



**ACTS OF HINTON CITY COUNCIL**  
**Regular Meeting**  
**Tuesday, March 17, 2009**  
**6:00 p.m. Hinton Technology Center**

**I. Call to Order/Roll Call**

Mayor Mathews called the regular meeting of the Hinton City Council to order at 6:30 p.m. Council President Larry Meador, Councilman Tommy Oxley, Councilman Bob Basham, Councilman Pat Jordan; City Manager Cris Meadows, and City Attorney Mike Froble were present.

**II. Devotions/Pledge of Allegiance**

Cris Meadows led the devotions and Council led the Pledge of Allegiance.

**III. Approval of the Minutes**

Councilman Jordan moved to approve the 2009 January regular meeting minutes, Councilman Oxley seconded the motion and the motion passed by unanimous consent. Councilman Meador moved to approve the February 2009 minutes, Councilman Basham seconded the motion and the motion passed on a vote of all ayes.

**IV. Old Business**

**A. Public Hearing – Skateboard Park**

Mayor Mathews stated that we are now beginning the public hearing on the location of the skateboard park and would be accepting comments from the public.

Jacob Williams stated that the TLOC 4H club has done a survey and the following are the results. People surveyed under the age of 18 voted 251-40 for the Sidetrack and over the ages of 18 voted 53-10 for the sidetrack. He stated people had commented on things such as paint fumes and gas smells as reasons against the Avis lot. Dwight Emrich stated he would like to see it in Avis. Councilman Oxley stated he would like to see it in Avis that he sees it as an opportunity to grow a much larger facility into a tourist attraction. Mike Thomas said he thinks security and the area is better at the sidetrack park. Ginny Hatcher states she is for the sidetrack park because it is a better place to build an attraction and is concerned about the safety of being on the river in Avis. Anna Ziegler stated that the sidetrack park area is a better area due to the safety of being fenced in and one block away from the police department. Gary Garten stated he thinks the sidetrack area is better and that there may be drug activity in the Avis area. Councilman Meador cited several reasons for his opinion that it needs to be at the sidetrack park with safety being the main one however he also felt the need to have public input and now sees that majority of people interested in the park are in agreement about the sidetrack location. Councilman Jordan also stated his concern for safety and his support for the sidetrack. Councilman Basham stated he had no objection to the sidetrack location. Mayor Mathews stated she was concerned about the safety of the Avis area for kids who might be unsupervised and that that area was to be used for water access. That is why she is in favor of the sidetrack. Councilman Basham made a motion to approve the sidetrack as the location for the skate park. Councilman Oxley seconded the motion and the motion passed on a vote of all ayes.

**B. Public Hearing – Brooks Sewer Project**

Mayor Mathews introduced David Cole of Region I Planning & Development Council to lead the discussion on the Brooks Sewer Project. David Cole stated we have applied for HUD Small Cities block grant funding which would extend sewer service to about one hundred customers in the Brooks Barksdale area. The total project costs are approximately \$3,935,000.00 which include a loan of \$1,159,000.00. David stated that the construction design would be complete in April. Everett Crawford asked if any money is currently committed. David stated that the County and City have put up a total of \$69,000.00 already as matching money for the engineering design. Councilman Oxley asked about the possibility of adding Possum Hollow. David stated that the Sanitary Board must raise the current minimum rate approximately \$2.24 to qualify for any grants at all. Gary Garten asked if this would serve the bass lake campground and if that was in the city limits. David stated that the campground would be included in this project and that it was outside of the corporate limits of Hinton. John Harbert asked why the entire city rates should be raised to serve residents outside the city. Council stated that it would be a good time to raise discussions about the annexation of the area. Anna Ziegler states that she

believes this will improve the water quality of the area since this waste will be in a treatment plant instead of just a septic system. Mayor Mathews read the resolution approving the grant applications. Councilman Jordan stated we don't have a choice but to raise the rates to get these grants. Councilman Meador made a motion to approve the HUD application. Councilman Oxley seconded the motion and the motion passed on a vote of all aye. Councilman Meador moved to approve the IJDC application. Councilman Oxley seconded the motion and the motion passed on a vote of all ayes.

Jim Blume from the State Treasures office came to council and presented an optional retirement plan for public employees and asked council to approve the employee's use of this plan as an optional way to save for retirement. Councilman Meador moved to approve the 457 retirement plan as an optional savings program for employees. Councilman Oxley seconded the motion and the motion passed on a vote of all ayes.

**C. Resolution for Street Scope Grant**

Mayor Mathews read the resolution to sign the contract for the \$200,000.00 TEA grant to improve the historic district. Councilman Oxley made a motion to approve the resolution. Councilman Jordan seconded the motion and the motion passed on a vote of all aye.

**Resolution**

**Whereas**, the City Council of the City of Hinton has the responsibility for the administration of the Budget of the City of Hinton and maintenance of city owned facilities.

**Whereas**, The State of West Virginia and the Federal Highways Authority have granted the City of Hinton \$200,000.00 for the continuing streetscape project including improving sidewalks, adding historic lampposts and installing landscaping in the City of Hinton, and

**Whereas**, The City of Hinton must match the grant funds 80% to 20% which means an investment by the City of Hinton of \$50,000.00, and

**Whereas**, the City of Hinton agrees to abide by all stipulations of the contract with the West Virginia Department of Transportation (State Project Number: U345-HIN/T0-1). (Federal Project Number TEA-0H22(001))And,

**Now, Therefore let it be resolved** that Hinton City Council hereby authorizes Mayor and City Council to sign any and all documents relating to the grant the and City Manager Cris Meadows to oversee the entire project.

Passed and adopted this 17<sup>th</sup> day of March 2009

**V. New Business**

**A. Approval of Building/ Sign Permits**

Council discussed the building permits and the current situations with the Shamma property and Ewart Miller building then Councilman Jordan made a motion to approve the building permits. Councilman Meador seconded the motion and the motion passed on a vote of all ayes.

**B. Approval of Paid Invoices**

Councilman Jordan made a motion to approve the paid invoices; Councilman Meador seconded the motion. The motion passed by a vote of all ayes.

**City of Hinton Paid Bills February 2009**

**Check**

<u>#</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
15528	2/19/2009	Joseph L. Adkins ( traffic control on EM building)	360.00
15591	2/26/2009	AFLAC ( Invoices 2009-06, 2009-07)	107.19
15516	2/12/2009	Allegheny Power ( Invoices acct#37801102012001, acct#37802202334001)	587.28
15478	2/6/2009	Allegheny Power ( Invoices acct#37817101008001, acct#37817201026001, acct#37818101008001, acct#37818201094001)	2,524.76
15580	2/26/2009	Allegheny Power ( Railroad Museum)	4.85

15525	2/19/2009	Allegheny Power ( Invoices acct#37806201022004, acct#37807202016751, acct#37807202142003, acct#37808101016501, acct#37816888000051, acct#37821201228503)	5,864.79
15551	2/19/2009	Alliance Consulting Inc. (Compression testing for Hinton culvert collapse. 1 standard cylinder. Fox case)	16.50
15600	2/26/2009	Alliance Consulting Inc. ( Invoices 19919, 20154)	364.75
15582	2/26/2009	Baker Sanitary Supply ( Supplies for city hall)	489.25
15540	2/19/2009	Beckley Newspaper ( Advertisement for accounting services for City Hall)	180.65
15594	2/26/2009	Bowyer's Tree Trimming ( Christmas lighting decorations)	300.00
15601	2/26/2009	Boxley ( Invoices 60147679, 60147769)	1,416.15
15553	2/19/2009	Boxley (Gravel for Save A Lot culvert.)	612.30
15555	2/20/2009	Franklin G Brewer ( Travel expenses for In-service Training)	237.60
15595	2/26/2009	Charleston Newspaper ( Request for proposals for new fire station)	148.84
15581	2/26/2009	Cintas ( Invoices 525120639, 525120641, 525123457, 525123459)	202.88
15448	2/2/2009	Cintas ( Invoices 525109328, 525112163)	60.00
15605	2/26/2009	Cintas ( Invoices 525117799, 525120640, 525123458)	90.00
15510	2/12/2009	City National Bank Card Division ( Postage and Pest control class for Billy Gill and Tim Trout)	285.26
15549	2/19/2009	Joshua P Dawson ( traffic control on EM building)	120.00
15473	2/6/2009	Eric S. Gordon Trust dtd 11/09/73 ( Payment on Police Dept 2007 Jeep)	548.30
15537	2/19/2009	Jeff Feamster ( Attending council meeting to discuss annual audit reports)	472.50
15607	2/26/2009	FiberNet ( Invoices acct#3074056, acct#3074057)	71.21
15583	2/26/2009	FiberNet ( Invoices acct#3029100, acct#3031176, acct#3031196, acct#3031199, acct#3031202)	391.62
15531	2/19/2009	Fisher Auto Parts ( Invoices 025-219812, 025-220046, 025-220501)	124.30
15472	2/6/2009	Michael Froble (monthly retainer)	1,000.00
15593	2/26/2009	Galls ( Invoices 5974666501029, 5975580401022)	370.14
15539	2/19/2009	Galls ( Invoices 5973583301018, 5974284701019, acct#0001775170)	2,051.44
15596	2/26/2009	Gore's Autobody ( 2 brakes, 2 rotors for PD Jeep)	374.89
15541	2/19/2009	Gore's Autobody ( Invoices 16236, 16245)	5,473.03
15542	2/19/2009	Greenbrier Nurseries ( Baskets with chain for city)	936.00
15547	2/19/2009	H K Holdings, LLC ( refund of overpayment on B&O taxes)	1,805.56
15527	2/19/2009	Hinton Hardware ( Supplies for street dept)	137.36
15590	2/26/2009	Hinton News ( Legal Notice. Request for proposals for new fire station)	35.63
15597	2/26/2009	Knowledge Systems Inc ( Install computer at fire station)	499.99
15532	2/19/2009	Kroger ( Dog food for dog warden)	119.92
15609	2/26/2009	Magic Mart ( Invoices acct#74012274, acct#74012754, acct#74012754)	324.57
15585	2/26/2009	Magic Mart ( Supplies for Fire Dept)	80.56
15535	2/19/2009	Johnny Miller ( traffic control on EM building)	360.00
15546	2/19/2009	Miss Utility of WV ( Fax service for street dept)	10.00
15533	2/19/2009	Mountaineer Computer Systems Inc ( Internet back up service)	19.95
15468	2/6/2009	Mountaineer Computer Systems Inc ( Assistance with W2's and 1099's)	220.72
15512	2/12/2009	Mountaineer Computer Systems Inc ( Assistance with filing W-2c forms)	72.51
15536	2/19/2009	Mountaineer Gas Company ( Flat Rock street building)	355.75
15471	2/6/2009	Mountaineer Gas Company ( Visitors Center)	925.75
15552	2/19/2009	MPH Industries, Inc. ( Cabling for radar units for PD)	378.45
15475	2/6/2009	Amy Newhouse ( Light contest 1st Prize)	100.00
15550	2/19/2009	Past Respects, LLC ( Contract labor on passenger depot)	37,500.28

15515	2/12/2009	Petty Cash ( replenish petty cash)	80.11
15548	2/19/2009	Pitney Bowes Postage ( Ink for postage meter)	157.71
15538	2/19/2009	Mark A Ratliff Jr ( traffic control on EM building)	120.00
15543	2/19/2009	Shade Equipment Co. ( Parts for salt spreader)	111.65
15530	2/19/2009	Sirchie ( Evidence kit supplies)	94.45
15467	2/6/2009	Suddenlink Communications ( Fire Dept Cable)	71.93
15579	2/26/2009	Suddenlink Communications ( Cable services for City Hall)	130.37
15598	2/26/2009	Summers County Health Department ( Hep B injection for Anthony Gray)	35.00
15482	2/6/2009	Summers County Schools ( Gas for city vehicles)	1,593.76
15470	2/6/2009	Summers County Schools ( Diesel for Street and Fire Dept)	509.08
15544	2/19/2009	Sweet Springs Valley Water Co. ( Water for City Hall)	42.00
15602	2/26/2009	Unique Concepts ( Margie Temple- First place for Christmas lighting, business)	100.00
15584	2/26/2009	West Virginia American Water Company ( Invoices acct#2800389054, acct#2800396380, acct#2800396380, acct#2800399293, acct#2803240080, acct#2804147953)	494.25
15589	2/26/2009	West Virginia State Treasurer's Office ( Court remittance for January 2009)	300.00
15534	2/19/2009	Jerry C Wheeler ( Gas surcharge for dog warden for month of January 2009)	100.00
15588	2/26/2009	WV Department of Tax & Revenue ( Invoices 2009-04, 2009-05, 2009-06, 2009-07)	2,831.40
15554	2/19/2009	WV Public Employees Insurance ( Invoices , 2009-02, 2009-03, 2009-06)	8,525.87
15486	2/9/2009	WV Public Employees Retirement ( Invoices , 2009-03, 2009-04, 2009-05)	6,689.90
15545	2/19/2009	WV Regional Jail and Correctional Facility Authority ( Jail fee for Joshua O'Neal)	522.83
15474	2/6/2009	Xerox Corporation ( Copy service for City Hall)	272.31
<b>Total</b>			<b>91,516.10</b>

### C. Approval of Financial Report

Council discussed the financial report and Councilman Jordan moved to approve the report as presented. Councilman Basham seconded the motion and the motion passed on a vote of all ayes.

### D. Approval of unpaid invoices

Councilman Meador moved to approve the unpaid invoices. Councilman Basham seconded the motion and the motion passed on a vote of all ayes.

### E. Approval of Budget

Cris Meadows presented the budget to the council and stated that the budget is inflated due to the two TEA grants that will be expended during the next fiscal year. The other changes from last year include a five percent across the board raise for city employees and raising the starting pay for police officers from \$8.50 per hour to \$9.50 per hour and fireman from \$7.50 per hour to \$8.50 per hour. Councilman Jordan moved to approve the budget Councilman Meador seconded the motion and passing by unanimous consent.

### F. Approval of Budget Revision-

Cris Meadows presented the budget revision as discussed at the last meeting to adjust the budget for expenditures on restoration of the depot. Councilman Meador moved to approve the budget revision. Councilman Oxley seconded the motion and the motion passed on a vote of all aye.

## VI. Reports

### A. Legal Notices, Clean-Up, Community Development

Council discussed the cleanup of the Ewart Miller building. Mayor Mathews stated that she was to attend a meeting on Good Friday about starting a hiking trail through the area. Councilman Jordan stated he thinks we need to send the owners of the McCreery Hotel a letter to force them to fix the building before it becomes unable to be repaired. Janice Adkins stated that where she lives on Walnut Street needs cleanup help due to neighbors leaving trash and old cars everywhere.

**B. Department Heads/Action as Needed**

**1. Police Department- Chief Martin** presented Zach Mills as a new hire for the police department. Councilman Oxley moved to hire Zach Mills as a police officer effective 12:00 a.m. March 18, 2009. Councilman Jordan seconded the motion and the motion passed on a vote of all ayes.

**2. Public Works-**

**3. Fire Department-** Chief Pivont asked to purchase a base radio for the station at a cost of \$1,200.00. Councilman Meador moved to approve the purchase of the radio. Councilman Oxley seconded the motion and the motion passed on a vote of all aye. Chief Pivont asked to purchase a forcible entry tool somewhat like the jaws-of-life at a cost of \$1,568.00. Councilman Oxley moved to approve the purchase. Councilman Meador seconded the motion and the motion passed on a vote of all ayes. Councilman Meador moved to interview the following three candidates for architect of the new fire station VanNostrand Architects, Pentree Associates, & McKinley & associates. Councilman Oxley seconded the motion and the motion passed on a vote of all ayes. Councilman Meador moved to approve Ziegler & Ziegler as project attorneys for the fire station and Griffith & Associates for Project accountant. Councilman Oxley seconded the motion and the motion passed on a vote of all ayes.

**4. Municipal Judge-** nothing

**5. City Manager-** Nothing

**VII. Personnel-**

Councilman Oxley moved to go into executive session to discuss personnel. Councilman Meador seconded the motion and the motion passed on a vote of all ayes.

Council returned from executive session on a motion by Councilman Basham seconded by Councilman Jordan and approved by unanimous consent.

**VIII. Delegations/Public Input-**

**Ginny Hatcher** spoke on behalf of TLOC and invited all of the candidates for office to their forum being held in two weeks. She then asked for a donation for the 4-H group for their community projects. Councilman Oxley moved to donate one hundred dollars to the TLOC. Councilman Meador seconded the motion and the motion passed on a vote of all ayes.

**IX. Mayor and Council Reports-**

Councilman Basham read a complaint about cats and asked if we could order more traps

Councilman Jordan spoke about his promotion of a homecoming festival and the interest he is receiving.

Councilman Meador stated he thinks we should move the city elections to coincide with the state and federal elections in order to save money.

Councilman Oxley thanked all of the city employees for their hard work.

The meeting adjourned on unanimous consent no time was noted.

**X. Date of the next meeting is set for April 21, 2009**

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Mayor/Cleo Mathews

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City Manager/Cris Meadows