

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **AUGUST 16, 2016**

3
4 The Council of the City of Moundsville met in regular session in the Council
5 Chambers on August 16, 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, Paul Haynes,
13 Simms, Wood, and Mayor Saunders. Absent was Allen R Hendershot, who
14 was out of town. Also present: City Manager Hess, Police Corporal Oliver,
15 who was later replaced by Chief Mitchell, Fire Chief Clarke, Public Works
16 Director Stocklask, Building Inspector Richmond, Attorney Thomas White,
17 CPA Goddard, and Acting Clerk Ankrom. Absent was City Clerk Hewitt
18 (vacation).

19

20 **MINUTES:**

21 **Regular Council Meeting of August 1, 2016**

22 Vice Mayor DeWitt made a motion to accept the August 1, 2016 minutes,
23 which Councilman Simms seconded.

24

25 Line 1 on page 5 incorrectly listed Mayor Saunders as Vice Mayor Saunders.
26 Line 17 on page 18 incorrectly named the Marshall County Parent Resource
27 Network as the Family Resource Network.

28

29 Councilman Simms then made a motion to accept the August 1, 2016
30 minutes as amended. Vice Mayor DeWitt seconded the motion, which
31 carried unanimously.

32

33 **GENERAL PUBLIC HEARING:**

34 Frank Boso Jr of 1208 Purdy Avenue opined that spending \$800,000.00 to
35 fix a "50-year-old relic" does not make sense! He feels, if the City needs to
36 have a pool, a new one should be built, while interest rates are low; and
37 appropriate fees should be charged. Mr. Boso also thinks a joint venture
38 with the County would be favorable.

39

40 Dave Rickman of 2105 4th Street agrees that Four Seasons Pool should be
41 self-sufficient, with a new business plan for management. The funds that
42 are needed to improve Four Seasons could be better used for street paving

1 or improving equipment. Mr. Rickman pointed out that Council members
2 are elected to serve in the "best interest" of the citizens of Moundsville;
3 and, whatever is decided by Council today, will still be encumbering the
4 City Council in place 15 years from now.

5
6 Rosemary Petrone of 48 Dexter Avenue pointed out that two different
7 engineers stated nothing is structurally wrong with Four Seasons Pool.
8 Also, many organizations will be affected by closing the facility, including
9 the local swim teams and Special Olympics. Ms Petrone believes a fee
10 increase and bringing the facility up to standard would be better options.

11
12 Cindy Norris of 2000 4th Street believes putting the issue on the ballot
13 should allow the citizens to choose what happens to Four Seasons Pool.

14
15 **PUBLIC HEARING**
16 **Public Hearing Concerning a Proposed Ordinance Pertaining to a Filing Fee**
17 **for City Elections and Waiving the Required Nominating Petitions**

18 Mayor Saunders opened the Public Hearing for the Ordinance pertaining to
19 charging a filing fee for City Elections and waiving nominating petitions.

20
21 Vice Mayor DeWitt stated that she would prefer to see the issue go to the
22 voters.

23
24 Cindy Norris of 2000 4th Street stated that, perhaps, eliminating the
25 requirement for signatures and charging a filing fee would open the door
26 for more candidates and give voters more options to choose from.

27
28 Hearing no more comments, Councilman Wood made a motion to close the
29 Public Hearing. Motion was seconded by Councilman David Haynes and
30 carried unanimously.

31
32 **OLD BUSINESS:**
33 **Discussion & Approval of an Ordinance Providing for a Filing Fee for City**
34 **Elections and Waiving the Required Nominating Petitions (Second Reading)**

35
36 Attorney White read the following Ordinance by title only:
37 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
38 **VIRGINIA, AMENDING AND REENACTING ARTICLE VII, SECTION 48 OF THE**
39 **CHARTER OF THE SAID CITY OF MOUNDSVILLE PROVIDING THE METHOD**
40 **FOR CANDIDATES TO FILE FOR ELECTION TO CITY COUNCIL (SECOND**
41 **READING)**

1 Councilman David Haynes made a motion to approve the ordinance
2 providing the method for candidates to file for election to City Council.
3 Motion was seconded by Councilman Paul Haynes. Mayor Saunders called
4 for a roll call vote, to which Acting Clerk Ankrom announced the following
5 tally: six yeas. Motion carried unanimously.

6
7 **Discussion & Approval of an Zoning Ordinance Pertaining to Special**
8 **Exceptions for the Sanford Center (Second Reading)**

9
10 Attorney White read the following Ordinance by title only:
11 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
12 **VIRGINIA, PROVIDING FOR SPECIAL EXCEPTIONS WITHIN URBAN**
13 **RESIDENTIAL ZONES FOR COMMUNITY CENTERS AND THE OPERATION OF**
14 **SMALL BUSINESS AS SUB-UNITS THEREOF (Sanford Center) (SECOND**
15 **READING)**

16
17 Councilman David Haynes made a motion to approve the ordinance
18 providing for Special Exceptions for Community Centers. Motion was
19 seconded by Councilman Simms. Mayor Saunders called for a roll call vote,
20 to which Acting Clerk Ankrom announced the following tally: six yeas.
21 Motion carried unanimously.

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

24 * Councilman David Haynes asked when the parking signs, on 6th Street
25 around the Marshall County Courthouse, will be removed. Manager Hess
26 stated that they were waiting until the parking lot is complete before
27 opening those parking spots.

28
29 * Councilman Simms is in favor of negotiating with the Marshall County
30 Commission for them to take over all of the City of Moundsville's
31 recreational facilities. This item cannot be voted on since it was not already
32 listed on the Agenda.

33
34 * Councilman Wood will have the top six goals, as voted on by Council, at
35 the next Regular Council meeting.

36
37 * Councilman Wood is also in favor of working with the County Commission
38 to improve City recreational facilities.

39
40 **NEW BUSINESS:**

41 **Discussion & Approval of a Resolution Authorizing the City Manager to**
42 **Enter into a Contract with Republic Services to provide Recycling Services**

1 Attorney White reviewed the contract from Republic Services, pertaining to
2 recycling services, and has some items to discuss with Manager Hess and
3 Vice Mayor DeWitt. Councilman Simms made a motion to table the
4 Resolution authorizing Manager Hess to enter into a recycling contract with
5 Republic Services. Motion was seconded by Vice Mayor DeWitt and carried
6 unanimously.

7

8 **Discussion & Approval of Paving Bids**

9 Street Paving bids were received from Wilson Blacktop \$209,146.60, Klug
10 Brothers \$180,353.22, and Lash Paving Company \$206,028.00. Klug
11 Brothers' bid met all specifications for paving of Ruby Street from Parriott
12 Avenue to Garfield Street; 11th Street from Jefferson to Weaver Avenues;
13 Sycamore Avenue from Center Street to Highland Avenue; and Harmony
14 Drive from Spruce to Sugar Streets.

15

16 Since bids are lower than expected, streets that have already been
17 engineered could be bid out as well, for paving this year. The Municipal Fee
18 Account contains \$293,158.86 with just over \$5,000.00 in outstanding
19 invoices.

20

21 Councilman Wood made a motion to accept Klug Brothers bid of
22 \$180,353.22, which was seconded by Councilman David Haynes and
23 carried unanimously.

24

25 Councilman Simms made a motion to put out for bid the paving of Sugar
26 and Spruce Streets. Motion was seconded by Vice Mayor DeWitt and carried
27 unanimously.

28

29 Manager Hess will contact Klug's tomorrow to be put on the schedule.

30

31 **Discussion & Approval of an Ordinance Pertaining to Amending City Code to** 32 **Comply with State Law Dealing with Fireworks (First Reading)**

33

34 Attorney White read the following ordinance by title only:

35 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
36 **VIRGINIA, AMENDING THE CITY CODE 545.10 TO COMPLY WITH STATE**
37 **LAW PERMITTING THE SALE OF FIREWORKS, BUT PROHIBITING THE**
38 **EXPLOSION OR DETONATION OF FIREWORKS IN THE CITY OF**
39 **MOUNDSVILLE (FIRST READING)**

40

41 Councilman David Haynes made the motion to approve the first reading of
42 an ordinance permitting the sale of fireworks but prohibiting explosion or

1 detonation, in compliance with State Code. Motion was seconded by Vice
2 Mayor DeWitt. Mayor Saunders called for a roll call vote, to which Acting
3 Clerk Ankrom announced the following tally: six yeas. Motion carried
4 unanimously.

5

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

7 * Councilman Wood commented on the article in *The Intelligencer*, about
8 the City of Benwood being able to renovate their city pool, by noting that
9 Benwood has a better tax base and, therefore, more funds to embark on
10 such projects.

11

12 * Councilman Wood reminded Council members of the Mayors' meeting at
13 noon on August 17 at the former Penitentiary, which will be followed by a
14 social media class. Brief discussion was held on the drug epidemic
15 happening in so many West Virginia cities, including Huntington, which was
16 devastated by 16 overdoses in one night.

17

18 * Vice Mayor DeWitt followed up with a handout on "Battling Addiction,"
19 from Huntington Mayor Steve Williams, which gave some statistics on drug-
20 related effects and treatment.

21

22 * Vice Mayor DeWitt summarized the new overtime rules, which become
23 effective December 1, 2016.

24

25 **MANAGER ITEMS:**

26 ⑩ Manager Hess reminded Council of the Business After Hours to be held
27 at Grand Vue Park on August 25, 2016, from 5:00 to 7:00 PM.
28 Reservations are to be made through Secretary Kaufman.

29

30 ⑩ Manager Hess informed that Department Heads met with the Columbus-
31 based consulting firm handling the prospective cracker plant. A recent
32 24-hour traffic survey was done. They anticipate approximately 3,000
33 workers will be bussed in during construction, and eventually 800
34 employees will be utilized.

35

36 ⑩ Manager Hess relayed that the Route 2 widening project has been
37 delayed until April 2017.

38 ⑩ Manager Hess thanked Councilman Wood and Vice Mayor DeWitt for
39 their assistance in planning the upcoming "Community Day." Many
40 volunteers will be needed for the three-hour event on September 25,
41 2016. A \$500.00 deposit is required for the inflatables; and a parking
42 strategy needs to be in place.

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Ⓞ Manager Hess is thankful for Attorney White's review of the recycling contract, and anticipates discussion on the items of concern.

Councilman Simms made a motion to receive and file legal ads from Attorney White:

- August 9 publication of Special Exception Ordinance (Sanford)
- July 28 publication of Notice to Contractors/Resurfacing
- July 29 publication of Bids/Resurfacing

Councilman David Haynes seconded the motion, which carried unanimously.

MAYOR ITEMS:

Ⓞ Mayor Saunders asked about the 3rd Street house, on which Inspector Richmond has no new information.

Ⓞ Mayor Saunders asked about the 7th Street duplex, on which Inspector Richmond is still working.

Ⓞ Mayor Saunders commented on a tree hanging over on Highland Avenue.

Ⓞ Mayor Saunders urged Council to make a decision on Four Seasons Pool! There are individuals willing to write grants and raise money, but need to know what Council's plans are.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee

Disussion of Code Enforcement Officer Costs. Committee recommends forwarding to September Committee to discuss job description and legalities.

The Committee will discuss this issue again in September.

Discussion of donation to Fostoria Glass Society of America. Committee recommends donating \$50.00.

Vice Mayor DeWitt presented a motion to donate \$50.00 to the Fostoria Glass Society of America. Motion was seconded by Councilman Wood and carried unanimously.

Discussion of Donation to Sons of the American Legion Golf Scramble. Committee recommends donating \$50.00.

Vice Mayor DeWitt presented a motion to donate \$50.00 to the Sons of the

1 American Legion Golf Scramble. Motion was seconded by Councilman
2 Simms and carried unanimously.

3
4 **Discussion of Four Season Pool Funding Proposals. Committee recommends**
5 **moving forward with consideration of enclosing office space area and the**
6 **filtration system.**

7 Vice Mayor DeWitt presented a motion, for discussion, to move forward
8 with considering a change to the filtration system and enclosing the office
9 space. Motion was seconded by Councilman Simms.

10

11 Council members agreed that they need expert advice, on the benefits and
12 drawbacks, of enclosing the office and shower room area of the Four
13 Seasons complex, as well as affects on the filtration system.

14

15 A county-wide levy would require support from all Marshall County
16 municipalities; and many of them already have City pools that require their
17 attention. Plus, if the Moundsville Water Board gets a rate increase, and
18 considering county taxes, citizens will not be supportive of paying yet more
19 of their already-limited income. Councilman Wood opined that whatever
20 Council decides to do, it will be expensive!

21

22 Discussion was held on partnering with the County. Grand Vue Park
23 Director Craig White has expressed interest in helping improve the City's
24 recreational facilities. Council is agreeable with Manager Hess and Mayor
25 Saunders discussing opportunities with County Administrator Frohnafel
26 and Director White, then possibly proceeding with discussions with the
27 County Commission.

28

29 Vice Mayor DeWitt then rescinded her motion to move forward with
30 enclosing the office space and filtration system; and Councilman Simms
31 rescinded his second.

32

33 *Discussion of Recommendations by the Policy Committee*

34 **Discussion of Revised Ordinance 545.10 amending Code dealing with sale**
35 **and discharging fireworks in City limits. Committee recommends to place**
36 **on Regular Council meeting Agenda for August 16 for First Reading.**

37 This ordinance has been passed.

38

39 *Discussion of Recommendations by the Traffic Committee*

40 The Traffic committee had nothing to discuss at this time.

41

42 **COUNCIL ITEMS:**

1 * Wood – Wanted to verify that Manager Hess and Mayor Saunders will
2 meet with Betsy Frohnapfel and Craig White to discuss opportunities, which
3 will be brought back to City Council before approaching the County
4 Commission? That is the process to follow at this time.

5

6 * Simms – Had nothing at this time.

7

8 * DeWitt – Asked that a sinkhole at 7th Street and Ash Avenue be looked
9 at.

10

11 * Paul Haynes – Asked Manager Hess to look at lowering the speed limit at
12 the entrance to Cherokee Hills, coming off of 1st Street.

13

14 * David Haynes – Asked Inspector Richmond about water leaking at the
15 Mexican Restaurant on 1st Street. Inspector Bertrand has been addressing
16 this situation.

17 * Councilman David Haynes would like for all of Council to be involved in a
18 meeting with the Moundsville Water Board.

19

20 Vice Mayor DeWitt made the motion to adjourn, which was seconded by
21 Councilman Simms. Meeting adjourned at 8:05 PM.

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26 _____
Karen L Ankrom, Acting City Clerk

Eugene Saunders, Mayor