

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **MARCH 17, 2015**

3

4 The Council of the City of Moundsville met in regular session in the Council
5 Chambers on March 17, 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, Hendershot, Simms, and Mayor
13 Wood. Absent was Vice Mayor Saunders, who was out of town. Also present:
14 Acting City Manager Hewitt, Fire Chief Clarke, Police Chief Mitchell, Public Works
15 Director Richmond, Building Inspector Richmond, CPA Kathryn Goddard, and
16 Attorney Thomas White. Absent was City Manager Hess, due to illness.

17

18 **MINUTES:**

19 **Regular Council Meeting of March 3, 2015**

20 Councilman Paul Haynes made a motion to accept the March 3, 2015 minutes as
21 presented. Motion was seconded by Councilwoman DeWitt and carried
22 unanimously.

23

24 **Special Council Meeting of February 24, 2015**

25 Councilman Paul Haynes made a motion to accept the February 24, 2015 Special
26 Meeting minutes as presented. Motion was seconded by Councilman Simms and
27 carried unanimously.

28

29 **GENERAL PUBLIC HEARING:**

30 ☉ Rick Yanen of 100 Spruce Street presented Council with a petition of 22
31 signatures from residents of Highland Hills. The residents are concerned about the
32 condition of the streets and low water pressure. Mr. Yanen praised the garbage
33 workers and street sweepers, as they do an excellent job! Also, Stormwater
34 Superintendent Bonar installed a drain across Harmony Drive that has helped
35 immensely with keeping water drainage from pooling and icing on the roadway.
36 Mayor Wood confirmed that Spruce Street and Harmony Drive are on the paving
37 priority list and will be engineered. Councilwoman DeWitt suggested having the
38 Water Board correct the water pressure before paving in the area. Councilman
39 David Haynes explained that the Water Board has looked at the water pressure issue

1 and, according to the meter readings, they meet minimum regulations as required
2 by the Public Service Commission. Discussion was held on residents installing
3 individual bladders and/or tanks to increase the water pressure in their homes.
4

5 ☉ Theresa Thomas of 1211 Agnew Street expressed concern about the
6 dangerous intersection at Agnew Street, turning onto Parriott Avenue. The
7 residents of the corner house on Parriott Avenue park on the street and the view of
8 oncoming traffic is often obstructed. Director Richmond extended the yellow line
9 on that corner curb; and the Police Department has checked to make sure vehicles
10 are legally parked. Discussion was held on installing a mirror on the pole across the
11 street from the intersection.
12

13 ☉ Doris Archbold of 1107 Parriott Avenue also expressed concern about the
14 intersection of Agnew Street and Parriott Avenue.
15

16 **PUBLIC HEARING**

17 **Public Hearing on the 2015-2016 General Fund Budget**

18 CPA Goddard presented copies of the July 1, 2015 through June 30, 2016 Levy
19 Estimate, as approved at the Budget Workshops. No one from the audience had any
20 questions or comments on the 2015-2016 Levy Estimate. Hearing no comments,
21 Councilman David Haynes made a motion to close the Public Hearing. Motion was
22 seconded by Councilwoman DeWitt and carried unanimously.
23

24 **OLD BUSINESS:**

25 **Discussion and Approval of an Ordinance to Abandon a Portion of an Alley Running**
26 **from Purdy Avenue to Lockwood Avenue Between Eleventh Street & POW Street**
27 **(Marshall County COOP Property) (Second Reading)**
28

29 Attorney White read the following ordinance by title only:

30 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, VACATING, ABANDONING, AND**
31 **ANNULING A PORTION OF AN ALLEY BETWEEN PURDY AVENUE AND LOCKWOOD AVENUE**
32 **(SECOND READING)**
33

34 Councilman Simms made the motion to approve the ordinance on second reading,
35 which Councilman Hendershot seconded.
36

37 Mayor Wood called for a roll call vote, and Acting Clerk Ankrom announced the
38 following tally: 6 yeas. Motion carried unanimously.
39

40 **Discussion of Revising Article 355 Motorized Recreational Apparatus Vehicles to**

1 **Require Proof of Insurance (Second Reading)**

2

3 Attorney White read the following ordinance by title only:

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

10

11 Councilman David Haynes made the motion to approve the ordinance on second
12 reading, which Councilman Paul Haynes seconded.

13

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

16

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

18 * Councilwoman DeWitt has noticed that no work is being done on the former
19 DiCarlos Pizza building. Inspector Richmond explained that the building is scheduled
20 for demolition. Acting Manager Hewitt commented that the property is also being
21 handled through Moundsville Municipal Court.

22

23 * Councilwoman DeWitt asked if there is a project start date for the Jefferson
24 Avenue Extension bridge? Acting Manager Hewitt will find out.

25

26 * Councilman David Haynes commented that the Department of Highways has
27 delayed the Route 2 bridge work again.

28

29 **NEW BUSINESS:**

30 **Discussion and Approval of the 2015-2016 City of Moundsville General Fund Budget**

31 Councilman David Haynes made a motion to approve the 2015-2016 General Fund
32 Budget, which was seconded by Councilman Paul Haynes.

33

34 CPA Goddard explained that, after reviewing costs associated with the Police Officer
35 position being left vacant, there were some figures that could not be included in the
36 calculations; therefore, the allocation of salary increase per remaining officer was
37 slightly less than originally expected.

38

39 Motion to approve the 2015-2016 General Fund Budget carried unanimously.

40

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

4
5 Attorney White read the following ordinance by title only:

6 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING TO CHANGE A**
7 **CERTAIN DESIGNATED AREA ON PURDY AVENUE IN THE CITY OF MOUNDSVILLE FROM A MULTI-**
8 **FAMILY RESIDENTIAL ZONE TO A HIGHWAY COMMERCIAL AND INTEGRATED COMMERCIAL**
9 **CENTER ZONE (FIRST READING)**

10

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

13

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

16

17 **Bid Award for Street Department Loader**

18 Director Richmond confirmed that two bids were received: 2015 Komatsu Wheel
19 Loader from ICR Equipment & Supply for \$138,120.00; and 2015 Case Wheel Loader
20 from Southeastern Equipment Company for \$162,099.78. The new loader will
21 replace his department's current equipment, which is an obsolete 1993 model. The
22 Komatsu is a better model and available for immediate delivery. Councilman
23 Simms made a motion to accept the bid from ICR Equipment & Supply for
24 \$138,120.00. Motion was seconded by Councilwoman DeWitt and carried
25 unanimously.

26

27 **Discussion and Approval of a Resolution Authorizing the Application and Contract**
28 **for West Virginia Governor's Community Grant Participation Program Funds in the**
29 **Amount of \$10,000.00 (Moundsville Water Department Equipment)**

30 The 2015 grant funds will be used toward a valve insertion tool, costing about
31 \$52,000.00. The Moundsville Water Board will provide a 10% match and is also
32 seeking financial assistance from the County Commission and other resources.
33 Councilman Simms made a motion approving the resolution authorizing the
34 application, which was seconded by Councilman Hendershot and carried
35 unanimously.

36

37 **Discussion and Approval of a Resolution Authorizing the Application and Contract**
38 **for West Virginia Governor's Community Grant Participation Program Funds in the**
39 **Amount of \$10,000.00 (Computer Program Upgrades)**

40 These funds will be used for computer software upgrades in the City Clerk's Office

1 and require a 10% match. Councilman Simms made a motion to approve the
2 resolution authorizing the application, which was seconded by Councilwoman
3 DeWitt and carried unanimously.

4

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

6 * Councilman Hendershot thanked everyone who worked so diligently on the
7 budget!

8

9 * Councilman Hendershot thanked the Planning Commission for their effort, as they
10 have a more difficult job, than Council does, when Zone Change requests come up.

11

12 * Councilman Simms broached discussion on having the City Manager include
13 Spruce Street and Harmony Drive when she drafts the letter to the Stormwater
14 Utility Board. It should be verified whether the Highland Hills area has adequate
15 storm sewers before paving is done.

16

17 * Councilman David Haynes agreed that the water drain issue in Highland Hills needs
18 to be looked into.

19

20 * Councilman Paul Haynes also feels the water issues in Highland Hills should be
21 taken care of as soon as possible, before paving the streets.

22

23 * Councilwoman DeWitt asked about Kentucky Avenue, which is half out of the
24 Moundville City limits. Director Richmond confirmed that patching will be done on
25 that street later this week.

26

27 * Councilwoman DeWitt noted that 4th Street, from Clinton to Annadale Avenues,
28 also needs patched.

29

30

31 **MANAGER ITEMS:**

32 ☉ Acting Manager Hewitt reminded Council members about the Business After
33 Hours on March 26, 2015, beginning at 5:00 at the Grand Vue Park Banquet Hall.
34 Bob's Lunch will be catering the event sponsored by Noble Energy. They will
35 have the first ever "Pitch Contest" sponsored by the West Liberty University
36 Center for Entrepreneurship. Anyone interested in going should contact
37 Secretary Kaufman.

38

39 ☉ Acting Manager Hewitt read a letter from Berry, Kessler, Crutchfield, Taylor, &

1 Gordon regarding the natural gas line replacement at their office. The law firm is
2 willing to bear the expense of repairing the sidewalks, as long as Council agrees
3 that the three Bradford Pear trees, in front of their office, do not need to be
4 replaced. The tree roots will cause future damage to the sidewalk. Councilman
5 Simms made the motion to allow removal of the sidewalk and trees, which was
6 seconded by Councilwoman DeWitt. Councilman Hendershot broached
7 discussion on the Bradford Pear trees and the issues they cause with liability. The
8 State of West Virginia will not mow the median on Lafayette Avenue because of
9 the trees growing there. This is definitely an issue that should be looked at. The
10 motion, to allow Berry, Kessler, Crutchfield, Taylor, & Gordon to remove the trees
11 and replace the sidewalks, carried unanimously.

12
13 **MAYOR ITEMS:**

- 14 ⑩ Mayor Wood read a March 12, 2015 letter from Delegate Michael Ferro in regard
15 to the Community Participation Projects, which will not be funded for the 2016
16 Fiscal Year.
- 17
- 18 ⑩ Mayor Wood informed Council of some legislative updates, including the Home
19 Rule legislation, which did pass; however, Governor Tomblin has not yet signed
20 this legislation. The Governor is expected to veto the Firearms Act of 2015; and
21 there has been contention over the 30-day extension of Hotel/Motel Tax.
- 22
- 23 ⑩ Mayor Wood commented that Vice Mayor Saunders accompanied Gayle Manchin
24 on tours of the Blue Racer and Dominion Plants. Mrs. Manchin spoke at last
25 night's banquet at Grand Vue Park, which was supported by the Moundsville
26 Historic Landmarks Commission.
- 27
- 28 ⑩ Mayor Wood read a letter congratulating Moundsville on receiving the BAD Grant
29 and explaining what steps need to be taken next.
- 30 ⑩ Mayor Wood informed Council of a drug seminar to be held at the MEDC Training
31 Building on April 13, 2015. The Keynote Speaker will be Federal Attorney William
32 Ihlenfeld.

33
34 **COMMITTEE REPORTS:**

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

36 Financial reports were not available for the Finance Committee meeting.

37
38 ***Discussion of Recommendations by the Policy Committee***

- 39 1. The Policy Committee recommends leaving Article 349.01, dealing with

- 1 vehicles running unattended, as it is already addressed in City Code.
- 2 **2.** The Policy Committee referred the 2015-2016 goals to the next Committee
3 meeting.
- 4 **3.** Public Works Director Richmond will present, at the April Policy Committee
5 meeting, plans for the Kittle property.
- 6 **4.** The Policy Committee will invite the Recreation Director and Parks &
7 Recreation Board members to the April meeting, in order to discuss plans for the
8 Recreation Department and Four Seasons Pool.
- 9 **5.** Public Works Director Richmond will bring suggestions, to the April Policy
10 Committee meeting, for disposal of televisions. In the meantime, customers should
11 be informed on the billing statement about not placing televisions out for pickup.

12
13 ***Discussion of Recommendations by the Traffic Committee***

14 **1. Discussion of Paving Priority List for 2015. Committee recommends to review proposed list and
15 have engineered: Magnolia Avenue from 4th to 7th Steet; Pearl Street from Parriott Avenue to
16 Garfield Street; 1st Street from Jefferson to Tomlinson Avenue; Orchid Avenue in Campground;
17 Spruce Street; Harmony Drive; 8th Street from Rt 2 to Lockwood Avenue**

18 Councilman Simms made a motion to have the 2015 Paving Priority List engineered.
19 Motion was seconded by Councilwoman DeWitt and carried unanimously.

20
21 **2.** The Traffic Committee will have further discussion, at the April Committee
22 meeting, on the request to create a walking trail going up 10th Street from
23 Lockwood to Jefferson Avenue.

24
25 **COUNCIL ITEMS:**

26 * David Haynes – Had nothing at this time.

27
28 * Simms – Had nothing at this time.

29
30 * Paul Haynes – Commented that the alley-way behind the former Gast News Stand,
31 from Fostoria Avenue to Ash Avenue, is in desperate need of patching.

32 * Wants Director Richmond to go with him to look at a sump pump in a yard on
33 Highland Avenue.

34
35 * DeWitt – Asked about the Cub Scout Pack 78 annual Cub Scout Cake Bake to be
36 held March 23, 2015 at 6:00 PM at Calvary United Methodist Church. Councilman
37 David Haynes will collect money to go and purchase a cake, as Council has done in
38 the past.

39 * Thanked all who helped at the Home & Business Expo, as it was a great success!
40 She congratulated Norma Meyer, who won the WVU Cookie Jar.

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* **Hendershot** – Asked about a Police Officer who returned to the City's employ, which will allow Officer Crow to return to Moundsville Middle School. Chief Mitchell confirmed that was correct.

Councilman Hendershot made the motion to adjourn, which was seconded by Councilman Simms. Meeting adjourned at 7:48 PM.

Karen L Ankrom, Acting City Clerk

David Wood, Mayor