**STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE, DECEMBER 1, 2020**

The Council of the City of Moundsville met in Regular Session via Zoom on December 1, 2020 at 7:00 p.m.

Meeting was called to order by Mayor David Wood.

Invocation by Vice Mayor Judy Hunt.

Secretary Scarbin called the roll and the following Councilpersons were in attendance: DeWitt, Hickman, Hunt, Remke, Saunders, S. Wood and Mayor David Wood. Also present were City Manager Healy, Attorney White, Secretary Scarbin, Finance Director Karen Ankrom, and Chief Mitchell. Absent: City Clerk Hewitt. Meeting was live streamed on Zoom.

**MINUTES:**

**Regular Council Meeting of November 17, 2020.**

Councilwoman Hickman moved to approve the minutes of the regular council meeting of November 17, 2020, seconded by Councilman Remke. Motion carried unanimously.

**GENERAL PUBLIC HEARING:**

**Michelle Marinacci, Gold Khoury & Turak – Update on the Opioid Litigation.**

Michelle Marinacci provided an update for the open Opioid Litigation. Trial is set for November 1, 2021. Federal trial scheduled for January 2021 for the CT 2 trial.

Attorney Tom White asked if Phase 1 was a bench or jury trial. Michelle stated Phase 1 is bench.

**CITY MANAGER ITEMS:**

City Manager Healy provided the following report to council:

1.Update on the new Municipal Building – we completed our workshop earlier this evening on the new Municipal/Public Safety Building. On the agenda next week will be discussion and approval of a layout, which will allow the architects to continue the exterior design process.

2.This afternoon, I attended the ribbon cutting and grand opening ceremony for the Holiday Inn Express and Suites located south of the Kroger Plaza. Due to COVID, the ceremony was limited. The facility is beautiful, and I encourage all of Council to stop down and meet the General Manager and take a look around. I wholeheartedly welcome this business to Moundsville and thank Mr. Michael Holtz for his commitment to the area.

3.In your packet’s tonight were the Department Reports for October. They were left out of your packets last meeting. November reports will be in the packets for the December 15 meeting.

4.Our website continues to be strong hosting 3,830 visits in November. Those visits resulted in 7,881 page views. The Water Department regularly uses the site to broadcast boil orders and leaks. I encourage all departments to send information to be placed on the site. The more we load the site with City information, the better help we can be, and increases transparency.

5.At the Water Board Meeting last week, it was reported that 21 customers were eligible for the utility assistance from the Governor’s Office using COVID relief funds. All 21 were mailed applications, and 11 returned them by the deadline. Those 11 have back payments totaling $3,642.79.

6.In my last report on November 17, I noted the receipt of a grant from Active WV for East End Park. Since then, I have received an additional $3,000 grant from Wesbanco to assist in this project. I’d like to thank Ms. Katrina Bonar and Wesbanco for their continued support of the City of Moundsville’s Parks.

7.I have spoken with Mr. Tom Hart from the Marshall County EMA concerning the Emergency Alert Network. Marshall County already has this program in place for alerts. However, they do not have the overdose component operating. This must be operated by Law Enforcement, and as yet, the County has not started this. I will be discussing this with Chief Mitchell to gauge the capacity for the City Police to handle this.

8.A Bid Opening was held this afternoon for the Four Seasons Pool Phase II Bathroom Renovation Project. The apparent low bidder is JD&E. However, the bids did come in over the engineer’s estimate. A meeting will be held in the near future to determine a course of action.

9.Bids will be opened for the 2021 Fireworks display on December 11. Four companies have been contacted.

10.Two new police cruisers have been received, with one being placed into service, and the other being fitted with necessary lighting, etc. The two new cruisers are Ford Police Interceptor SUVs. When the second one is placed into service, this will allow the Department to be updated with new cruisers, and also have one spare vehicle. The Police Department thanks Council for their commitment to bring the fleet up to date.

11.The employees with to thank City Council and the Employee Recognition Committee for the donuts delivered last Monday. They were enjoyed and appreciated by everyone.

12.I also received numerous “thank yous” from employees for the additional clothing allowance. It was very much appreciated. I personally also say “Thank You”!

13.The City Building and all other city owned facilities remain closed to the public due to the rise in COVID numbers in Marshall County. All employees are reporting and all city functions will co. This will remain in effect until further notice. A reminder to citizens that there are drop boxes located at the front and back of the city building for payments, and there is on-line pay available at the city’s website www.cityofmoundsville.com. Please call the City Clerk’s Office at 304-845-3394 with any questions.

14.Also due to COVID precautions, the annual Christmas luncheon will be changed this year. Instead of a group gathering, employees will enjoy a delivered lunch in their own departments, and I will be having a Zoom Call with the North Pole this week to arrange for gifts to be delivered for the employee’s children and grandchildren.

