

## Council Meeting of March 2, 2009

The first regular March meeting of the Mannington City Council with Mayor Frank White presiding was held Monday, March 2, 2009 at 7:00 p.m. at city hall. Council members in attendance 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 of the meeting, Jim Hayes said that something needs done to the property at the corner of Fairview and Grant Street. Code Enforcement Officer Anthony Horton said he would take care of it Friday.

Rose Barker said she would like to change the zoning designation for her property at the corner of Buffalo Street & Pyles Avenue. Mayor White said she must approach the Planning Commission. Barker also said she wants to make a driveway from Buffalo Road to her Country Prim & Folksy business and asked for the city's help. White said she would need to make a request to the WVDOT and he said the city would help, if approached. Barker, who is president of the Mannington Main Street Board of Directors, also invited the mayor to attend one of their meetings.

Water plant operator Ted Nice presented a letter that he has written to the PSC about his concerns with the Fairmont/Mannington water project. Nice also explained that the recent bout of pink water was caused by a pump malfunction.

In his report, Mayor White said his letter protesting the proposed rate hike by the City of Fairmont has been received by the PSC and posted on their website. He also presented a petition and urged everyone to sign it. The PSC is setting up a hearing and has delayed the scheduled increase. White also noted that the city attorney was out of town last week but is currently reviewing the contract to see if Fairmont can increase the rate before Mannington is hooked onto the system. The attorney is also reviewing an opinion by the PSC that was issued in 2007 in which several changes to the contract were recommended that would have benefited Mannington. White says if those changes were not incorporated into the joint agreement then he would like to re-open the case. He said Mannington had a design for its own plant but Fairmont promised that they could provide good quality water and an unlimited water source and do it as cheaply as Mannington could produce their own. The PSC said Mannington must go with Fairmont. However, at this point, Fairmont cannot provide two of those three items. Jim Byard said he did not see how they could raise the rates now if it is stipulated in the contract what the rate will be.

Horton thanked council for considering the rental registration program. He reported that he recently spoke to BFI and requested that they empty the recycling trailer twice a

week or else remove it. Horton said after reviewing the plans for the trailhead restroom, he has asked that a hot water tank and fan be added. The contractor has agreed.

Mayor White read the written Street & Water Department report.

Fluharty said filing for the June 2 election begins March 10 and ends on March 24.

Under old business, the delinquent business & occupation tax collections were the first item. White said a payment plan has been submitted by the local business who owes the city over \$18,000 and it was accepted by council with stipulations. Fluharty said she has collected an additional \$4,000 in delinquent taxes since the last meeting.

Ordinance #390 that increases the privacy fence height to 8 feet was the next item on the agenda. Garcia made the motion to read the heading. Starsick seconded the motion and it carried. Fluharty read the heading. Garcia made the motion to accept the second reading of Ordinance #390. Rosencrance seconded the motion and it carried. A public hearing will be held at the March 16 meeting.

The contract for \$12,000 in Community Participation Grant funds for the Mannington Sanitary Board was recommended for approval by White. Rosencrance made the motion to accept the conditions of the contract and authorize the mayor to sign the necessary paperwork. Liller seconded the motion and all approved.

White recommended that Leo Modi and Diana Hayes be reappointed to the Board of Zoning Appeals. Rosencrance made the motion to reappoint Modi and Hayes to 3-year terms on the Board of Appeals. Watson seconded the motion and it carried.

Quotes for two new garage doors were reviewed from American Doors (\$2600) and Capital Doors (\$4326). Superintendent Charles Rexrode said the Capital Doors had thicker insulation. Garcia made the motion to accept the proposal from Capital Doors for \$4326 for two garage doors. Starsick seconded the motion and all approved.

The FY 2009-10 Coal Severance and General Fund budgets were presented for the first reading. Liller made the motion to accept the budgets of the Coal Severance Fund and the General Fund that included a 1% pay raise for the city employees. Rosencrance seconded the motion and it carried.

The Fire Department's request for \$55,602 for a used fire truck was discussed. After some confusion as to which truck was being purchased, Fluharty produced the paperwork that showed that it was a used ladder truck being purchased from Fouts Brothers in Montoursville, PA. She said the money was already in the Fire Fund and had been okayed in November of last year. Garcia made the motion to approve the payment of \$55,602 to Fouts Brothers. Rosencrance seconded the motion and all approved.

The final item of business was the appointment of ballot commissioners for the

upcoming city election. White recommended that Joyce Hall and Phyllis Hearn be appointed to serve with Fluharty. Liller made the motion to appoint Hall and Hearn. Garcia seconded the motion and all approved.

White said he would like to see the city buy a machine to clean the sidewalks throughout town but money is not available at this time.

Garcia made the motion to adjourn. Liller seconded the motion and it carried. The meeting adjourned at 8:10 p.m.