

Proposed Minutes

ELKINS COMMON COUNCIL PUBLIC FORUM MINUTES

***Phil Gainer Community Center
142 Robert E. Lee Ave. ext.
September 1, 2020
5:30 p.m.***

Elkins Common Council met at the Phil Gainer Community Center for a public forum. Present were Mayor Van T. Broughton; Councilpersons R.C. Chenoweth, M. D. Cuonzo, C.H. Friddle, III, J.A. Guye, G.M. Hinchman, C.C. Lowther, C. L. Metheny, D.C. Parker, L.H. Vest, and K.L. Wilmoth; City Treasurer T. Judy; Operations Manager R.P. Pingley; City Attorney G. S. Roberts; City Clerk J.R. Sutton (acting as recording secretary); and Inter-Mountain Reporter A. Gaynor.

Fire Chief T. W. Meader; Police Chief T. Bennett were absent.

Mayor Broughton opened the floor for the city charter public question and answer session.

Mr. Tim Stranko, the city's contracted charter attorney, facilitated the discussion, beginning with an introduction of himself, his qualifications and his involvement with the project. Mr. Stranko continued with the identification of the project objectives and goals; defining what a city charter is; and introducing the discussion topics. For each topic area a brief introduction was provided by Mr. Stranko, followed by questions and comments from the public directed to Mr. Stranko, council and administrative officers as appropriate.

Topic 1: Conduct of Governance

Tim Stranko – introduction of topic

Mike Elza, 1311 S. Kerens Ave – What does codify the budget process mean?

Tim Stranko – defined as inclusion in the charter or codes of the city

Karen Wilmoth, 4th Ward Councilor – why not align the city election with the county election?

Jessica Sutton, City Clerk – there are pros and cons to this. It can create even more confusion because the ward lines and district lines are not in alignment and can also introduce partisanship into what is a non-partisan election. It could save the city money, but I would not recommend it.

Alan Huffman, 206 Andrews St – I am representing 26 individuals who cannot be here and would like to submit a petition on their behalf. Why does council serve as the canvass board? Can we consider having a separate body serve in this role and not allow those up for reelection to participate?

Tim Stranko – Believes this is mandated by State Code, but he will review and provide a written response to Mr. Huffman later.

Topic 2: Council and Mayor Issues

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Tim Stranko – introduction of topic

Phillips Kolsun, 220 Sylvester Drive – recognizes the different virtues of at-large and ward councilors. Questioned if there could potentially be six councilors from one ward.

Van Broughton, Mayor – we could cap the number allowed from each ward

Marilynn Cuonzo, 4th Ward councilor – there is difficulty in finding people to run for council. They need to be qualified and care for the entire city, not just their ward.

Dave Parker, 5th Ward councilor – feels that each ward needs to have two representatives. He values the different perspectives this brings and believes that if we go to less than one there will be underrepresentation. Mr. Parker added that Public Health and Safety needs to be a standing committee. The Mayor is the direct line over the police department, but as elected officials change, council needs to act as a balance to the mayor's priorities. He also supports a four year term for the mayor. Two years does not provide enough consistency.

Mike Elza – Is there a standing public safety committee now?

Dave Parker – yes.

Mike Elza – I understand the need, but thinks that three committees are enough.

Dave Parker – clarified that in the draft public safety is not a standing committee, but it could be an ad-hoc committee.

Mike Elza – as residents if we don't get involved in committees, we are lost, even if we attend council meetings.

Rob Chenoweth, 1st Ward councilor – the proposal presented is in no way endorsed by council or represents what council wants. It is all still being discussed.

Burly Woods, 522 Davis St – having ten councilors with all or some at-large, but then capping the number from each ward defeats the purpose. Why not wait until after the 2020 census results to change council? Go to eight councilors – 5 by ward and 3 at-large – and reduce the number of committees. Is there a deadline for ratification?

Tim Stranko – no, there is no deadline.

Alan Huffman – I am against five at-large councilors. Believing this will cause a situation that is volatile. I support ten councilors – two from each ward. This is more direct representation.

Carman Metheny, 3rd Ward councilor – we have readjusted the wards at least three times in the last 43 years.

Phillips Kolsun – term limits have not been discussed. Is there any consideration of this?

Van Broughton – supports a two term limit for all

Marilynn Cuonzo – we live in a small town. I've been on council for 13 years and doesn't just represent her ward. It's to her advantage in making decisions to know everything that is going on in the city. We are not here for the money. We are here because we love it.

Carman Metheny – I've been on council for 16 years.

Karen Wilmoth – I was on council 13 years ago and am back again. Carman is the only one who is still here from her previous time. Term limits occur naturally.

Burly Woods – If we go to five at-large, how will it be phased in?

Tim Stranko – this has been discussed, but can't be presented as a plan until council decides the structure.

Mike Elza – thanks for current council for your service. I am open to the number of councilors – it is dependent on the mayor or manager plan. I like the idea of five at-large but also see the downside. I ask that council uses their best judgement on this. I'm also not against the city

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manager form of government. We don't have the accountability now in our government. The ball is getting dropped somewhere between council, the administrative officers and the supervisors. I'm not being negative to anyone, just talking about the positions and structure themselves. We are missing a link for accountability. This also causes employee morale to go down, but I don't know this for sure since I am looking from the outside in. There needs to be an assignment of authority to someone – mayor/admin/manager.