15.The new meter covers have been installed along Jefferson Avenue with the Free Two-Hour parking. I shopped on Small Business Saturday and it was great to see so many people along the Avenue. Continue to keep our businesses in mind for your Christmas shopping.

16.Please continue to patronize the local establishments, shops, and restaurants as they continue to struggle from the effects of COVID-19.

\*Councilwoman Hunt asked how much the bids were over for the Four Seasons Pool Phase II Project. Manager Healy stated approximately $40,000.00.

\*Councilman Remke stated there were lower sales this year for Small Business Saturday.

\*Councilwoman S. Wood asked if Marshall County had things in place for residents to sign up for the EMA alerts. Manager Healy stated residents can sign up through the Marshall County EMA website. Councilwoman S. Wood requested a post be made on the City’s Facebook page.

**OLD BUSINESS:**

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

\*Councilwoman DeWitt – Asked when the demolition for Wilson Law Office building will begin. Manger Healy stated the contract has a 30 day start date from receipt of the award, which will be the end of December. City Manager stated the two houses that have been burned will be done before the Wilson Building.

\*Councilwoman Hickman - Nothing at this time.

\*Vice Mayor Hunt – Asked if the auction sign at the Wilson Law Office building was a city auction. City Manager Healy advised it was the previous owner’s auction for woodwork and items inside the building.

\*Councilman Remke – Asked if the city has purchased new white pickup trucks. He has noticed an increase of white pickup trucks in the city. Manager Healy stated the city has not purchased a new truck since close to two years.

\*Councilman Remke – Water problems at Clinton Avenue and also at Second Street and Washington Avenue.

\*Councilman Saunders – 3rd and Jefferson parking issue. Manager Healy stated he has looked at making permit spaces on 3rd street, but is waiting for a commitment from the resident he would pay for the permit parking.

\*Councilwoman S. Wood – Suggested to have the Façade Program as a workshop on Zoom.

**NEW BUSINESS:**

**Discussion and Approval of Following the State Code to Provide Half Days for Employees on December 24, 2020 and December 31, 2020)**

City Manager stated the state employee manual provides half days for state employees on December 24th and December 31st and historically the city has followed suit. Additionally, the Governor extends those days to full paid holidays.

Councilman Saunders moved to approve half days for Employees on December 24, 2020 and December 31, 2020 and if the Governor moves for full days, the city will follow suit. Seconded by Councilwoman Hickman. Motion carried unanimously.

**Receive and File the 2020 Municipal General Election Results**

Councilwoman S. Wood moved to Receive and File the 2020 Municipal General Election Results. Seconded by Councilman Saunders. Motion carried unanimously.

**Discussion and Approval of an Ordinance for a Rate Increase for the Sanitary Board. (First Reading)**

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

**AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA AMENDING THE EXISTING RATE SCHEDULES FOR THE SANITARY DEPARTMENT OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA**

Councilman Remke asked if the Sanitary Board could separate the increase instead of all at once. City Manager Healy advised the only item they could separate would be the vehicle. However, it’s less than 1%.

Councilman Remke asked what the dollar amount increase will be for residents and commercial. Mark Abraham stated the residential increase would go from $20.97 to $28.36 a month based on 4,500 gallons. The commercial would go from $27.85 to $37.72 a month.

Councilwoman Hickman suggested the boards to look at rate increases every few years so the increases are not as drastic to the residents.

Councilwoman Hickman moved to approve the above ordinance, seconded by Councilwoman DeWitt. Mayor D. Wood called for a roll call vote. Secretary Scarbin announced the following tally. 7 yeas. Motion carried unanimously.

**Discussion and Approval of an Ordinance for a Bond Issuance for the Sanitary Board. (First Reading)**

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

**AN ORDINANCE AUTHORIZING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN ADDITIONS, BETTERMENTS AND IMPROVEMENTS TO THE SEWERAGE SYSTEM OF THE CITY OF MOUNDSVILLE AND THE FINANCING OF THE COST, NOT OTHERWISE PROVIDED, THEREOF THROUGH THE ISSUANCE BY THE CITY OF MOUNDSVILLE OF SEWER REVENUE BONDS, SERIES 2021, IN AN AGGREGATE PRINICIPAL AMOUNT OF NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS ($500,000.00) DEFINING AND PRESCRIBING THE TERMS AND PROVISIONS OF THE SERIES 2021 BONDS; PROVIDING GENERALLY FOR THE RIGHTS AND REMEDIES OF AND SECURITIES FOR THE HOLDERS OF THE SERIES 2021 BONDS; AUTHORIZING EXECUTION AND DELIVERY OF ALL DOCUMENTS ELATING TO THE ISSUANCE OF SUCH BONDS; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT. (FIRST READING)**

Councilwoman S. Wood moved to approve the above ordinance, seconded by Councilman Saunders. Mayor D. Wood called for a roll call vote. Secretary Scarbin announced the following tally. 7 yeas. Motion carried unanimously

