

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **DECEMBER 20, 2016**

3
4 The Council of the City of Moundsville met in regular session in the Council
5 Chambers on December 20, 2016 at 7:00 pm.

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

8
9 Invocation was given by Councilman Allen Hendershot.

10

11 Acting City Clerk Ankrom called the roll and the following Councilpersons were in
12 attendance: Vice Mayor DeWitt, David Haynes, Paul Haynes, Hendershot, Simms,
13 Wood, and Mayor Saunders. Also present were City Manager Hess, Assistant Fire
14 Chief Walker, Police Chief Mitchell, Public Works employee Carter, Building Inspector
15 Bertrand, CPA Goddard, and Attorney White.

16

17 **MINUTES:**

18 **Regular Council Meeting of December 6, 2016**

19 Councilman Paul Haynes made a motion to accept the December 6, 2016 minutes as
20 presented. Motion was seconded by Vice Mayor DeWitt and carried unanimously.

21

22 **GENERAL PUBLIC HEARING:**

23 **Attorney James Kelsh, Water Rate Increase**

24 James Kelsh of Bowles Rice LLP presented the request, on behalf of the Moundsville
25 Water Board, for a 22% rate increase on water usage only; sewage charges will not
26 be affected. Mr. Kelsh commended the Moundsville Water Board on their
27 “wonderful” treatment plant and the amicable working relationship he's had with
28 the City of Moundsville. Mr. Kelsh's office will take care of the publication notices;
29 and he will be available to attend the January 3, 2017 Council meeting, at which time
30 the second reading on the Ordinance will be held.

31

32 After the rate increase, the Moundsville Water Board will have the 117th lowest rates,
33 of 369 water utilities, which is still below the State average. Minimum bill
34 customers, such as small households, will see their bill go to \$19.40 per month,
35 which is a \$3.50 increase. The average minimum usage bill of 3,400 gallons will see a
36 \$5.23 increase, raising the bill to \$28.99 per month.

37

38 Mr. Kelsh explained that, according to requirements of the bond issuance for
39 building the new treatment plant, the Moundsville Water Board should be putting

1 2.5% of revenues into a “Renewal and Replacement Account” each month. The
2 Moundsville Water Board has not been able to fund that account, putting the City of
3 Moundsville in “technical default” on the bonds. Also, the nano filters have been in
4 place for nine years; the average life expectancy of these filters is five to seven
5 years. The Board will have to take out a loan to replace the filters, requiring more
6 revenue to pay on the debt service.

7
8 The Moundsville Water Board has a good raw water source, however, the well fields
9 need to be maintained; and the City of Moundsville's distribution system is old. The
10 line loss is at 29%, which is above the state-wide target, but still “excellent” when
11 considering the age of the system. The Moundsville Water Board intends to
12 implement phases of improvement, as well as hire additional personnel to help in
13 the field.

14
15 Councilman Wood, for the sake of public knowledge, wanted to clarify details of the
16 Moundsville Water Board's needs. Mr. Kelsh confirmed that the Moundsville Water
17 Board's raw water source is high in iron and manganese, which makes the water
18 very hard; replacing the filter media will help address this. Digging of a new well is
19 also in the planning stages, while the 2011 well is still being paid on.

20
21 Mr. Kelsh agreed that, due to the size of the City of Moundsville, the Public Service
22 Commission will not do a comprehensive review, unless the resale rate is protested
23 by one of the Public Service Districts; and then, only the resale rate will be reviewed.
24 The Moundsville Water Board falls below the threshold to qualify for long-term,
25 lower interest rates, as determined by the State Infrastructure Council.

26
27 Vice Mayor DeWitt, after reviewing the 2011 rate increase ordinance, questioned
28 why that 36% increase wasn't enough to cover the needs of the Plant. Mr. Kelsh
29 pointed out that with a 14% increase in electricity rates, as well as more expensive
30 operational costs and inflation, the increase that went into effect in 2012 just doesn't
31 cover all of the needs of the Water Board operations.

32
33 Councilman Hendershot reiterated that the Moundsville Sanitary Board rates will
34 not be increased.

35
36 Mayor Saunders opened the General Public Hearing for any comment on the
37 Moundsville Water Board's proposed rate increase.

38 Mr. Kelsh confirmed that Councilman David Haynes has no conflict of interest and is
39 allowed to vote on the Rate Increase Ordinance.

1
2 Hearing no objections, Councilman David Haynes presented the motion to close the
3 public hearing on the Moundsville Water Rate Increase ordinance. Motion was
4 seconded by Councilman Wood and carried unanimously.

5
6 Vice Mayor DeWitt expressed concern about having the two new Council members,
7 who will take office January 1, 2017, vote on an issue they may be unfamiliar with.
8 Vice Mayor DeWitt made a motion to table the First Reading of the water rate
9 increase ordinance until the January 3, 2017 meeting. Motion was seconded by
10 Councilman Wood. Mayor Saunders called for a roll call vote, and Acting Clerk
11 Ankrom announced the following tally: 2 yeas, 5 nays; David Haynes, Paul Haynes,
12 Hendershot, Simms, and Saunders voting nay. Motion failed.

13
14 Councilman David Haynes made a motion to approve the Moundsville Water Board
15 Rate Increase Ordinance on First Reading. Motion was seconded by Councilman
16 Simms.

17
18 Attorney White read the Ordinance by title only:
19 **AN ORDINANCE ESTABLISHING AND FIXING RATES, CHARGES, AND FEES FOR**
20 **SERVICE TO CUSTOMERS OF THE WATER SYSTEM OF THE CITY OF MOUNDSVILLE,**
21 **WEST VIRGINIA (FIRST READING)**

22
23 Mayor Saunders called for a roll call vote, and Acting Clerk Ankrom announced the
24 following tally: 5 yeas, 2 nays; Vice Mayor DeWitt and Councilman Wood voting nay.
25 Motion carried.

26
27 **Presentation of Award to Outgoing Councilmen K Mark Simms & Paul Haynes**
28 Mayor Saunders presented Councilman Paul Haynes with a crystal clock and a
29 golden key to the City, in appreciation for his 10 years of service on Moundsville City
30 Council.

31
32 Mayor Saunders presented Councilman K Mark Simms with a crystal clock and a
33 golden key to the City, in appreciation for his 26 years of service on Moundsville City
34 Council. Councilman Simms made a brief statement on the “wonderful” 26 years he
35 has spent on City Council and commented that he may be back in two years!

36
37 **Presentation to House Decorating Winners**
38 Mayor Saunders presented Richard and Darla Beaver of 209 Pine Avenue with a
39 certificate and check for winning First Place in the 2016 House Decorating Contest.

1 Brad and Peggy Donovall of 1107 12th Street Lot 17 were awarded with similar prizes
2 for 2nd Place; and William Jersey of 1107 12th Street Lot 15 was awarded for 3rd Place.

3

4 **Craig White, Convention & Visitors Bureau**

5 Craig White of 1105 Wheeling Avenue, Glen Dale, introduced himself as the Interim
6 Director for the Greater Moundsville Convention & Visitors Bureau. Mr. White is
7 eager to work with Moundsville City Council as he continues moving forward with
8 promoting tourism in the Moundsville area. Mr. White encouraged all to come visit
9 the Visitors' Center, at the Cockayne Farmstead, which will remain open with new
10 staffing. Mr. White also made himself available to answer any questions City Council
11 may have. Councilman Simms is encouraged by Mr. White's leadership! Vice Mayor
12 DeWitt congratulated Mr. White on this new opportunity!

13

14 No one else wished to address Council at this time.

15

16 **OLD BUSINESS:**

17 **Other Items to be Discussed by Council**

18 * Councilman David Haynes would like to be able to set a firm dollar amount, of
19 proceeds from the 1% Sales Tax, aside for paving projects.

20

21 * Councilman Simms reminded Council members of how quickly the 1% Sales Tax can
22 be spent when so much of it is earmarked for special projects.

