

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **MARCH 3, 2015**

3
4 The Council of the City of Moundsville met in regular session in the Council
5 Chambers on March 3, 2015 at 7:00 pm.

6
7 Meeting was called to order by Mayor David Wood.

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
12 attendance: DeWitt, David Haynes, Paul Haynes, Vice Mayor Saunders, Simms, and
13 Mayor Wood. Absent was Hendershot, who was out of town. Also present: City
14 Manager Hess, Fire Chief Clarke, Police Chief Mitchell, Public Works Director
15 Richmond, CPA Kathryn Goddard, and Attorney Thomas White. Absent was City
16 Clerk Hewitt (vacation).

17

18 **MINUTES:**

19 **Regular Council Meeting of February 17, 2015**

20 Councilman Paul Haynes made a motion to accept the February 17, 2015 minutes as
21 presented. Motion was seconded by Vice Mayor Saunders and carried unanimously.

22

23 **GENERAL PUBLIC HEARING:**

24 ⑩ H Carl Boso Jr of 305 10th Street disagreed with Mayor Wood that Council
25 members did not have to respond to resident concerns brought up during the
26 General Public Hearing. Mayor Wood reiterated that Council members could choose
27 to respond to the public but that was their individual decision.

28

29 ⑩ David Seum, Chairman of the Sanford Center Board of Directors, reviewed
30 some of the fund raisers that the Center would be conducting in the near future.
31 Mr. Seum requested use of the recently-purchased Kittle Hauling property for an E-
32 Waste Day in April, which the Board would cover under their liability insurance. Mr.
33 Seum assured Council that he would discuss parking issues with the groups using
34 the Center.

35

36 **OLD BUSINESS:**

37 **Discussion and Approval of an Ordinance Pertaining to a Zone Change for 1014**
38 **Thompson Avenue from R-M to C-C-C-H (Second Reading)**

39 Attorney White read the following ordinance by title only:

1
2 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING**
3 **TO CHANGE A CERTAIN DESIGNATED AREA AT 1014 THOMPSON AVENUE IN THE CITY OF**
4 **MOUNDSVILLE FROM A MULTI-FAMILY RESIDENTIAL ZONE TO A COMBINED CENTRAL BUSINESS**
5 **& HIGHWAY COMMERCIAL ZONE (SECOND READING)**
6

7 Vice Mayor Saunders made the motion to approve the ordinance on second reading,
8 which Councilwoman DeWitt seconded.
9

10 Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the
11 following tally: 6 yeas. Motion carried unanimously.
12

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

14 * Councilwoman DeWitt asked if the Brownsfield Grant was submitted on time,
15 which it was.
16

17 * Councilwoman DeWitt commented, at a previous meeting, that televisions and
18 other electronic items should not be left out with regular garbage, as they are not
19 permitted at the landfill. Citizens are reminded to wait until the semi-annual clean
20 up events to dispose of electronic equipment.
21

22 * Vice Mayor Saunders is hoping that the new equipment for the Skate Park will be
23 installed by the end of March or April
24

25 * Vice Mayor Saunders wanted to verify whether the City would be taking over the
26 Thorn Avenue property, which Manager Hess confirmed is so.
27

28 **NEW BUSINESS:**

29 **Discussion and Approval of an Ordinance to Abandon a Portion of an Alley Running**
30 **from Purdy Avenue to Lockwood Avenue Between Eleventh Street & POW Street**
31 **(Marshall County CO-OP Property) (First Reading)**
32

33 Attorney White read the following ordinance by title only:
34

35 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, VACATING, ABANDONING AND**
36 **ANNULLING A PORTION OF AN ALLEY BETWEEN PURDY AVENUE AND LOCKWOOD AVENUE**
37 **(FIRST READING)**
38

39 Vice Mayor Saunders made the motion to approve the ordinance on first reading,
40 which Councilman Paul Haynes seconded.

Discussion was held on whether the ordinance should be effective before June 1, 2015. Mr. David Voithoffer, Manager of the Marshall County CO-OP, was in attendance and confirmed that he and Mr. Hunnel had a “gentleman's agreement” to delay installing the chain link fence until after June 1, 2015.

Councilman Simms amended the motion to approve first reading of the ordinance, with an effective date of June 1, 2015. Motion on the amendment was seconded by Councilwoman DeWitt.

Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the following tally: 6 yeas. Motion carried unanimously.

Mayor Wood then called for a roll call vote on the original motion, and Acting Clerk Ankrom announced the following tally: 6 yeas. Motion carried unanimously.

Discussion of Revising Article 355 Motorized Recreational Apparatus Vehicles to Require Proof of Insurance (First Reading)

Attorney White read the following ordinance by title only:

AN ORDINANCE OF THE CITY OF MOUNDSVILLE TO AMEND AND REENACT ARTICLE 355 OF THE MOUNDSVILLE CODE PROVIDED FOR A PROHIBITION AGAINST THE OPERATION OF CERTAIN MOTORIZED RECREATIONAL APPARATUS WITHIN THE CORPORATE LIMITS OF THE CITY OF MOUNDSVILLE UPON ANY PUBLIC STREET, ALLEY OR PROPERTY; TO MAKE THE OPERATION OF SUCH APPARATUS A CRIMINAL OFFENSE; TO PROVIDE PENALTIES THEREFORE; AND TO PROVIDE EXCEPTIONS (FIRST READING)

Councilman Simms made the motion to approve the ordinance on first reading, which Councilwoman DeWitt seconded.

It was confirmed that proof of insurance must be provided to the City Manager's Office.

Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the following tally: 6 yeas. Motion carried unanimously.

Discussion and Approval of a Recommendation by the Moundsville Planning Commission to Approve a Zone Change from R-M to C-C-C-H at 1109 Purdy Avenue (Marshall County CO-OP Property)

1 Vice Mayor Saunders made a motion to direct the City Attorney to draft a zone
2 change ordinance for 1109 Purdy Avenue. Motion was seconded by Councilman Paul
3 Haynes and carried unanimously.

4
5 **Other items to be Discussed by Council**

6
7 * Councilman David Haynes asked whether the Parks & Recreation budget will be
8 sufficient when 50% of the Hotel/Motel Tax collections are submitted to the newly-
9 formed Visitors & Convention Bureau. It was confirmed that the budget will be fine.

10
11 * Vice Mayor Saunders asked when the new garbage trucks will arrive: one will be in
12 later this week, and the other should arrive next week.

13
14 * Vice Mayor Saunders asked when new Police Department vehicles will be
15 purchased. Chief Mitchell stated that later in the year, when current loans are paid
16 off, he will look at purchasing more vehicles. Chief Mitchell also stated that 11
17 people are scheduled to take the Police test this weekend; and he confirmed that
18 new officers are able to work solo, even before they have attended the State Police
19 Academy.

20
21 * Vice Mayor Saunders commended Manager Hess for taking care of each of the City
22 Departments' needs!

23
24 * Mayor Wood asked Council members to review the Zoning District information
25 that was included with minutes from the Planning Commission meeting.

26
27 **MANAGER ITEMS:**

28 ⑩ Manager Hess reminded Council members that there will be an extension of the
29 Committee meetings, to discuss the budget, on March 10.

30
31 ⑩ Manager Hess stated that David Bertrand was hired as the new Building
32 Inspector. Mr. Bertrand worked for Earl Collins for 20 years, and Manager Hess
33 believes he will be an asset to the City staff.

34
35 ⑩ Manager Hess has been informed by Earl Collins that he has a party interested in
36 helping with City electrical needs upon his retirement.

37
38 **MAYOR ITEMS:**

39 ⑩ Mayor Wood informed Council that the BAD Grant Committee will announce the

selected cities on March 6, 2015.

⑩ Mayor Wood informed Council that he has established a bi-monthly program with Moundsville Middle School which will include guest speakers and essay contests.

⑩ Mayor Wood urged Council members to help at the Marshall County Home & Business Expo this weekend.

⑩ Mayor Wood reminded Council that the Home Rule Proposition is again in the Legislature.

⑩ Mayor Wood stated that a representative from the WV Land Trust will be in Moundsville in April to look at City lands.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee

The Finance Committee will meet March 10, 2015 at 5:00 PM.

Discussion of Recommendations by the Traffic Committee

The Traffic Committee will meet immediately following the Finance Committee.

Discussion of Recommendations by the Policy Committee

The Policy Committee will meet immediately following the Traffic Committee.

COUNCIL ITEMS:

* **Saunders** – Noted that the 7th Street house, behind the Salvation Army, is deplorable! This needs to be addressed.

* Commented that drivers consistently disobey the Stop signs at Poplar Avenue & Jackson Street and 5th Street & Grant Avenue.

* **Simms** – Asked if the City would provide a dumpster for the Sanford Center's E-Waste event in April. Manager Hess and Director Richmond will work on the details.

* Asked about the Riverfront docks, which should be addressed this year.

* **DeWitt** – Asked where monies would go, if the Parks & Recreation Department would have fund raisers. Unless earmarked by the Manager and/or the Board, for a specific expenditure, monies would go into the General Fund to cover budget expenses.

* Commented that SB254, which doubles the Death Benefits for First Responders, was passed in the Legislature.

1
2 * **Paul Haynes** – Commended the Street Department for doing a good job!
3
4 * **David Haynes** – Made a motion to enter into Executive Session for Personnel
5 Matters. Motion was seconded by Vice Mayor Saunders.
6
7 Regular Session ended at 7:40 PM.
8 Executive Session began at 7:45 PM.
9 Executive Session ended at 7:55 PM.
10 Regular Session reconvened at 7:55 PM.
11
12 Vice Mayor Saunders made the motion to adjourn, which was seconded by
13 Councilman Simms. Meeting adjourned at 7:56 PM.
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Karen L Ankrom, Acting City Clerk

David Wood, Mayor