

The regular meeting of the City Council of the City of St. Albans, West Virginia, was held in Council Chambers, 51 Sixth Avenue, Monday, November 7, 2011. Mayor Callaway called the meeting to order at 7:30 p.m.

PRESENT:

Mayor Dick Callaway
Councilman Kevin Pennington
Councilman John Boles
Councilman JD Adkins
Councilman Desper Lemon
Councilman Ron Colby
Councilwoman Cheryl Thomas
Councilman Steve Donelson
Councilman Dan Cain
Councilman Jerry Cogar
Councilwoman Helen Warren
Councilwoman Loretta Griffith
Councilman Robert Keiffer

Charles Riffie, City Attorney
Barbara Cunningham, City Clerk/Treasurer
Orville Browning, Director of Public Works
Steve Parsons, Fire Chief
Scott Tweedy, Parks Director
Kathy Barnett, Senior Services Director
Veronica Westfall, City Recorder
Captain J. Agee, SAPD

ABSENT:

Brent Coates, Police Chief
Charles Roberts, Building/Zoning Official

INVOCATION & PLEDGE OF ALLEGIANCE:

Herk McGraw gave the invocation, and Councilman Cain led the Pledge of Allegiance.

APPROVAL OF THE MINUTES:

Mayor Callaway asked if there were any additions or corrections to the minutes of the City Council meeting held on October 17, 2011. Being none, Councilman Lemon moved, seconded by Councilman Colby, the minutes be approved. Motion carried.

ORDINANCE REGARDING SKINNER DRIVE:

Attorney Riffie presented the ordinance for first reading. The ordinance is attached and the caption is as follows:

AN ORDINANCE ACCEPTING DEEDS OF DEDICATION OF SKINNER DRIVE
SUBJECT TO RECISSION IF SUFFICIENT GRANT MONEY NOT RECEIVED

Attorney Riffie stated he was waiting to receive the last three deeds. Councilman Cogar moved for approval; Councilman Colby seconded. Motion carried.

ORDINANCE REGARDING MS4 STORMWATER:

Attorney Riffie presented the ordinance for first reading. The ordinance is attached and the caption is as follows:

AN ORDINANCE ESTABLISHING ST. ALBANS STORMWATER MANAGEMENT AND SURFACE WATER DISCHARGE CONTROL DEFINITIONS, INTENT, PURPOSE, GENERAL PROVISIONS, ADMINISTRATION, STORMWATER SERVICE CHARGES, PROPERTY AFFECTED, FLAT RATE CHARGES, LAND BASED RATE CHARGES, BILLING, COLLECTION, USE OF FUNDS, GENERAL REQUIREMENTS AND PROHIBITIONS, ILLICIT CONNECTIONS, OUTDOOR STORAGE AREAS, CONSTRUCTION SITES, DISCHARGE OF POLLUTANTS, DISCHARGE IN VIOLATION OF PERMIT, NOTIFICATION OF SPILLS, CONSTRUCTION, STORMWATER TAPS, ENFORCEMENT, NEW DEVELOPMENT/RE-DEVELOPMENT STORMWATER MANAGEMENT, SEDIMENT AND EROSION CONTROL AND COMPREHENSIVE DRAINAGE PLANS, DESIGN STANDARDS, WAIVERS, FEE IN LIEU OF STORMWATER MANAGEMENT REQUIREMENTS, DRAINAGE SYSTEM STANDARDS, PLAN SUBMISSION AND REVIEW PROCESS, MAINTENANCE OF STORMWATER FACILITIES, INSPECTION, SAMPLING, TESTING AND MONITORING, CONCEALMENT, ACTS IN VIOLATION OF FEDERAL CLEAN WATER ACT, VIOLATIONS, NOTICE, FINES, PENALTIES, COSTS, EXPENSES, FEES AND SANCTIONS, INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES, NOTIFICATION OF SPILLS, ADMINISTRATIVE ENFORCEMENT POWERS AND

November 7, 2011

REMEDIES, PENALTIES, NONEXCLUSIVITY OF REMEDIES, APPEAL,
DISCLAIMER OF LIABILITY, SEVERABILITY, ADOPTION AND EFFECTIVE DATE

Councilwoman Warren moved for approval; Councilman Lemon seconded. Motion carried.

RECOMMENDATION FROM P&Z REGARDING THE PETITION SUBMITTED BY LOU WENDELL MARINE SALES & SERVICE TO CLOSE A DEAD END STREET LOCATED AT FOURTH STREET BETWEEN FIRST AVENUE AND THE KANAWHA RIVER:

Councilman Lemon reported that it was the recommendation of the Planning & Zoning Commission to close, abandon and discontinue for public use a dead end street owned by the City located at Fourth Street between First Avenue and the Kanawha River. This right of way is unused by the City. Councilman Lemon moved for approval of the recommendation, and to refer this matter to the Ordinance Committee for preparation of an ordinance; Councilman Pennington seconded. Motion carried.

APPROVAL OF CHANGE ORDER REGARDING THE POLICE/FIRE STATION STRUCTURAL REPAIRS:

Mayor Callaway reported that David Hoy, with Chapman Technical Group was present to address any questions Council may have regarding the change order for the structural repairs to the police/fire station. Mr. Hoy gave a summary of the change order (attached). Councilman Boles moved for approval; Councilman Colby seconded. Motion carried.

RESOLUTION SUPPORTING BAYER CORPORATION IN SECURING AN ETHANE CRACKER PLANT AT THEIR INSTITUTE, WV SITE:

Mayor Callaway requested action from Council to support Bayer Corporation in securing an ethane cracker plant. The resolution is as follows:

RESOLUTION SUPPORTING BAYER CORPORATION IN SECURING
AN ETHANE CRACKER PLANT AT THEIR INSTITUTE, WV SITE

Resolution No. _____

WHEREAS: throughout the state of West Virginia, the Marcellus Shale contains vast reserves of natural gas and;

WHEREAS: the Marcellus Shale gas is a rich source of ethane, a key feedstock for the chemical industry and the construction of a first-rate ethane cracker plant has been estimated to require a capital investment of between \$1B and \$2B;and

WHEREAS: due to ready access to water, rail, and pipelines, Bayer corporation is actively seeking to secure an ethane cracker on their Institute, West Virginia site, utilizing important infrastructure in place, and

WHEREAS: the City of St. Albans, Kanawha County Commission, the Charleston Area Alliance, the Chemical Alliance Zone, and the West Virginia Oil and Natural Gas Association, are working to secure this new investment locally, and

WHEREAS: a cracker plant has the potential to substantially amplify the state's Marcellus Shale advantage and one ethane cracker facility could provide several permanent, well-paying jobs with benefits; and

WHEREAS: the Kanawha Valley has a long, successful history of working in harmony with the chemical industry;

NOW, THEREFORE, BE IT RESOLVED THAT the City of St. Albans supports and is committed to participating in the efforts being made to attract an ethane cracker plant to the region.

Adopted November 7, 2011.

MAYOR

CITY CLERK

Councilman Boles moved for approval; Councilman Cogar seconded. Motion carried.

FINANCE COMMITTEE REPORT & RECOMMENDATIONS:

Payment of current invoices:

Councilman Boles moved for approval of payment of current invoices in the amount of \$30,190.18; Councilman Pennington seconded. Motion carried.

Purchase of combination toilet & sink for SAPD prisoner holding cell:

Councilman Boles moved for approval of purchase of combination toilet & sink stainless steel for police department prisoner holding cell from Gresham Plumbing in the amount of \$2,600 to be paid from line item 700-216; Councilman Colby seconded. Motion carried.

CITY COUNCIL & DEPARTMENT HEAD REPORTS:

Councilman Lemon states concerns on water meter placement:

Councilman Lemon stated his concerns on the water meter placement in the Ordinance Park area.

Councilman Adkins reports on Neighborhood Watch:

Councilman Adkins reported there will be a Neighborhood Watch meeting tomorrow at 7:00 p.m. at First Presbyterian Church.

Councilwoman Griffith reported on the walk through the Ward promoting the Neighborhood Watch program.

LETTERS & REPORTS:

Streetscape Grant for Phase IV:

Mayor Callaway reported that grant funds in the amount of \$250,000 have been awarded for the Streetscape Phase IV project.

COMMITTEE REPORTS:

MUC Board:

Mayor Callaway gave an update on the water improvement project.

Alban Arts & Conference Center:

Mayor Callaway reported on events being held at the Alban, including the production of the Lion, the Witch & the Wardrobe, Coalsmouth concert series, and silent auction to be held in March.

Property Board:

Councilman Donelson reported that three condemned houses are in the process of being torn down.

Parks:

Councilwoman Griffith reported that almost 1,000 people went through the Haunted Trail. Councilman Pennington thanked the ROTC for all their help during this event. Councilwoman Griffith reported that Councilman Pennington has been appointed to the Kanawha County Parks & Recreation Commission.

APPOINTMENT:

Re-appointments to the SACVB:

Mayor Callaway requested action from Council to confirm the re-appointment of Helen Warren, Riverfest Board Representative, to the St. Albans Convention & Visitors Bureau with a term to expire 6/30/16. Councilman Boles so moved; Councilwoman Griffith seconded. Motion carried.

Mayor Callaway requested action from Council to confirm the re-appointment of Neil Richardson, Historical Society Representative, to the St. Albans Convention & Visitors Bureau with a term to expire 6/30/16. Councilwoman Warren so moved; Councilman Pennington seconded. Motion carried.

Appointment to Downtown Historic District Committee:

Mayor Callaway requested action from Council to confirm the appointment of Councilwoman Cheryl Thomas to the Downtown Historic District Committee with a term to expire 6/30/13. Councilwoman Warren so moved; Councilman Cogar seconded. Motion carried.

ANNOUNCEMENTS:

Mayor Callaway made the following announcements:

- Veteran's Day, Friday, November 11th—HOLIDAY—City offices will be closed.
- Finance Cmte., Monday, November 14th at 4:30 p.m. in the MUC Conference Room.
- Senior Board, Tuesday, November 15th at 10:30 p.m. at the Hansford Center.
- MUC Board, Tuesday, November 15th at 5:30 p.m. in the MUC Conference Room.
- Public Works Cmte., Wednesday, November 16th at 8:30 a.m. at the City Garage.
- Parks Cmte., Wednesday, November 16th at 7:00 p.m. at the City Garage.
- Ordinance Cmte., Monday, November 21st at 6:45 in the Council Chambers.
- City Council, Monday, November 21st at 7:30 p.m. in the Council Chambers.

Councilman Donelson invited everyone to attend or participate in the Veteran's Day parade to be held on Saturday, November 12th at 10:00 a.m.

Councilwoman Warren reported that the lighted boat parade will be December 3rd.

EXECUTIVE SESSION:

Councilman Pennington moved to adjourn into executive session to discuss a personnel issue; Councilwoman Griffith seconded. Motion carried. (8:05 p.m.)

Councilman Pennington moved to proceed with the regular Council session; Councilman Boles seconded. Motion carried. (9:05 p.m.)

Attorney Riffie stated that while Council was in the Executive Session, a personnel issue was discussed, and no action was taken.

PUBLIC FORUM:

No one addressed Council.

ADJOURNMENT:

Being no further business, Councilman Lemon moved, Councilman Colby seconded, the meeting adjourned at 9:08 p.m.

MAYOR

CITY CLERK