

**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,
NOVEMBER 15, 2016**

The Council of the City of Moundsville met in regular session in the Council Chambers on November 15, 2016 at 7:00 p.m.

Meeting was called to order by Mayor Eugene Saunders.

Invocation by Councilperson Allen Hendershot.

Mayor Saunders called the roll and the following councilpersons were in attendance: Vice Mayor DeWitt, D. Haynes, P. Haynes, Hendershot, Simms, Wood and Mayor Saunders. 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 November 1, 2016.

Vice Mayor DeWitt moved to accept and approve the minutes of the regular council meeting of November 1, 2016, seconded by Councilperson P. Haynes. Motion carried unanimously.

GENERAL PUBLIC HEARING:

* Ken Joseph, Owner of Tri State Ambulance Service, said there is no truth to the rumors of Tri State Ambulance leaving Marshall County. He said he recently renewed the contract with Marshall County Commission.

Councilperson Hendershot said he was concerned with staffing the Moundsville office. Mr. Joseph said Tri State does not staff less than 2 trucks in Moundsville.

* Donald Dare, 32 Oak Avenue, said he was interested in starting an "Uber" service in Moundsville. He said he has discussed the service with surrounding city's and hopes they will offer the service as well.

Councilperson Simms said this service is regulated by the Public Service Commission not the municipalities.

* Phil Remke, 1509 8th Street, said he is opposed to City Council going into \$380,000 debt for repairs of the Four Seasons Pool. He asked council to table the matter.

* Mary Lou Border, 606 12th Street, disagrees with Phil Remke saying he is not speaking the truth, he knows nothing about the pool, he never comes to the pool.

OLD BUSINESS:

Discussion and Approval of an Ordinance Pertaining to Decreasing the Business & Occupation Tax in the City of Moundsville. (Third Reading)

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA, AMENDING THE CODE OF THE CITY OF MOUNDSVILLE BY AMENDING AND REENACTING SECTIONS 745.06 AND 745.07 PROVIDING FOR DECREASING BUSINESS AND OCCUPATION TAXES ON MANUFACTURING AND RETAIL SALES IN THE CITY. (THIRD READING)

Councilperson Simms made a motion to approve the B&O Tax ordinance, seconded by Councilperson Hendershot.

Mayor Saunders called for a voice vote. City Clerk Hewitt announced the following tally. 5 yeas, 2 nays. DeWitt and P. Haynes voting nay. Motion carried.

Other Items to be Discussed by Council.

* Vice Mayor DeWitt asked Manager Hess if she has heard any news from Long John Silvers? She advised she has not heard anything.

* Vice Mayor DeWitt said she was at the pool attending a party and noticed condensation was running down into the light fixture of the concession area. However, the women's restrooms were very clean.

* Councilperson D. Haynes also said the condensation inside the pool area is bad. He asked council to think before hiring bond counsel for funding at the pool.

* Councilperson Wood said he and Vice Mayor DeWitt made a list of several things that need addressed at the pool, such as, monitoring pool passes, holding activities at the pool and opening a concessions area.

* Councilperson Hendershot said council has studied this pool situation into the ground, recreation is not supposed to break even so there needs to be a source of income.

* Vice Mayor DeWitt said the pool belongs to the city and the city needs to take responsibility for the maintenance.

NEW BUSINESS:

Discussion and Approval of An Ordinance Pertaining to a 1% Sales Tax in the City of

Moundsville. (First Reading)

Attorney White explained this new ordinance is a uniform ordinance required by other Home Rule Board and 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 AMENDING, REPLACING AND RE-ENACTING ARTICLE 796 OF THE CODE OF THE CITY OF MOUNDSVILLE IMPOSING MUNICIPAL SALES AND SERVICE TAX IN ACCORDANCE WITH WEST VIRGINIA CODE 8-1-5a. (FIRST READING)

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

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

Discussion and Approval of an Ordinance Pertaining to the Moundsville Building Commission Members. (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, REDUCING THE MEMBERSHIP OF THE MUNICIPAL BUILDING COMMISSION FROM FIVE MEMBERS TO THREE MEMBERS. (FIRST READING)

Councilperson Simms made a motion to accept and approve the above ordinance, seconded by Councilperson Hendershot.

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

Other Items to be Discussed by Council.

* Councilperson Wood said he attended a Better Building Program meeting. Discussion was on short term solution with long range planning. Another meeting will be scheduled at a later date.

* Councilperson Wood asked Manager Hess if the city started taking cases of delinquent fees through Municipal Court yet? Manager Hess said that she, Attorney White and Revenue Collector Lucretia Maine need to meet on a couple of issues. Councilperson Wood said this program has been in effect for 6 months.

* Councilperson Wood asked Mayor Saunders to consider appointing fellow council members to help with some of the goals. Mayor Saunders said he would like Councilperson Wood to meet with Councilperson D. Haynes and Councilperson Hendershot to formulate those goals.

* Vice Mayor DeWitt also commented on the Better Building meeting saying Luke Elser provided a thorough report on the buildings located in Moundsville. Everybody wants progress to happen quickly but these things do take time.

MANAGER ITEMS:

* The Marshall County Chamber of Commerce invited businesses to a Grand Opening & Ribbon Cutting at the Avenue Pizza next to Ruttenburg's on Jefferson Avenue at 10:00 a.m.

* Manager Hess announced that clean up will start on the burned houses at 601 & 603 Second Street. Also, demolition bids are being accepted for the trailer at 207 Parriott Avenue.

* Manager Hess wished to thank to the Street Department for putting up the Christmas decorations and Christmas lights on the city trees.

* Manager Hess wished everyone a Happy Thanksgiving.

* And congratulated David Haynes and Phil Remke being elected At Large Council. She said Councilperson Simms and Councilperson Paul Haynes will be missed.

MAYOR ITEMS:

* Mayor Saunders reminded council members of the Christmas Parade and if anyone wants to be in the parade, he will be driving.

* Congratulations to David Haynes and Phil Remke on the election of Councilperson At Large. He will miss Councilperson Simms and Paul Haynes.

* Mayor Saunders made a motion to discuss at the policy meeting penalties for citizen who does not register their chickens, seconded by Councilperson D. Haynes. Motion carried unanimously.

* Thanked the Street Department for graveling the alleys.

COMMITTEE REPORTS:

Discussion of Recommendations by the Finance Committee.

1. Discussion of Wages for City Manager. Committee recommends giving 7% wage increase to the City Manager.

Vice Mayor DeWitt made a motion to give a 7% wage increase to the City Manager, seconded by Councilperson D. Haynes.

Councilperson Wood said he would like to see this discussed at budget time. He suggested giving the City Manager a 3% increase now since employees received \$1 on the hour in July and another 4% in the next budget.

Mayor Saunders called for a voice vote. City Clerk Hewitt announced the following tally. 4 yeas, 3 nays. DeWitt, Hendershot and Wood voting nay. Motion carried.

2. Discussion of Financing the Dehumidifying Unit at Four Seasons Pool. Committee recommends to proceed with hiring bond counsel for funding unit.

Vice Mayor DeWitt made a motion to proceed with hiring bond counsel for funding the dehumidifying unit, seconded by Councilperson Wood for discuss.

Councilperson Simms motion to table the matter until January 2017 saying he is not comfortable voting on such an expensive unit and not returning on council in 2017, seconded by Councilperson D. Haynes.

Mayor Saunders called for a voice vote to table. City Clerk Hewitt announced the following tally. 4 nays, 3 yeas. DeWitt, P. Haynes, Hendershot & Saunders voting nay. Motion failed.

Councilperson Hendershot asked for discussion on the original motion saying we are in this fiscal year, our revenues are down, our expenditures are up and the surplus that we typically carry at this part of the year is less than it was last year. We were hoping this would turn around when the construction came to the area. He said he has serious concerns about spending that kind of money to fix the pool seeing how the budget sets. Is this the right time to spend \$400,000 for the pool?

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

3. Discussion of Sponsoring Fireworks Display. Committee recommends the city to continue with sponsoring the fireworks display.

Vice Mayor DeWitt made a motion to continue sponsoring the annual fireworks display, seconded by Councilperson P. Haynes. Motion carried unanimously.

4. Discussion of Christmas House Decorating Contest. Committee recommends sponsoring 2 categories: Most Original \$100 and Most Decorative \$50. Judging will be December 16, 2016 and Awards will be presented at the December 19, 2016 Council Meeting.