23

24 * Councilman Simms thanked everyone for the gifts he received.

25

26 * Councilman Wood asked Manager Hess how the process is going with filing
27 delinquent fees through Municipal Court. Attorney White now has all of the forms
28 drafted, and Revenue Collector Maine should be ready to move forward in January.

29

30 * Councilman Wood broached discussion on the Recreation Department. He
31 suggested tabling any further discussion on hiring Bond Counsel until Manager Hess
32 has been given some time to evaluate the pool and the recreation department as a
33 whole. He suggested scrutinization of the budget and the tasks of the recreation
34 personnel. Councilman Wood made a motion to table discussion of hiring Bond
35 Counsel, which was seconded by Vice Mayor DeWitt and carried unanimously.

36 Councilman Wood then made a motion to allow Manager Hess time to evaluate the
37 best course of action to take on all aspects of Four Seasons Pool and the Recreation
38 Department, then make recommendations to City Council. Motion was seconded by
39 Vice Mayor DeWitt and carried unanimously.

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* Councilman Hendershot noted the recent article in the *Wheeling News Register* about the City of Benwood applying for a \$400,000.00 grant to upgrade their City Pool. He encouraged Council to be ready for the next grant cycle, which should also allow time to get more information on needs of the Recreation Department. Councilman Hendershot also expressed disappointment that none of the conversations about the Pool included raising revenues, which has to be part of the solution.

NEW BUSINESS:

Receive & File the Board of Canvassers' Certificate of Votes Cast for the City of Moundsville 2016 General Election

Vice Mayor DeWitt made a motion to receive and file the Board of Canvassers' Certificate of Votes Cast for the City of Moundsville 2016 General Election. Motion was seconded by Councilman David Haynes and carried unanimously.

Discussion & Approval of an Ordinance Pertaining to Proposed Water Rate Increase (First Reading)

This has already been taken care of.

Discussion & Approval of a Recommendation by the Moundsville Planning Commission to Approve a Zone Change at 1332 & 1334 1st Street from "C-N" Neighborhood Commercial District to "C-H" Highway Commercial and Integrated Commercial Center District

Vice Mayor DeWitt made a motion to accept the Planning Commission's recommendation, for a zone change at 1332 and 1334 1st Street to Highway Commercial and Integrated Commercial Center District, and direct Attorney White to draft the appropriate ordinance. Motion was seconded by Councilman Hendershot and carried unanimously.

Election of Mayor & Vice Mayor

Vice Mayor DeWitt made a motion to confirm Mayor Saunders in service for another year. Councilman Wood seconded the motion, which carried unanimously.

Councilman Wood nominated Vice Mayor DeWitt to serve again in that position. Vice Mayor DeWitt respectfully declined the nomination.

Vice Mayor DeWitt then nominated Councilman Wood to serve as Vice Mayor, which was seconded by Councilman Hendershot. Mayor Saunders called for a roll call vote,

1 and Acting Clerk Ankrom announced the following tally: 5 yeas, 2 nays; Councilmen
2 David Haynes and Paul Haynes voting nay. Motion carried.

3

4 **Re-Appointments to the Historic Landmarks Commission**

5 Manager Hess explained that all of the appointments to the Moundsville Historic
6 Landmarks Commission expire January 1, 2017. Hilda Blake, Jane Klug, Jim Cochran,
7 Joe Parriott, and Candy Dobbs will be re-appointed for two-year terms.

8

9 **Other items to be Discussed by Council**

10 * Councilman Wood informed members of the Legislative Breakfast, to be held at
11 the Grand Vue Park Events Center, on January 18, 2017 at 7:30 am. This event is
12 sponsored by the Moundsville Economic Development Council, City of Moundsville,
13 and Marshall County Chamber of Commerce.

14

15 **MANAGER ITEMS:**

16 Councilman Hendershot made a motion to enter into Executive Session, for
17 personnel matters, at the end of regular session. Motion was seconded by
18 Councilman Wood. Mayor Saunders called for a roll call vote, and Acting Clerk
19 Ankrom announced the following tally: 5 yeas, 2 nays; Councilman Simms and
20 Councilman Paul Haynes voting nay. Motion carried.

