

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **APRIL 16, 2013**
3

4 The Council of the City of Moundsville met in regular session in the Council Chambers on
5 April 16, 2013 at 7:00 pm.
6

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

9 Invocation was given by Councilman K Mark Simms.
10

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

17 **MINUTES:**

18 **Regular Council Meeting of April 2, 2013**

19 Councilman Paul Haynes made a motion to accept the April 2, 2013 minutes as presented,
20 Councilwoman DeWitt seconded, and the motion carried unanimously.
21

22 **GENERAL PUBLIC HEARING:**

- 23 • Bill Henthorne, Pastor of Solid Rock Baptist Church and new owner of the Quality
24 Bakery, informed that he was told by two different councilmen that the Bakery would
25 be "grandfathered" as a business, and that he would not be required to make certain
26 upgrades in the building. The Marshall County Health Department permitted him to
27 operate the business; however, Mr. Henthorne now feels threatened, by certain City
28 Officials, with closure if City building and fire code regulations are not met. Some
29 remodeling has been done with the funds and resources that Mr. Henthorne has
30 available. Business at the bakery has doubled since Mr. Henthorne took over, and he
31 has hired 10 employees.
32
- 33 • Jane Klug of 2015 Jackson Street and President of the Marshall County Historical
34 Society provided copies of the proposed festivities celebrating West Virginia's 150th
35 birthday. Activities will be held on June 22, so as not to interfere with the City of
36 Wheeling's celebration; and venues include Riverfront Park, the Historical Society
37 Museum, and, possibly, downtown Moundsville. Former Governor Arch Moore will be
38 honored during the event. The Marshall County Commission has committed \$1,000.00
39 toward expenses; and members of local schools and 4-H groups will be involved. Ms
40 Klug encouraged more volunteers to help with planning, and a meeting will be held
41 April 24 at 4:00 in the Council Chambers. Ms Klug also suggested that a sign be posted

1 near the railroad tracks at the river, advising motorists that the track is "live" and to use
2 caution when parking. Ms Klug also requested that Lockwood Avenue, from 13th to 14th
3 Streets, be closed during the event.
4

5 **OLD BUSINESS:**

6 **Other Items to be Discussed by Council**

7 * Vice Mayor Wood asked about the trees and fence at East End, which have not yet been
8 taken care of.
9

10 * Vice Mayor Wood asked about the moving of Water Board personnel to the City Building,
11 which is still in negotiations.
12

13 * Vice Mayor Wood presented a motion to have his proposal, designating a Council liaison to
14 each of the Unifying Moundville Action Teams, referred to the Policy Committee.
15 Councilman Remke seconded the motion, which carried unanimously.
16

17 * Vice Mayor Wood noted that the Home Rule legislation was approved, which will allow 16
18 cities to apply for Home Rule. He encouraged Council to seriously consider this option, as a
19 detailed plan will need to be formed. Vice Mayor Wood made a motion authorizing Mayor
20 Saunders to form a Committee to work on Council's plan for Home Rule. Councilman Remke
21 seconded the motion, which carried unanimously.
22

23 * Vice Mayor Wood commented that the Mission and Values statements have been posted
24 and look very nice!
25

26 * Councilman Paul Haynes questioned Attorney White on Executive Session regulations, as
27 attorneys representing the WVU School of Law informed the Planning Commission that
28 Executive Sessions have to be included on meeting agendas. Attorney White disagrees, as he
29 did research on this topic with the Ethics Commission. Vice Mayor Wood briefly described the
30 topics discussed with the WVU attorneys and the Planning Commission.
31

32 **NEW BUSINESS:**

33 **Discussion and Approval to Lay the Levy for the 2013-2014 General Fund Budget**

34 Councilman David Haynes made the motion to approve laying of the levy for the 2013-2014
35 General Fund Budget, which Councilwoman DeWitt seconded. CPA Goddard explained that
36 the figures are received from the County.
37

38 Mayor Saunders called for a roll call vote, and Acting Clerk Ankrom announced the following
39 tally: 7 yeas. Motion carried unanimously.
40
41

1 **Discussion and Approval Endorsing Council's Support for the Heritage Trail Walking**
2 **Tour; Rail Trail Gateway & Extension; and the Rt 250 Corridor Revitalization Plan**
3

4 Vice Mayor Wood provided informational copies to the public in attendance and Council
5 members and asked for Council's permission to talk with citizens about the proposed Heritage
6 Trail, Rail Trail Gateway, and Route 250 Corridor. Vice Mayor Wood emphasized that much
7 work will need to be done; and West Virginia University students will be working to identify
8 historical sites, along the proposed trails, that would be included in a proposed smartphone
9 application. Further discussion will be held at the Community Awareness Seminar tomorrow
10 evening, as well as during the remaining phases of the Comprehensive Plan update.
11

12 Councilwoman DeWitt made the motion to lend Council's support of discussions with citizens
13 about the Heritage and Rail Trails and the Route 250 Corridor revitalization. Councilman
14 Remke seconded the motion. Mayor Saunders called for a roll call vote, and Acting Clerk
15 Ankrom announced the following tally: 7 yeas. Motion carried unanimously.
16

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

18 * Vice Mayor Wood reviewed the meetings schedule for the Action Teams and provided
19 copies of the agenda for tomorrow evening's Community Awareness Seminar, along with
20 brochures explaining the importance of participation in the meetings.
21

22 * Councilwoman DeWitt mentioned that the glass in the towers at the Former State Prison
23 continues to fall onto the sidewalk and street. The City Building Inspectors have made contact
24 regarding this issue.
25

26 * Councilwoman DeWitt commented that the potholes, caused by the company that worked
27 on the 12th Street bridge, are still there. The Street Department can cold patch the holes until
28 more permanent repairs are made.
29

30 * Vice Mayor Wood noted that the WVU team will be back in Moundsville for a meeting on
31 May 3.
32

33 * Vice Mayor Wood has been in contact with eight other cities about developing goals for City
34 administration. He encouraged other Council members to consider developing goals that can
35 be measured and evaluated.
36

37 **MANAGER ITEMS:**

38 • Manager Hess commented that progress is being made on website updates, with
39 information being obtained from the Water and Sanitary Boards.
40

41 • Manager Hess reminded Council that Business After Hours will be held at the Marshall

1 County CO-OP on April 25, from 5:00 to 7:30.

- 2
- 3 • Manager Hess thanked everyone who has been involved with the Comprehensive Plan
 - 4 update, especially Vice Mayor Wood!
- 5

6 **MAYOR ITEMS:**

7 **Discussion and Approval of a Resolution to Proclaim the Month of April 2013 "Fair**

8 **Housing Month"**

- 9 • Mayor Saunders read the proclamation from Governor Earl Ray Tomblin proclaiming April
 - 10 2013 as Fair Housing Month, marking the 45th Anniversary of the enactment of Title VIII of
 - 11 the Civil Rights Act of 1968.
- 12
- 13 • Mayor Saunders asked Manager Hess to assess the situation in the alley at the top of
 - 14 Virginia Street, which is blocked at Curtis Avenue.
- 15
- 16 • Mayor Saunders commended Vice Mayor Wood for his hard work on the Comprehensive
 - 17 Plan update and stated that he has Council's full support.
- 18

19 **COMMITTEE REPORTS:**

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

- 21 1. The Finance Committee received and approved the March 2013 Financial Statements.
 - 22 2. The Finance Committee took no action, pending further information on funding for a
 - 23 proposed river front shelter.
 - 24 3. The Finance Committee tabled discussion on security cameras for Jefferson Avenue
 - 25 between 2nd and 5th Streets until additional cost figures are obtained.
 - 26 4. Vice Mayor Wood presented a motion to authorize expending \$336.00 for the Jefferson
 - 27 Avenue sidewalk template, which Councilman David Haynes seconded for discussion. It
 - 28 was clarified that the template can be duplicated for use on any area of sidewalk, not
 - 29 just Jefferson Avenue; and whoever requests use of the template for sidewalk
 - 30 replacement will pay for the mortar used. Vice Mayor Wood amended his motion to
 - 31 authorize use of the template for anywhere in the City of Moundsville. Councilman
 - 32 Simms seconded the motion, which carried unanimously.
 - 33 5. The Finance Committee recommends City employees assist with the hanging of
 - 34 banners, which the Uptown Moundsville Activities Committee will purchase, on
 - 35 Jefferson Avenue.
 - 36 6. The Finance Committee tabled discussion on the cost of cleaning wet lands along the
 - 37 Jefferson Avenue extension.
 - 38 7. The Finance Committee recommends no change to the City logo.
 - 39 8. The Finance Committee denied a request, from Simpson Church, for a donation to the
 - 40 Hunger Walk.
- 41

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

- 2 1. The Traffic Committee recommends consideration of paving the following streets:
- 3 A) Myrtle Avenue from 7th to 4th Streets, cost of which is estimated at \$73,414.00 with
- 4 an additional \$25,000.00 to extend paving to the Fairgrounds.
- 5 B) Water Street from 14th to 16th Streets which is estimated at \$61,694.60.
- 6 C) 10th Street from Parriott Avenue to Garfield Street at a cost of \$38,111.70.
- 7 D) Center Street from Mulberry to Poplar Avenues at a cost of \$38,893.80.
- 8 E) Center Street from Ash to Cedar Avenues estimated at \$23,100.00.
- 9 The total cost of paving these five areas is \$260,214.10; and \$237,114.10 with the
- 10 removal of Center Street from Ash to Cedar Avenues. Vice Mayor Wood made the
- 11 motion to pave all five streets, including Myrtle Avenue to the fairgrounds, which
- 12 Councilwoman DeWitt seconded. CPA Goddard reminded Council that only
- 13 \$200,000.00 was budgeted for paving. Vice Mayor Wood then amended his motion to
- 14 pave the first four streets, but include Center Street only if funds are available;
- 15 Councilwoman DeWitt seconded the amended motion. CPA Goddard again noted that
- 16 these expenditures will exceed the budgeted amount. Vice Mayor Wood then
- 17 rescinded his motion, and Councilwoman DeWitt rescinded her second. After
- 18 discussion, Councilman Simms made the motion to pave Myrtle Avenue, including the
- 19 area to the fairgrounds entrance, and to include Water Street, 10th Street, and both
- 20 areas of Center Street, if the funds are available. Councilman David Haynes seconded
- 21 the motion, which carried unanimously.
- 22 2. Councilman Simms presented a motion to approve the dedication signs at Grant
- 23 Avenue and Center Street based on the written request from the VFW. Councilwoman
- 24 DeWitt seconded the motion, which carried unanimously. Public Works Director
- 25 Richmond will be donating the materials for the signs.
- 26

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

- 28 1. The Policy Committee tabled discussion of revising Article 1107, dealing with
- 29 Registration of Vacant Buildings, until more information is received.
- 30 2. The Policy Committee recommended renewing the Sanford Center lease, which
- 31 Attorney White has drafted and is awaiting approval from the Sanford board.
- 32 3. The Policy Committee recommends leaving the Municipal Fee Ordinance as it is.
- 33 4. The Policy Committee took no action on the valuation of property at East End
- 34 Playground.
- 35 5. The Policy Committee recommends leaving as is Ordinance 505.13(b) pertaining to
- 36 chicken coops.
- 37 6. The Policy Committee took no action on the Home Rule application.
- 38 7. The Policy Committee took no action on applying for Town 180 as the deadline was
- 39 not attainable.
- 40 8. The Policy Committee took no action on meeting with consultants to discuss vacant
- 41 buildings.

1 **9.** The Policy Committee approved a resolution publicly supporting coal mine retirees, the
2 draft of which is available.
3

4 **COUNCIL ITEMS:**

5 * **Remke** – Had nothing at this time.
6

7 * **Wood** – Had nothing further at this time.
8

9 * **Simms** – Nothing at this time.
10

11 * **DeWitt** – Had nothing further at this time.
12

13 * **Paul Haynes** – Nothing at this time.
14

15 * **David Haynes** – Nothing at this time.
16

17 Councilman Simms made the motion to adjourn, which was seconded by Councilman David
18 Haynes. Meeting adjourned at 8:13 PM.
19
20
21
22
23

24 _____
25 Karen L. Ankrom, Acting City Clerk

Eugene Saunders, Mayor