

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **MARCH 19, 2013**
3

4 The Council of the City of Moundsville met in regular session in the Council Chambers on
5 March 19, 2013 at 7:00 pm.
6

7 Meeting was called to order by Mayor Eugene Saunders.
8

9 Invocation was given by Vice Mayor David Wood.
10

11 Acting City Clerk Ankrom called the roll and the following Councilpersons were in attendance:
12 DeWitt, Paul Haynes, Remke, Wood, and Saunders. Absent were David Haynes and Simms.
13 Also present: City Manager Hess, Police Chief Mitchell, Fire Chief Clarke, Public Works
14 Foreman Stocklask, Building Inspector Schneider, CPA Kathryn Goddard, Attorney Thomas
15 White, and Acting Clerk Ankrom. Absent was City Clerk Hewitt and Public Works Director
16 Richmond.
17

18 **MINUTES:**

19 **Regular Council Meeting of March 5, 2013**

20 Councilman Paul Haynes made a motion to accept the March 5, 2013 minutes as presented,
21 Councilwoman DeWitt seconded, and the motion carried unanimously.
22

23 **GENERAL PUBLIC HEARING:**

- 24 • Richard King, Jefferson Avenue business owner, commented on several acts of
25 vandalism affecting Jefferson Avenue businesses. Mr. King has contacted an engineer,
26 who recommends installing wireless surveillance cameras on light poles. Mr. King
27 would appreciate any financial assistance the City of Moundsville could offer, but it was
28 not expected. Mr. King was informed that a formal, written request should be
29 submitted for the Finance Committee's consideration.
30
- 31 • Barbara Bettinazzi, owner of the business at 1501 Water Street, thanked the City Public
32 Works Department for the gravel, but pointed out that an area was missed. Ms
33 Bettinazzi would also like Water Street to be considered for paving this year.
34
- 35 • Walter Rhome of Mt Victory Road in Powhatan Point, Ohio provided copies of a
36 colored map showing the zoning of lots on Water Street. Mr. Rhome stated that he
37 has never been given proper justification for why the lots remain zoned as residential
38 when flood plain requirements prevent any homes from being built in the area. Mr.
39 Rhome opined that a commercial zoning would benefit property owners, taxpayers,
40 and the City. Attorney White clarified that Mr. Rhome owns Lot 84, at the corner of 15th
41 and Water Streets, as designated on the provided map copy.

- Curtis Allen, owner of 308 Jefferson Avenue, commented on the sunken sidewalk in front of his business. The Moundsville Water Board fixed the underlying water leak, which caused the sidewalk to shift; however, the sidewalk remains a trip hazard. Mr. Allen's insurance company has taken pictures of the sidewalk, in the event of future liability claims. Mr. Allen also commented that the Police Department did not respond to several calls he has made regarding vandalism in the rear parking lot at 308 Jefferson Avenue. Chief Mitchell will follow up on this issue tomorrow.
- Sidney Wood, owner of 1500 Diamond Street, stated that he has raised the trailer, located at this address, the requested 52" to meet flood plain requirements. Mr. Wood talked to Inspector Schneider today, but is still being told he is out of compliance. Mr. Wood would like to move forward but does not know what else is required of him.

Public Hearing on the 2013-2014 City of Moundsville General Fund Budget

Councilwoman DeWitt made a motion to amend the proposed 2013-2014 General Fund Budget to include a \$2,000.00 per year increase, for the next three years, to the Moundsville Volunteer Fire Department. This would make the City's annual contribution to the VFD \$76,000.00 for Fiscal Year 2013-2014, \$78,000.00 in 2014-2015, then peaking at \$80,000.00 in FY 2015-2016. Council can then review the contract at the end of the three-year period. Motion was seconded by Councilman Paul Haynes. Attorney White confirmed that the contract would have to be approved by both the City and the VFD. Mayor Saunders called for a roll call vote, and Acting Clerk Ankrom announced the following tally: 5 yeas. Motion carried unanimously.

Councilman Remke asked that the remaining \$12,000.00 be used to help finance the surveillance cameras on Jefferson Avenue. CPA Goddard confirmed that the Finance Committee will recommend how to use any excess funds.