Tim Stranko – Why do anything at all? Because good enough is never good enough. We are about improving and looking at how we can do better.

Topic 3: From of Government

Tim Stranko – introduction of topic

Alan Huffman – will manager need an assistant, staff, a vehicle? Assuming these things and additives, this will cost upwards of \$160,000.

Tim Stranko – we can make some assumptions about staff, etc. that will reduce this cost.

However, this is a one dimensional analysis to a three dimensional question. The council needs to consider the benefits of a city manager as well.

Alan Huffman – the manager is only responsible to the council.

Mike Elza – Yes, it will cost money, but even if it costs \$150,000 if it brings accountability and saves us \$300,000 in the future, I'm in favor of it.

Charlie Friddle, III, 2nd Ward councilor – I support the mayor-manager plan. Decrease council from ten to five. Eliminate the higher salary for the mayor. This reduces expenses by $\$7200 \times 5 + \$20,000$, which will pick-up two-thirds of the cost of a manager. We already have an administrative assistant position. Given our size we are likely to attract someone with less experience who will be at the lower end of the range that managers typically earn. A manager gives us accountability. Currently the five administrative officers aren't accountable to anyone. We pick up experience and education that is lacking on council. There is a way we can do this and provide tremendous benefit to the city.

Mike Elza – What is the difference between the mayor-manager plan and a strong mayor plan? The sophistication needed isn't present in our candidates. If we are going to take the city to the next level we need someone with expertise. Someone whose advice council can benefit from.

Burly Woods – I applaud council for what they do, but Charlie just said that they aren't qualified. We elect you to represent us. How can you then be qualified to hire a manager?

Charlie Friddle – when you are a part-time councilor you don't have the wealth of knowledge necessary for the administration of the city. A manager can help us identify where weaknesses exist and help us address them. We need the biggest bang for our buck.

Burly Woods – We can elect a full-time mayor to be the checks and balance to council.

Karen Wilmoth – when I was on council previously we created the Operations Manager position so there would be someone knowledgeable to run those departments and not leave it to the mayor to be competent in those areas.

Tim Stranko – who do our administrative officers go to for support and guidance? The mayor and council? They are not professionals in governance that can do this effectively.

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Topic 4: Amending Process

Tim Stranko – introduction of topic

Carman Metheny – our structure was incorporated in the 1890 charter and should remain a strong council and weak mayor. We need to improve the charter, but not change the governing body.

Mike Elza – I kind of agree with Carman. We just need to add accountability somehow. Could a weak mayor be paid more and pick-up more responsibility. The mayor supervises the clerk and treasurer. All five administrative officers should be at-will, but who should they report to? I have concerns about qualifications for the five administrative officer positions – just need to be sure. I like the three committees, but Parker is right about public safety. Could council appoint someone who is a non-resident/non-voter who is a business owner to council? *Mr. Elza continues through each section of the charter noting in several sections that there needs to be more accountability and checks and balances. Also noting that PSD's should be in the charter.*

Phillips Kolsun – I would like clarification on the ordinance versus public vote/referendum. You can see the turn out here tonight is very low. A referendum could have people voting who have not educated themselves on the issue. However, the vote of council sometimes appears to not take in to account the public comment expressed. He would like any further discussions to wait until we can have in-person meetings and Covid-19 is under control.

Alan Huffman – The people I am representing can't come or are afraid to. Communication is tough now but the people need the opportunity to vote. The concerns of the people if the cost and change of their government. I am against the city manager form of government. Give the mayor the administrative authority. What is a qualified objection?

Tim Stranko – any objection during the process is a qualified objection

Geraldine Roberts, City Attorney – in response to Mr. Huffman's earlier question about the board of canvass – W. Va. Code Chapter 3 dictates that board of canvass be the governing body.

Andrew Carroll, 128 Buffalo St – Thank you to everyone who participated in this discussion. I recognize this has been a long conversation. I am in favor of the mayor-manager plan. A qualified person making long term decisions can be helpful. They have the skill to work through relevant problems that cities face. This form provides stability that you can't find in elected part-time councilors. If you want engaged citizens, keep an at-large elected mayor who can provide pride and representation. The mayor serves as a man of the people, a voice of the people. On the question of at-large versus ward councilors – be cognizant that different minority populations be represented. At-large elected councilors may reduce this, but could increase overall engagement by candidates and voters. At-large representatives may be more willing to look at long term projects versus neighborhood projects as well. It could increase the quality of our representation. It is hard to get people involved because of our size, but this may open up possibilities. Consider all these decisions at our scale. I appreciate the engagement and believe it's important that some action be taken. We are poised to become vibrant. If you want to see young people, like myself, stay, you should embrace change.

Mike Elza – I am never against a public vote. If in doubt put it to the voters. According to the Randolph County Clerk as of August 20, 2020 Elkins has 5,045 registered voters.

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Hearing no further comment, Mayor V. T. Broughton **CLOSED THE PUBLIC FORUM.**

The forum adjourned at 7:58 p.m.

*Approved by council at the meeting
of MONTH DAY, YEAR*

Van T. Broughton, Mayor

Attest:

Jessica R. Sutton, City Clerk