

Special Council Meeting of October 29, 2007

A special meeting of the Mannington City Council with Mayor Frank White presiding was held Monday, October 29, 2007 at 7:00 p.m. Council members attending were Bob Garcia, Robbie Ice, Betty Liller, Terry Starsick and Del Watson.

The first item on the agenda was the rails to trails. Councilman Garcia produced a letter from CSX's Ray Birkholz asking the city to cease using their property from High Street to the Marion County Senior Citizen's property as a part of their rail trail. He asked if and when the mayor planned to let the council know about the letter. Fluharty said that the letter which was addressed to her did not arrive in her office until the day after the last regular council meeting. She said the sign designating that property as a part of the Joel McCann Trail was removed last week and another sign has been ordered advising people that they will be entering CSX property. Garcia said money spent on that section of the trail could be considered a misuse of public funds. Fluharty said the use of CSX's property was not intentional but resulted from the fact that when the city leased the right of way from Consol, city officials said it ran from one end of town to the other. She also said the project and all expenditures were approved by city council. Since CSX's letter stated that environmental sampling must be conducted before the city could use the property again, Fluharty and the mayor have attempted to contact Birkholz by phone and email but neither has received a response. Mayor White said he would have the city attorney send Birkholz a letter concerning the matter.

The Northview Bridge was the next item on the agenda. Garcia said he would like to see the city get funding to replace it. Mayor White said he would contact Region Six to see if any grant money is available for bridges. Ice said that if a new bridge is built then Pyles Avenue from Spring Street up to Northview would need to be paved. Chief of Police David James said a low water bridge is an option.

Two many buses crossing the Clarksburg Street Bridge at one time was addressed. Mayor White asked James to contact the Board of Education to ask that they issue a memo to their drivers advising them that only one bus at a time is allowed on that bridge. If it continues, tickets may need to be issued.

Two memos from the mayor's office to the Street & Water Department employees were produced by Garcia. He asked the mayor to explain them. White said that the first memo which stated that when Superintendent Rexrode was off for any reason that Ted Nice, the only Class III employee, would be available for direction and supervision if needed. The mayor said he was very

comfortable with Nice's ability to make decisions and since he was the highest ranked employee, it made sense to him to designate Nice.

The other memo pertained to training for the new street sweeper. Mayor White said that he would like to get 10-15 years of service out of the sweeper and he believes you do that by keeping it well maintained. He added that since Rexrode is the superintendent and Eddie Price is the backhoe operator, he named Dennis Hayes as the primary operator of the sweeper with Jim Gill as his back-up. White said Hayes takes very good care of his own vehicles and is mechanically inclined so he felt that was the best decision. Ice said he thought everyone should be trained on the sweeper and Garcia agreed. Starsick said he agreed with the mayor that accountability is needed and limiting the operators should ensure that.

Councilman Watson wanted to know why a car was sitting on a city street for 2-3 months with a tow sticker on it. Chief James explained that the car was tagged then the owner moved it out of town. They recently brought the car back to town. James said if Watson would look at the car now, he would see that it is legal. Garcia mentioned the cars at the end of Meadow Avenue. Code Enforcement Officer Anthony Horton said he and Chief James were there last week to inspect that property. A letter was sent to them shortly after that giving them 30 days to clean up their property and remove the cars. Councilwoman Liller said there is no garbage service at that property either.

Garcia said he could account for at least seventeen abandoned structures in town. He cited 708 Burt Street and 708 Mannington Avenue as two properties that need attention from the city. Horton said he must first legally research ownership before sending out letters. He said that the Sponaugles are no longer the owners of the property at 708 Mannington Avenue. He has notified the new owner of the property maintenance issues there. Horton added that a right of entry order is necessary before the city can go into a house to clean it up. Mayor White told council that a hearing on the former Longstreth property (located on Pyles Avenue) was held today and he has begun levying a \$50.00 per diem fine for each day it remains in violation. Horton then cited the Baltimore Street property that recently burnt down. A letter had been sent to the property owner a week before the fire. Horton said he is working diligently but the process must be done legally.

Garcia made the motion to adjourn. Watson seconded the motion and it carried. The meeting adjourned at 7:27 p.m.