OLD BUSINESS:

Discussion and Approval of an Ordinance Pertaining to Camp Grounds in the City of Moundsville (Second Reading)

Attorney White read the following ordinance by title only:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, ENACTING SECTION 735 REGARDING RULES, REGULATIONS, AND LICENSE FEES FOR TRAILER CAMPS IN THE CITY OF MOUNDSVILLE (SECOND READING)

Vice Mayor Wood made the motion to approve the ordinance on second reading, and Councilwoman DeWitt seconded.

1 Mayor Saunders recognized campground owner Brad Varlas, who questioned whether the
2 \$10.00 annual fee was changed from "per site" to "per campground," which Attorney White
3 confirmed it was.

4
5 Mayor Saunders called for a roll call vote, and Acting Clerk Ankrom announced the following
6 tally: 4 yeas, 1 nay; Councilman Remke voted nay due to the minimal fee being charged.
7 Motion carried.

8 9 **Discussion and Adoption of the 2013-2014 General Fund Budget**

10 Vice Mayor Wood made the motion to approve as amended the 2013-2014 General Fund
11 Budget, which Councilman Paul Haynes seconded. Mayor Saunders called for a roll call vote,
12 and Acting Clerk Ankrom announced the following tally: 5 yeas. Motion carried unanimously.

13 14 **Other Items to be Discussed by Council**

15 * Vice Mayor Wood asked that a Thank You letter be sent to City of Wheeling Mayor Andy
16 McKenzie for his visit to Council on the Home Rule issue.

17
18 * Vice Mayor Wood talked to Tom Brown of RAZE International and Patrick Kirby, who are still
19 waiting on the Certificate of Completion for the Fostoria property.

20
21 * Councilman Remke wishes to resume discussions on vacant building policies. Inspector
22 Richmond is requesting information from other cities on their respective vacant building
23 regulations. The Policy Committee will be discussing this in the near future.

24 25 **NEW BUSINESS:**

26 **Discussion and Approval of the Zone Change Ordinance Concerning Property North of** 27 **15th Street, South by 16th Street, West by Water Street, and East by Thompson Avenue** 28 **from R-N (Neighborhood Retail District) to I (Industrial) {Barbara Bettinazzi Property}** 29 **(First Reading)**

30
31 Vice Mayor Wood made the motion to approve the zone change ordinance on first reading;
32 motion was seconded by Councilman Paul Haynes.

33
34 Attorney White noted that, according to the map copy provided by Mr. Rhome and the
35 description on the Planning Commission petition, this zone change would included Mr.
36 Rhome's lot, in addition to Ms Bettinazzi's. Attorney White read the permitted uses, according
37 to the City Code, for an Industrial zone, and Mr. Rhome did not object to the zone change of
38 his lot.

39
40 Mayor Saunders called for a roll call vote, and Acting Clerk Ankrom announced the following
41 tally: 3 yeas, 2 nays; Mayor Saunders and Councilman Paul Haynes voting nay. Motion carried.

1 **Discussion and Approval of Adopting Mission Statement and Value Statement for the**
2 **City of Moundsville**

3 Councilman Remke made the motion to authorize adoption of the Mission and Value
4 Statements, which Councilwoman DeWitt seconded. Councilwoman DeWitt read the
5 statements aloud. Motion carried unanimously.
6

7 **Other items to be Discussed by Council**

8 * Councilman Remke requested a letter of intent be sent to the Governor and State
9 Legislature confirming the City of Moundsville's interest in participating in Home Rule, with a
10 detailed plan to be sent at a later date.

11
12 * Councilman Remke asked about the posting of the sign at the VFW to honor Julian
13 Berisford; this will be addressed under the Policy Committee update.

14
15 * Councilman Remke asked about templates for the Jefferson Avenue sidewalk, which will
16 have to go before the Finance Committee.

17
18 * Vice Mayor Wood noted that a Community Awareness Seminar will be held on Wednesday
19 at 6:00 PM at the FRN building on 2nd Street.

20
21 * Vice Mayor Wood commented that the WVU School of Law is ready to work with City
22 officials on the Comprehensive Plan update.

23
24 * Vice Mayor Wood reminded Council of the Action Team meetings being held next week.

25
26 * Vice Mayor Wood noted that Margaret Stout and her students will be in Moundsville April
27 26-27; and this will be Professor Stout's last visit to Moundsville.

28
29 * Vice Mayor Wood asked how the Marketing and Public Relations seminar at the FRN turned
30 out. Manager Hess and Mayor Saunders received some good information and will provide
31 copies to all of Council.

32
33 * Councilwoman DeWitt has a contact who would be willing to address Council on Robert's
34 Rules of Order.

35
36 **MANAGER ITEMS:**

37 • Manager Hess confirmed that John Icard is being reappointed to the Planning Commission
38 for a three-year term.

39
40 • Manager Hess reminded Council that Business After Hours will be held at A&B Kia in
41 Benwood on March 28, from 5:00 to 6:30. Secretary Kaufman should be contacted for

1 reservations.

- 2
- 3 • Manager Hess thanked everyone who has been involved with the Comprehensive Plan
 - 4 update, especially Vice Mayor Wood, who has been very diligent!

- 5
- 6 • Attorney White asked for a moment to present the following legal advertisement for filing:
7 Civil Suit
 - 8 Councilwoman DeWitt made the motion to receive and file the legal ad, which Vice Mayor
 - 9 Wood seconded. Motion carried unanimously.

10

11 **MAYOR ITEMS:**

- 12 • Mayor Saunders had nothing to discuss at this time.

13

14 **COMMITTEE REPORTS:**

15 ***Discussion of Recommendations by the Finance Committee***

- 16 1. The Finance Committee received and approved the February 2013 Financial
- 17 Statements.
- 18 2. The Finance Committee tabled discussion on possible refurbishing of the front exterior
- 19 of the City Building.
- 20 3. The Finance Committee took no action on purchasing property at 107 13th Street.
- 21 4. The Finance Committee authorized the Public Works Director to remove a diseased
- 22 tree in the City parking lot by Ruttenberg's.

23

24 ***Discussion of Recommendations by the Policy Committee***

- 25 1. The Policy Committee agreed to adopt the Mission and Value Statements and
- 26 recommended copies be made for each department to post.
- 27 2. The Policy Committee tabled revision of Article 1107 – Clarifying definition of Vacant
- 28 Building Registration, until more information is received from other cities.
- 29 3. The Policy Committee recommended changing the annual \$10.00 fee per space to
- 30 \$10.00 fee per camp site in the campground ordinance, which was previously
- 31 approved.
- 32 4. The Policy Committee directed Attorney White to draft the ordinance to change zoning
- 33 on Water Street, which has been approved by Council.

34

35 ***Discussion of Recommendations by the Traffic Committee***

- 36 1. The Traffic Committee directed Manager Hess and Public Works Director Richmond
- 37 review the paving list and bring their recommendations to the April meeting.
- 38 2. The Traffic Committee made no changes in the current snow removal policy.
- 39 3. The Veterans of Foreign Wars will bring a written request to the next meeting for a
- 40 dedication sign to be placed at Grant Avenue and Center Street.
- 41

1 **COUNCIL ITEMS:**

2 * **Paul Haynes** – Mentioned issues on Fostoria Avenue.

3 * Asked about pot holes around Wood Health Care Clinic and the Huddle House, which are
4 both private property.

5 * Noted that the State should move quickly on paving Jefferson Avenue.

6 * Commented that excess tires and "junk" occupying yards should be addressed.

7
8 * **DeWitt** – Will discuss issues privately with the City Manager.

9
10 * **Remke** – Reminded that the 2nd Annual Spring Fling will be held on March 30, with events
11 on Jefferson Avenue and at Riverfront Park.

12 * Commented that, due to a conflict, the name of the Moundsville Activities Committee has
13 been changed to the "Uptown Moundsville Activities Committee."

14 * Provided copies of a Town 180 Application.

15
16 * **Wood** – Noted that the west side steps on the Elks building are falling apart.

17 * Commented that a discussion on Home Rule will be broached at the March 20 Community
18 Awareness Seminar.

19
20 Dylan Mercer of Boy Scout Troop 79 was introduced as working toward his Eagle Badge.

21
22 Councilwoman DeWitt made the motion to adjourn, which was seconded by Councilman Paul
23 Haynes. Meeting adjourned at 8:05 PM.

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28 _____
Karen L. Ankrom, Acting City Clerk

Eugene Saunders, Mayor