

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **JULY 19, 2016**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers on July
5 19, 2016 at 7:00 p.m.

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

8
9 Invocation by Councilperson Mark Simms..

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

16
17 **Regular Council Meeting of July 5, 2016.**

18
19 Councilperson D. Haynes moved to accept and approve the minutes of the regular council
20 meeting of July 5, 2016, seconded by Councilperson Wood. Motion carried unanimously.

21
22 **Recognition of Boy Scouts Troop #82.**

23
24 Mayor Saunders recognized Boy Scout Troop #82 from Glen Dale WV led by Charles Postle.

25
26 **GENERAL PUBLIC HEARING:**

27
28 * Frank Boso, 1208 Purdy Avenue said he was opposed to the 1% sales tax and feels the city
29 should make increases in fees rather than the sales tax.

30
31 * Carl Boso, 305 10th Street, asked why the Street Department was patching holes in Varlas
32 Trailer Court when that is private property? Street Commissioner Stocklask said the city always
33 patched holes there as long as he has been an employee. Mr. Boso asked Chief Mitchell if he
34 addressed any of the illegal vehicles on the list he provided a few weeks back. Chief Mitchell
35 said he was still addressing them.

36
37 * Sabrina Wise, 218 Cedar Avenue, read a letter from Darren Wise of 217 Cedar Avenue, who
38 opposed the zone change request for 1513 3rd Street.

39
40 **OLD BUSINESS:**

41
42 **Discussion and Approval of a Zone Change Ordinance at 1513 Third Street from R-U**
43 **Urban Residential to R-N Neighborhood Retail. (Second Reading)**

1 Attorney White read the zone change ordinance by title only to be passed by council on second
2 and final reading:

3
4 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, PROVIDING**
5 **TO CHANGE A CERTAIN DESIGNATED AREA AT 1513 THIRD STREET IN THE**
6 **CITY OF MOUNDSVILLE FROM AN URBAN RESIDENTIAL ZONE TO A**
7 **NEIGHBORHOOD RETAIL ZONE. (SECOND READING)**

8
9 Councilperson D. Haynes made a motion to accept and approve the zone change ordinance,
10 seconded by Councilperson Simms.

11
12 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas.
13 Motion carried unanimously.

14
15 **Discussion and Approval of an Ordinance Dealing with Police & Fire Department**
16 **Longevity. (Second Reading)**

17
18 Attorney White read the zone change ordinance by title only to be passed by council on second
19 and final reading:

20
21 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
22 **VIRGINIA, AMENDING AND REENACTING A PORTION OF ARTICLE 155 OR THE**
23 **CODE OF THE CITY OF MOUNDSVILLE, RELATING TO POLICY PROVISIONS**
24 **FOR EMPLOYEES OF THE CITY OF MOUNDSVILLE, BY AMENDING SECTIONS**
25 **155.17(a)(2) AND 155.17(B)(2), FOR LONGEVITY PAY TO INCREASE TO THE**
26 **MAXIMUM AT 25 YEARS OF SERVICE FOR POLICEMEN AND FIREMEN.**
27 **(SECOND READING)**

28
29 Councilperson Simms made a motion to accept and approve the above ordinance, seconded by
30 Councilperson Wood.

31
32 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas.
33 Motion carried unanimously.

34
35 **Discussion and Approval of an Ordinance Providing for a 1% Consumer Sales Tax in the**
36 **City of Moundsville. (Second Reading)**

37
38 Attorney White read the zone change ordinance by title only to be passed by council on second
39 and final reading:

40
41 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
42 **VIRGINIA, CREATING ARTICLE 796 OF THE CODE OF THE CITY OF**
43 **MOUNDSVILLE, PROVIDING FOR A CONSUMER SALES AND SERVICE TAX IN**

1 **THE CITY OF MOUNDSVILLE. (SECOND READING)**

2
3 Councilperson Wood made a motion to accept and approve the 1% Sales Tax ordinance,
4 seconded by Councilperson Simms.

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

8
9 **Discussion and Approval of an Ordinance Pertaining to Keeping Fowl. (Second Reading)**

10
11 Attorney White read the zone change ordinance by title only to be passed by council on second
12 and final reading:

13
14 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
15 **VIRGINIA, AMENDING THE CITY CODE TO PLACE PROHIBITIONS,**
16 **RESTRICTIONS AND LIMITATIONS ON KEEPING FOWL AND OTHER**
17 **ENUMERATED ANIMALS IN THE CITY OF MOUNDSVILLE (SECOND READING)**

18
19 Councilperson D. Haynes made a motion to accept and approve the fowl ordinance, seconded by
20 Councilperson Hendershot.

21
22 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas.
23 Motion carried unanimously.

24
25 **Other Items to be Discussed by Council.**

26
27 * Vice Mayor DeWitt asked when paving was going to start? City Manager Hess said she was
28 waiting on the City Engineer to drop off the specs so we could put the paving out for bid.

29
30 * Councilperson Wood requested the last six goals on his list to be discussed at the August policy
31 meeting.

32
33 * Councilperson Wood asked Manager Hess when she will implement the delinquent fees
34 process with Municipal Court? She said as soon as she meets with the Revenue Collector and
35 the Municipal Judge, hopefully in August.

36
37 **NEW BUSINESS:**

38
39 **Discussion and Approval of an Ordinance Pertaining to Enforcement of Exterior**
40 **Sanitation and Public Nuisance Violations. (First Reading)**

41
42 Attorney White read the zone change ordinance by title only to be passed by council on first
43 reading:

1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**
2 **VIRGINIA, ENACTING ARTICLE 1109 OF THE MUNICIPAL CODE OF THE CITY**
3 **OF MOUNDSVILLE TO PROVIDE FOR ADDITIONAL METHODS OF**
4 **ENFORCEMENT OF EXTERIOR SANITATION AND PUBLIC NUISANCE**
5 **VIOLATIONS (FIRST READING)**
6

7 Councilperson Haynes made a motion to accept and approve the above ordinance, seconded by
8 Councilperson Simms.
9

10 Mayor Saunders called for a voice vote. City Clerk announced the following tally. 6 yeas.
11 Motion carried unanimously.
12

13 **Other Items to be Discussed by Council.**
14

15 * Councilperson D. Haynes said the Water Board would like to attend a council meeting to ask
16 for a water rate increase.
17

18 * Vice Mayor DeWitt announced that city employees were collecting canned food and non-
19 perishable items for the local food pantries. She also said should anyone want to contribute, they
20 can take food to the Busy Beaver in Moundsville.
21

22 * Vice Mayor DeWitt said she and Councilperson Wood are in the process of organizing a
23 "Community Days" on September 25, 2016 from 1-4 with free swimming, face painting, music
24 and free swimming.
25

26 * Vice Mayor DeWitt announced the Marshall County Fair will be July 24 through 30 at the
27 Marshall County Fairgrounds with ribbon cutting on July 25, 2016 at 6:00 p.m.
28

29 **MANAGER ITEMS:**
30

31 **Re-appointment to the Moundsville Planning Commission.**
32

33 City Manager Hess received a letter from Gary Goode asking to be re-appointed to the
34 Moundsville Planning Commission. Manager Hess will advise Mr. Goode of his appointment.
35

36 * Manager Hess announced she sent the surveys to Luke Elser, BAD Buildings. He said he
37 would get back with her in a week or two and said he has been behind.
38

39 * Manager Hess also announced US Senator Shelley Moore Capito and Randall Reed Smith will
40 be speaking at the dedication of new exhibits at the Grave Creek Mound Complex July 21, 2016
41 at 11 a.m. The public is invited to attend.
42
43

1 * A thank you letter was received from the Youth Club of Marshall County for council's
2 donation of \$50.

3
4 * Business After Hours is hosted by Main Street Bank on July 21, 2016 and free to members.

5
6 * A Workshop is scheduled for Friday, July 22, 2016 at 2:00 p.m. at the Moundsville City
7 Council Chambers to discuss options for the future of Four Seasons Pool.

8
9 * Announced the city employees are still collecting items and money for the WV Flood Relief
10 victims. Anyone wishing to donate can take them to the Street Department.

11
12 **MAYOR ITEMS:**

13
14 * Mayor Saunders read an email from Marshall County Chamber of Commerce Director Dave
15 Knuth to Suzanne Park concerning comments made toward the Moundsville CVB at a council
16 meeting. Councilperson Hendershot said the letter was inappropriate.

17
18 Councilperson Wood said he spoke with Jesse Mestrovic, CVB Director, who said he would
19 advertise anything for the Moundsville they would just have to provide him with it. If we want
20 the CVB to advertise for us we will have to provide some sort of activities.

21
22 * Mayor Saunders announced that he participated in a peaceful march in Wheeling protesting gun
23 violence in the country.

24
25 **Discussion of Recommendations by the Finance Committee.**

26
27 1. Discussion of Presentation on Recycling. Committee recommends moving forward with the
28 Recycling Program.

29
30 Vice Mayor DeWitt made a motion to move forward with the Recycling Program, seconded by
31 Councilperson Wood. Motion carried unanimously.

32
33 2. Discussion of Code Enforcement Officer. Committee recommends moving forward to hire a
34 part time Code Enforcement Officer.

35
36 Vice Mayor DeWitt made a motion to compile figures of a code enforcement officer and bring
37 back to committee meeting in August, seconded by Councilperson D. Haynes. Motion carried
38 unanimously.

39
40 3. Discussion of Donation to the American Legion Baseball League. Committee recommends
41 purchasing ½ page ad for \$50.

1 Vice Mayor DeWitt made a motion to purchase ½ page ad for \$50, seconded by Councilperson
2 Hendershot. Motion carried unanimously.

3
4 4. Discussion of Donation to the John Marshall Softball Annual Golf Scramble. Committee
5 recommends donating \$50 “Hole Sponsor”.

6
7 Vice Mayor DeWitt made a motion to donate \$50 to the John Marshall Softball Annual Golf
8 Scramble, seconded by Councilperson D. Haynes. Motion carried unanimously.

9
10 5. Discussion of 2016-2017 General Fund Budget Revision #1. Committee recommends
11 approving the budget revision.

12
13 Vice Mayor DeWitt made a motion to approve the 2016-2017 General Fund Budget Revision #1,
14 seconded by Councilperson D. Haynes. Motion carried unanimously.

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

17
18 1. Discussion of Zoning Options for Sanford Center to Provide Special Exceptions to the “R-U”
19 Zone. Committee recommends to direct Attorney White to amend the draft and place on the
20 Regular Council meeting agenda of August 1, 2016 for First Reading.

21
22 Councilperson D. Haynes made a motion to direct the city attorney to amend the draft ordinance
23 and place on the regular council meeting agenda of August 1, 2016, seconded by Councilperson
24 Hendershot. Motion carried unanimously.

25
26 2. Discussion of Proposed Ordinance Dealing with Dilapidated Properties. Committee
27 recommends place ordinance on the July 19, 2016 Regular Council meeting agenda for First
28 Reading.

29
30 This ordinance was voted upon under new business.

31
32 3. Discussion of Article 545.10 Fireworks Sale, Possession and Discharge. Committee
33 recommends Directing Attorney to Draft the Ordinance to Prohibit Discharging Fireworks in
34 City Limits and Present at the August Policy Meeting.

35
36 Councilperson D. Haynes made a motion to direct the city attorney to draft an ordinance to
37 prohibit discharging fireworks in city limits and place on August policy agenda, seconded by
38 Vice Mayor DeWitt. Motion carried unanimously.

39
40 4. Discussion of Ordinance 505.11 Keeping Fowl. Committee recommends removing the word
41 “bird” in definition section of the ordinance and place on July 19, 2016 Regular Council agenda
42 for Second Reading.

1 This ordinance was voted upon under old business.

2
3 **Discussion of Recommendations by the Traffic Committee.**

4
5 1. Discussion of Dedication Sign at Grant Avenue & First Street from VFW for Ssgt Ryan
6 Hammond. Committee recommends to approve the request.

7
8 Councilperson Hendershot made a motion to approve dedicating Grant Avenue & First Street to
9 Ssgt. Ryan Hammond, seconded by Councilperson D. Haynes. Motion carried unanimously.

10
11 **COUNCIL ITEMS:**

12
13 * **DeWitt** - Mentioned that "Community Days" will be free. Mayor Saunders will mention this
14 at the Parks & Recreation.

15
16 * Commented that she has a problem with the section in the Sanford Center zone change
17 ordinance which consists of 70% business & 30% community center.

18
19 * **D. Haynes** - Nothing at this time.

20
21 * **Hendershot** - Nothing at this time.

22
23 * **Wood** - Ask CPA Kathryn Goddard if she would obtain information concerning bonds and
24 procedures? She said she would look into it.

25
26 * **Simms** - Said Phil Remke was upset the Zoning Appeals Board cancelled two times concerning
27 his mural requests due to lack of a quorum. Mr. Remke said he has a time frame on the funding
28 for this project and does not feel he should be penalized because the Zoning Appeals Board.
29 Councilperson Simms asked council if there was anything they can do?

30
31 Council members agreed the solution would be to call a special zoning meeting and meet before
32 Mr. Remke's deadline.

33
34 Councilperson Simms made a motion to adjourn, seconded by Councilperson D. Haynes.
35 Motion carried unanimously.

36
37 Meeting adjourned at 8:12 p.m.

38
39
40
41
42
43 _____
Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor