1 2	STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE, MAY 6, 2014
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4	The Council of the City of Moundsville met in regular session in the Council Chambers on May
5	6, 2014 at 7:00 p.m.
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7	Meeting was called to order by Mayor Eugene Saunders.
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9	Invocation by Councilperson Mark Simms.
10	
11	City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt,
12	D. Haynes, P. Haynes, Remke, Simms, Wood and Mayor Saunders. Absent: D. Haynes. Also
13	present: Fire Chief Clarke, Police Chief Mitchell, Street Commissioner Richmond, Attorney
14	Thomas White, CPA Kathryn Goddard and City Clerk Hewitt. Absent: City Manager Deanna J.
15	Hess.
16	MINITURE.
17 18	MINUTES:
19	Regular Council Meeting of April 15, 2014.
20	Regular Council Meeting of April 13, 2014.
21	Councilperson P. Haynes moved to accept and approve the minutes of the regular council
22	meeting of April 15, 2014, seconded by Councilperson Simms. Motion carried unanimously.
23	meeting of ripin 13, 2011, seconded by Councilperson Simino. Thousan earlied analimously.
24	GENERAL PUBLIC HEARING:
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26	* Michaela Karr, 401 11th Street, announced that she does not support Home Rule. She also
27	complained that she has called the police department several times concerning her neighbors and
28	their dog chasing her but the police take a long time to respond to her calls.
29	
30	* Carl Boso, 305 10th Street, asked Attorney White if he researched whether or not residents are
31	permitted to bury shingles and roofing in the basements of demolished structures? Mr. White
32	informed Mr. Boso he forgot to research the question.
33	
34	OLD BUSINESS:
35	
36	Other Items to be Discussed by Council.
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38	* Councilperson DeWitt reported a barricade near a fire hydrant at Ninth Street & Washington
39	Avenue covering a hole in the ground. The hole is also covered by a stereo speaker.
40	
41	* Councilperson DeWitt asked if Manager Hess has heard from the Army Corp of Engineers
42	concerning the boat docks. Mayor Saunders reported not at this time.
43	

* Councilperson Simms asked for an update on the Bonnette Property at 1109 Purdy Avenue. City Clerk Hewitt reported the Marshall County Co-Op is in the process of purchasing the property.

* Councilperson Wood reported the Comprehensive Plan public hearing will be May 14, 2014 at 5:30 p.m.

* Councilperson Remke asked for a letter from council to Jay Wallace, Department of Transportation supporting the installation of the Kiosk signs that Mr. Remke wants on Jefferson Avenue. And Councilperson Remke wants to be appointed as contact person for this project.

Chief Mitchell reported that he and City Clerk Hewitt attended a meeting with Jay Wallace who said the administration of the city or the City Manager, would be the contact person for DOT.

Councilperson Remke made a motion to move forward with the kiosk program so long as the City Manager receives a letter from the WV DOT giving their approval and Moundsville City Council giving their approval, seconded by Councilperson Simms. Motion carried unanimously.

* Councilperson Remke asked for council's approval to install "clean up dog waste" signs on Jefferson Avenue.

After some discussion, Councilperson Remke made a motion to ask the Moundsville Street Department sign shop for a quote to make the signs and UMAC will install the signs, seconded by Councilperson Simms.

* Councilperson Remke asked for more citation written for persons riding bicycles on sidewalks on Jefferson Avenue.

NEW BUSINESS:

Councilperson Simms moved to receive and file the 2014-2015 Moundsville Water Board Budget, seconded by Councilperson DeWitt. Motion carried unanimously.

Receive & File the 2014-2015 Moundsville Water Board Budget.

Discussion and Approval of a Resolution Authorizing the City of Moundsville to Enter Into Loan Agreements for the Lease-Purchase of Two(2) 2014 Ford Explorer Vehicles for the Police Department.

Councilperson Simms moved to authorize the City Manager to enter into loan agreements for the lease purchase of two 2014 Ford Explorer vehicles, seconded by Councilperson Wood. Motion carried unanimously.

Bid Award for Dehumidification Unit Repair at Four Seasons Pool.

Councilperson DeWitt made a motion to award the bid to H.E. Neumann Company in the amount of \$12,280, seconded by Councilperson Wood. Motion carried unanimously.

Other Items to be Discussed by Council.

- * Councilperson DeWitt asked when paving was going to start. City Clerk advised that bids were published in the newspaper and are due May 16, 2014.
- * Councilperson Simms made a motion to discuss at the finance meeting purchase of a durapatcher for the Street Department, seconded by Councilperson DeWitt. Motion carried unanimously.
- * Councilperson Remke provided council with an ordinance from Charleston that permits the city to assess individuals involved in emergencies or accidents in city a service fee. Councilperson Remke made a motion to forward this ordinance to the policy committee, seconded by Councilperson Simms. Motion carried unanimously.
- * Councilperson Remke provided Attorney White with an ordinance pertaining to truck companies, etc reimbursing cities for the use of their streets. Councilperson Remke made a motion to forward this ordinance to the policy committee, seconded by Councilperson Wood. Motion carried unanimously.
- * Councilperson Remke asked if the city receives 2% Utility Tax from all cell phone companies? City Clerk reported the city does received 2% tax on all cell phone companies.
- * Councilperson Remke asked if truck companies are bonded with the city as they are with the county? Attorney White will research.
- * Councilperson Remke would like to work with Chief Mitchell during the time Mountaineer Gas is replacing the gas line on Jefferson Avenue. Mayor Saunders noted that Larry Bonar is working with the gas company during this project. The will be cutting 100-120 feet at a time between 2nd Street & 5th Street. Chief Mitchell noted the gas company with the equipment they are using may have to close Jefferson Avenue during the time they are working. Parking meters will also be bagged.

MAYOR ITEMS:

* Councilperson Saunders commented he was sure Larry Bonar is working with the gas company during the Jefferson Avenue gas line project.

COMMITTEE REPORTS:

1	Discussion and Approval of Recommendations by the Finance Committee.
2	Finance meeting is scheduled for Monday, May 12, 2014 at 5:30 p.m.
4 5	Discussion and Approval of Recommendations by the Policy Committee.
6 7	Policy meeting will follow the finance meeting.
8	
9	Discussion and Approval of Recommendations by the Traffic Committee.
10	Tracffic meeting will follow the policy meeting
l 1 l 2	Traffic meeting will follow the policy meeting.
13	COUNCIL ITEMS:
14 15	* Simms - Nothing at this time.
16 17	* Wood - Announced that Invocation are legal at council meetings.
18 19 20	* Asked that council members be notified when an incident occurs with fellow council members or the City Manager.
21 22 23	* Remke - Reported vehicles running traffic light at 10 th & Lafayette Avenue because light is staying red too long.
24 25	* Reported 4 wheelers running up & down Eastern 9th Street.
26 27 28	* Reported vehicles still parking on curbs. Asked for more citations.
29 30	* Reported large area dug up at 7th Street by United Bank & Court House.
31 32 33	* DeWitt - Expressed she is pleased with how clean the town looks since all the gravel has been cleared from streets.
34 35	* P. Haynes - Reported junk vehicles all through town.
36 37	* D. Haynes - Nothing at this time.
38 39	Councilperson Haynes moved to have executive session for real estate & personnel, seconded by Councilperson Simms. Motion carried unanimously.
40 41	Meeting adjourned at 8:04 p.m.
42 43	Meeting reconvened at 8:10 p.m.

1	Executive Session began at 8:10 p.m.
2	
3	Executive Session recessed at 8:27 p.m.
4	
5	Regular Session reconvened at 8:27 p.m.
6	
7	Councilperson D. Haynes moved to adjourn at 8:29 p.m. seconded by Councilperson Wood.
8	Motion carried unanimously.
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10	Meeting adjourned at 8:29 p.m.
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16	Sondra J. Hewitt, City Clerk Eugene Saunders, Sr., Mayor

STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE MAY 20, 2014

The Council of the City of Moundsville met in regular session in the Council Chambers on May 20, 2014 at 7:00 pm.

Meeting was called to order by Mayor Eugene Saunders.

Invocation was given by Councilman K Mark Simms.

- 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 Acting City Manager Hewitt, Police Chief Mitchell, Fire Chief Clarke, Public Works Foreman
- 14 Stocklask, Attorney Thomas White, CPA Goddard, and Acting Clerk Ankrom. Absent was City
- 15 Manager Hess (sick), Public Works Director Richmond, and Inspector Schneider.

MINUTES:

18 Regular Council Meeting of May 6, 2014

Councilman Paul Haynes made a motion to accept the May 6, 2014 Regular meeting minutes as presented, which Councilwoman DeWitt seconded, and the motion carried unanimously.

GENERAL PUBLIC HEARING:

• Ben Schillaci of 718 2nd Street complained about a neighbor obstructing traffic from traveling a public roadway. Curbs have been painted yellow to keep cars from parking near Mr. Rickrode's house, & a "No Thru Traffic" sign has been placed to keep vehicles from driving through the alleyway. Acting Manager Hewitt had deed research done, and the road is a through alley and not a private road.

B J Schillaci of 713 2nd Street provided pictures of the before-mentioned signage and yellow curbs. He also disagrees with the particular resident being allowed to prevent traffic from using the alley.

• H Carl Boso Jr, of 305 10th Street asked Attorney White if he had researched laws regarding buried shingles. Attorney White confirmed that burying "inert" material, on your own property, is allowed as long as it contains no harmful chemicals. There are no City ordinances pertaining to burying material on personal property. Attorney White gave Mr. Boso contact information for the Department of Environmental Protection and Bureau of Health. Mr. Boso also wanted to know why he received a 30-day notice from the Building Inspector regarding 203 Parriott Avenue, which he recently purchased. Mr. Boso believes there are other properties in worse condition, and he wants to make sure they are addressed as well. Building Inspector Richmond maintains

a list of properties that need looked at, and Mr. Boso is free to review that list. Mr. Boso also discovered three vehicles around his business were stickered by the Police Department. Chief Mitchell commented that he noticed the vehicles, which did not appear to have the proper registration.

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OLD BUSINESS:

Other Items to be Discussed by Council

* Councilwoman DeWitt asked about the Jefferson Avenue Extension, which has remained milled and unpaved for longer than it should have been.

9 10 11

* Councilman Paul Haynes asked when the lights at Park View Playground will be turned on; Mayor Saunders will find out.

12 13 14

* Councilman David Haynes wanted to discuss the Sanitation Department wages, but will wait until Director Richmond is in attendance.

15 16 17

* Vice Mayor Wood would like to have an update on Council's goals at the next meeting.

18 19

* Councilman Remke asked that a letter from Council be sent to Mr. Wallace at the Department of Highways, approving the kiosks for Jefferson Avenue.

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* Councilman Remke broached discussion about the problems on Jefferson Avenue. He is concerned about the legality of the bond for the repaving, since Rover Construction has merged with another entity. Acting Manager Hewitt read an email from Josh Norris opining on the void at Theresa's Fabrics and the lack of compaction under the pavement. There was also a water line break near the Moose Lodge. Concern was expressed about the lack of inspection during the sewer line project and the ongoing gas company work. Councilman Simms noted that there have been void problems under Jefferson Avenue since the StreetScape project that took place many years ago.

29 30 31

* Councilman Remke also noted the poor paving work on Parriott Avenue, between Agnew and 12th Streets.

32 33 34

NEW BUSINESS:

- Discussion and Approval of a Resolution Authorizing the City Manager to Enter into an 35 36
 - Agreement with The Health Plan Insurance Company for Renewal of Employee Health
- Insurance 37
- Vice Mayor Wood made the motion to approve the resolution authorizing the City Manager 38
- to enter into an agreement with The Health Plan for employee health insurance coverage for 39
- Fiscal Year 2014-2015. Councilman Remke seconded the motion, which carried unanimously. 40

Discussion and Approval of a Resolution for Salary Adjustment During the Absence of the City Manager

3 Councilman Remke made the motion to approve the resolution for a salary adjustment for

- Acting Manager Hewitt while she serves in that capacity. Vice Mayor Wood seconded the
- 5 motion, which carried unanimously.

6 7

Discussion of Riverfront Shelter Bids

- 8 Councilman Simms made the motion to accept the Savage Construction bid of \$22,903.00 to
- 9 extend the shelter at Riverfront Park. Councilman Paul Haynes seconded the motion. The
- 10 \$18,000.00 donation from Williams Energy will cover most of the work, with the City making
- 11 up the difference. There was no recommendation from the Parks & Recreation Board.
- 12 Motion carried unanimously.

13 14

Discussion and Approval of the Comprehensive Plan Presented by the Moundsville

15 **Planning Commission**

- 16 Planning Commission Chairman John Icard read the statement from the Planning Commission
- 17 and thanked the individuals from West Virginia University and Vice Mayor Wood for their
- 18 tireless efforts in getting the Comprehensive Plan update completed. Vice Mayor Wood in
- 19 turn thanked Moundsville's citizens, City Council, and the Planning Commission for their
- 20 assistance. A copy of the approved draft will be sent to Charleston. Councilman Dave Haynes
- 21 thanked Vice Mayor Wood, Chairman Icard, and the Planning Commission for their hard work;
- 22 then he made a motion to accept the Comprehensive Plan as presented by the Planning
- 23 Commission. Councilwoman DeWitt seconded the motion, which carried unanimously.

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Discussion and Approval of Parks & Recreation Board Appointment

- 26 Mayor Saunders explained that the Parks & Recreation Board appointed Don DeWitt to fill the
- 27 vacated seat. At the end of the term, Mr. DeWitt would have to submit a letter of intent,
- 28 should he wish to continue serving.

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Discussion and Award of Paving Bids

- 31 Vice Mayor Wood made the motion to accept Klug Brothers Inc bid of \$209,091.44 for paving
- 32 of five streets. Councilwoman DeWitt seconded the motion, which carried unanimously.
- 33 Acting Manager Hewitt will check to see when work can begin.

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Other items to be Discussed by Council

- 36 Councilman Dave Haynes will continue to work toward giving a pay increase to Moundsville's
- 37 Sanitation workers.

- 39 Vice Mayor Wood made a motion to discuss, at the June Finance meeting, who will attend the
- 40 summer Municipal League Conference. Councilman Simms seconded the motion, which
- 41 carried unanimously.

- 1 Councilman Remke would like to have someone on Routes 2 and 250 to cite for overweight
- 2 trucks. Previous discussion was held on hiring a part time worker to take care of the truck
- 3 scales, since none of the police officers are willing to work with them. Discussion led into car
- 4 and truck traffic speeding through Mountaineer Gas' work zone on Jefferson Avenue. Chief
- 5 Mitchell put the 3rd Street traffic light on flash, encouraging drivers to pay more attention to
- 6 the human flaggers. More cooperation is needed from the State to help with these type of

7 problems.

8

9 Councilman Remke and Attorney White need to have private discussion on the contract from 10 the Uptown Moundsville Activities Committee.

11

Acting Manager Hewitt will check about keeping updated information on the City website, in regard to Water, Sanitary, Stormwater, and Recreation board meetings.

14

15 Councilman Remke made a motion to have on the June Traffic agenda discussion about the 16 Route 250/1st Street extension to Route 2. He would like to send a letter to legislators 17 encouraging movement on this project. Councilwoman DeWitt seconded the motion, which 18 carried unanimously.

19

20 Councilman Remke broached discussion on having more detail about the City's reserve accounts and lease payment schedules in order to have a better handle on City finances.

22

Councilman Remke received complaints about travel trailers, parked at the Marshall County Fairgrounds, using extension cords, which are laying on the ground. The Building Inspector will be sent to check on this.

26 27

28

Councilman Dave Haynes made a motion to enter into Executive Session to discuss real estate matters. Motion was seconded by Councilman Paul Haynes, and Executive Session began at 8:02 PM.

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Councilman Simms made a motion to return to Regular Session at 8:23 PM. Motion was seconded by Councilman Paul Haynes, and Regular Session resumed at 8:23 PM.

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MANAGER ITEMS:

 Acting Manager Hewitt received a request from Steve Juniper for Council to sanction a Soap Box Derby in town. Mr. Juniper would like to have a street closed for the race, but it is not known if he desires financial support. Acting Manager Hewitt will get more information on exactly what Mr. Juniper wants from Council.

38 39

Acting Manager Hewitt received a Thank You letter, from John Marshall's Health
 Occupations Students of America, for Council's donation.

- Acting Manager Hewitt reminded members that reservations can still be made for the
 Business After Hours Luau on May 22, 2014 at 5:00 PM at the Penitentiary.
- Acting Manager Hewitt informed Council that Cabela's is having a Bass Tournament on May 25, 2014 at Riverfront Park. She has instructed Recreation Director Baker to have the riverbank cleared before then. Although the Department of Natural Resources will have representatives at the tournament, Acting Manager Hewitt emailed pictures of the docks to Senator Kessler, in hopes that he can have influence in getting the docks maintained.

• Acting Manager Hewitt noted that Manager Hess will return to work on May 27, 2014.

Request from Jim Pettit for a Manager's Choice of \$30.00 and Mayor's Choice of \$30.00 for the 2014 Annual Car Show. Total Cost of \$60.00.

Acting Manager Hewitt stated that the 2014 Car Show will be held on June 6, 2014, beginning at 5:00 PM, between 8th and 11th Streets, due to work being done at the north end of Jefferson Avenue. Participants will have access to the Grave Creek Mound Museum's parking lot. Councilman Remke made a motion to approve the Manager and Mayor's Choice prizes of \$30.00 each. Councilwoman DeWitt seconded the motion, which carried unanimously.

MAYOR ITEMS:

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- Mayor Saunders has held discussions with Recreation Director Baker regarding soccer participants driving over the Indian burial ground and parking on the grass at the Valley Fork soccer fields. Nothing that Director Baker tried in the past has kept people from being disrespectful to the property. Signs have been posted, which people ignore; and a chain was put up, which someone cut down to get through to the fields.
- Mayor Saunders noted that he and Vice Mayor Wood are attending the Cameron Pool celebration on Sunday.
- Mayor Saunders talked with Manager Hess today, and she is anxious to get back to work.
- 32 Attorney White presented the following legal ads to be received and filed:
 - April 10, 2014 Shelter Extension Sealed Bids
 - April 18, 2014 El Patron Zoning Variance
 - February 28, March 7, 2014 Home Rule Pilot Program
 - March 28, 2014 Current Expense Levy
 - March 31, 2014 Comprehensive Plan Public Hearing
 - January 27, February 3, 2014 Shelter Extension Sealed Bids
- March 21, 2014 El Patron Zoning Variance
 - February 27, 2014 Shelter Extension Sealed Bids
- April 21, 2014 Sealed Bids for Dectron Unit at Four Seasons Pool

- May 8, 2014 Shelter Extension Sealed Bids
 - May 7, 2014 Bids for Street Improvements
 - May 5, 12, 2014 Civil Action
 - April 29, May 6, 2014 Civil Action
 - April 30, 2014 Planning Commission Public Hearing

COMMITTEE REPORTS:

- 8 Discussion of Recommendations by the Finance Committee
- 9 Discussion of Municipal Fee, Public Safety Fee, and Garbage Increases Adopted in the
- 10 Budget for July. Committee recommends to direct the City Attorney to draft ordinances
- 11 for the increases.
- 12 Vice Mayor Wood presented the motion to direct City Attorney White to draft ordinances for
- 13 the Municipal, Public Safety, and Garbage fee increases effective July 1, 2014. Motion was
- 14 seconded by Councilwoman DeWitt and carried unanimously.

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- Discussion of request for donation for 2014 Bishop Donahue OVAC Queen of Queens Candidate. Committee recommends to donate \$50.00.
- 18 Vice Mayor Wood presented a motion to donate \$50.00 for the OVAC Queen of Queens
- 19 candidate. Motion was seconded by Councilman Paul Haynes, and carried unanimously.

20

- Discussion of request for donation from Moundsville Veterans Honor Guard toward the purchase of a van. Committee recommends to donate \$50.00.
- Vice Mayor Wood presented a motion to donate \$50.00 to the Moundsville Veterans Honor Guard. Motion was seconded by Councilwoman DeWitt and carried unanimously.

25

Discussion of Financial Summary for March & April 2014; statements were reviewed and accepted.

28 29

Discussion regarding renewal of Health Insurance Contract for 2014-2015 was taken care of.

30

- 31 Discussion concerning purchase of durapatcher for Street Department was tabled until the
- 32 June Finance meeting. CPA Goddard explained that purchase of a durapatcher was included
- 33 in the 2014-2015 Budget, as one piece of equipment has been paid off, allowing some room
- 34 for another lease purchase payment.

- Discussion of Recommendations by the Policy Committee
- Discussion of two additional Police Corporal positions. Committee recommends bring to Council for a vote.
- 39 Councilwoman DeWitt presented the motion to add two Corporal Positions to the
- 40 Moundsville Police Department, which was seconded by Councilman Paul Haynes.
- 41 Councilman Dave Haynes expressed disappointment that Council has put off giving pay raises

to the garbage men, but immediately grants promotions for the Police Department. Brief discussion was held on how the promotions will affect the projected 2014-2015 budget. 2 Motion carried unanimously. 3 4 5 Discussion & Review of ordinance dealing with penalties for traffic violations in Construction Zones, Section 313.99(b) was tabled for further research. 6 7 Discussion of drafting ordinance dealing with the use of equipment and materials for vehicle 8 accidents involving individuals who are not assessed for fire service fees. There was no 9 information available. 10 11 12 Discussion of Recommendations by the Traffic Committee Discussion of Park Street, from Walnut to Linden Avenues, becoming a one-way street was 13 tabled for more information. 14 15 Mayor Saunders had been approached about having a Soap Box Derby on Locust Avenue, 16 which was discussed earlier in the meeting. 17 18 19 Discussion of truck routes in the City will be held at the June meeting. 20 Question of reimbursement, for damages caused by gas drillers in the area traveling in the 21 City, will be further discussed in June. 22 23 24 **COUNCIL ITEMS:** 25 **Remke** – Had nothing further to discuss. 26 * Wood – Had nothing at this time. 27 28 29 * **DeWitt** – Had nothing further at this time. 30 * Paul Haynes – Nothing at this time. 31 32 * David Haynes – Congratulated CPA Goddard for her election to New Martinsville's City 33 Council. 34 * Asked about garbage truck financing. Director Richmond has the specs for review. 35 36 Councilman Remke made the motion to adjourn, which was seconded by Councilman Paul 37 Haynes. Meeting adjourned at 8:53 PM. 38 39 40

Karen L Ankrom, Acting City Clerk

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Eugene Saunders, Mayor