

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

The Council of the City of Moundsville met in regular session in the Council Chambers on July 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, City Clerk Hewitt, Police Chief Mitchell, Public Works Director Stocklask, Building Inspector Richmond, Parks & Recreation Director Coville, CPA Kathryn Goddard and Attorney Thomas White. Absent: Fire Chief Brandon.

MINUTES:

Regular Council Meeting of June 19, 2018.

Councilperson Haynes made a motion to accept and approve the minutes of the regular council meeting of June 19, 2018, seconded by Vice Mayor Remke. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Allen Hall, speaking on behalf of Mike Lauter, 905 Sixth Street, said one of the concerns of council and neighbors was the utility companies not having access to the utility poles. Mr. Hall said he spoke with Duane Crow, Right of Way Manager at AEP, Wheeling and David Griffin, Land Manager at AEP, Charleston who said AEP will have access to the utility pole if council grants the abandonment.

* Dave Voithoffer, Marshall County Co-op, said he was present concerning an ordinance to correct the zone change at 298 Eleventh Street as well as inform council of a "Dock Dog" event planned for July 7 & 8, 2018. He has hired a couple officers for traffic control and employees will help with parking vehicles. He asked council to contact him with any concerns or complaints. The event will be well organized and will benefit the Marshall County Animal Shelter. Live broadcast is provided by Channel 7.

OLD BUSINESS:

Other Items to be Discussed by Council.

* Councilperson Haynes asked for an update on upgrades to Fostoria bridge. Manager Hess DOT will email information recommending the city's share of 10% instead of 20% that was discussed earlier in the year.

* Councilperson Wood asked Manager Hess if the Fire Fighters were to receive the rank differential as well as the Police Officers? Manager Hess said the Fire Fighters were included in the rank differential.

* Councilperson DeWitt reported to having the number to the light on Railroad Avenue located passed the transformer that is leaning. Manager Hess will be reporting on that light under her items.

* Councilperson DeWitt asked if Manager Hess has received anything back from DOT concerning the intersection at 5th Street & Jefferson Avenue? Manager Hess said she has not spoke with anyone yet.

* Councilperson DeWitt asked Manager Hess if she had spoken to anyone from OES concerning the Moundsville Marina boat docks? Manager Hess said she has not spoke with anyone yet. Ms. DeWitt suggested contacting a representative to assist with the grant.

* Councilperson DeWitt said she was hoping Rick Healy would be able to assist with the recycling grant. She asked Manager Hess if Howard Coffield of the Marshall County Solid Waste Authority was going to speak with council. Manager Hess has left messages for Mr. Coffield to return her call but has not heard from him.

* Councilperson DeWitt informed council the employee and retiree pool pass ordinance provided to council does not include the family member 50% discount. She suggested the City Manager notify the employees of its intent.

* Councilperson DeWitt asked Manager Hess if she obtained any figures or information for construction of the proposed basketball court on Pearl Street? Manager Hess said she is still in the process of obtaining figures.

* Councilperson Hunt asked Parks & Recreation Director Coville if council received his future "pool plan"? Mr. Coville said he is still working on the report and has not submitted it yet.

* Councilperson Saunders asked for an update on the progress of Jason Drive. Manager Hess said the Sanitary Department corrected the problem on Jason Drive and the Street Department is contemplating a speed bump to divert any water.

* Vice Mayor Remke asked if Manager Hess has received any paperwork from Sprint concerning the construction of a tower on the Street Department building? Manager Hess called Sprint several times but they will not return her calls.

* Vice Mayor Remke asked if the dectron is up and running at the pool? Parks & Recreation Director Coville said the will not work when the temperatures outside are high. The unit pulls the moisture and the heat out of the building to heat the building and the pool , once both reach a certain temperature, the dectron will go into alarm mode. Without air conditioning in the building, the unit will sustain its usability. Mr. Coville said the pump and heating unit are on order and will be installed after Labor Day.

* Vice Mayor Remke asked when Klug's will start the city's paving projects? Manager Hess reported Monday.

* Vice Mayor Remke made a motion to discuss at the Traffic Committee meeting future paving priorities provided by Public Works Director Stocklask, seconded by Councilperson Wood.

Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following tally. 6 yeas, 1 nay. Saunders voting nay. Motion carried.

* Vice Mayor Remke asked Manager Hess if she has followed up on painting of the parking meters? Manager Hess announced the middle school was not going to participate this year since the Historic Landmarks Commission was painting Jefferson Avenue and 7th Street.

* Vice Mayor Remke asked for an update on signs in Cherokee Hills and a sign on Jackson Street concerning large trucks. Chief Mitchell reported one car parking against the flow on Cherokee Drive, which he spoke to the owner explaining the ordinance of parking against the flow of traffic. However, he did not feel there was a parking problem.

Vice Mayor Remke moved to discuss the parking problem and placing signage on Jackson Street for large overweight vehicles, seconded by Councilperson DeWitt. Motion carried unanimously.

* Vice Mayor Remke asked if the city received any funding from the Marshall County

Commission for fireworks this year? Manager Hess said the city did not receive any funding this year. Mayor Hendershot noted that he did not request funding from the commissioners since the city had a reasonable surplus this year.

NEW BUSINESS:

Discussion and Approval of an Ordinance to Grant an Alley Abandonment. (First Reading)

Attorney White read the following ordinance by title only to be passed by council on first reading:

AN ORDINANCE VACATING, ABANDONING AND ANNULING A PORTION OF AN ALLEY INTERSECTING THE WEST SIDE OF BAKER AVENUE AND RUNNING BETWEEN FIFTH AND SIXTH STREETS AND INTERSECTING AN ALLEY RUNNING FROM FIFTH TO SIXTH STREET. (FIRST READING)

Councilperson Saunders made a motion to approve the ordinance to abandon a portion of an alley, seconded by Councilperson Hunt.

Mayor Saunders called for a voice vote. City Clerk Hewitt announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Approval of a Zone Change Ordinance for 298 Eleventh Street from R-1 Residential Single Family to C-1 Corridor Commercial. (First Reading)

Attorney White read the following ordinance by title only to be passed by council on first reading:

AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA ON ELEVENTH STREET IN THE CITY OF MOUNDSVILLE FROM RESIDENTIAL SINGLE-FAMILY ZONE TO A CORRIDOR COMMERCIAL ZONE. (FIRST READING)

Councilperson Saunders made a motion to approve the ordinance to correct a certain zone to Corridor Commercial, seconded by Councilperson DeWitt.

Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Approval of an Ordinance for a Zoning Correction at 1014 Thompson Avenue to C-1 Corridor Commercial. (First Reading)

Attorney White read the following ordinance by title only to be passed by council on first reading:

AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA ON THOMPSON AVENUE IN THE CITY OF MOUNDSVILLE FROM RESIDENTIAL SINGLE-FAMILY ZONE TO A CORRIDOR COMMERCIAL ZONE. (FIRST READING)

Councilperson DeWitt made a motion to approve the ordinance to correct a certain zone to Corridor Commercial, seconded by Vice Mayor Remke.

Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Approval of an Ordinance for a Zoning Correction at 1109 Purdy Avenue to C-1 Corridor Commercial. (First Reading)

Attorney White read the following ordinance by title only to be passed by council on first reading:

AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA ON PURDY AVENUE IN THE CITY OF MOUNDSVILLE FROM RESIDENTIAL SINGLE-FAMILY ZONE TO A CORRIDOR COMMERCIAL ZONE. (FIRST READING)

Councilperson Saunders made a motion to approve the ordinance to correct a certain zone to Corridor Commercial, seconded by Councilperson Hunt.

Mayor Hendershot called for a voice vote. City Clerk Hewitt announced the following tally. 7 yeas. Motion carried unanimously.

Discussion and Re-Appointment to Moundsville Water Board.

Manager Hess received a letter from Dennis Wallace who requested to be re-appointed to

the Moundsville Water Board. A letter was also received from the Moundsville Water Board in favor of Mr. Wallace.

Councilperson DeWitt made a motion to appoint Dennis Wallace to the Moundsville Water Board for another 3 year term, seconded by Councilperson Haynes. Motion carried unanimously.

Discussion and Appointment to the Historic Landmarks Commission.

Manager Hess announced that she appointed Karen Baker member of the Historic Landmarks Commission. The appointment will fill the unexpired term of Joe Parriott.

Discussion and Award of Demolition Bids for 1111 Eighth Street.

Bids were received from Norris Demolition \$9,777.00 and Edgco Inc \$11,300.00 to demolish the property at 1111 Eighth Street. Councilperson Saunders made a motion to award the low bid to Norris Demolition, seconded by Vice Mayor Remke. Motion carried unanimously.

Discussion and Approval to Accept a Proposal from Auros Group for Urban Planning Solicitation Services in the Amount of \$7,000.

Councilperson Wood made a motion to accept the proposal from Auros Group for planning services in the amount of \$7,000, seconded by Vice Mayor Remke. Mayor Hendershot called for a discussion.

City Manager Hess provided council with information from the 2014 Comprehensive Plan which states the plan should be reviewed and updated every 10 years. Auros Group opined the city's comprehensive plan is out of date.

Councilperson Wood asked Attorney White if Land Development and Use were the same as Urban Planning. Attorney White said they are similar but not the same.

Councilperson Hunt said she would like to have a chance to look over the proposal before voting on it.

Mayor Hendershot is opposed to the proposal because it is the first proposal requesting money up front. He suggested City Manager Hess contact a few other agencies that provide this type of service and invite them to meet with council.

Councilperson DeWitt made a motion to table until City Manager Hess can speak with other agencies, seconded by Councilperson Saunders.

Mayor Hendershot called for voice vote. City Clerk Hewitt announced the following tally. 5 yeas, 2 nays. Remke & Wood voting nay. Motion carried.

Vice Mayor Remke asked that Manager Hess have agencies to attend the August sub committee meeting. Councilperson Hunt said she would like to see the agencies references.

Other Items to be Discussed by Council.

* Councilperson DeWitt asked if it was possible to have the street sweeper run later in the day so residents who work can move their vehicles. The street in question is the one way section of Tomlinson Avenue. Manager Hess will look into the request.

* Councilperson Wood asked for City Manager to make sure council has a copy of Public Works Director Stocklask's proposed paving plan.

* Councilperson Wood asked CPA Goddard when the city will receive their 1% Municipal Sales and Use Tax check? Ms. Goddard replied approximately the third week of July.

* Councilperson Hunt reported she is still receiving complaints on the condition of the road from the north Plaza to Jefferson Extension.

* Vice Mayor Remke asked if the city still had the flag poles removed from the Welcome to Moundsville sign on Rt. 2? If so, he would like to see them placed at the Valley Fork ballfields.

Mayor Hendershot said he was told the poles were owned by MEDC. Vice Mayor Remke objected saying they were obtained by Dr. Joe Myers, Mr. Remke and One Valley Bank. Councilperson Saunders recommended Manager Hess to research the ownership of the poles.

* Vice Mayor Remke expressed concern over properties on Jefferson Avenue being permitted to transform first floor businesses into residential apartments. Building Inspector Richmond explained that owners petitioned the Moundsville Zoning Appeals Board to obtain a variance to permit the request. Attorney White explained that he will need to speak with the Zoning Appeals Attorney concerning this decision.

* Vice Mayor Remke asked if the city collects anything from the Fireworks tents located in the City? Manager Hess reported collecting B&O Tax.

* Vice Mayor Remke asked for a list of properties to be demolished in the city.

* Vice Mayor Remke asked for a break down all construction projects in the city? Mayor Hendershot said when the contractor takes out the bond, they will pay B&O at the completion of the projects. CPA Goddard doesn't know when the project is completed, therefore she can not report on it. She can only provide council the amounts that have been received and what is in the account. Mr. Remke asked what the run around time is for the city to receive the B&O Tax? Attorney White reported it being at the end of the quarter. Vice Mayor Remke was informed that the city can not provide council or anyone else the names of individuals paying B&O Tax and how much they are paying.

MANAGER ITEMS:

1. Continuing to work on the update for the computer system. Working with the Building Inspectors as to what can be offered to eliminate paperwork. This upgrade could take at least three months. Issue of hardware compatibility is still undetermined at this time.

2. Tim Mizer of McKinley & Associates provided a quote of \$2,500 for the police department building. This would include investigating the floor support beams in the basement, detail any required repair, and provide bid documents for this. He apologized for the delay.

3. A letter from the Soil Conservation Office was received about Middle Grave Creek. They have done all the work they are going to do this year. Only 10% of the capacity of the creek was lost. Therefore, it was not necessary to remove any material from the creek.

4. Parks & Recreation Advisory Board Meeting was canceled for June 21st due to lack of a quorum. Next meeting will be in July.

5. I have not heard anything in regard to the Fostoria bridge project from the D.O.H.

6. Sent a letter to DOH about a study for Fifth Street and Jefferson Avenue.

7. Paving work will start on July 9th.

8. We are still working on obtaining the fencing cost for the basketball court on Pearl Street.

9. A Family Swim Night will be held on July 18th, July 25th and August 1st at Four Seasons Pool from 6:00 to 8:00 P.M. This is being co-sponsored by the Marshall County Schools Program for Disabled Students and the City. Admission is free with pre-registration for students and family.

10. Checked into the WV Recycling Assistance Grant Program. I am in the process of obtaining more information on this to apply for next year. I called Howard Coffield but have not heard back from him about the county's program.

11. Contacted AEP about the pole on Railroad Avenue. This was checked today and AEP states this is safe.

12. The City of McMechen Police Department has approached Chief Mitchell concerning purchasing two of the city's cruisers that have been removed from service. According to the City Attorney, City Council would have to approve this transfer for an adequate value. These vehicles cannot be given to another municipality.

Councilperson Saunders made a motion to place this on the finance committee agenda to discuss the possibility of selling two police cruisers to the City of McMechen, seconded by Councilperson DeWitt. Motion carried unanimously.

