

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**  
2 **AUGUST 1, 2016**

3  
4 The Council of the City of Moundsville met in regular session in the Council  
5 Chambers on August 1, 2016 at 7:00 PM.

6  
7 Meeting was called to order by Mayor Eugene Saunders.

8  
9 Invocation was given by Councilman K Mark Simms.

10

11 Acting City Clerk Ankrom called the roll and the following Councilpersons  
12 were in attendance: Vice Mayor DeWitt, David Haynes, Hendershot, Simms,  
13 Wood, and Mayor Saunders. Absent was Paul Haynes, who was ill. Also  
14 present: City Manager Hess, Police Chief Mitchell, Fire Chief Clarke, Public  
15 Works Foreman Wallace, Building Inspectors Bertrand & Richmond,  
16 Attorney Thomas White, and Acting Clerk Ankrom. Absent was City Clerk  
17 Hewitt (vacation) and CPA Kathryn Goddard, due to a scheduling conflict.

18

19 **Recognition for Stuff the Truck Food Drive**

20 Mayor Saunders presented certificates to Mariah and Kiersten DeWitt for  
21 their efforts in the recent food drive. The young ladies collected 470  
22 pounds of food in their "Stuff the Truck" campaign on July 23, 2016.

23

24 **GENERAL PUBLIC HEARING:**

25 **Jesse Mestrovic, Greater Moundsville CVB Director**

26 Jesse Mestrovic, Executive Director of the Greater Moundsville Convention  
27 & Visitors Bureau, presented copies of the 2015 Annual Report and  
28 introduced the several Board members in attendance. Mr. Mestrovic  
29 reviewed the Report information and explained that this year's campaign is  
30 "Mounds of Adventure." The CVB is looking for some tech-savvy people to  
31 help with the social media Ambassador Program.

32

33 Councilman Hendershot commented that the Sunday radio program was  
34 very good! He asked to see the Bureau's budget, which should give more  
35 precise information on how the CVB is spending contributions. CPA Bob  
36 Straub will be providing copies of the June 30, 2016 budget to all  
37 participating entities.

38

39 Councilman Wood opined that the City of Moundsville should be doing "its  
40 part" to promote the City's destination points, such as recreation facilities.  
41 He would like to see the CVB help with the upcoming "Community Day."  
42 The next Mayors meeting will be followed by a Social Media Madness Class

1 to inform officials of the benefits of using sites such as Facebook, Twitter,  
2 and Instagram. Citizens can use #visitmoundsville to share pictures and  
3 information with the CVB.

4  
5 **MINUTES:**

6 **Regular Council Meeting of August 6, 2012**

7 Vice Mayor DeWitt made a motion to accept the July 19, 2016 minutes as  
8 presented; Councilman Simms seconded, and the motion carried  
9 unanimously.

10

11 **GENERAL PUBLIC HEARING:**

12 No one in the audience wished to address Council.

13

14 **PUBLIC HEARING**

15 **Public Hearing Concerning a Proposed Ordinance Pertaining to a 1% Sales  
16 Tax in the City of Moundsville**

17 Mayor Saunders opened the Public Hearing for the 1% Sales Tax Ordinance.  
18 Hearing no comments, Councilman David Haynes made a motion to close  
19 the Public Hearing. Motion was seconded by Councilman Wood and carried  
20 unanimously.

21

22 **OLD BUSINESS:**

23 **Discussion & Approval of an Ordinance Providing for a 1% Consumer Sales  
24 Tax in the City of Moundsville (Third & Final Reading)**

25

26 Attorney White read the following Ordinance by title only:

27 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST  
28 VIRGINIA, CREATING ARTICLE 796 OF THE CODE OF THE CITY OF  
29 MOUNDSVILLE, PROVIDING FOR A CONSUMER SALES AND SERVICE TAX  
30 IN THE CITY OF MOUNDSVILLE (THIRD AND FINAL READING)**

31

32 Councilman Wood made a motion to approve the ordinance providing for a  
33 1% consumer sales tax. Motion was seconded by Councilman Simms.  
34 Mayor Saunders called for a roll call vote, to which Acting Clerk Ankrom  
35 announced the following tally: five yeas, one nay; Vice Mayor DeWitt  
36 voting nay. Motion carried.

37

38 **Discussion & Approval of an Ordinance Pertaining to Enforcement of  
39 Exterior Sanitation & Public Nuisance Violations (Second Reading)**

40

41 Attorney White read the following Ordinance by title only:

42 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**

1 VIRGINIA, ENACTING ARTICLE 1109 OF THE MUNICIPAL CODE OF THE  
2 CITY OF MOUNDSVILLE TO PROVIDE FOR ADDITIONAL METHODS OF  
3 ENFORCEMENT OF EXTERIOR SANITATION AND PUBLIC NUISANCE  
4 VIOLATIONS (SECOND READING)  
5

6 Councilman Wood made a motion to approve the ordinance enacting Article  
7 1109 providing for enforcement of exterior sanitation and public nuisance  
8 violations. Motion was seconded by Vice Mayor DeWitt.  
9

10 Attorney White explained that this Ordinance, which was part of the City of  
11 Moundsville's Home Rule package, provides for quicker enforcement of the  
12 existing ordinances. The proposed "Code Enforcement Officer" will have  
13 authority to issue citations, which will continue process through Moundsville  
14 Municipal Court. Code Section 1109.5 sets general penalties for such  
15 violations, which the Municipal Court Judge will have final authority over.  
16 Property liens can be filed for any and all costs associated with  
17 enforcement.  
18

19 Mayor Saunders called for a roll call vote: six yeas. Motion carried  
20 unanimously.  
21

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

23 \* Vice Mayor DeWitt asked about paving, which has been advertised and  
24 bids are due back by August 11, 2016.  
25

26 \* Councilman David Haynes expressed concern about used tires lying in  
27 yards around town. He thought there was already an ordinance in place to  
28 address this and would like to see it enforced.  
29

30 \* Councilman Wood asked that Council consider addressing their final six  
31 goals at the August Committee meeting.  
32

33 \* Councilman Wood asked about progress on filing civil suits through  
34 Moundsville Municipal Court. Manager Hess and the Revenue Collector still  
35 have to discuss details with the Municipal Court Judge.  
36

37 \* Councilman Wood opined that the Recreation Workshop was productive!  
38 It was suggested to have a structural evaluation of the pool. Grand Vue  
39 Park Director Craig White will attend the next meeting to discuss a possible  
40 partnership with Grand Vue Park.  
41

42 \* Councilman Hendershot saw the article about the Recreation Workshop

1 and suggested that the new members of the Parks & Recreation Board be  
2 encouraged to work together to stay within their annual budget; then,  
3 perhaps, more funds would be available for Pool improvements. The  
4 Recreation Department has exceeded their allowed budget for the past  
5 three Fiscal Years.

6  
7 \* Councilman Hendershot expressed frustration that further State  
8 inspections of the City bridges is not doing anything to improve their  
9 condition. There needs to be actual work done on them, before they fall  
10 into complete disrepair.

11  
12 \* Councilman Hendershot asked if an Office Manager had been appointed  
13 for the City Clerk's Office, which Manager Hess has not done.

14  
15 **NEW BUSINESS:**  
16 **Discussion & Approval of a Zoning Ordinance Pertaining to Special**  
17 **Exeptions for the Sanford Center (First Reading)**

18  
19 Attorney White read the following ordinance by title only:  
20 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**  
21 **VIRGINIA, PROVIDING FOR SPECIAL EXCEPTIONS WITHIN URBAN**  
22 **RESIDENTIAL ZONES FOR COMMUNITY CENTERS AND THE OPERATION OF**  
23 **SMALL BUSINESS AS SUB-UNITS THEREOF (FIRST READING)**

24  
25 Councilperson Simms made the motion to approve the first reading of an  
26 ordinance for special exceptions in Urban Residential Zones. Motion was  
27 seconded by Councilman Wood.

28  
29 Vice Mayor DeWitt expressed concern over there being allowed a 70%  
30 Business to 30% Community Center ratio. Community Centers by  
31 definition are supposed to be more community-oriented, not a small-  
32 business plaza.

33  
34 It was clarified that future such Community Centers will have to get initial  
35 approval by the Moundsville Board of Zoning Appeals. Then, a small Board,  
36 as appointed by the Mayor, will have authority to allow certain businesses  
37 within the Center. Finally, the Center's Board will give their okay for a  
38 business to open within the facility.

39 Vice Mayor Saunders called for a roll call vote: six yeas. Motion carried  
40 unanimously.

41  
42 **Appointment to the Moundsville Zoning Appeals Board (Council**

1 **Appointment)**

2 Manager Hess received a letter from Peggy Richmond, of 1515 4<sup>th</sup> Street,  
3 expressing a desire to serve on the Board of Zoning Appeals. Vice Mayor  
4 DeWitt made a motion to appoint Peggy Richmond to the Board. Motion  
5 was seconded by Councilman Simms and carried unanimously.  
6

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

8 \* Councilman Hendershot is of the opinion that a Memorandum of  
9 Understanding with Grand Vue Park would be beneficial to the City's  
10 Recreation Department.  
11

12 \* Councilman Wood mentioned a request from the Fostoria Glass  
13 Foundation of America for a donation toward the purchase of a collection of  
14 glass molds; the Marshall County Commission gave \$10,000.00 toward the  
15 \$40,000.00 asking price. Councilman Wood made a motion to discuss this  
16 at the August Committee meeting. Motion was seconded by Councilman  
17 Simms and carried unanimously.  
18

19 \* Councilman Wood mentioned the upcoming Community Day.  
20

21 \* Councilman Wood commented that Tim Stranko will discuss legislation  
22 affecting municipalities during the next Mayors meeting on August 17, 2016  
23 at 12:00 at the Former Penitentiary. United States Senator Shelley Moore  
24 Capito has also been invited to attend a Mayors meeting.  
25

26 \* Councilman Wood contacted the Belmont County Commission about the  
27 possibility of meeting with Council, Chief Mitchell, Chief Clarke, and  
28 Manager Hess to discuss the proposed cracker plant to be constructed  
29 across the river. Councilman Wood stated that the City of Moundsville  
30 should "be prepared" for the influx of people and traffic.  
31

32 \* Councilman Simms made a motion to discuss, at the next Committee  
33 meeting, the possibility of offering a discount to residents who pay their  
34 City fees six or twelve months in advance. Motion was seconded by Vice  
35 Mayor DeWitt and carried unanimously.  
36

37 \* Councilman David Haynes clarified that he has not, and will not, vote to  
38 close 4 Season Pool. He is opposed, however, to investing more than  
39 \$800,000.00 to renovate the facility. As a Councilman-At-Large,  
40 Councilman Haynes represents all residents of the City of Moundsville; and  
41 he believes any decision on the future of 4 Seasons Pool should go to the  
42 voters. Councilman Wood and Councilman Simms agreed that every

1 individual is entitled to their own opinion; however, sometimes it is  
2 misinterpreted by others.

3

4 \* Vice Mayor DeWitt opined that Council members should always vote their  
5 conscious, regardless of whether it is popular or what other individuals  
6 want.

7

8 \* Councilman Wood reminded that, in discussions about having a levy for  
9 the 4 Seasons Pool renovations or rebuild, it would be two years before it  
10 could be put on the ballot; and at least a year before a Special Election  
11 could be held, with an additional cost of about \$30,000.00.

12

13 **MANAGER ITEMS:**

14 **Re-Appointments to the Moundsville Planning Commission (Manager's  
15 Appointment)**

16 ① Manager Hess received letters of interest from Carol Bassett and David  
17 Allender, whose terms have expired. Mr. Allender and Mrs. Bassett are  
18 re-appointed for three-year terms.

19

20 ① Manager Hess received a letter of recommendation from Shelley Glatzer,  
21 Executive Director of the Moundsville Housing Authority, to appoint  
22 Cheryl Schefsky as the resident board member on the Housing Authority  
23 Board of Commissioners for a five-year term.

24

25 ① Manager Hess received a letter from Karen Shipley, who ran into Mayor  
26 Saunders at the gym and shared her concerns about motorists travelling  
27 at unsafe speeds on Mulberry Avenue. In less than a week, a "Slow,  
28 Children at Play" sign was installed near the existing Stop sign. Mrs.  
29 Shipley thanked Mayor Saunders for listening to her concerns and taking  
30 prompt actions!

31

32 ① Manager Hess noted that she is working with Vice Mayor DeWitt and  
33 Councilman Wood on the upcoming "Community Day" to be held  
34 September 25, 2016 from 1:00 to 4:00 PM at Riverfront Park and 4  
35 Seasons Pool. Copies of a flyer for the event were handed out to all of  
36 Council and those in attendance. Donations are being requested to  
37 cover the cost of refreshments, inflatable activities for the children, face  
38 painting, and other activities. United States Attorney Bill Ihlenfeld's  
39 office is providing the back-to-school supply prizes being given away;  
40 the Moundsville Fire Department will have the Fire Safety House on site.;  
41 and Moundsville Street Department personnel will be cooking food. A  
42 local disc jockey has also agreed to volunteer his services.

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**MAYOR ITEMS:**

- Ⓞ Mayor Saunders went with the Lions Club to Newton, West Virginia to help with flood relief. He told the story of a family that had suffered through a fire in their previous residence, then was devastated by the recent flooding in Newton. Council members opined that, when looking at nation-wide events, it appears that citizens of West Virginia show their best by, instead of looting, stealing, and rioting, they help one another in times of great struggle.
  
- Ⓞ Mayor Saunders apologized to Councilman Wood, if he was offended by Mayor Saunders' recent comments on red light violators. Councilman Wood did not take offense.
  
- Ⓞ Mayor Saunders is working with Suzanne Park and Brandy Hudson on a 5K Walk/Run to be held in October.
  
- Ⓞ Mayor Saunders is in agreement that every individual is entitled to their own opinion, even if it is not popular.
  
- Ⓞ Attorney White asked for a moment to present legal ads:  
1513 3<sup>rd</sup> Street Zone Change for Second & Final Reading  
Logevity Pay Increase for Policemen & Firemen for Second & Final Reading  
Limitations on keeping fowl for Second & Final Reading  
Collection of Delinquent Fees & Taxes for Second & Final Reading  
Candidate Filing for Election  
Civil Action 16-M25C-00169  
Petition for Mural Approval  
2311 & 2315 2<sup>nd</sup> Street Public Hearing  
Vice Mayor DeWitt made a motion to receive and file the legal ads. Motion was seconded by Councilman David Haynes and carried unanimously.

**COMMITTEE REPORTS:**

- Discussion of Recommendations by the Finance Committee*  
The Finance Committee will meet August 9, 2016 at 5:00 PM.
  
- Discussion of Recommendations by the Policy Committee*  
The Policy Committee will meet August 9, 2016 immediately following the Finance Committee, which should be around 6:00 PM.
  
- Discussion of Recommendations by the Traffic Committee*

1 The Traffic Committee will meet August 9, 2016 immediately following the  
2 Policy Committee, which should be around 7:00 PM.

3

4 **COUNCIL ITEMS:**

5 \* **Simms** – Had nothing at this time.

6

7 \* **Wood** – Reminded everyone of the Back-to-School Fun Fair, sponsored by  
8 the Marshall County Family Resource Network, to be held on Wednesday at  
9 the former Penitentiary.

10

11 \* **Hendershot** – Thanked all the Fire Departments who assisted with the 5<sup>th</sup>  
12 Street house fire! It is amazing that the damage was contained to just the  
13 one house.

14 \* Councilman Hendershot is awaiting the arrival of his second grandson  
15 and will soon be leaving for two months in Japan; therefore, he will miss  
16 several meetings.

17

18 \* **Haynes** – Had nothing at this time.

19

20 \* **DeWitt** – Congratulated Councilman Hendershot on his to-be-born  
21 grandchild!

22

23 Vice Mayor DeWitt made the motion to adjourn, which was seconded by  
24 Councilman Simms. Meeting adjourned at 8:13 PM.

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Karen L Ankrom, Acting City Clerk

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Eugene Saunders, Mayor