

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

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on December
5 2, 2014 at 7:00 p.m.

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

8
9 Invocation was given by Councilperson K Mark Simms.

10

11 Acting City Clerk Ankrom called the roll and the following councilpersons were in attendance: DeWitt,
12 David Haynes, Paul Haynes, Remke, Simms, Vice Mayor Wood, and Mayor Saunders. Also present:
13 City Manager Hess, Police Chief Mitchell, Fire Chief Clarke, Working Foreman Stocklask, CPA
14 Kathryn Goddard, and Attorney Thomas White. Absent was City Clerk Hewitt (vacation).

15

16 **MINUTES:**

17 **Regular Council Meeting of November 18, 2014**

18 Councilman Paul Haynes made a motion to accept the minutes of the regular Council meeting of
19 November 18, 2014, which was seconded by Councilman Simms. Motion carried unanimously.

20

21 Vice Mayor Wood presented Justice Robinson, who attends 7th Grade classes at Moundsville Middle
22 School, with a certificate of recognition. Miss Robinson won the Moundsville Trivia Contest by
23 answering all questions correctly. Miss Robinson thanked City Council for engaging the students and
24 quizzed Council on several questions from the contest.

25

26 **GENERAL PUBLIC HEARING:**

27 ⑩ Suzanne Park of the Moundsville Economic Development Council was in attendance with Craig
28 White and Nila Chaddock to update Council on progress of forming the Convention & Visitors Bureau.
29 The IRS has given initial approval of the Bureau, per Ms Park. Council members were given a packet
30 of information compiled by the committee, including the WV Travel Guide ad. Ms Park informed
31 Council that, since October 2014, 491 inquiries were tracked for the Northern Panhandle. Ms Park
32 briefly explained some budget items included in the \$177,000.00 proposed budget formulated by the
33 Bureau.

34

35 ⑩ Craig White, Manager of Grand Vue Park, invited Council and City employees to attend a team
36 building course to be held at the Park on December 10 & 11, 2014. There are seven spots still
37 available.

38

39 ⑩ Vickie Best of 206 Cypress Avenue thanked Vice Mayor Wood, Manager Hess, and Public
40 Works Director Richmond for the repair of street problems in her neighborhood. The City was “well
41 represented” by their cooperation and professionalism.

42

43 ⑩ H Carl Boso Jr of 305 10th Street addressed comments made at the last Council meeting
44 regarding the Morton Avenue gate controversy, the Kittle Hauling property purchase, and the ATV
45 ordinance.

46

47

48 **OLD BUSINESS:**

49 **Discussion and Approval of an Ordinance Amending Article 355 Dealing with Certain**

1 **Motorized Recreational Apparatus (Second Reading)**

2
3 Attorney White read the ordinance by title only:

4
5 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA FOR A**
6 **PROHIBITION AGAINST THE OPERATION OF CERTAIN MOTORIZED RECREATIONAL**
7 **APPARATUS WITHIN THE CORPORATE LIMITS OF THE CITY OF MOUNDSVILLE**
8 **UPON ANY PUBLIC STREET, ALLEY, WAY, SIDEWALK, PARKING LOT, OR RIGHT-OF-**
9 **WAY AND UPON ALL OTHER REAL PROPERTY WHICH IS PUBLICLY OWNED,**
10 **LEASED, OR CONTROLLED: TO MAKE THE OPERATION OF SUCH APPARATUS A**
11 **CRIMINAL OFFENSE; TO PROVIDE PENALTIES THEREFORE; AND TO PROVIDE**
12 **EXCEPTIONS, WHICH ORDINANCE SHALL BE CODIFIED AS A PART OF ARTICLE 355;**
13 **STREET OBSTRUCTIONS AND SPECIAL USES OF THE CITY OF MOUNDSVILLE CODE**
14 **(SECOND READING)**

15
16 Councilman Remke made the motion to approve the ordinance on second reading, which was seconded
17 by Councilman Paul Haynes. Councilman Simms explained that he voted “nay” on the first reading
18 because there are already regulations on the books that need to be enforced; and this ordinance provides
19 no significant difference. Councilwoman DeWitt is in agreement with Councilman Simms. Mayor
20 Saunders called for a roll call vote; Acting Clerk Ankrom announced the following tally: 5 yeas, 2 nays,
21 with DeWitt and Simms voting nay. Motion carried.

22
23 **Discussion and Approval of an Ordinance Amending Article 1106 of the Codified Ordinances of**
24 **the City Prohibiting Smoking and Tobacco Use (Second Reading)**

25
26 Attorney White read the ordinance by title only:

27
28 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE AMENDING AND**
29 **RE-ENACTING ARTICLE 1106 OF THE CODIFIED ORDINANCES OF THE CITY OF**
30 **MOUNDSVILLE, TO PROHIBIT SMOKING AND TOBACCO USE AT CITY OWNED AND**
31 **OPERATED OUTDOOR RECREATIONAL FACILITIES AND CERTAIN INDOOR**
32 **FACILITIES IN THE CITY OF MOUNDSVILLE (SECOND READING)**

33
34 Councilman Remke made the motion to approve the ordinance on second reading, which was seconded
35 by Vice Mayor Wood. Councilwoman DeWitt asked about fine amounts, which are set by the
36 Municipal Court Judge; and the ordinance regulates only City-owned property. Councilman Simms
37 again explained that he voted “nay” on the first reading because it seems that government is continually
38 stripping away individual liberties. Mayor Saunders called for a roll call vote; Acting Clerk Ankrom
39 announced the following tally: 5 yeas, 2 nays, with David Haynes and Simms voting nay. Motion
40 carried.

41
42 **Other Items to be Discussed by Council**

43 Councilman Simms reminded those present that the City is purchasing the Kittle Hauling property
44 because Department of Environmental Protection regulations require the City to have adequate
45 facilities for salt storage and garbage truck maintenance. The structures included on the Kittle property
46 adequately meet those regulations.

47
48 Vice Mayor Wood commented that the Moundsville Christmas Parade was very nice! Although some
49 entries were not able to attend due to weather conditions.

Vice Mayor Wood commended Councilman Remke on the Winter Festival, which was “well done!”

NEW BUSINESS:

A. Receive and File the Fireman's Pension & Relief Fund Statement of Accounts

Vice Mayor Wood made the motion to receive and file both the Police and Fireman's Pension and Relief Funds statements of account, even though not all members had copies of both. Copies will be provided in the next packets. Vice Mayor Wood mentioned problems in other cities, which are not experienced by the City of Moundsville due to the change in contribution method made several years ago. Motion carried unanimously, after it was noted that Council does not have authority to make any changes in the statements' breakdown of assets.

Other Items to be Discussed by Council

Councilman Paul Haynes would like to have the lights at Park View playground turned off.

Vice Mayor Wood asked about Four Seasons Pool, which is up and running after replacement of a part. Vice Mayor Wood made a motion to have the Traffic Committee discuss installing a “Children at Play” sign on 8th Street. Motion was seconded by Councilwoman DeWitt and carried unanimously.

MANAGER ITEMS:

- Ⓢ Manager Hess read a letter from the Department of Health and Human Resources' Director of EMS Programs congratulating Chief Clarke and the Fire Department for meeting standards for licensure as a West Virginia Emergency...Rapid Response Agency.
- Ⓢ Manager Hess reminded Council of the Business After Hours on Thursday at 5:00, to be followed by the annual Christmas Tree Auction. Members were asked to please call Secretary Kaufman to confirm their attendance.
- Ⓢ Manager Hess noted that Gold, Khourey, & Turak is having their annual Christmas Tree lighting on December 11, 2014.
- Ⓢ Manager Hess informed Council of the Ohio Valley Soap Box Derby informational meeting on December 8, 2014 at Grand Vue Park.
- Ⓢ Manager Hess heard good things about the Winter Festival and commended Councilman Remke.

MAYOR ITEMS:

- Ⓢ Mayor Saunders received a letter from Randy Chamberlain, expressing appreciation for the Mayors Reception held in November.
- Ⓢ Mayor Saunders commended Councilman Remke on the Winter Festival, which looked great!
- Ⓢ Mayor Wood noted that the skatepark ramps should arrive next week.
- Ⓢ Mayor Wood commented that there is only one entry so far in the House Decorating Contest.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee

The Finance Committee will meet on December 9, 2014, beginning at 5:00 PM.

Discussion and Approval of Recommendations by the Policy Committee.

The Policy Committee will meet immediately following Finance.

Discussion and Approval of Recommendations by the Traffic Committee.

The Traffic Committee will meet immediately following Policy.

1 **COUNCIL ITEMS:**
2 * **DeWitt** – Nothing at this time.
3
4 * **David Haynes** – Nothing at this time.
5
6 * **Paul Haynes** – Nothing at this time.
7
8 * **Remke** – Nothing at this time.
9
10 * **Wood** – Would like to discuss Council's goals and a prospective handbook at the Committee meeting.
11
12 * **Simms** – Commented on all the nation-wide negativity toward Police Departments; however, the City
13 of Moundsville Police Department is “great!”
14
15 Councilman David Haynes made the motion to adjourn, which was seconded by Councilman Paul
16 Haynes. Meeting adjourned at 7:40 PM.
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19
20
21 Karen L Ankrom, Acting City Clerk Eugene Saunders, Mayor