

## COUNCIL MEETING OF SEPTEMBER 17, 2007

The second regular September meeting of the Mannington City Council with Mayor Frank White presiding was held Monday, September 17, 2007 at 7:00 p.m. at city hall. Council members attending were Robbie Ice, Bob Garcia, Betty Liller, Terry Starsick and Del Watson.

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

Planning Commission Chairman Ken Witt explained the concept of the Overlay District that can be created along a portion of Route 250. This zoning change can only be done by application and does not give a business the automatic right to locate in that district. It is done on a case by case basis. The applicant must go before the Planning Commission and that board then issues a recommendation to City Council.

The City of Fairmont's Utility Manager Dave Sago and Greenhorne & O'Mara's Gary Fazalare were present to give an update on the joint water project. Sago said the project is moving forward. They have received the Certificate of Need from the PSC and currently have 24 of the necessary rights of way. He said they need 80% or 37 of them before going to bid and must have 100% in order to start construction. Sago added that there are seven rights of way in their attorney's office but said the court system would handle any necessary condemnation proceedings in order to get any remaining ones. He said they hope to start the project in December. Under questioning by Garcia, Sago said the 16" line will start at Cleveland Avenue and follow Route 250 to Mannington. A pump station will be located at the soccer fields by Hillcrest Road. He said if they lay the line along the existing rail trail, it would add three miles plus an additional \$1,000,000 to the project. He added that Fairmont has hired an expert on membrane technology in order to correct any short term and long term solutions with their filters but he said the plant is in full compliance. Garcia asked about a tank at the Hillcrest Road pump station. Sago said there are no plans for such a tank. The city has three storage tanks and Fairmont has a 1,000 gallon a minute booster pump to get the water to all of those tanks. Fazalare said they have taken their time with the rights of ways because they understand that some people are reluctant to give up control of any portion of their property but he said most have been very cooperative. Councilman Ice asked if Downs PSD's right of way along Route 250 could be used but Sago said you must secure your own and cannot use someone else's. Garcia asked about the cost of the enhanced testing that goes into effect this year. Sago said Mannington would be responsible regardless because the testing will be necessary for distribution also. When asked if anyone else will use the new line, Sago said it is exclusively for Mannington at this time. Mayor White asked how

many flow meters will be used and Fazalare said there will be three. White also asked about project overruns. Sago said if the project comes in over budget then it will be Fairmont's responsibility to determine why and where cuts can be made.

Under visitors, Teresa Price gave the mayor/council copies of her correspondence with CSX concerning their right of way. Mayor White said it would be reviewed and put on the next meeting's agenda. Councilman Garcia said that he wanted to discuss it now. A discussion then followed about an informal meeting that was held last week between Price, Mayor White, Code Enforcement Officer Anthony Horton and several others, including Garcia. The meeting was about the property maintenance issues that Horton has found at the Price's property. There was conflicting reports of what was said at that meeting. Mayor White said that no more informal meetings will be held. He said if Price has a problem with Horton's order, she can request a formal hearing.

Sanitary Board employee Mike Berthy asked if the mayor had mentioned a sewer rate increase to council. He was told that it was discussed in an executive session.

Mayor White read the Street/Water Department's written report.

Fluharty said the new copier has been purchased from MCM Business Systems at the reduced cost of \$3,500 plus Freda Moore has agreed to serve on the Audit Selection Committee.

The paving bids were opened and the following received: C W Stickley \$57,408 and Rob Yost \$ 43,370.

The Hach Service Partnership Program is set to expire November 6, 2007 and Plant Operator Ted Nice has asked that it be renewed for another year at a cost of \$1014. Liller made the motion to authorize the renewal of the service agreement with Hach. Starsick seconded the motion and all approved.

The meeting adjourned at 8:20 p.m.