Vice Mayor DeWitt made a motion to sponsor House Decorating contest, seconded by Councilperson P. Haynes. Motion carried unanimously.

5. Discussion of Donation Request to Kids, Cops and Christmas Program to Sponsor 3-5 Children. Committee recommends sponsoring 5 children at a cost of \$500.

Vice Mayor DeWitt made a motion to donate \$500 to the Kids, Cops and Christmas program, seconded by Councilperson Wood. Motion carried unanimously.

6. Discussion of Donation to Marshall County Chamber Christmas Parade. Committee recommends donating \$50 to the Christmas Parade.

Vice Mayor DeWitt made a motion to donate \$50 to the 2016 Christmas Parade, seconded by Councilperson P. Haynes.

Councilperson Hendershot said he feels the City already donates by provided city workers for preparation, clean up and traffic control during the parade.

Mayor Saunders called for a voice vote. City Clerk announced the following tally. 5 yeas, 2 nays. D. Haynes and Hendershot voting nay. Motion carried.

7. Discuss changing the hours of the Recycling Collection to include Saturdays from 8-4.

Vice Mayor DeWitt made a motion to include Saturday 8-4 on Recycling collection days, seconded by Councilperson Wood.

After further discussion Vice Mayor DeWitt rescinded her motion and Councilperson Wood rescinded his second. This matter will be left up to the City Manager and Street Commissioner.

8. Discussion to donate \$50 to the John Marshall “Paws for a Cause” for high school age children for Christmas gifts. Committee recommends to donate \$50 to “Paws for a Cause”.

Vice Mayor DeWitt made a motion to donate \$50 to the JM Paws for a Cause, seconded by Councilperson P. Haynes. Motion carried unanimously.

Discussion of Recommendations by the Policy Committee.

1. Discussion of Article 160: Municipal Building Commission Ordinance Amending Number of Board Members. Committee recommends decreasing commission members from 5 to 3 members.

First reading of the ordinance was voted upon under New Business.

2. Discussion of Amending the 1% Sales Tax Ordinance. Committee recommends putting the State Tax Departments Ordinance on the agenda for the next regular meeting.

First reading of the ordinance was voted upon under New Business.

Discussion of Recommendations by the Traffic Committee.

1. Discussion of Free Meter Parking During Holiday Season in Business Districts Excluding the Court House Area. Committee recommended free meter parking during the holiday season from November 28, 2016 through January 3, 2017 excluding the meters around the Court House.

Councilperson Simms made a motion to provide free parking during holiday season, seconded by Vice Mayor DeWitt. Motion carried unanimously.

2. Discussion of Request for Pastor Parking Only Sign for Calvary Methodist Church on Cedar Avenue for Sunday Services 8 a.m. to 2:00 p.m. Committee recommends to permit the parking space and ask the Street Department to install the sign.

COUNCIL ITEMS:

* **DeWitt** - Removing the tree on 7th Street between Court Avenue & Rt. 2 looks very good.

* Wishes everyone a Happy Thanksgiving.

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

* **D. Haynes** - Wished to thank Councilperson Simms and Councilperson P. Haynes for serving on council.

* Asked if council was going to add more streets to pave in 2017? Mayor Saunders advised they are going to try to pave more streets next year.

* **Hendershot** - Wished to thank outgoing Councilperson Simms who has served the citizens of Moundsville for a number of years & hopes Councilperson Haynes stays involved with the city.

* Asked City Manager Hess to contact the City of Wheeling to see how involved they are in the Uber service. He would be hesitant to obtain a grants to fund a competing business (taxi service).

* Reminded everyone of the Christmas Parade on Saturday is going to be cold and rainy.

* Asked Manager Hess if the Office Supervisor position has been filled yet? She advised she was putting that position in the 2017-2018 Budget.

Wood - Thanked Councilperson Haynes and Councilperson Simms for their efforts in

representing the citizens of Moundsville. And welcomes Judy Hunt, Phil Remke and David Haynes to council.

* Hope everyone attends the Christmas Parade.

* Wished everyone a Happy Thanksgiving.

* **Simms** - Nothing at this time.

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

Meeting adjourned at 8:15 p.m.

Sondra J. Hewitt, City Clerk

Eugene Saunders, Sr., Mayor