

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **APRIL 1, 2014**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on April
5 1, 2014 at 7:00 p.m.

6
7 Meeting was called to order by Mayor Eugene Saunders.

8
9 Invocation by Councilperson Mark Simms.

10
11 City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt,
12 Remke, Simms, Wood and Mayor Saunders. Absent: P. Haynes & D. Haynes. Also present:
13 City Manager Deanna J. Hess, Fire Chief Clarke, Police Chief Mitchell, Street Commissioner
14 Richmond, Building Inspector Joe Richmond, Attorney Thomas White, CPA Kathryn Goddard
15 and City Clerk Hewitt.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of March 18, 2014.**

20
21 Councilperson Simms moved to accept and approve the minutes of the regular council meeting
22 of March 18, 2014, with amendment, stating page 1 line 9, "Simms was absent and did not give
23 invocation", seconded by Councilperson DeWitt as amended. Motion carried unanimously.

24
25 **Special Council Meeting of February 27, 2014.**

26
27 Councilperson Simms moved to accept and approve the minutes of the special council meeting of
28 February 27, 2014, seconded by Councilperson DeWitt. Motion carried unanimously.

29
30 **Presentation of Retirement Plaque to Jeff Murray.**

31
32 Mayor Saunders and Chief Mitchell presented a retirement plaque to Jeff Murray former Lt. with
33 the Moundsville Police Department.

34
35 **GENERAL PUBLIC HEARING:**

36
37 * Dennis Kidd, 1215 Second Street, asked why his water bill was so high this month? Mr. Kidd
38 was told he will have to attend the Water Board meeting. City Council has no control over water
39 bills.

40
41 * Carl Boso, 305 10th Street, complained about a demolished house on Lockwood Avenue that
42 owners buried shingles and roofing on the property. Mr. Boso was told that Building Inspector
43 Richmond was addressing the problem.

1 Councilperson Remke asked City Manager Hess to have an answer for Mr. Boso at the next
2 regular council meeting.

3
4 **Tony Ankrom - Speaking on concerns of the Moundsville Rifle Pistol Club.**

5
6 Mr. Ankrom previously provided copies of letters to council he had sent to City Manager Hess
7 and Paul Benedum of the DEP concerning issues at the Moundsville Rifle Pistol Club and the
8 revocation of his Life Membership with the Club. Mr. Ankrom was told by Mr. Ron Kaluger,
9 President of the Moundsville Rifle Pistol Club, that his Life Membership was revoked due to
10 remarks made to him by Jim Richmond, Public Works Director, on behalf of the City Manager,
11 strongly suggested that his letter to Paul Benedum, DEP, was a sabotage to have the Club lease
12 revoked.

13
14 Mr. Richmond, Public Works Director, made comment to the lease in which he showed Mr.
15 Kaluger that states the city can revoke the lease within 30 days. Mr. Richmond said he feels he
16 was being put in the middle of bad feelings between Mr. Ankrom & Mr. Kaluger. Mr. Richmond
17 went on to say that he informed Mr. Kaluger if he and the club proceeded to bury tires, cars or
18 anything else in the ground the clubs lease will be revoked.

19
20 **PUBLIC HEARING:**

21
22 **A Public Hearing Concerning the Home Rule Application and Ordinance.**

23
24 * James Stultz, 1216 Sixth Street, said he appreciates the work the city administration does. He
25 feels that a decision to apply for Home Rule will take the City of Moundsville into the 21st
26 Century. This will allow the city to better control properties in the community and make the
27 owners accountable for their property; the opportunity to increase the revenue base for the city;
28 and streamline the licenses and the process. Mr. Stultz feels it is imperative to take Moundsville
29 in a new direction with Home Rule and strongly encourages council to pass the ordinance.

30
31 * Allen Hendershot, 1 Hess Court, voiced his support for Home Rule. He, as former City
32 Manager, feels that Home Rule has worked well in surrounding cities. He hopes that council will
33 approve the ordinance.

34
35 * Michaela Karr, 401 11th Street, hopes that passing the Home Rule ordinance will help keep her
36 residence from being considered dilapidated.

37
38 **NEW BUSINESS:**

39
40 **Discussion and Approval of an Ordinance Pertaining to Home Rule in the City of**
41 **Moundsville. (First Reading)**

1 Attorney White read the following Home Rule ordinance by title only to be passed by council on
2 first reading:

3
4 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
5 **VIRGINIA, AUTHORIZING THE CITY MANAGER TO SUBMIT A MUNICIPAL**
6 **HOME RULE APPLICATION TO THE WEST VIRGINIA MUNICIPAL HOME RULE**
7 **BOARD (FIRST READING)**

8
9 Councilperson Wood moved to accept and approve the Home Rule ordinance, seconded by
10 Councilperson DeWitt.

11
12 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 5 yeas.
13 Motion carried unanimously.

14
15 **Re-appointment to the Moundsville Sanitary Board. (Council's Appointment)**

16
17 City Manager Hess received a letter from Joseph Richmond asking to be re-appointed to the
18 Sanitary Board.

19
20 Councilperson Wood moved to re-appoint Joseph Richmond to the Sanitary Board, seconded by
21 Councilperson Remke. Motion carried unanimously.

22
23 **Discussion and Approval of a Proclamation to "Paint the Town Purple-Relay for Life**
24 **Days" in the City of Moundsville.**

25
26 * Lottie Durbin, 38 Brady Drive presented a proclamation to Mayor Saunders and Council asking
27 for their support to "Paint the Town Purple Relay for Life Days" from May 14, 2014 to June 14,
28 2014.

29
30 Councilperson Remke made a motion to support Relay for Life by signing proclamation,
31 seconded by Councilperson Simms. Motion carried unanimously.

32
33 **Other Items to be Discussed by Council.**

34
35 * Councilperson Remke asked for an update on the Sanford Center. Manager Hess reported
36 meeting with a representative at the Sanford Center has been put on hold.

37
38 * Councilperson Remke reported openings in the fence at the Fostoria property.

39
40 * Councilperson Remke received complaints that residents are being billed for garbage but don't
41 have any garbage. Mr. Remke was advised that state law requires every resident in the city to
42 have garbage service.

1 **MANAGER ITEMS:**

2
3 * Manager Hess announced that Councilpersons David & Paul Haynes are absent due to the loss
4 of their brother Mike.

5
6 * Manager Hess thanked council passing the Home Rule ordinance on first reading. She also
7 thanked Jim Stultz and Allen Hendershot for sharing their expertise in management and
8 government.
9

10 **MAYOR ITEMS:**

11
12 * Mayor Saunders announced the skatepark is open to the public. He hopes the kids will take
13 care of the park.

14
15 * Mayor Saunders announced there being an opening on the Parks & Recreation Board since the
16 resignation of Jane Klug.
17

18 **COMMITTEE REPORTS:**

19
20 **Discussion and Approval of Recommendations by the Finance Committee.**

21
22 The finance meeting is scheduled for Tuesday, April 8, 2014.
23

24 **Discussion and Approval of Recommendations by the Traffic Committee.**

25
26 The traffic meeting will follow the finance meeting.
27

28 **Discussion and Approval of Recommendations by the Policy Committee.**

29
30 The policy meeting will follow finance meeting.
31

32 **COUNCIL ITEMS:**

33
34 * **DeWitt** - Said that she and her grand children have attended several events at the Sanford
35 Center and have been very pleased with the participation.

36
37 * Thanked the Street Department for paving and sweeping the streets.

38
39 * Expressed her condolences to the Haynes family for their loss.

40
41 * **Remke** - Expressed condolences to Dave and Paul for the loss of their brother.

42
43 * Thanked all the citizens who attended the council meeting to speak on Home Rule.

1 * **Wood** - Also expressed condolences to the Haynes family.

2
3 * Asked Attorney White the next step for the Home Rule application. Attorney White said there
4 will be a second reading and the application will then be sent to the State of West Virginia Home
5 Rule Board.

6
7 * Asked council members to review goals at the Policy Committee.

8
9 * Reported the Historic Landmarks Commission met earlier in the day for their first meeting.
10 Mr. Wood provided copies of the Comprehensive Plan to the commission members.

11
12 * Announced May 14, 2014 is a comprehensive plan meeting.

13
14 * **Simms** - Expressed condolences to the Haynes family.

15
16 * Asked council to consider the purchase of a dura-patcher for the Street Department.

17
18 Councilperson Simms moved to adjourn, seconded by Councilperson DeWitt. Motion carried
19 unanimously.

20
21 Meeting adjourned at 8:00 p.m.

22
23
24
25
26
27 _____
Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **APRIL 15, 2014**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on April
5 15, 2014 at 7:00 p.m.

6
7 Meeting was called to order by Mayor Eugene Saunders.

8
9 Invocation by Councilperson Mark Simms.

10
11 City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, P.
12 Haynes, Remke, Simms, Wood and Mayor Saunders. Absent: D. Haynes. Also present: City
13 Manager Deanna J. Hess, Fire Chief Clarke, Police Chief Mitchell, Street Commissioner
14 Richmond, Building Inspector Joe Richmond, Attorney Thomas White, CPA Kathryn Goddard
15 and City Clerk Hewitt.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of April 1, 2014.**

20
21 Councilperson Simms moved to accept and approve the minutes of the regular council meeting
22 of April 1, 2014,, seconded by Councilperson DeWitt. Motion carried unanimously.

23
24 **Presentation to Honor Sgt. Shawn Allman for Receiving the 2014 Professional With**
25 **Courage Award.**

26
27 Chief Mitchell informed council of a 2014 Professional With Courage Award presented to Sgt.
28 Shawn Allman.

29
30 **GENERAL PUBLIC HEARING:**

31
32 * Frank Boso, 1208 Purdy Avenue, thanked all the department for their services and discussed
33 the 2014-2015 General Fund Budget. He feels that employee health insurance is causing a major
34 increase to the city's budget. Mr. Boso also expressed opposition to the half percent sales tax if
35 Moundsville is accepted as a Home Rule city.

36
37 * Delno Thayer, 61 Oak Avenue, opposed the Home Rule ordinance. He does not feel Home
38 Rule would be the right thing for Moundsville.

39
40 * Carl Boso, 305 10th Street, also oppose the Home Rule ordinance. He also asked if council was
41 going to do anything about the property owner on Lockwood Avenue that buried the roofing
42 when demolishing the house?
43

1 Attorney White said he would have to research if the incident is illegal. And asked if Mr. Boso
2 had any witnesses to the fact. Mr. Boso said that he will bring the witness to the next council
3 meeting.
4

5 **OLD BUSINESS:**
6

7 **Discussion and Approval of an Ordinance Pertaining to Home Rule in the City of**
8 **Moundsville. (Second Reading)**
9

10 Attorney White read the following ordinance by title only to be passed by council on second and
11 final reading:
12

13 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
14 **VIRGINIA, AUTHORIZING THE CITY MANAGER TO SUBMIT A MUNICIPAL**
15 **HOME RULE APPLICATION TO THE WEST VIRGINIA MUNICIPAL HOME RULE**
16 **BOARD (SECOND READING)**
17

18 Councilperson Wood made a motion the accept and approve the Home Rule ordinance, seconded
19 by Councilperson Remke for discussion.
20

21 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 5 yeas.
22 Motion carried unanimously.
23

24 **Other Items to be Discussed by Council.**
25

26 * Councilperson DeWitt asked when the walkway to the docks at the Riverfront Park were going
27 to be replaced? People using the dock can not get back to land to move their vehicles. Manager
28 Hess reported an engineer was at the site on Thursday. It was discussed to remove the docks and
29 install them in a different location.
30

31 * Councilperson Wood made comment to Mr. Frank Boso's points on the city's budget.
32 Insurance was estimated at 25% increase when actually the increase is 12.39% with 3.7% being
33 for ObamaCare.
34

35 * Councilperson Remke commented that Health Insurance will never decrease, however, he is
36 pleased with the employees the city has and the city needs to keep those employees.
37

38 * Councilperson Remke asked if the city provides the liability insurance on the Sanford Center.
39 Manager Hess remarked the city does cover their liability insurance.
40

41 * Councilperson Remke asked if Tom Brown has contacted the Manager Hess with updates on
42 the Fostoria Property and asked if he was informed of the hole in the fence. Manager Hess stated
43

1 that Mr. Brown will contact her when he has an update and she informed him of the opening in
2 the fence.

3
4 * Councilperson Remke informed Councilperson DeWitt the city does not have to go through the
5 state to install signs on Jefferson Avenue concerning dog waste.

6
7 **NEW BUSINESS:**

8 **Discussion and Approval to Lay the Levy for the 2014-2015 General Fund Budget.**

9
10 Councilperson Wood moved to lay the levy for the 2014-2015 General Fund Budget, seconded
11 by Councilperson DeWitt. Motion carried unanimously.

12
13 **Other Items to be Discussed by Council.**

14
15 * Councilperson DeWitt reported the dirt falling away at the fire hydrant at 9th & Washington
16 Avenue. Building Inspector Richmond reported the Water Department has been notified.

17
18 * Councilperson Wood reminded council the Comprehensive Plan public hearing will be May
19 14, 2014 at the Council Chambers.

20
21 * Councilperson Remke made a motion to discuss at the traffic meeting the truck traffic in
22 Moundsville, seconded by Councilperson DeWitt. Motion carried unanimously.

23
24 * Councilperson Remke reported people are still riding bicycles on Jefferson Avenue sidewalks.

25
26 * Councilperson Remke suggested billing insurance companies when their client has an accident
27 for the use of the City Fire Department and Police Department. Attorney White said that would
28 be impossible to do. Asst. Chief Walker said that Moundsville can not segregate between locals
29 and out of towners.

30
31 * Councilperson Remke asked if the city could sell water to surrounding cities? Mayor Saunders
32 said he will bring that matter up at the Water Board meeting.

33
34 * Councilperson Remke asked for an update on the Kesselring properties after appearing in
35 municipal court. City Clerk Hewitt announced the Municipal Judge has drafted the order which
36 will be provided to her the next day.

37
38 **MANAGERS ITEMS:**

39
40 **Discussion to Reschedule May 13 Committee Meetings.**

41
42 * Manager Hess suggested rescheduling the committee meetings to Monday, May 12, 2014 at
43 5:30 p.m. due to the Primary Election being held on May 13, 2014.

1 * Manager Hess asked that council members bring their code books to the clerk's office to be
2 updated.

3
4 * Business After Hours will be held on April 24, 2014 at the Hampton Inn & Suites at the
5 Highlands. Please call Marilyn if you are planning to attend.

6
7 * Manager Hess read a letter from Beth Matheny commending the Street Department and
8 Sanitation Department for the jobs they do.

9
10 **MAYOR ITEMS:**

11
12 * Mayor Saunders thanked Councilperson Wood for explaining Home Rule. He also said that
13 Council is applying for Home Rule for the betterment of the city.

14
15 * Mayor Saunders thanked the Street Department for the alleys they graveled.

16
17 * Mayor Saunders announced the skatepark committee will be obtaining proposals for fence for
18 the skatepark.

19
20 **COMMITTEE REPORTS:**

21
22 **Discussion of Recommendations by the Finance Committee.**

23
24 1. Discussion of Request from John Marshall High School for Contribution to Health
25 Occupations Students of America. Committee recommends donate \$50 to JMHS Students of
26 America.

27
28 Councilperson Wood moved to donate \$50 to JMHS Students of America, seconded by
29 Councilperson Remke. Motion carried unanimously.

30
31 **Discussion of Recommendations by the Traffic Committee.**

32
33 1. Discussion and Approval to Proceed With Street Paving. After a lengthy discussion
34 concerning the paving list. Council agreed that City Manager Hess and Street Commissioner
35 Richmond decide which streets to pave.

36
37 **Discussion of Recommendations by the Policy Committee.**

38
39 Nothing at this time.

40
41 **COUNCIL ITEMS:**

42
43 * **Wood** - Nothing at this time.

1 * **Remke** - Noticed an orange cone in the drain at the intersection of First Street & Jefferson
2 Avenue. City Manager Hess reported DOH placed the cone at the drain.

3
4 * Asked if the council could change the wording in the Municipal Fee ordinance to allow for a
5 dura-patcher or other equipment for street maintenance. Attorney White said we have to follow
6 state code unless we are a Home Rule city.

7
8 * **Haynes** - Nothing at this time.

9
10 * **DeWitt** - Nothing at this time.

11
12 Councilperson DeWitt made a motion to adjourn, seconded by Councilperson Haynes. Motion
13 carried unanimously.

14
15 Meeting adjourned at 8:03 p.m.

16
17
18
19 _____
20 Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor