

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **JULY 5, 2016**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on July
5 5, 2016 at 7:00 p.m.

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

8
9 Invocation by Councilperson Hendershot.

10
11 City Clerk Hewitt called the roll and the following councilpersons were in attendance: Vice
12 Mayor DeWitt, D. Haynes, P. Haynes, Hendershot, Simms, Wood and Mayor Saunders. Also
13 present: City Manager Deanna J. Hess, Fire Chief Clarke, Police Chief Mitchell, Street Foreman
14 Wallace, CPA Kathryn Goddard, Attorney Thomas White, and City Clerk Hewitt.

15
16 **Regular Council Meeting of June 21, 2016.**

17
18 Councilperson P. Haynes moved to accept and approve the minutes of the regular council
19 meeting of June 21, 2016, seconded by Councilperson DeWitt.

20
21 Councilperson Wood made a correction on page 1, lines 28 & 29, should read, "\$2,500 for the
22 first two years, \$2,500 for the third and fourth year. A total increase of \$5,000."

23
24 Vice Mayor DeWitt made a motion to approve the minutes as amended, seconded by
25 Councilperson Simms. Motion carried unanimously.

26
27 **GENERAL PUBLIC HEARING:**

28
29 * Jane Klug, 2015 Jackson Street and Chairperson for Friends of Parks & Recreation, said the
30 group is concerned about the pool. Council needs to ask the citizens what they want and look at
31 different options. She said that rumors are going around that Mayor Saunders wants to look at
32 options to build a new pool.

33
34 Mayor Saunders said the comment was his opinion only, not councils.

35
36 * Darren Wise, 217 Cedar Avenue, said he was opposed to the spot zoning request at 1513 Third
37 Street, former Berry's Market. Saying that neighbors do not want a retail business in a
38 residential neighborhood. And one neighbor did not like the fence leaning against her fence.

39
40 * Harry Moore, 1300 Fifth Street, and counsel for James Wade, 1513 Third Street, addressed
41 council saying the Moundsville Planning Commission voted unanimously and that all notices
42 were sent to neighbors within a 200' radius of the property in question.

1 * Aaron McElfresh, 1518 Third Street, said he was also opposed to the zone change. He does
2 not want the neighborhood filled with businesses.

3
4 * Jim Wade, owner of 1513 Third Street, said he does not want to upset his neighbors and after
5 speaking to one individuals, she was happy the ice cream shop was moving in. He also said if
6 the neighbors want the fence removed, he will remove it. The fence was there when he
7 purchased the property.

8
9 * Carl Boso, 305 10th Street, said he agrees with Mayor Saunders on building a new pool. And
10 asked Chief Mitchell if his officers have addressed the list of vehicles he turned in two weeks
11 ago.

12
13 Chief Mitchell said his officers have not addressed them yet, but they will.

14
15 Councilperson Wood reminded Mr. Boso that council gave him 2 more months to rent his
16 property on Fostoria Avenue but he has done nothing to renovate the house on Parriott Avenue.
17 Mr. Boso said he had someone that was going to tear the property down for him.

18
19 **OLD BUSINESS:**

20
21 **Other Items to be Discussed by Council.**

22
23 * Vice Mayor DeWitt announced she met with city departments who decided they would
24 participate in the can food drive sponsored by Family Resource Network (FRN). The department
25 that collects the most will receive lunch provided by Vice Mayor DeWitt. Deadline is July 25,
26 2016.

27
28 * Councilperson Wood asked City Manager Hess if she had heard anything from the Better
29 Buildings or the grant from Belomar? She said Mr. Healy was on vacation and has not spoken to
30 him yet.

31
32 * Councilperson Wood, after some discussion, made a motion to bring the ordinance pertaining
33 to chickens from the table and placing it on the agenda at the regular council meeting of July 19,
34 2016, seconded by Councilperson Hendershot. Motion carried unanimously.

35
36 Councilperson Wood then asked Attorney White, if someone would have 3 cockatiels in their
37 house, does that count as 3 of the 6 birds they are permitted to have. Mr. White said his
38 interpretation of the code would be any bird, inside or outside.

39
40 After this discussion, Councilperson Hendershot made a motion to send this ordinance back to
41 the Policy Committee for amendments and vote on second reading at the council meeting of July
42 19, 2016, seconded by Councilperson Simms. Motion carried unanimously.

1 * Councilperson Hendershot asked Manager Hess if she has filled the Office Supervisor
2 position? She advised she had not.

3
4 **NEW BUSINESS:**

5
6 **Discussion and Approval of a Zone Change Ordinance at 1513 Third Street from R-U**
7 **Urban Residential to R-N Neighborhood Retail. (First Reading)**

8
9 Attorney White read the following zone change ordinance by title only to be passed by council on
10 first reading:

11
12 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING**
13 **TO CHANGE A CERTAIN DESIGNATED AREA AT 1513 THIRD STREET IN THE**
14 **CITY OF MOUNDSVILLE FROM AN URBAN RESIDENTIAL ZONE TO A**
15 **NEIGHBORHOOD RETAIL ZONE. (FIRST READING)**

16
17 Councilperson Simms made a motion to approve the zone change ordinance, seconded by
18 Councilperson D. Haynes.

19
20 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas, 1 nay.
21 Saunders voting nay. Motion carried.

22
23 **Discussion and Approval of an Ordinance Dealing with Police & Fire Department**
24 **Longevity. (First Reading)**

25
26 Attorney White read the following ordinance by title only to be passed by council on first
27 reading:

28
29 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
30 **VIRGINIA, AMENDING AND REENACTING A PORTION OF ARTICLE 155 OR THE**
31 **CODE OF THE CITY OF MOUNDSVILLE, RELATING TO POLICY PROVISIONS**
32 **FOR EMPLOYEES OF THE CITY OF MOUNDSVILLE, BY AMENDING SECTIONS**
33 **155.17(a)(2) AND 155.17(B)(2), FOR LONGEVITY PAY TO INCREASE TO THE**
34 **MAXIMUM AT 25 YEARS OF SERVICE FOR POLICEMEN AND FIREMEN. (FIRST**
35 **READING)**

36
37 Councilperson D. Haynes made a motion to approve the above ordinance, seconded by
38 Councilperson P. Haynes.

39
40 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas.
41 Motion carried unanimously.

1 **Discussion and Approval of a Charter Change Ordinance Concerning a Filing Fee for City**
2 **Elections and Waiving the Required Nominating Petitions. (First Reading)**
3

4 Attorney White read the following Charter change ordinance by title only to be passed by council
5 on first reading:
6

7 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
8 **VIRGINIA, AMENDING AND REENACTING ARTICLE VII, SECTION 48 OF THE**
9 **CHARTER OF THE SAID CITY OF MOUNDSVILLE PROVIDING THE METHOD**
10 **FOR CANDIDATES TO FILE FOR ELECTION TO CITY COUNCIL. (FIRST**
11 **READING)**
12

13 Councilperson D. Haynes made a motion to approve the Charter change ordinance, seconded by
14 Councilperson Simms.
15

16 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 7 yeas.
17 Motion carried unanimously.
18

19 **Discussion and Approval of 2016-2017 Budget Revision #1 for Coal Severance Fund.**
20

21 Councilperson Simms made a motion to approve the 2016-2017 Budget Revision #1 for Coal
22 Severance Fund, seconded by Vice Mayor DeWitt. Motion carried unanimously.
23

24 **Discussion and Approval of an Ordinance Providing for a 1% Consumer Sales Tax in the**
25 **City of Moundsville. (First Reading)**
26

27 Attorney White read the following ordinance by title only to be passed by Council on first
28 reading:
29

30 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
31 **VIRGINIA, CREATING ARTICLE 796 OF THE CODE OF THE CITY OF**
32 **MOUNDSVILLE, PROVIDING FOR A CONSUMER SALES AND SERVICE TAX IN**
33 **THE CITY OF MOUNDSVILLE. (FIRST READING)**
34

35 Councilperson Wood made a motion to approve the 1% Sales Tax ordinance, seconded by
36 Councilperson Simms.
37

38 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas, 1 nay.
39 DeWitt voting nay. Motion carried.
40

41 **Discussion and Approval of a Lease Agreement between the City of Moundsville and the**
42 **Sanford Center.**
43

1 Councilperson Wood made a motion to approve the Sanford Center lease agreement between the
2 City of Moundsville and the Sanford Center Board. Motion carried unanimously.

3
4 **Appointment to the Moundsville Parks & Recreation Board.**

5
6 Vice Mayor DeWitt made a motion to appoint Linda Miller to the Moundsville Parks and
7 Recreation Board, seconded by P. Haynes. Motion carried unanimously. (She will replace Lupe
8 Hewitt who resigned in June)

9
10 Councilperson Hendershot asked that an appreciation letter be drafted Mrs. Hewitt for her years
11 of service on the board. Mayor Saunders said the Parks & Recreation Board will present her with
12 a gift at a board meeting.

13
14 **Appointment to the Moundsville Water Board. (Council's Appointment)**

15
16 Councilperson Simms made a motion to re-appoint James Stultz to the Moundsville Water
17 Board, seconded by Vice Mayor DeWitt. Motion carried unanimously.

18
19 **Other Items to be Discussed by Council.**

20
21 * Vice Mayor DeWitt thanked the First Responders and Fire Departments that helped with the
22 fires on Second Street.

23
24 **MANAGER ITEMS:**

25
26 **Discussion of Changing the August 2, 2016 Regular Council Meeting Due to the WVML**
27 **Summer Conference.**

28
29 Councilperson Simms made a motion to move the regular meeting from August 2, 2016 to
30 August 1, 2016, seconded by Vice Mayor DeWitt. Motion carried unanimously.

31
32 * Manager Hess announced the 2016 Fireworks will be held on Friday, July 8, 2016.

33
34 * Manager Hess invited Eric Caldwell to speak on Recycling at the Tuesday, July 9, 2016 sub
35 committee meeting.

36
37 * Manager Hess announced the City of Moundsville is partnering with Appalachian Outreach to
38 collect items for flood victims of West Virginia.

39
40 * Manager Hess read a letter from Mary Tennant who resigned from the Moundsville Building
41 Commission.

42
43 **MAYOR ITEMS:**

1 * Mayor Saunders announced the Parks & Recreation Board will be hosting a Boys Basketball
2 Tournament on July 22 and Girls on July 29 at East End Basketball Courts. Ages are from 14
3 through 18 years.

4
5 * Mayor Saunders said he will be meeting with Suzanne Park & Brandy Hudson to discuss a 5K
6 Race in Moundsville with proceeds going toward Four Seasons Pool Revitalization.

7
8 * Mayor Saunders again said that his interviews with the media on Four Seasons Pool is his
9 opinion only and not the opinion of council.

10
11 * Mayor Saunders said to Chief Mitchell that he was still receiving complaints on vehicles not
12 stopping at stop signs.

13
14 **COMMITTEE ITEMS:**

15
16 **Discussion of Recommendations by the Finance Committee.**

17
18 The Finance Meeting will follow the Policy Committee.

19
20 **Discussion of Recommendations by the Policy Committee.**

21
22 The Policy Meeting will begin at 5:00 p.m.

23
24 **Discussion of Recommendations by the Traffic Committee.**

25
26 The Traffic Meeting will follow the finance meeting.

27
28 **COUNCIL ITEMS:**

29
30 * **Hendershot** - Said, in speak about Four Seasons Pool, at some point someone will have to
31 make a decision to move forward with renovations or not to.

32
33 * **Wood** - Asked everyone to remember all the people in southern West Virginia that are having a
34 difficult time right now.

35
36 * **Simms** - Thanked Vice Mayor DeWitt for providing council with information on the recycling
37 program.

38
39 * Asked about the requested street light at Parriott Avenue & Agnew Street. Manager Hess said
40 that request was on the Traffic Committee Agenda.

41
42 * **P. Haynes** - Nothing at this time.

1 * **D. Haynes** - Reported manholes on Hickory Avenue between First Street & Arlington Avenue
2 need repaired.

3
4 * **DeWitt** - Asked when paving will start? Manager Hess said the paving needs put out for bid.

5
6 Councilperson DeWitt made a motion to go into executive session for personnel matters and
7 litigation, seconded by Councilperson Wood. Motion carried unanimously.

8
9 Regular session recessed at 8:30 p.m.

10
11 Regular session reconvened at 8:40 p.m.

12
13 Executive session began at 8:41 p.m.

14
15 Executive session adjourned at 8:50 p.m.

16
17 Regular session began at 8:50 p.m.

18
19 Councilperson D. Haynes made a motion to adjourn, seconded by Vice Mayor DeWitt. Motion
20 carried unanimously.

21
22 Meeting adjourned at 8:53 p.m.

23
24
25
26
27
28
29 _____
Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor