

1 STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,  
2 DECEMBER 2, 2014

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4 The Council of the City of Moundsville met in regular session in the Council Chambers  
5 on December 2, 2014 at 7:00 PM.

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

8 Invocation was given by Councilperson K Mark Simms.

9  
10 Acting City Clerk Ankrom called the roll and the following councilpersons were in  
11 attendance: DeWitt, David Haynes, Paul Haynes, Remke, Simms, Vice Mayor Wood, and  
12 Mayor Saunders. Also present: City Manager Hess, Police Chief Mitchell, Fire Chief  
13 Clarke, Working Foreman Stocklask, CPA Goddard, and Attorney White. Absent was  
14 City Clerk Hewitt (vacation).

15  
16 **MINUTES:**

17 **Regular Council Meeting of November 18, 2014**

18 Councilman Paul Haynes made a motion to accept the minutes of the regular Council  
19 meeting of November 18, 2014, which was seconded by Councilman Simms. Motion  
20 carried unanimously.

21  
22 Vice Mayor Wood presented Justice Robinson, who attends 7<sup>th</sup> Grade classes at  
23 Moundsville Middle School, with a certificate of recognition. Miss Robinson won the  
24 Moundsville Trivia Contest by answering all questions correctly. Miss Robinson thanked  
25 City Council for engaging the students and quizzed Council on several questions from the  
26 contest.

27  
28 **GENERAL PUBLIC HEARING:**

29 \* Suzanne Park of the Moundsville Economic Development Council was in attendance  
30 with Craig White and Nila Chaddock to update Council on progress in forming the  
31 Convention & Visitors Bureau. The IRS has given initial approval of the Bureau, per Ms  
32 Park. Council members were given a packet of information compiled by the committee,  
33 including the WV Travel Guide ad. Ms Park informed Council that, since October 2014,  
34 491 inquiries were tracked for the Northern Panhandle. Ms Park briefly explained some  
35 budget items included in the \$177,000.00 proposed budget formulated by the Bureau.

36  
37 \* Craig White, Manager of Grand Vue Park, invited Council and City employees to attend  
38 a team building course to be held at the Park on December 10 & 11, 2014. There are seven  
39 spots still available.

40  
41 \* Vickie Best of 206 Cypress Avenue thanked Vice Mayor Wood, Manager Hess, and  
42 Public Works Director Richmond for the repair of street problems in her neighborhood.

1 The City was “well represented” by their cooperation and professionalism.

2

3 \* H Carl Boso Jr of 305 10<sup>th</sup> Street addressed comments made at the last Council meeting  
4 regarding the Morton Avenue gate controversy, the Kittle Hauling property purchase, and  
5 the ATV ordinance.

6

7 **OLD BUSINESS:**

8 **Discussion and Approval of an Ordinance Amending Article 355 Dealing with**  
9 **Certain Motorized Recreational Apparatus (Second Reading)**

10

11 Attorney White read the ordinance by title only:

12 **AN ORDINANCE OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA FOR A**  
13 **PROHIBITION AGAINST THE OPERATION OF CERTAIN MOTORIZED**  
14 **RECREATIONAL APPARATUS WITHIN THE CORPORATE LIMITS OF THE**  
15 **CITY OF MOUNDSVILLE UPON ANY PUBLIC STREET, ALLEYWAY,**  
16 **SIDEWALK, PARKING LOT, OR RIGHT-OF-WAY AND UPON ALL OTHER**  
17 **REAL PROPERTY WHICH IS PUBLICLY OWNED, LEASED, OR**  
18 **CONTROLLED: TO MAKE THE OPERATION OF SUCH APPARATUS A**  
19 **CRIMINAL OFFENSE; TO PROVIDE PENALTIES THEREFORE; AND TO**  
20 **PROVIDE EXCEPTIONS, WHICH ORDINANCE SHALL BE CODIFIED AS A**  
21 **PART OF ARTICLE 355; STREET OBSTRUCTIONS AND SPECIAL USES OF**  
22 **THE CITY OF MOUNDSVILLE CODE (SECOND READING)**

23

24 Councilman Remke made a motion to approve the ordinance on second reading, which  
25 was seconded by Councilman Paul Haynes. Councilman Simms explained that he voted  
26 “nay” on the first reading because there are already regulations on the books that need to  
27 be enforced; and this ordinance provides no significant difference. Councilwoman DeWitt  
28 is in agreement with Councilman Simms. Mayor Saunders called for a roll call vote, to  
29 which Acting Clerk Ankrom announced the following tally: 5 yeas, 2 nays, with DeWitt  
30 and Simms voting nay. Motion carried.