13. Council Meeting for August 7th is during the Municipal League Conference. I would recommend that Council be held on Monday, August 6th.

Councilperson Saunders made a motion to place the request on the policy committee, seconded by Councilperson Wood. Motion carried unanimously.

14. Fireworks are on Wednesday, July 4th at dusk at Valley Fork Park. Rain date will be Saturday, July 7th.

15. A ribbon cutting ceremony will be held at Wood Scraps LLC at 245 Jefferson Avenue, July 11 at 2:00 p.m. (This is the former Dragonfly)

16. Family Resource Network sent a thank you card for the can foods they received from the City of Moundsville.

MAYOR ITEMS:

* Mayor Hendershot asked for an update on the house at 1409 Center Street. Manager Hess said she and Building Inspector Richmond are addressing the property.

* Mayor Hendershot asked Manager Hess to explain what the delays were in bidding the paving projects. He said council was concerned about the cost dramatically exceeding the estimated expenses. Manager Hess said she spoke with Jack Tush who apologized and explained the addition of Sam's Drive and 10th Street exceeded his estimation. Councilperson Hunt suggested having another engineer as back up in case they become too busy.

* Mayor Hendershot asked if the two AEP construction easement been completed? Manager Hess said they were signed and sent in.

* Mayor Hendershot asked for any update on trading in the Street Departments excavator for a mini excavator? Manager Hess said she has not had a chance to speak with Public Works Director Stocklask yet. Mayor Hendershot then made a motion to place on the finance agenda the discussion of trading the excavator for a mini excavator, seconded by DeWitt. Motion carried unanimously.

* Mayor Hendershot thanked the Street Department, Police Department and Fire Department in advance for keeping the citizens safe during the 4th of July celebration.

* Mayor Hendershot said he has received conflicting information from Project RED and Belomar concerning the Opportunity Zone asking Manager Hess if she received any clarification on that? Manager Hess said Rick Healy of Belomar will be emailing her information.

Mayor Hendershot went on to explain the conflicting information he received was that Marshall County was selected as an Opportunity Zone. Moundsville submitted their own application for a tract within the city as an opportunity zone. Project RED thought that Moundsville was approved, Belomar didn't think Moundsville was approved thinking Moundsville's application was a part of Marshall County's. He requested Manager Hess to research the status.

* Mayor Hendershot has been attending the Water Board meetings. The Water Board is continuing to pursue that CDBG (Community Development Block Grant) for the First Street project. Since our water rates are too low, the Water Board's application for grant funding has been denied. Unfortunately, the Water Board has engineering costs that have to be paid.

COMMITTEE REPORTS:

Discussion and Approval of Recommendations by the Finance Committee.

The finance committee will meet on July 10, 2018 at 5:00 p.m.

Discussion and Approval of Recommendations by the Traffic Committee.

The traffic committee will follow the finance meeting.

Discussion and Approval of Recommendations by the Policy Committee.

The policy committee will follow the traffic meeting.

COUNCIL ITEMS:

* **Remke** - Reminded council of a meeting in Center & Potter Township on Thursday, July 26, 2018. They will be leaving the city building at 11:00 a.m.

* Invited council members to a meeting at the city building concerning housing development and annexation on July 12, 2018 at 12:00 p.m.

* Happy and Safe 4th of July.

* **Hunt** - Nothing at this time.

* **Saunders** - Asked Vice Mayor Remke for an update on the proposed hotel in Moundsville.

Vice Mayor Remke said the information needs to be discussed in executive session and made a motion to do so for Real Estate matters, seconded by Councilperson DeWitt. Motion carried unanimously.

* Asked Manager Hess if she spoke with the owner of the road leading to Jefferson Extension. Manager Hess said the owner refuses to repair the road.

* **DeWitt** - Said several citizens asked her to express their appreciation for Moundsville's Sanitation Workers. They went on to say they have never met a better group of people than the Sanitation workers.

* Happy Fourth of July.

* **Wood** - Announced the City of Moundsville lost a former employee and former Fire Chief Donald Durig.

* Happy Fourth of July.

* **Haynes** - Commended Parks & Recreation Director Rico Coville saying he is a great asset to the City of Moundsville.

Councilperson Haynes made a motion to go into executive session for real estate matters, seconded by Councilperson Hunt. Motion carried unanimously.

Meeting recessed at 8:31 p.m.

Meeting reconvened at 8:40 p.m.

Executive session began at 8:42 p.m.

Executive session recessed at 8:50 p.m.

Regular session reconvened at 8:50 p.m.

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

Meeting adjourn at 8:50 p.m.

Sondra J. Hewitt, City Clerk

Allen Hendershot, Mayor