21

22 ☉ Manager Hess reminded that 2017-2018 Budget preparations will begin soon.

23

24 ☉ Manager Hess wished everyone a Merry Christmas and Happy New Year!

25

26 Attorney White presented legal ads to be received and filed. Councilman David
27 Haynes made a motion to receive and file legal ads:

28 Article 745 Decreasing Business & Occupation Tax published November 7

29 Article 796 Municipal Sales Tax Public Hearing published November 28

30 Motion was seconded by Councilman Hendershot and carried unanimously.

31

32 **MAYOR ITEMS:**

33 ☉ Mayor Saunders wished everyone a Merry Christmas and Happy New Year!

34 ☉ Mayor Saunders commented that City Council will be losing two good men, in
35 Paul Haynes and Mark Simms! They will be greatly missed!

36

37 ☉ Mayor Saunders asked Chief Mitchell to investigate illegal vehicles at 1002 6th
38 Street and 1409 7th Street.

39

1 **COMMITTEE REPORTS:**

2 ***Discussion of Recommendations by the Finance Committee***

3 **Discussion & Review of Financial Summary for November 2016 by CPA Goddard**

4 Vice Mayor DeWitt noted that the financial statements were reviewed.

5

6 **Discussion of Additional Funding for Paving Streets...from the 1% Sales Taxes...**

7 Vice Mayor DeWitt informed that further discussion will be held on designating a
8 portion of the sales tax toward paving projects.

9

10 **Discussion of Funding for Office Supervisor Position**

11 Vice Mayor DeWitt asked for clarification on the City Clerk/Office Supervisor
12 positions. Manager Hess confirmed that City Clerk Hewitt will retain her position as
13 Clerk, in addition to handling the Office Supervisor duties; but no other Clerk Office
14 personnel duties will change, nor will additional staff be hired.

15

16 **Discussion of Uber Service. Committee recommended no action be taken.**

17

18 ***Discussion of Recommendations by the Policy Committee***

19 **Discussion of Proposed Water Rate Increase**

20 Councilman David Haynes noted that this issue has been taken care of.

21

22 Councilman David Haynes opined that most of Council is in agreement on the
23 evaluation of Manager Hess.

24

25 ***Discussion of Recommendations by the Policy Committee***

26 **Discussion of Paving Priority List for 2017**

27 Councilman Hendershot had nothing new to report from the Policy Committee, as
28 members agreed to table the paving priority listing until the two new Council
29 members took office.

30

31 **COUNCIL ITEMS:**

32 * **DeWitt** – Opined that it is unfair to expect the new Council members to vote only
33 on the second reading of the water rate increase.

34

35 Wished everyone a Merry Christmas and Happy New Year!

36

37 * **Paul Haynes** – Expressed his joy and appreciation about working with the “fine
38 people” who have served with him during his years on Council! Thanked everyone!

39

1 * David Haynes – Had nothing at this time.
2
3 * Hendershot – Wished everyone a Merry Christmas and Happy New Year!
4
5 Thanked Councilman Paul Haynes and Councilman Simms for their service!
6
7 * Wood – Agreed with Vice Mayor DeWitt on the water rate increase vote.
8 Thanked Councilman Paul Haynes and Councilman Simms for their many years of
9 service!
10 Congratulated Mayor Saunders on his re-appointment as Mayor!
11 Thanked Vice Mayor DeWitt for her service in that position!
12 Wished everyone a Merry Christmas and Happy New Year!
13
14 * Simms – made the motion to adjourn Regular Session, take a brief recess, then go
15 into Executive Session.
16
17 Regular Session adjourned at 8:04 PM.
18 Executive Session commenced at 8:16 PM.
19
20 Executive Session adjourned at 8:34 PM.
21 Regular Meeting adjourned at 8:35 PM.

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Karen L Ankrom, Acting City Clerk

Eugene Saunders, Mayor