31

32 **Discussion and Approval of an Ordinance Amending Article 1106 of the Codified**  
33 **Ordinances of the City Prohibiting Smoking and Tobacco Use (Second Reading)**

34

35 Attorney White read the ordinance by title only:

36 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE**  
37 **AMENDING AND RE-ENACTING ARTICLE 1106 OF THE CODIFIED**  
38 **ORDINANCES OF THE CITY OF MOUNDSVILLE, TO PROHIBIT SMOKING**  
39 **AND TOBACCO USE AT CITY OWNED AND OPERATED OUTDOOR**  
40 **RECREATIONAL FACILITIES AND CERTAIN INDOOR FACILITIES IN THE**  
41 **CITY OF MOUNDSVILLE (SECOND READING)**

42

1 Councilman Remke made a motion to approve the ordinance on second reading, which  
2 was seconded by Vice Mayor Wood. Councilwoman DeWitt asked about fine amounts,  
3 which are set by the Municipal Court Judge; and the ordinance regulates only City-owned  
4 property. Councilman Simms again explained that he voted “nay” on the first reading  
5 because it seems that government is continually stripping away individual liberties.  
6 Mayor Saunders called for a roll call vote, to which Acting Clerk Ankrom announced the  
7 following tally: 5 yeas, 2 nays, with David Haynes and Simms voting nay. Motion carried.  
8

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

10 \* Councilman Simms reminded those present the City is purchasing the Kittle Hauling  
11 property because Department of Environmental Protection regulations require the City to  
12 have adequate facilities for salt storage and garbage truck maintenance. The structures  
13 included on the Kittle property adequately meet those regulations.  
14

15 \* Vice Mayor Wood commented the Moundsville Christmas Parade was very nice! It was  
16 unfortunate that some entries were not able to attend due to weather conditions.  
17

18 \* Vice Mayor Wood commended Councilman Remke on the Winter Festival, which was  
19 “well done!”  
20

21 **NEW BUSINESS:**

22 **A. Receive and File the Fireman's Pension & Relief Fund Statement of Accounts**

23 Vice Mayor Wood made a motion to receive and file both the Police and Fireman's Pension  
24 and Relief Funds statements of account, even though not all members had copies of both.  
25 Copies will be provided in the next packets. Vice Mayor Wood mentioned problems in  
26 other cities, which are not experienced by the City of Moundsville due to the change in  
27 contribution method made several years ago. Motion carried unanimously, after it was  
28 noted that Council does not have authority to make any changes in the statements'  
29 breakdown of assets.  
30

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

32 \* Councilman Paul Haynes would like to have the lights at Park View playground turned  
33 off.  
34

35 \* Vice Mayor Wood asked about Four Seasons Pool, which is up and running after  
36 replacement of a part.  
37

38 \* Vice Mayor Wood made a motion to have the Traffic Committee discuss installing a  
39 “Children at Play” sign on 8<sup>th</sup> Street. Motion was seconded by Councilwoman DeWitt  
40 and carried unanimously.  
41  
42

1 **MANAGER ITEMS:**

- 2 • Manager Hess read a letter from the Department of Health and Human Resources'  
3 Director of EMS Programs congratulating Chief Clarke and the Fire Department for  
4 meeting standards for licensure as a West Virginia Emergency...Rapid Response  
5 Agency.  
6 • Manager Hess reminded Council of the Business After Hours on Thursday at 5:00, to  
7 be followed by the annual Christmas Tree Auction. Members were asked to please call  
8 Secretary Kaufman to confirm their attendance.  
9 • Manager Hess noted Gold, Khourey, & Turak is having their annual Christmas Tree  
10 lighting on December 11, 2014.  
11 • Manager Hess informed Council of the Ohio Valley Soap Box Derby informational  
12 meeting on December 8, 2014 at Grand Vue Park.  
13 • Manager Hess heard good things about the Winter Festival and commended  
14 Councilman Remke.

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16 **MAYOR ITEMS:**

- 17 • Mayor Saunders received a letter from Randy Chamberlain, expressing appreciation  
18 for the Mayor's Reception held in November.  
19 • Mayor Saunders commended Councilman Remke on the Winter Festival, which  
20 looked great!  
21 • Mayor Saunders noted the skatepark ramps should arrive next week.  
22 • Mayor Saunders commented there is only one entry in the House Decorating Contest.

23  
24 **COMMITTEE REPORTS:**

25 **Discussion and Approval of Recommendations by the Finance Committee**

26 The Finance Committee will meet on December 9, 2014, beginning at 5:00 PM.

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28 **Discussion and Approval of Recommendations by the Policy Committee.**

29 The Policy Committee will meet immediately following Finance.

30  
31 **Discussion and Approval of Recommendations by the Traffic Committee.**

32 The Traffic Committee will meet immediately following Policy.

33  
34 **COUNCIL ITEMS:**

35 \* **DeWitt** – Nothing at this time.

36  
37 \* **David Haynes** – Nothing at this time.

38  
39 \* **Paul Haynes** – Nothing at this time.

40  
41 \* **Remke** – Nothing at this time.

1 \* **Wood** – Would like to discuss Council's goals and a prospective handbook at the  
2 Committee meeting.

3  
4 \* **Simms** – Commented on all the nation-wide negativity toward Police Departments;  
5 however, the City of Moundsville Police Department is “great!”

6  
7 Councilman David Haynes made the motion to adjourn, which was seconded by  
8 Councilman Paul Haynes. Meeting adjourned at 7:40 PM.

9  
10

11 \_\_\_\_\_  
12 Karen L Ankrom, Acting City Clerk

\_\_\_\_\_ Eugene Saunders, Mayor