**Discussion and Approval of an Ordinance of Moundsville Fire Code. (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 OF THE CITY OF MOUNDSVILLE, BY UPDATING AND RE-ADOPTING THE STATE FIRE CODE**

Councilwoman Hickman moved to approve the above ordinance, seconded by Councilwoman Hunt. Mayor Wood called for a roll call vote. Secretary Scarbin announced the following tally. 7 yeas. Motion carried unanimously

**Discussion and Approval of an Ordinance to Revise the City’s DUI Code. (First Reading)**

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

**AN ORDINANCE OF THE CITY OF MOUNDSVILLE TO AMEND AND RE-ENACT ARTICLE 333 OF THE CITY CODE RELATING TO TRAFFIC OFFENSES, INCLUDING, BUT NOT LIMITED TO, PROVIDING FOR THE OFFENSE OF DRIVING UNDER THE INFLUENCE, PROVIDING FOR CRIMININAL PENALTIES, AND PROVIDING FOR REVOCATION AND SUSPENSION OF DRIVERS LICENSES IN THE MUNICIPAL COURT OF THE CITY OF MOUNDSVILLE.**

Councilman Remke asked if this would make any difference in Municipal Court. Attorney White stated this allows the City Judge to revoke drivers’ licenses, which was done at the state level.

Councilman Saunders moved to approve the above ordinance, seconded by Councilwoman DeWitt. Mayor D. Wood called for a roll call vote. Secretary Scarbin announced the following tally. 7 yeas. Motion carried unanimously

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

\*Councilwoman DeWitt – Stated residents has complained about cars blocking the view at 1st Street and Morton Avenue.

\*Councilwoman Hickman – Nothing at this time.

\*Vice Mayor Hunt – Nothing at this time.

\*Councilman Remke – Asked about the wrecked car sitting at 6th Street and Jefferson Avenue. City Manager said he would have Chief Mitchell look into it.

\*Councilman Remke – Asked about the hanging baskets in front of the penitentiary. City Manager stated the Street Department has removed the hanging baskets on Jefferson Avenue, but the Penitentiary was responsible for their own.

\*Councilman Remke – Asked about the Comcast rate increase letter. City Manager stated the letter was only for their information and there wasn’t anything the City could do in regards to the increase. Attorney White stated the contract was due to renew in December 2021.

\*Councilman Remke – stated the B&O taxes needed to be reviewed and reduced.

\*Councilman Remke – The yellow line at 7th Street and Grant Avenue was painted wrong. It should have been painted further down.

\*Councilman Remke – Police cars have a new look. Chief Mitchell said the white on the doors and roof are no longer available. They will now have a newer stripe on the side and will be reflective.

\*Councilman Saunders – Asked if the house decorating contest was set for December 12th. Manager Healy asked Councilman Saunders to call him at the office to discuss.

\*Councilwoman S Wood – the Arts & Culture Commission will be having a drive-thru event on December 18th from 6:30 – 8:30 PM in the Truist parking lot. Thank you to the Street Department for putting the Christmas tree up and decorating with lights.

**MAYOR ITEMS:**

\*Mayor D. Wood - everyone received a City Manager evaluation in their packets. Asked for everyone to complete the evaluation and will be discussed in executive session at the December 15th City Council meeting.

\*Mayor D. Wood - December 15th City Council meeting will have the selection of City Mayor and Vice Mayor.

\*Mayor D. Wood – Thank you for the department head reports

\*Mayor D. Wood – Thank you for the Employee Appreciation Committee. It’s been successful.

**COMMITTEE REPORTS:**

The Finance sub committee will meet on December 8, 2020 at 5:00 PM followed by the Traffic committee followed by the Policy committee.

**COUNCIL ITEMS:**

\* Councilwoman DeWitt – Stated City Council has never allowed residents to have permit parking. Does not feel we should allow a permit parking as it would open bigger issues.

\* Councilwoman Hickman – The text alerts through EMA were simple to sign up for and encourages everyone to do so.

\*Councilwoman Hickman – Encourages everyone to get tested for COVID. Thank you to the Health Department and volunteers for working the testing.

\*Councilwoman Hickman – Red Cross is in need of blood donation. Encourages everyone to donate if they are able.

\* Vice Mayor Hunt – Received thank you note from citizen on Highland Avenue for fixing the sinking street. Extend appreciation to City Manager and City Departments involved.

\* Councilman Remke – Can banks do the bond issuance. City Manager stated no. The bond counsel is a specialized form of attorney.

\* Councilman Saunders – Asked when the new City Council members would be sworn in. City Manager stated January 5th.

\* Councilwoman S Wood – Nothing at this time.

Councilman Remke moved to adjourn, seconded by Councilwoman S. Wood. Motion carried unanimously.

Meeting adjourned at 8:14 p.m.

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Kimberly Scarbin, Secretary David Wood, Mayor