

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL,**
2 **CITY OF MOUNDSVILLE**
3 **DECEMBER 1, 2015**
4

5 The Council of the City of Moundsville met in special session in the Council
6 Chambers on December 1, 2015 at 6:00 pm.
7

8 Meeting was called to order by Vice Mayor Gene Saunders.
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10 Acting City Clerk Ankrom called the roll and the following Councilpersons
11 were in attendance: DeWitt, David Haynes, Paul Haynes, Hendershot, Simms,
12 and Vice Mayor Saunders. Absent was Mayor Wood, who is still in the
13 hospital. Also present were City Manager Hess, Building Inspector Richmond,
14 and Attorney White.
15

16 **Consider the Second Appeal of Vacant Building Registration Code Violation**
17 **for Properties Located at 40 Fostoria Avenue and 203 Parriott Avenue,**
18 **Owned by H Carl Boso Jr**
19

20 H Carl Boso Jr explained that he is still working on the houses at 40 Fostoria
21 Avenue and 203 Parriott Avenue. Inspector Richmond provided Council with
22 copies of pictures, Vacant Building Fee notices, and Building Permits for both
23 residences.
24

25 Inspector Richmond walked through the house at 40 Fostoria Avenue earlier
26 today and stated that he saw significant improvements since his inspection in
27 March 2015.
28

29 Mr. Boso anticipates having 40 Fostoria Avenue ready to rent in two months.
30 He expected to have it ready before now but has limited time to work on the
31 properties due to his wrecker business. The houses were in very poor
32 condition, and under threat of demolition, when he purchased them; and he
33 feels that he has made significant progress on the structures.
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35 Mr. Boso explained that 203 Parriott Avenue will take longer, as he had to tear
36 off the roof, as well as the rear of the house to put in a new kitchen. Windows
37 were also removed and are boarded up for now.
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39 Mr. Boso reminded Council that he works on the outside of his houses during
40 the warmer months in order to keep the property looking decent so the
41 neighbors don't complain.
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43 Brief discussion was held on the difference between the Vacant Building
44 Registration and Uninhabitable Building Registration. Although Mr. Boso

1 concedes to the vacancy of the properties, he simply wants an extension on
2 paying the fees, per Attorney White. Councilman Hendershot opined that, in
3 order for City Ordinances to have validity, they need to be enforced by City
4 Council.

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6 Vice Mayor Saunders asked Inspector Richmond if exemptions have been
7 granted, to other property owners, in the past, to which Inspector Richmond
8 agreed they have. Vice Mayor Saunders then asked Inspector Richmond if all
9 citizens are treated equally in regard to the Vacant Building Ordinance
10 enforcement, to which Inspector Richmond stated they are.

11

12 Mr. Boso stated that he does not want to be penalized, for taking the time to
13 fix up his properties to make them inhabitable, when residents in the City
14 already live in worse conditions and nothing is done.

15

16 Councilwoman DeWitt suggested giving Mr. Boso another two months to get
17 40 Fostoria Avenue rented. However, the Vacant Building Registration Fee
18 should be paid for 203 Parriott Avenue while work continues. Attorney White
19 recommended making two separate motions.

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21 Councilwoman DeWitt then made a motion to grant a two-month extension on
22 40 Fostoria Avenue, which Councilman Hendershot seconded. Vice Mayor
23 called for a roll call vote, to which Acting Clerk Ankrom announced the
24 following tally: five yeas, one nay; Vice Mayor Saunders voting nay.

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26 Councilwoman DeWitt made a motion to allow work to continue on 203
27 Parriott Avenue, with Mr. Boso paying the appropriate Registration Fees.
28 Motion was seconded by Councilman Paul Haynes. Vice Mayor called for a roll
29 call vote, to which Acting Clerk Ankrom announced the following tally: five
30 yeas, one nay; Vice Mayor Saunders voting nay.

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32 Councilman David Haynes made a motion to adjourn, which Councilman Paul
33 Haynes seconded. Hearing adjourned at 6:15 PM.

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Karen L Ankrom, Acting City Clerk

Eugene L Saunders, Vice Mayor