

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**
2 **NOVEMBER 5, 2019**

3
4 The Council of the City of Moundsville met in regular session in the Council Chambers
5 on November 5, 2019 at 7:00 pm.

6
7 Meeting was called to order by Mayor Phil Remke, who also gave an invocation.

8
9 Acting City Clerk Ankrom called roll and the following Councilpersons were in
10 attendance: DeWitt, Hunt, Saunders, Vice Mayor Dave Wood, Sara Wood, and Mayor
11 Remke. Absent was Dave Haynes. Also present were City Manager Healy, Building
12 Inspector Richmond, Fire Chief Brandon, Public Works Director Stocklask, Police Chief
13 Mitchell, CPA Goddard, and Attorney White. Absent were City Clerk Hewitt and
14 Recreation Director White.

15
16 **MINUTES:**

17 **Regular Council Meeting of October 15, 2019**

18 Councilwoman Dewitt made a motion to approve the October 15, 2019 minutes, which
19 was seconded by Councilwoman Sara Wood and carried unanimously.

20
21 Before opening the General Public Hearing, Fire Chief Brandon presented the Fire Chief's
22 Award for Outstanding Service to Shaylyn Chanze, who has helped classmates, friends,
23 and even strangers in time of need.

24
25 **GENERAL PUBLIC HEARING:**

26 **A. H Carl Boso Jr, Moundsville Issues**

27 H Carl Boso Jr of 305 10th Street again asked why James Kudlak has not been cited for
28 illegal burning. Other residents of Moundsville, including himself, have received tickets
29 and warnings for illegal burning. Mr Boso also expressed concern about the report of
30 shooting, from Kudlak's Campground toward the Marshall County Fairgrounds. Mr. Boso
31 would like to fill in the property he owns behind South Park Trailer Court on 12th Street;
32 however, former City of Moundsville Officials had a guardrail installed that prevents him
33 from getting to the property. Mr. Boso also wants to be reinstated on the Moundsville
34 Police Department's "tow list."

35
36 * John Galloway of 70 George's Court spoke on behalf of the Moundsville Rifle & Pistol
37 Club, asking for an exemption to the proposed firearms prohibition ordinance. Many Rifle
38 & Pistol Club members fear the broadness of this proposed ordinance could shut down
39 the Club.

40
41 **MANAGER ITEMS:**

42 Manager Healy presented the following report:

- 1 1. The interview/presentations for the architect selection process is this Friday. The
2 Committee will be interviewing four professional firms.
- 3 2. Continued update on the new software system: We had an on-site training visit this
4 week that worked mainly with Finance Director Goddard and City Treasurer
5 Ankrom. He also spent some time dealing with Public Safety penalties. Most mod-
6 ules are in use at this time in one form or another. I think we have passed the turning
7 point, and look for increased productivity and efficiency moving forward.
- 8 3. I have received the agreement for the Fostoria Avenue Bridge Replacement project.
9 City Attorney White has reviewed the agreement, and approved it, with minor
10 changes. The City will be responsible for 10% of the project costs, and any costs
11 involving moving of utilities. The agreement does not have a start date for the
12 project, but obviously, is important to the project moving forward.
- 13 4. The paving has been completed, with manhole covers being taken care of this week.
14 I have set up a meeting with the representative to review a couple areas of concern
15 (Henrietta near 8th – one of those).
- 16 5. Two of the houses scheduled for demolition have been taken down and cleaned up.
17 The other two should be completed by the end of next week.
- 18 6. I will be scheduling a presentation to Council for the TIF Program from Bib Kiss
19 of Bowles and Rice. Mr. Kiss has been in constant communication with me, and as
20 noted before, the time crunch is not as tight now. One thing we need to develop is
21 a prioritized list of infrastructure improvements we want in the TIF district and ap-
22 proximate costs.
- 23 7. I'd like to comment that I think we had a productive Manager's Workshop concern-
24 ing the Rental Regulation Ordinance. I think most of the recurring comments are
25 things that we can take care of, while still making the ordinance do what we in-
26 tended, which is to make all rental properties in Moundsville safe, sanitary, and up
27 to a standard. This will be on the Sub-Committee agenda for next week, and I will
28 provide a copy of the comments received, as well as my answers/comments, with
29 your packets.
- 30 8. I attended the WV Solid Waste Conference in October, and was disappointed to
31 learn that we did not receive the recycling grant. After two de-briefings, the grant
32 committee thought we would outgrow the planned program too quickly. They have
33 asked that I meet with them regularly to plan for application next year. I have met
34 with Ginger and we will be scheduling a Recycling Committee Meeting soon to
35 discuss our program moving forward.
- 36 9. I would like to ask Council to move to go into Executive Session for Real Estate at
37 the end of our regular session.

38 Mayor Remke made the motion to enter Executive Session after the Regular Meeting,

1 which was seconded by Councilwoman Dewitt. Motion carried unanimously.

2
3 **OLD BUSINESS:**

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

5 * Vice Mayor Dave Wood asked if another Planning Commission meeting had been set
6 up for 120 Arlington Avenue. The meeting has not yet been scheduled.

7
8 * Vice Mayor Dave Wood asked if the house at 2nd Street and Sycamore Avenue has been
9 taken care of. There are ownership issues that have to be worked through.

10
11 * Vice Mayor Dave Wood asked about progress on the Police Department building.
12 Manager Healy confirmed some work was done before additional vinyl was blown off
13 during high winds on October 31. Work will continue in the near future.

14
15 * Vice Mayor Dave Wood asked about progress on Unified Bank construction. Mayor
16 Healy reported the project has to be re-bid and likely won't break ground until next year.

17
18 * Vice Mayor Dave Wood asked about progress on Four Seasons Pool. Manager Healy
19 informed that "huge progress" has been made. However, the grant agreement will need
20 to be amended in order to expend excess funds on ADA-compliant restrooms.

21
22 * Vice Mayor Dave Wood reminded that he wants to see a report on delinquent fines.

23
24 * Councilwoman Sara Wood thanked the Street Department, Fire Department, and all
25 volunteers who helped with the Pumpkin Paint event, which went very well!

26
27 * Councilwoman Sara Wood desires to have a workshop on the Façade Program.

28
29 * Councilwoman Sara Wood would like for all of Council to have a copy of the Historic
30 Landmarks Commission handbook.

31
32 * Councilwoman Sara Wood reported that she and Manager Healy are making progress
33 on Council's Goals, and a year-end report will be provided.

34
35 * Councilwoman Hunt noticed the cones were gone at 90 Highland Avenue.

36
37 * Councilman Saunders asked about the 6th Street residence. Inspector Richmond
38 confirmed the owner will be back in Municipal Court this week.

39
40 * Councilman Saunders confirmed that Moundsville City Council is not interested in
41 buying any property on 6th Street.

1 * Councilman Saunders affirmed Vice Mayor Wood’s opinion the residence at 2nd Street
2 and Sycamore Avenue is in bad shape.

3
4 * Councilman Saunders moved to discuss Personnel Matters in Executive Session.
5 Motion was seconded Councilwoman Dewitt and carried unanimously.

6
7 **NEW BUSINESS:**

8 **A. Discussion and Approval of an Ordinance Prohibiting Firearms on City Parks**
9 **and Recreation Areas (First Reading)**

10
11 Attorney White read the ordinance by title only:

12 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
13 **WEST VIRGINIA, PROHIBITING POSSESSION OF FIREARMS AT CITY**
14 **RECREATION FACILITIES, WITH EXCEPTIONS THERETO (FIRST**
15 **READING)**

16
17 Mayor Remke made a motion to table the firearms prohibition ordinance, in order to hold
18 further discussions at the Policy Committee. Motion was seconded by Councilwoman
19 Hunt. Mayor Remke asked for a roll call vote, to which Acting Clerk Ankrom announced
20 the following tally: five yeas, one nay; Saunders voting nay. Motion carried.

21
22 **B. Discussion and Approval of an Ordinance Requiring Property Owners**
23 **Responsible for Pest Control (First Reading)**

24
25 Attorney White read the ordinance by title only:

26 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
27 **WEST VIRGINIA, REQUIRING PEST EXTERMINATION PRIOR TO**
28 **PRIVATE DEMOLITION OF A STRUCTURE WITHIN THE CITY OF**
29 **MOUNDSVILLE (FIRST READING)**

30
31 Vice Mayor Wood made a motion to approve the ordinance on first reading, which was
32 seconded by Councilwoman Dewitt. Mayor Remke asked for a roll call vote, to which
33 Acting Clerk Ankrom announced the following tally: six yeas. Motion carried
34 unanimously.

35
36 **C. Discussion and Approval of an Ordinance Adding a Sixth Member to the Parks**
37 **& Recreation Advisory Board (First Reading)**

38
39 Attorney White read the ordinance by title only:

40 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
41 **WEST VIRGINIA, ADDING A SIXTH MEMBER TO THE PARKS AND**
42 **RECREATION BOARD, WHICH IS AN ADVISORY BODY TO THE**

1 **COUNCIL OF THE CITY OF MOUNDSVILLE (FIRST READING)**
2

3 Councilman Saunders made a motion to approve the ordinance on first reading. Motion
4 was seconded by Councilwoman Dewitt. Mayor Remke asked for a roll call vote, to which
5 Acting Clerk Ankrom announced the following tally: six yeas. Motion carried
6 unanimously.
7

8 **D. Discussion and Approval of Changes to the Moundsville Police Civil Service**
9 **Agility Test Requirements as Recommended by the Police Civil Service**
10 **Commission**

11 Vice Mayor Dave Wood made a motion to approve the recommended changes to the
12 Police Civil Service Agility testing requirements, which was seconded by Councilman
13 Saunders. The recommendations are to remove the swimming portion of the agility test,
14 as well as the medical exam. Chief Mitchell explained that Police Officer candidates
15 already sign a liability waiver when applying for employment; and physicals will still be
16 required for Police Academy Training. Motion carried unanimously.
17

18 **E. Discussion and Approval of a Resolution to Authorize the City Manager to**
19 **Enter into a Lease Purchase Agreement for Two Police Cruisers**

20 Councilman Saunders made a motion authorizing Manager Healy to enter into lease
21 purchase agreements for two Police Department cruisers. Motion was seconded by Vice
22 Mayor Dave Wood. Manager Healy clarified the amount of \$32,375 per cruiser will be
23 financed through BB&T, which had the lowest interest rate of 2.51% for four years.
24 Motion carried unanimously.
25

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

27 * Councilwoman Sara Wood asked Manager Healy to gather information on the Main
28 Street Program.
29

30 * Councilwoman Sara Wood intrigued those present by announcing the Arts & Culture
31 Committee is planning an event for November 30, 2019 from 5:00 to 8:00 PM. She
32 encouraged following the Committee's Facebook page to get more information as it
33 becomes available.
34

35 * Councilwoman Dewitt asked if there will be a City vehicle in the Marshall County
36 Christmas Parade. Manager Healy has completed the permit; and Council members
37 should contact him about riding or walking with him in the parade.
38

39 * Councilwoman Dewitt commended the Moundsville Water Board for completing the 1st
40 Street project so quickly!
41

42 * Councilwoman Dewitt reminded that Council members cannot discuss criminal matters;

1 and Attorney White concurred that Council members should not put themselves in the
2 middle of such matters.

3
4 * Vice Mayor Dave Wood asked about the City website. Manager Healy and Clerk Hewitt
5 have been reviewing the site periodically and continue to find information that needs
6 updated. The site could be active by the end of the calendar year.

7
8 * Vice Mayor Dave Wood noted the October Water Board minutes intimated toward a
9 water rate increase. Manager Healy confirmed the Moundsville Water Board continues to
10 have some of the lowest rates in the state; however, the Board is not moving forward with
11 a rate increase at this time.

12
13 * Councilman Saunders briefly discussed demolition progress with Building Inspector
14 Richmond.

15
16 **MAYOR ITEMS:**

17 Mayor Remke wants the Policy Committee to continue discussions on the gaming
18 ordinance. Council members reminded that Committee has already put a cap on the
19 number of establishments; and a recent request, to change the distance between
20 establishments, failed.

21
22 Mayor Remke made a motion to discuss at Policy Committee restricting
23 impound/salvage/junk yards. Vice Mayor Wood seconded the motion for discussion.
24 Attorney White reminded Council they should not discriminate against impound yards.
25 Motion was withdrawn.

26
27 Mayor Remke made a motion to discuss at Finance Committee funding the Strand Theater.
28 Councilwoman Sara Wood seconded. Vice Mayor Dave Wood reminded that discussions
29 have already been held about supporting the Strand Theater Preservation Society through
30 Municipal Sales Tax and Hotel/Motel Tax revenues. Further discussion will be held
31 during the 2020-2021 Budget process. Motion was withdrawn.

32
33 Mayor Remke moved to discuss at Finance Committee having a recreation RV park.
34 Councilwoman Sara Wood seconded the motion for discussion. Manager Healy will
35 verify whether any spots, in the existing City RV Park, are set aside for recreational use.

36
37 Mayor Remke made a motion to have a Mayor's Workshop on the prospective cracker
38 plant in Belmont County. Councilwoman Sara Wood seconded the motion for discussion.
39 Mayor Remke would like to have County Commissioners and other officials present to
40 discuss progress. Such a meeting is not appropriate, nor necessary, at this time.

41
42 Mayor Remke thanked Chief Mitchell for getting nuisance vehicles removed.

1 Mayor Remke thanked Building Inspector Richmond and Manager Healy for making
2 progress on demolition of nuisance properties. There is nothing else out for bid at this
3 time.

4

5 **COMMITTEE REPORTS:**

6 *Discussion of Recommendations by the Finance Committee*

7 The Finance Committee will meet November 12, 2019 at 5:00 PM.

8

9 *Discussion of Recommendations by the Policy Committee*

10 The Policy Committee will meet immediately following the Finance Committee.

11

12 *Discussion of Recommendations by the Traffic Committee*

13 The Traffic Committee will meet immediately following the Policy Committee.

14

15 **COUNCIL ITEMS:**

16 * **David Wood** – Reminded those present that, with Veterans’ Day approaching, we should
17 always remember the sacrifices made, and give thanks for America’s veterans!

18

19 * **DeWitt** – Had nothing at this time.

20

21 * **Sara Wood** – Congratulated Manager Healy on his commitment to work with each of
22 his departments, as shown by his recent service with the Sanitation workers.

23 * Thanked the Moundsville Fire Department for distributing the leftover pumpkins from
24 the painting event.

25

26 * **Hunt** – Commented on the Net Loss as reflected in the October Sanitary Board minutes.
27 Manager Healy will review that information.

28 * Expressed appreciation for the input from rental property owners at the recent workshop.

29

30 * **Saunders** – Explained his concern about limiting firearms at City ball fields and
31 facilities where children will be present.

32

33 Regular Meeting adjourned for a brief recess at 7:58 PM.

34

35 Executive Session convened at 8:10 PM.

36

37 Executive Session adjourned at 8:49 PM.

38

39 Attorney White presented legal ads to be received and filed:

40 Zoning Variance Tonda Persinger 120 Poplar Avenue

41 Zoning Variance Brittany Earnest 7 Elm Avenue

42 Bids for Demolition of 4 Properties

1 Zoning Variance JoAnn Wright 1711 Virginia Street
2 Request for Proposals Audit Review
3 Health & Safety Violation: Eula Naomi Morris
4 RFQ Architectural and Engineering Services
5 Planning Commission Public Hearing 120 Arlington Avenue
6 Zoning Variance Kenneth Tucker 800 5th Street
7 Statement of Receipts July 1, 2018 – June 30, 2019
8 Zoning Variance Tamara Marriner 605 11th Street

9 Councilwoman Sara Wood made a motion to receive and file the legal ads. Motion was
10 seconded by Councilwoman Hunt and carried unanimously.

11
12 Regular meeting adjourned at 8:51 PM.

13
14
15 _____
16 Karen L Ankrom, Acting City Clerk Philip Remke, Mayor