

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF
MOUNDSVILLE, APRIL 3, 2018**

The Council of the City of Moundsville met in regular session in the Council Chambers on April 3, 2018 at 7:00 p.m.

Meeting was called to order by Mayor Allen Hendershot.

Invocation was given by Mayor Allen Hendershot.

City Clerk Hewitt called the roll and the following Councilpersons were in attendance: DeWitt, Haynes, Hunt, Remke, Saunders, Wood and Mayor Hendershot. Also present were City Manager Hess, Police Chief Mitchell, Public Works Laborer Allman, Building Inspector Richmond, Acting Fire Chief Brandon, Parks & Recreation Director Coville, CPA Kathryn Goddard, Attorney Thomas White and City Clerk Hewitt.

MINUTES:

Regular Council Meeting of March 20, 2018.

Councilperson DeWitt made a motion to accept and approve the minutes of the regular council meeting of March 6, 2018, seconded by Councilperson Remke. Motion carried unanimously.

Special Council Meeting of March 27, 2018.

Councilperson Haynes made a motion to accept and approve the minutes of the special council meeting of March 27, 2018, seconded by Councilperson Hunt. Motion carried unanimously.

GENERAL PUBLIC HEARING:

Linda Vidoni & Gary Fordyce - Proclamation for Senior Corps and AmeriCorps National Service Recognition Day.

Councilperson Wood moved to proclaim April 3, 2018 as Senior Corps and AmeriCorps National Service Recognition Day, seconded by Vice Mayor Remke. Motion carried unanimously.

* Carl Boso, 305 10th Street, reported people living in campers in alley between 5th & 6th

Street and Jefferson Avenue and Baker Avenue. Manager Hess will address the complaint.

* Randy Chamberlain, 1812 Virginia Street, commended council for being so dedicated to the community and presented a picture from the top of the mound looking onto the old museum building. The roof of that building has collapsed onto the inside of the building. He feels the state should take responsibility of their buildings.

Building Inspector Richmond said he was addressing the problem. Vice Mayor Remke made a motion to direct City Manager Hess to draft a letter to Governor Jim Justice as well as the Department of Culture and History, seconded by Hunt. Motion carried unanimously. Mayor Hendershot suggested council members call their legislatures.

OLD BUSINESS:

Other Items to be Discussed by Council.

* Councilperson Haynes informed Councilperson DeWitt concerning the water trucks buying treated or untreated water, the trucks purchase untreated water from the Water Department. Mayor Hendershot also commented, after speaking with Water Superintendent Jim Woods, that most of the water is treated, however, they also purchase the untreated water.

* Councilperson Haynes asked if Chief Mitchell obtained any engineering quotes for the Police Department building? Chief Mitchell said an engineering firm inspected the basement as well as the rest of the building. He will keep council informed of the updates.

* Councilperson Haynes said he read in the Water Board minutes that council discussed charging the Water Board rent for using the back rooms of the city building for their office and collections. Mayor Hendershot said it was a thought but did not go anywhere. However, they did discuss the potential of charging the Water Board for the use of utilities, electric, water, etc.

* Councilperson Wood asked for an update on the surety bonds for construction of the Rt. 2 project. Building Inspector Richmond said he received a surety bond for one contractor and working with another contractor.

* Councilperson Wood asked when street paving will begin? Manager Hess sent list of streets to the engineer. She is waiting on a call from Jack Tush.

* Councilperson Wood asked if a meeting was scheduled between the Sanitary Superintendent and the Public Works Director concerning stormwater issues? Manager Hess said there has not be a meeting scheduled but they will be meeting with City Engineer Jack Tush to discuss problems on Jason Drive.

* Councilperson DeWitt asked Attorney White if he researched whether or not a citizen's water can be shut off for non payment to the stormwater fee? Mayor Hendershot said the Water Board and Sanitary Board are still moving forward with the July 1 date to move the stormwater fee to the water bills. He said the city code allows for terminating water service for delinquent stormwater fees. There may be some minor adjustments to the code by council because the termination time lines for the water and stormwater need to coordinate. Attorney White will research the ordinance.

* Councilperson Saunders thanked the Street Department for taking care of the alley he complained about. Also thanked them for cleaning up the leaves at 4th Street & Curtis Avenue.

* Councilperson Hunt made a motion to discuss at the finance sub committee meeting implementing a "rainy day" fund from the projected B&O Tax revenue generated from the road projects and John Marshall Stadium for capital improvements, seconded by Councilperson Remke. Motion carried unanimously. Councilperson Hunt requested the projected amount of B&O from those projects.

* Councilperson Hunt distributed information pertaining to a lease purchase agreement for office computer program software and hardware and motion to discuss this at the finance sub committee meeting, seconded by Councilperson Wood. Motion carried unanimously.

* Vice Mayor Remke asked for a final copy of the 2018-2019 General Fund Budget. He asked to have the copy for the sub committee meeting.

* Vice Mayor Remke asked Attorney White for an update on the negotiations with the pipeline company. Attorney White said he made a counter offer and is waiting for their response.

* Vice Mayor Remke asked if Manager Hess was able to address the Lockwood Avenue problem of water backing up into basements? Manager Hess said Sanitary Superintendent Bonar was going to look into the problem.

* Vice Mayor Remke asked Manager Hess if she was able to find out if UMAC was

paying to replace the trees on Jefferson Avenue? Manager Hess said she had not spoke to Rich King or Butch Inclan yet.

* Vice Mayor Remke asked if the winners of the “Opportunity Zone” grant were announced? Manager Hess will find out.

* Vice Mayor Remke asked for the delinquent amount of Uninhabitable Building fee.

NEW BUSINESS:

Other Items to be Discussed by Council.

* Councilperson Wood moved to discuss the 2017-2018 General Fund Audit at the finance sub committee meeting, seconded by Councilperson DeWitt. Motion carried unanimously.

* Councilperson Wood moved to discuss the city employees use of social media policy at the policy sub committee meeting, seconded by Councilperson DeWitt. Motion carried unanimously.

* Councilperson Wood made a motion to have an executive session for personnel after the regular meeting, seconded by Councilperson Saunders. Motion carried unanimously.

* Councilperson DeWitt said she is not sure if she will be able to spearhead the “Hunger Doesn’t Take a Summer Vacation” this year but hopes that city council and city staff will keep the project going. She said the project is in June but will make sure of the dates.

* Councilperson Saunders asked for an update on Community Day event. Manager Hess she has the DJ booked and was hoping that Councilpersons DeWitt and Hunt will participate again. The date is set for August 25, 2018. Manager Hess and Secretary Kaufman will be sending letters to businesses.

Mayor Hendershot asked to discuss organization of the community day event be discussed at the policy sub committee meeting, seconded by Councilperson DeWitt. Motion carried unanimously.

* Councilperson Saunders asked for an update on the Sanford Center driveway into their parking lot. Mayor Hendershot said they received estimates on the concrete but he is not sure on the completion date.

* Councilperson Hunt invited council members and citizens to the Annual Appalachian Outreach fund raiser April 21, 2018 at the Training Center from 10-3.

* Vice Mayor Remke asked what the cost of the AEP project on 13th Street is? Building Inspector Richmond said he didn't have the figures with him but they are paying B&O Tax.

* Vice Mayor Remke made a motion to discuss at the policy committee outside businesses obtaining city business license and paying B&O Tax to Moundsville, seconded by Councilperson DeWitt.

Councilperson Saunders asked Vice Mayor Remke for an explanation for his request. Vice Mayor Remke said the issue is concerning the complaints by a citizen. Attorney White said the city can not collect B&O Tax from a business that is already paying B&O Tax to the municipality they are located in.

Vice Mayor Remke rescinded his motion and Councilperson DeWitt rescinded her second.

* Vice Mayor Remke made a motion to discuss at the policy sub committee charging the camp sites a public safety fee for locating in the city. Motion was rescinded by Vice Mayor Remke due to the owners of the campgrounds paying Municipal Fee for campers.

* Vice Mayor Remke asked for the status of a sidewalk and fence project on Fifth Street next to Myers Eye Clinic. Building Inspector Richmond said he sent letters to the property owners.

* Vice Mayor Remke made a motion to discuss at policy to contact Lamar Sign company to negotiate an event sign or welcome sign, seconded by Councilperson DeWitt. Motion carried unanimously.

MANAGER ITEMS:

* City Manager Hess submitted her bi-weekly report to council: (1) She thanked City Council for approving the 2018-2019 General Fund Budget; (2) She continues to work on lowering the employees health insurance rate. The budgeted increase was at 12.6% but has since lowered to 8.5% and could continue to decrease; (3) The Land & Water Conservation Fund paperwork will be submitted by the of the week; (4) Four Seasons pool is currently closed for 3 weeks for cleaning and painting. The dectron is supposed to arrive by next week (Parks & Recreation Director Coville reported due to other

circumstances, the dectron will arrive on Tuesday, April 10, 2018); (5) All RV spaces have been reserved; (6) Reported she was off sick for a several days last week.

MAYOR ITEMS:

* Mayor Hendershot reported on March 21st he attended a Mayor's Committee meeting. Belmont County Port Authority member Larry Merrie was present to report information concerning the proposed Cracker Plant across the river.

* Another meeting has been scheduled for April 18, 2018 1:00 p.m. at the City Building. He also invited RED representative Josh Jefferson and Betsy Frohnapfel of the Marshall County Commission.

* Attended Belomar meeting on March 22 concerning Brownsfield. Belomar submitted an application for a \$200,000.00 assessment grant for Brownsfields in the local area. Council may submit sites they feel need an assessment, such as the former McCabe's gas station on First Street or Bill's Quaker State on Rt. 2 & 13th Street. Manager Hess can submit list to Belomar.

* Attended a Water Board meeting in which discussion of delinquent stormwater fees will constitute termination of water service.

* Attended a Manager's Workshop and Special Council Meeting on March 27, 2018 to approve the 2018-2019 General Fund Budget.

* Mayor Hendershot asked whether there are limitations on the Dura Patcher as far as weather? Public Works Laborer said the Dura Patcher should be used in temperatures above 40 degrees. Also, the emulsion is purchased from Klug's who are closed through cold months and usually re-open toward the middle of April.

* Mayor Hendershot made a motion to discuss at the finance meeting specifications on the rank differential for the Police and Fire, seconded by Councilperson Wood. Motion carried unanimously.

COMMITTEE ITEMS:

Discussion and Approval of Recommendations by the Traffic Committee.

The traffic meeting scheduled for Tuesday, February 13, 2018 at 5:00 p.m.

Discussion and Approval of Recommendations by the Finance Committee.

The finance meeting will follow the traffic meeting.

Discussion and Approval of Recommendations by the Policy Committee.

The policy meeting will follow the finance meeting.

COUNCIL ITEMS:

* **Haynes** - Asked if the city had the old McCabe building torn down, if so, will that be considered city property by Home Rule? Manager Hess stated the city did tear the building down and a lien has been placed on the property. Attorney White said the property will not become city property under Home Rule.

* Asked what was going on with the GAB property at First Street & Fostoria Avenue, all the buildings have been removed? Building Inspector Richmond reported Minnesota Limited, a pipeline company is moving a trailer on the Fostoria Avenue side and possibility of another company setting up office there.

* **Wood** - Nothing at this time.

* **DeWitt** - Nothing at this time.

* **Hunt** - Asked if there had been any resolution for the property owner of 318 10th Street concerning his neighbor piling construction material on the property? Building Inspector Richmond said he is addressing the problem.

* **Remke** - Reported junk vehicles located on the VFD property on Fostoria & Walnut Avenue.

* Made a motion to discuss at the policy meeting to discuss council changing the zoning of a specified property on First Street, seconded by Councilperson Hunt. Motion carried unanimously.

* **Saunders** - Asked Parks Recreation Director Coville if he had purchased another pickup truck yet? Mr. Coville said he was in the process but still looking for one.

* Asked if the city put a fence around the RV Park? Manager Hess said a fence was installed around the railroad track side of the RV Park.

* **Hendershot** - Announced he is not able to attend a dinner for past presidents and past commander's of the VFW on May 21, 2018 at 1::00 p.m., if any member of council wishes to attend.

Councilperson Saunders made a motion to go into an executive session after a 5 minute recess, seconded by Councilperson Haynes. Motion carried unanimously.

Meeting recessed at 8:26 p.m.

Meeting reconvened at 8:28 p.m.

Executive session began at 8:28 p.m.

Executive session recessed at 9:02 p.m.

Regular session reconvened at 9:03 p.m.

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

Meeting adjourned at 9:04 p.m.

Sondra J. Hewitt, City Clerk

Allen Hendershot, Mayor