

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
AUGUST 18, 2015**

The Council of the City of Moundsville met in regular session in the Council Chambers on August 18, 2015 at 7:00 p.m.

Meeting was called to order by Mayor David Wood.

Invocation by Councilperson Mark Simms.

City Clerk Hewitt called the roll and the following councilpersons were in attendance: DeWitt, D. Haynes, P. Haynes, Hendershot, Saunders, Simms and Mayor Wood. Also present: City Manager Deanna J. Hess, Police Chief Mitchell, Fire Chief Clarke, Street Foreman Wallace, CPA Kathryn Goddard, Attorney Thomas White, and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of August 4, 2015.

Councilperson Saunders moved to accept and approve the minutes of the regular council meeting of August 4, 2015, seconded by Councilperson DeWitt. Motion carried unanimously.

PUBLIC HEARING:

A Public Hearing to Consider the Home Rule Application Ordinance for the City of Moundsville.

Mayor Wood opened the public hearing for any one to speak on Home Rule only.

* Ben Schilliacci, 718 Second Street, said he was concerned about Home Rule and asked council to explain exactly what it is.

Mayor Wood said that cities chosen for Home Rule are only permitted to implement the list of items on their application. The City of Moundsville has submitted the following list: ½% or 1% sales tax; decrease in B&O Tax rates; Administer delinquent fees; Administer dilapidated structures; and decrease City Business License categories. If Moundsville would be chosen as a Home Rule city, they would not be able to raise taxes because of the status. They would have to follow the proper procedures to do so.

* Frank Boso, Jr., 1208 Purdy Avenue, opposes Home Rule saying if council needs more money to operate they should be honest with the citizens and not hide behind the sales tax. No Home Rule, No Sales Tax Increase.

* Dennis Kidd, 1215 Second Street, opposed Home Rule.

Councilperson Hendershot moved to close the public hearing, seconded by Councilperson Saunders. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Ben Schillaci, 718 Second Street, complained to council of parking problems on Morton Avenue near Second Street. He said he has parked in the same place for 15 years and was told by neighbors that yellow lines will be painted along Morton Avenue.

Councilperson Hendershot informed Mr. Schillaci that City Manager Hess will research the work orders and council minutes bringing any information back to the Traffic Committee on September 8, 2015.

* Denny Kidd, 1215 Second Street reported 203 Parriott Avenue is in state of disrepair, with siding falling off, windows falling out and dead trees are in back yard. Mayor Wood advised Mr. Kidd the property is being evaluated.

* Carl Boso, 305 10th Street, said he gave the building inspectors the wrong title on the trailer he installed on 12th Street. He feels the building inspectors should have caught the mistake. He also asked if the trailer on the other property has been removed? Mayor Wood said the City Manager has addressed that.

OLD BUSINESS:

Discussion and Approval of an Ordinance Amending Article 158.06 of the City Code Dealing with Powers and Duties of the Parks & Recreation Board. (Second Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING THE ORDINANCE CREATING AND ESTABLISHING A BOARD OF PARKS AND RECREATION COMMISSIONERS TO PROVIDE FOR THE CITY MANAGER TO HAVE ADMINISTRATIVE AUTHORITY WITH RESPECT THERETO. (SECOND READING)

Councilperson Saunders made a motion to accept and approve the ordinance, seconded by Councilperson P. Haynes. Mayor Wood called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson DeWitt stated she was not happy the way the walk way was put in to the boat docks.

* Councilperson Saunders said the Boys Baseball Association wants the rubber mulch from the Sanford Center playground, but doesn't know why they haven't retrieved it yet.

* Councilperson Hendershot apologized for missing the sub committee meetings and said the Sanford Center board members have been working on removing the playground equipment.

NEW BUSINESS:

**Discussion and Approval of an Ordinance Concerning a Home Rule Application.
(First Reading)**

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

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

Councilperson DeWitt made a motion to approve the Home Rule ordinance, seconded by Councilperson Simms for discussion. Mayor Wood called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Discussion of an Zone Change Ordinance at 1808 7th Street from R-G General Residential to R-N Neighborhood Retail District. (First Reading)

Attorney White read the zone change ordinance by title only to be passed by council on first reading.

Councilperson Simms made a motion to approve the zone change ordinance, seconded by Councilperson DeWitt. Mayor Wood called for a voice vote. City Clerk announced the following tally. 7 yeas. Motion carried unanimously.

Appointment to the Zoning Appeals Board.

A letter of interest was submitted by Carol Ryan of Ninth Street for the vacancy on the Zoning Appeals Board.

Councilperson Saunders made a motion to appoint Carol Ryan to the Zoning Appeals Board, seconded by Councilperson DeWitt. Motion carried unanimously.

Other Items to be Discussed by Council.

- * Councilperson Hendershot commented on how well the new paving jobs look.
- * Councilperson Saunders asked if campers are allowed to park on city streets. Manager Hess advised they are not, city has an ordinance prohibiting this.
- * Councilperson Saunders reported vehicles vehicle all over town parking on curb.

MANAGER ITEMS:

- * City Manager Hess received a thank you letter to the Street Department from the Hope Christian Assembly on Juniper Avenue for fixing the street where water and mud was laying.
- * City Manager Hess received a thank you letter from the Tennyball Three Angels for the \$50 donation.
- * Manager Hess wished to thank all the department heads. Especially the Street Department for painting the curbs, the streets look great. And also thanked the Recreation Department, Council members and the front office staff.

MAYOR ITEMS:

- * Mayor Wood reminded council members of a Mayor's meeting on August 26, 2015 at 12:00 p.m. at the City of Moundsville Council Chambers. Mayor Wood invited the WVML Executive Director Lisa Dooley, Incoming President of the WVML and City of Wheeling Mayor Andy McKenzie and Stacy Rodak of Noble Energy. Following the Mayor's Meeting will be another meeting with Noble Energy and Reynold's Memorial Hospital to discuss Four Seasons Pool.

Legal Advertisements by Attorney White.

Attorney White submitted several legal advertisements published in the Moundsville Daily to be received and filed by council:

1. Paving Bids
2. Public Hearing on the Home Rule Ordinance
3. Zone Change Ordinance at 1414 Second Street

4. Zone Change at 113 & 115 Ash Avenue
5. Zone Change at 113 & 115 Ash Avenue
6. Zone Change at 1808 7th Street
7. Zone Change at 1808 7th Street
8. Zone Change at 1109 12th Street
9. Civil Action: Moundsville vs Blane Alex Rich
10. Civil Action: Moundsville vs Barbara Campbell
11. Civil Action: Moundsville vs Frederico Cruz Jr

Councilperson Simms made a motion to receive and file the above publications, seconded by Councilperson P. Haynes. Motion carried unanimously.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee.

1. Discussion of Costs Associated with Street Drainage Issues at Center Street & Highland Avenue and Highland Heights (Harmony Drive, Spruce and Sugar Streets). Finance Committee recommends paying their portion of the repairs.

Councilperson Saunders made a motion to pay \$807.52 to the Sanitary Board for their portion of the cost of material for Center Street & Highland Avenue. And \$7,341.50 for Highland Heights, seconded by Councilperson Simms. Motion carried unanimously.

2. Discussion of paying McKinley & Associates \$5600 to perform a Feasibility Study on Four Seasons Pool.

Councilperson D. Haynes made a motion to pay McKinley & Associates \$5600 to perform the study at Four Seasons Pool, seconded by Councilperson Hendershot. Motion carried unanimously.

Discussion of Recommendations by the Policy Committee.

No action taken.

Discussion of Recommendations by the Traffic Committee.

1. Discussion of 4 Way Stop Signs Seventh Street & Poplar Avenue. Traffic Committee is not making a recommendation on this matter and has referred it to be voted upon by full council.

Council decided to leave intersection as is.

2. Discussion of Request for Painting Yellow Curbs at 113 Morton Avenue. Traffic Committee recommends to table this matter and direct the City Manager to review the minutes and work orders in the 100 block of Morton Avenue then bring back to the Traffic Committee. Also to refresh yellow lines already established.

COUNCIL ITEMS:

* **D. Haynes** - Thanked the City Manager and Street Department for the curb painting.

* Said he called Potesta Engineering concerning the transfer station. They will have a representative speak to the policy committee.

* **P. Haynes** - Nothing at this time.

* **DeWitt** - Said when examining the letter the Building Inspector Richmond gave to Mr. Boso. The letter says when Mr. Richmond researched the information on the title, the title revealed the trailer was a fifth wheel.

* Said the streets look great and curbs look fantastic.

* **Hendershot** - Said when talking with a speaker at the WVML Conference he was informed that nationally all police departments are having a hiring problem.

* **Saunders** - Reported grass needs cut at the entrance to Highland Heights.

* Asked Councilperson P. Haynes if dog problem and 4 wheeler problem has been addressed on Highland Avenue? Councilperson P. Haynes advised it had not.

* Reported seeing a lot of kids at the skatepark.

* Said street paving looks great.

* **Simms** - Said he had a relative and a friend visit Moundsville saying how great the city looked.

* Thanked Mayor Wood for working so hard with the Recreation Department.

* Thanked all departments for all they do.

Councilperson Simms made a motion to adjourn, seconded by Councilperson P. Haynes. Motion carried unanimously.

Meeting adjourned at 8:08 p.m.

Sondra J. Hewitt, City Clerk

David Wood, Mayor