

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JUNE 21, 2016**

The Council of the City of Moundsville met in regular session in the Council Chambers on June 21, 2016 at 7:00 p.m.

Meeting was called to order by Mayor Eugene Saunders.

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

Regular Council Meeting of June 7, 2016.

Councilperson P. Haynes moved to accept and approve the minutes of the regular council meeting of June 7, 2016, seconded by Councilperson DeWitt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Brad Varlas, 1107 12th Street, said the proposed Moundsville Volunteer Fire Department contract was presented to council at the 2016-2017 General Fund Budget meeting but was not approved by council. Since the present contract will expire June 30, 2016, he asked that council vote to renew the proposed contract.

Rich Wilson, Attorney for the MVFD, informed council of the increases they are requesting for the next 4 years. The request is an additional \$2,500 for the first year, \$2,500 the second year and \$5,000 the third year.

* James Schubert, 1108 Marshall Street, McMechen, Post Commander of the Moundsville VFW, was present to ask that council consider dedicating Grant Avenue & First Street to Ryan Hammond, who lost his life October, 2015 while serving in the United States Air Force.

Mayor Saunders made a motion to take this request before the Traffic Committee, seconded by Councilperson P. Haynes. Motion carried unanimously.

* Cindy Norris, 2000 4th Street, asked council to reconsider allowing her to keep 12 chickens in her yard.

* Sara Wood, Family Resource Network (FRN), 114 Cypress Avenue, spoke to council concerning a food drive hosted by FRN to provide food assistance to Marshall County

individuals and families in need. Donation drop off is at the former WV Penitentiary Monday, July 25, 2016 from 7:30 a.m. to 6:00 p.m.

* Carl Boso, 305 10th Street, reported illegal vehicles parked on 13th Street to the Police Chief. Chief Mitchell said he passed it onto his officers. Mr. Boso then provided a list of illegal vehicles parked on city streets from 12th Street to 7th Street.

Councilperson Hendershot made a motion to receive and file the list, seconded by Councilperson Simms. Motion carried unanimously.

OLD BUSINESS:

Discussion and Approval of an Ordinance Pertaining to Chickens in the City of Moundsville. (Second Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING THE CITY CODE TO PLACE PROHIBITIONS, RESTRICTIONS AND LIMITATIONS ON KEEPING FOWL AND OTHER ENUMERATED ANIMALS IN THE CITY OF MOUNDSVILLE. (SECOND READING)

Vice Mayor DeWitt made a motion to accept and approve the above ordinance, seconded by Councilperson Simms.

Councilperson Wood moved to table the ordinance saying he feels council should wait until Jared Anderson, WVU College of Law finishes drafting the new zoning maps of the city before approving this ordinance, seconded by Vice Mayor DeWitt. Motion carried.

Mayor Saunders called for a voice vote. City Clerk Hewitt announced the following tally. 5 yeas, 1 nay. Hendershot voting nay.

Discussion and Approval of an Ordinance Pertaining to Collections of Delinquent Fees and Taxes. (Second Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING

THE CODE OF THE CITY OF MOUNDSVILLE BY ENACTING ARTICLE 800 OF SAID CODE TO PROVIDE FOR PROCEDURES AND REGULATIONS RELATING TO THE COLLECTION OF DELINQUENT FEES AND TAXES DUE THE CITY OF MOUNDSVILLE (SECOND READING)

Vice Mayor DeWitt made a motion to accept and approve the delinquent fees ordinance, seconded by Councilperson P. Haynes.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas. Motion carried unanimously.

Other Items to be Discussed by Council.

* Vice Mayor DeWitt said she spoke with Eric Caldwell concerning the recycling bins and what direction the city wants to take. Mrs. DeWitt said Manager Hess will be contacting him after speaking to the DEP.

* Councilperson Wood asked Manager Hess if she had heard anything on the Belomar Grant we were applying for? She said Mr. Healy has not called her back yet.

* Councilperson Wood made a motion to discuss further at the next Finance Meeting the option of paying bills by credit card and the city absorbing the cost, seconded by Councilperson Hendershot. Motion carried unanimously.

* Councilperson Hendershot asked Chief Mitchell to explain state changes in legislation for the use and sale of fireworks inside city limits. Chief Mitchell said the city's can not regulate the sale of fireworks in the city but can regulate the use. Shooting fireworks in the City of Moundsville is prohibited.

Councilperson Hendershot made a motion to discuss at the Policy Committee meeting the city's fireworks ordinance, seconded by Councilperson Simms. Motion carried unanimously.

* Councilperson Hendershot asked City Manager Hess if there was any progress in appointing an office manager? She advised there hasn't been.

NEW BUSINESS:

Discussion and Approval of a Resolution Authorizing the City of Moundsville to Enter into Annual Loans for Lease Purchase of Certain Items of Equipment for the City of Moundsville.

Councilperson Simms made a motion to approve the resolution to authorize the City Manager to enter into lease purchase agreements for certain equipment in the City

of Moundsville, seconded by Councilperson Hendershot. Motion carried unanimously.

Discussion and Approval of a Resolution Authorizing the City of Moundsville to Renew a Contract with the Moundsville Volunteer Fire Department for July 1, 2016 through June 30, 2020.

Councilperson Hendershot made a motion to renew the contract with the Moundsville VFD for 4 years including the increase, seconded by Vice Mayor DeWitt. Motion carried unanimously.

