

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
JUNE 7, 2016**

The Council of the City of Moundsville met in regular session in the Council Chambers on June 7, 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 May 17, 2016.

Councilperson P. Haynes made a motion to accept and approve the minutes of the regular council meeting of May 17, 2016, seconded by Vice Mayor DeWitt. Councilperson Wood made correction on page 4 lines 4, 5 & 6, which says, "Wood & DeWitt said the Director" should say "Board." Haynes and DeWitt made motion and second as amended. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Harry Moore, Counsel for Mr. James Wade, owner of property at 1513 Third Street, requested property be placed on the next regular council meeting agenda for a zone change from residential to neighborhood retail. This was approved by the Moundsville Planning Commission at a meeting on May 26, 2016.

* Jim Pettit, Allen's Bootery, Jefferson Avenue, wanted to thank city officials for their help during the 29th Annual Car Show. He thanked the Police Department, Street Department and City Manager.

* Cindy Norris, 2000 Fourth Street, asked council before passing the ordinance to grandfather her chickens so she can keep 12.

* Carl Boso, 305 10th Street, complained about the out of town towing services doing business in Moundsville. Attorney White said he would research the matter. Mr. Boso also asked if anything was done about the illegal vehicles on 13th Street. Chief Mitchell said he addressed them.

OLD BUSINESS:

* Vice Mayor DeWitt passed out information on the recycling and wants to discuss it at the committee meeting.

* Councilperson Wood said City Manager Hess received 3 persons of interest for the Parks & Recreation Board.

* Councilperson Wood said the Mock Trial that was held by Circuit Court Judge Hummel was very interesting.

* Councilperson Wood asked where the city stands with the Better Buildings Grant and the Fostoria Public Relations Grant? Manager Hess said she received a large email from Carrie concerning the Public Relations grant, but hasn't heard from Luke concerning the Better Buildings grant. She also spoke with Mr. Healy from Belomar on grants.

* Councilperson Wood said he would like to have a Parks & Recreation Workshop concerning the pool. Mayor Saunders said he would like to schedule that after the new Parks & Recreation Board members have been appointed. Manager Hess said Rick Healy said there are pool grants for cities but very hard to get.

* Councilperson Wood asked Mayor Saunders when he will be scheduling a Home Rule meeting. Mayor Saunders said possibly next week.

* Councilperson Wood said he feels council members and the City Manager don't have time to apply for these grants and asked if council would consider contracting with someone to do all the leg work.

Councilperson Simms asked if the city had to have a Parks & Recreation Board in order to obtain grants or could we have an advisory board? Councilperson Wood feels that in order to get any grants, the city has to have a plan.

* Councilperson Hendershot said, when reading the minutes of the last council meeting, the motion to dissolve the Parks & Recreation Board failed because of a tie vote. He went on to say, the intention of abolishing the board was to clarify management issues. At first he was not in favor of abolishing the board, but now feels it is an appropriate move. He went on to discuss leaving Article 153 Cultural & Recreation Commission in the code as an active commission and abolish the Parks & Recreation Board.

After that discussion, Councilperson Hendershot made a motion to direct the City Attorney to draft an ordinance abolishing the Parks & Recreation Board, seconded by Councilperson P. Haynes.

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

* Councilperson Hendershot asked council to hold an executive session for pending litigation.

NEW BUSINESS:

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

Attorney White read the following ordinance by title only to be passed by council on first 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. (FIRST READING)

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

Councilperson Simms made a motion to amend the ordinance to allow residents who already have 12 chickens to be grandfathered, seconded by Councilperson P. Haynes.

Mayor Saunders called for a voice vote. City Clerk announced the tally. 3 yeas, 3 nays. DeWitt, Hendershot and Wood voting nay. Motion failed with a tie vote.

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

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

Attorney White read the following ordinance by title only to be passed by council on first 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 (FIRST READING)

Councilperson Simms made a motion to approve the above ordinance, seconded by Councilperson P. Haynes.

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

Discussion and Approval of an Ordinance Repealing Article 153, Cultural & Recreation Commission. (First Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, ABOLISHING THE CULTURAL AND RECREATION COMMISSION (FIRST READING)

Councilperson Hendershot moved to table the above ordinance, seconded by Councilperson Simms. Motion carried unanimously.

Discussion and Approval of a Resolution Renewing a Certain Contract Between the City of Moundsville and The Health Plan Insurance Company to Provide Health Care Benefits to City of Moundsville Employees for the Period of 07/01/2016 through 06/30/2017.

Councilperson Hendershot made a motion to approve the resolution renewing the city employees Health Plan Insurance, seconded by Councilperson Wood. Motion carried unanimously.

Discussion and Adoption of a Resolution to Support the Expansion of Route 2 and Extension I-68.

Councilperson Simms made a motion to adopt the resolution supporting the expansion of Rt. 2 and I-68, seconded by Vice Mayor DeWitt. Motion carried unanimously.

Other Items to be Discussed by Council.

* Councilperson Hendershot said, while looking at Article 153 of the code, he came across Article 147, Office Supervisor. He asked City Manager Hess if she had appointed an Office Supervisor. He went on to say if the front office had an Office Supervisor the City Manager would be free to do other tasks and not worry about office day to day operations. Councilperson Hendershot said instead of creating a position make use of a position already created.

* Councilperson Wood asked Chief Clarke, concerning fireworks, if the city would have to make

changes to the city code to be in compliance with state code? Chief Clarke said the only thing the city can do is to address the use of fireworks in city limits.

* Councilperson Wood asked if the Parks & Recreation Department received a grant? City Manager Hess said a “Lighthouse Project” grant was received from Leanne Scherick. The project allows for 4 new picnic tables for the shelters at the East End Playground area, a new sliding board, new paint, garbage cans, new mulch. This project will start July 18, 2016.

* Councilperson Wood reported a house on Third Street has very high grass. Something needs to be done. Manager Hess said the city will probably cut the grass and put a lien on property. Also, Manager Hess said the city cut the grass again at Long John Silvers, but did not get the name of the new owner who will now be cutting the grass bi-weekly.

* Councilperson Wood asked Manager Hess to research how the city could obtain bonds and the process of levies. Manager Hess said they have been working on some projects such as Zumba Class at the Riverfront Park on June 18; the possibility of opening the concessions at the Riverfront Park and at the Four Seasons Pool.

* Councilperson Simms asked if the city was allowed to request a financial report from the CVB. Councilperson Wood said the CVB Director is supposed to provide a report and a list of activities in Marshall County. Councilperson Simms said the City of Moundsville gives the CVB approximately \$80,000 per year and feels the CVB is not promoting the City of Moundsville.

* Vice Mayor DeWitt provided more information on activities at the Riverfront Park saying that Hudson Premier approached her asking to offer Zumba On the Deck. Brandy Hudson, owner of Hudson Premier, will be attending the committee meetings to speak with council proposing the use of Four Seasons Pool for Physical Therapy.

* Vice Mayor DeWitt also commented on using Volunteers to work at the Pool as opposed to hiring.

MANAGER ITEMS:

* Received a thank you card from the John Marshall Yearbook Staff for \$50 donation.

* Received a thank you card from Al & Bonnie Hendershot for the gift of wind chimes and support from council during the loss of his mother.

MAYOR ITEMS:

* Mayor Saunders read a letter from a citizen whose vehicle was almost hit by a person who ran a red light. The letter made comment to drivers on cell phones and driving without seat belts.

* Mayor Saunders thanked Street Commissioner Stocklask for having the lines painted on the East End Basketball Courts. He also said Parks & Recreation will be sponsoring a Basketball Tournament at East End in July.

* Mayor Saunders thanked City Manager Hess for having the house on Thorn Avenue tore down.

Other Items to be Discussed.

Attorney White provided legal advertisements published in the Moundsville Daily Echo to be received and filed by council.

Councilperson Simms made a motion to receive and file the legal ads, seconded by Vice Mayor Dewitt. Motion carried unanimously.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee.

Finance Meeting scheduled for June 14, 2016 at 5:00 p.m.

Discussion of Recommendations by the Policy Committee.

Policy Meeting will follow the Finance Meeting.

Discussion of Recommendations by the Traffic Committee.

Traffic Meeting will follow the Policy Meeting.

COUNCIL ITEMS:

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

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

* **Hendershot** - Moved to go into Executive Session for pending litigation, seconded by Councilperson Wood. Motion carried unanimously.

Meeting recessed at 8:12 p.m.

Meeting reconvened at 8:20 p.m.

Executive Session began at 8:21 p.m.

Executive Session recessed at 8:24 p.m.

Regular Session reconvened at 8:24 p.m.

Councilperson Simms made a motion to adjourn, seconded by Councilperson P. Haynes.

Motion carried unanimously.

Meeting adjourned at 8:25 p.m.

Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor