is helping with the egg hunt. Taylor said he is soliciting bids for a 2" cap of blacktop on the old tennis court. White said he would like to set up a meeting with Taylor and the teenagers and/or their parents to discuss plans for the skate park. Taylor said to give him a couple of weeks to prepare before setting a date. Councilman Starsick suggested an announcement of the meeting be made at the middle school to get the word out to the kids.

In his report, Mayor White said that City Attorney Pete DeMasters reviewed the contract between Fairmont and Mannington but did not find any wording that prohibited future rate increases. According to DeMasters, he did not find the PSC-recommended changes in the agreement but did find that Fairmont was to file an addendum to incorporate the changes. White asked the attorney to contact the PSC to see if the addendum was filed and if not, if the case can be reopened. Fairmont's rate case hearing was set for May 14 at 10 a.m. in Fairmont. Jim Byard said he recalls reading in the newspaper that the \$1.93 rate was guaranteed for a period of time.

In department reports, Mayor White read the written Street/Water Department report. Rexrode said he would like to schedule a clean-up day on the last Saturday in April. White said that since the cinder and rock area was given up for the trailhead, another storage area must be found and city property is limited. He said while there is room at Dent's Run, it would be hard on the backhoe running back and forth. Another option is the Church Street lot. It could be used if the elevation was raised and a dusk to dawn light and camera installed to deter vandalism.

Fluharty reported that she contacted the State Attorney General's office about AAA Mobile Homes' failure to pay for the vintage lamp pole damaged by their driver last fall. They recommended that the city file charges through magistrate court or turn it over to the city attorney. White recommended the magistrate court option. Garcia made the motion to file for restitution through the Marion County Magistrate Court. Rosencrance seconded the motion and all approved.

A public hearing on Ordinance #390 which increases the maximum height for privacy fences was held. No comments were received. Rosencrance made the motion to read the heading only. Liller seconded the motion and it carried. Fluharty read the heading. White recommended that it be adopted. Liller made the motion to adopt Ordinance #390. Garcia seconded the motion and it carried.

The only item under old business was the final reading of the FY 2009-10 General Fund and Coal Severance Fund budgets. White recommended that both be adopted as presented. Garcia made the motion to approve the General Fund/Coal Severance Fund budgets for fiscal year 2009. Starsick seconded the motion and it carried.

Under new business, Pay Requisition #25 for engineering services on the Fairmont/Mannington water project was presented for payment. White recommended its approval. Liller made the motion to approve payment to Thrasher Engineering for \$2,057.70. Rosencrance seconded the motion and it carried on a 3-2 vote. Watson and Garcia voted no.

The Planning Commission's recommendation to grant an overlay district for All American Trophy was approved in a motion by Garcia. Watson seconded the motion and it carried.

An ordinance to increase the sewerage rates was presented for council's review. White said the Sanitary Board and the Water Department must be self-sufficient and the auditors have determined that both have inadequate revenue. He said an increase would be needed in the next six months. Sanitary Board member Dave Liller said it is a simple matter of the revenue not covering the expenditures.

Garcia made the motion to adjourn. Watson seconded the motion and it carried. The meeting adjourned at 8:15 p.m.