Discussion and Approval of an Ordinance to Abolish Article 158 - Parks & Recreation Board. (First Reading)

Attorney White said the ordinance has not been drafted yet. Councilperson Hendershot made a motion to table the ordinance since council does not have a clear vision in their minds as to what they want to do, seconded by Councilperson Simms. Motion carried unanimously.

Discussion and Approval of a Recommendation from the Planning Commission for a Zone Change at 1513 Third Street from “R-U” Urban Residential to “R-N” Neighborhood Retail.

Councilperson Simms made a motion to direct the City Attorney to draft a zone change ordinance, seconded by Councilperson DeWitt. Motion carried unanimously.

Discussion and Approval of a Resolution for the 2015-2016 General Fund Budget Revision #2.

Councilperson Simms made a motion to approve the resolution for the 2015-2016 General Fund Budget Revision #2, seconded by Vice Mayor DeWitt. Motion carried unanimously.

Discussion and Approval of Appointments to the Parks & Recreation Board.

City Manager Hess received letters from Sabrina Montgomery, Ted Zervos and Linda Miller who were interested in applying for the vacancies to the Parks & Recreation Board. Two vacancies exist with one other vacancy to follow.

Councilperson Wood made a motion to appoint Sabrina Montgomery & Ted Zervos to the Parks and Recreation Board, seconded by Councilperson Simms. Motion carried.

Other Items to be Discussed by Council.

* Councilperson Wood announced Business After Hours will be sponsored by MEDC at the Training Center in the former penitentiary. MEDC will have displays from numerous agencies and asked that council participate with a display.

* Councilperson Wood thanked Sara Wood for the presentation on the Food Drive and stressed how important this food drive is. He also encouraged all departments to participate.

* Vice Mayor DeWitt added how important the food drive is. She said her grand daughters joined in by pulling their wagon to neighboring houses collecting donations.

MANAGER ITEMS:

* Business After Hours will be hosted by MEDC and held at the Moundsville Training Center, June 23, 2016 from 5-7 p.m.

* Manager Hess announced that 202 Thorn Avenue and 401 Jefferson Avenue have been demolished with liens placed on the properties.

* Manager Hess said she will have a meeting with all department heads to encourage employees to participate in collecting the food drive.

MAYOR ITEMS:

* Mayor Saunders told Chief Mitchell he received complaints from Morton Avenue residents about some problems they are having.

* Mayor Saunders said he was asked to give a radio interview last week on Four Seasons Pool.

* Mayor Saunders announced he and the Park Director are working on sponsoring Basketball Tournaments at East End basketball courts. Mens tournament will be July 29 & Women on July 22, 2016.

* Mayor Saunders thanked the Street Department for patching holes in the city.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee.

1. Discussion of Renewal of Sanford Center Lease. Committee recommends to direct City Attorney to prepare lease for approval.

Vice Mayor DeWitt made a motion to direct the City Attorney to draft the lease for the July 5 council meeting, seconded by Councilperson Hendershot. Motion carried unanimously.

2. Discussion of Request for Donation to the Marshall County Youth Club. Committee recommends approving the donation of \$50.00.

Vice Mayor DeWitt made a motion to donate \$50 to the Marshall County Youth Club, seconded by Councilperson Simms. Motion carried unanimously.

Discussion of Recommendations by the Policy Committee.

1. Discussion of Amendment to Policy Regulations dealing with 155.17(a)(2) Grievance Procedures and 155.17(b)(2) Fire & Police Longevity. Committee recommends to direct City Attorney to draft amendments to the ordinance.

Councilperson Hendershot made a motion to direct the City Attorney to draft the ordinance, seconded by Councilperson Simms. Motion carried unanimously.

2. Discussion of Charter Change Dealing With Council Nominations by Petition. Committee recommends to take to council for a vote and add a \$25.00 filing fee charge.

Councilperson Hendershot made a motion to direct the City Attorney to draft a Charter change ordinance removing the section that requires nominating petitions be signed by residents and charge a \$25 filing fee.

Discussion of Recommendations by the Traffic Committee.

1. Discussion of Paving Priority List & Cost Estimates. Committee recommends to pave the following streets: Harmony Drive, Ruby Street from Parriott Avenue to Garfield Street, Eleventh Street from Jefferson Avenue to Weaver Avenue, and Center Street from Sycamore Avenue to Highland Avenue. 📍

Councilperson Simms made a motion to approve paving the above listed streets, seconded by Vice Mayor DeWitt. Motion carried unanimously.

COUNCIL ITEMS:

* **Hendershot** - Said he was not aware that Moundsville Middle School was providing breakfast and lunch for kids during the summer. He commended the State Agency that funds this program and the Middle School for providing the school for the breakfast & lunches.

* **Wood** - Council needs to have a clear direction for the Four Seasons Pool. They need to discuss options.

* **Simms** - Thanked City Manager Hess for the great job she does especially with the Department Heads and employees.

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

* **DeWitt** - Said the concessions at the pool is now open. She asked when having a party, where are the people suppose to put their ice cream and party food since the concessions is being used? She asked for the possibility of putting another refrigerator for their use.

* Said she was told that Arby's was coming to Moundsville. Manager Hess said not that she was aware of.

* Asked Attorney White to provide council members with a legal opinion on whether or not she should vote on the budget since her husband is a Police Officer. Attorney White said there was no problem with her voting on the budget, it does not effect her personally.

Vice Mayor Dewitt made a motion to adjourn, seconded by Councilperson Simms. Motion carried unanimously.

Meeting adjourned at 8:19 p.m.

Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor