

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE,**
2 **NOVEMBER 3, 2014**

4 The Council of the City of Moundsville met in regular session in the Council Chambers on November
5 3, 2014 at 7:00 pm.

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

8
9 Invocation was given by Councilman K Mark Simms.

10

11 Acting City Clerk Ankrom called the roll and the following Councilpersons were in attendance:
12 DeWitt, David Haynes, Paul Haynes, Remke, Simms, Wood, and Mayor Saunders. Also present: City
13 Manager Hess, Police Chief Mitchell, Fire Chief Clarke, Public Works Director Richmond, and
14 Attorney Thomas White. Absent was CPA Goddard and City Clerk Hewitt (training).

15

16 **MINUTES:**

17 **Regular Council Meeting of October 21, 2014**

18 Councilman David Haynes noted that page 1 line 9 states Councilman Simms gave the invocation.
19 However, Councilman Simms was absent from the October 21 meeting, and Vice Mayor Wood gave
20 the invocation. Councilman Paul Haynes made a motion to accept the minutes as amended. Motion
21 was seconded by Councilwoman DeWitt and carried unanimously.

22

23 **GENERAL PUBLIC HEARING:**

24 **Noel Clarke, Moundsville Fire Chief**, noted how “dark” the City of Moundsville Fire Department
25 was when he was hired in 1996. The Department had minimal equipment; City Council had tried to
26 dissolve the Department on several occasions; and City Departments didn't cooperate together as they
27 do now. Chief Clarke noted that the Fire Department has never asked for “fancy” equipment, and even
28 the new truck has the bare necessities. Most fire trucks are fortunate to last 10 to 15 years, and the City
29 of Moundsville's trucks are 20 to 30 years old. Chief Clarke explained that his Department's personnel
30 don't choose the hours they are required to work; and they come in whenever they are called for an
31 emergency, regardless of the time of day. Chief Clarke expressed great displeasure at how the City
32 Departments and the City Manager are treated in the press and in public; and he does not agree with
33 how some are trying to intentionally cause division among the employees and the City Departments.
34 Chief Clarke commended all of the City Departments, especially the Clerk's Office staff, at how hard
35 they work and how much is accomplished when they are not required to work on “pet projects.” Chief
36 Clarke reminded Council that they also need to follow the City's Policies and Procedures. Chief Clarke
37 presented a 30-day letter to Councilman Remke for work required on his Jefferson Avenue building.

38

39 **Johnna Cuchta of 68 McMillan Street** presented a petition signed by 78 residents opposed to
40 allowing ATV “joy-riding” within City limits. Ms Cuchta does not agree with taking rights away from
41 responsible users who use ATVs for work-related purposes. Councilman David Haynes commented
42 that an ATV ordinance will be discussed at the sub-Committee meeting.

43

44 **Annette Klinkoski of 68 McMillan Street** almost hit a young man riding an ATV; and she fears for
45 the elderly who are unable to get away from the noise and hazards of careless riders.

46

47 **Helen Tucker of 115 Morton Avenue** expressed displeasure that the gate on Morton Avenue is still in

1 place and the curb has not been painted.

2

3 **Allen Hendershot of 1 Hess Court** wants Council to make a motion, to have on the next Regular
4 Council Meeting Agenda, a vote on the Sanford Center. Council has already passed a motion to sell
5 the building; and further discussions were hindered by the lack of a quorum at the sub-Committee
6 meeting.

7

8 **Mark Johnson of 109 Morton Avenue** thanked Manager Hess and Director Richmond for their
9 assistance and would like the Sanitary Department to look at the sewer lid. Mr. Johnson also noted that
10 he rides an ATV, and he feels that there are more pressing issues that need attention from Council, such
11 as the drug traffic in town.

12

13 **Donald Bonnette of 113 Morton Avenue** is also upset that the gate is still up on Morton Avenue.

14

15 **Candy Dobbs of 35 Jones Street** is also distressed over the ATV issue, as she fears for the safety of
16 her dog and granddaughter. Ms Dobbs also wants a resolution on what will happen with the Sanford
17 Center.

18

19 **Carol McIlvain of 112 North Highland Avenue** stated that her husband was almost hit by an ATV, as
20 he couldn't hear it coming up from behind him. Mrs. McIlvain feels the youth need a designated area
21 in which to ride and other activities to keep them occupied.

22

23 **Suzanne Park of the Moundsville Economic Development Council** thanked the City of Moundsville
24 for their assistance with the Dungeon of Horrors, as well as with other activities at the former
25 Penitentiary. Ms Park explained some of the history of the NCLETTTC, how training has expanded
26 since 9-11, and how cooperative other agencies, especially the City of Moundsville departments, have
27 been through the MEDC's growing process.

28

29 **Robert Hunnell, owner of Auto Choice**, stated that he was available to answer any questions Council
30 may have on the zone change for 303 11th Street. Mr. Hunnell explained that he intends to use the
31 existing house for office space and build a garage for auto repair work. Mr. Hunnell has been working
32 with the neighbors and doesn't feel that excessive noise and lighting will be an issue.

33

34 **H Carl Boso Jr of 305 10th Street** expressed support for the Moundsville Fire Department and feels
35 they are greatly needed. However, Mr. Boso feels that \$400,000.00 of taxpayer dollars is too much to
36 spend for the Kittle Hauling property.

37

38 **OLD BUSINESS:**

39 **A. Consider for Adoption on Second Reading for an Ordinance of the City of Moundsville**
40 **which would Approve the Issuance by the City of Moundsville Building Commission of its Lease**
41 **Revenue Bonds in an Amount not to Exceed \$400,000 for the Purpose of Financing Costs of the**
42 **Purchase of the Kittle Property and Authorizing the Leasing of the Financed Property from the**
43 **City of Moundsville Building Commission and the Execution and Delivery of a Lease Agreement**
44 **and All Documents Necessary in Connection Therewith (Second Reading)**

45

46 Attorney White noted this is a technical procedure since this was voted down at the last meeting. Vice
47 Mayor Wood made the motion to reconsider second reading of the ordinance approving issuance of

1 lease revenue bonds and leasing the financed property. Motion was seconded by Councilman Simms.
2 The property has been appraised and the Kittle family is not willing to renegotiate the price. The
3 property would serve a future transfer station, as well as provide a Department of Environmental
4 Protection-approved wash station for the garbage trucks. Mayor Saunders called for a roll call vote, to
5 which Acting Clerk Ankrom announced the following tally: 5 yeas, 2 nays; with Councilman Paul
6 Haynes and Councilman Remke voting nay. Motion passes.

7
8 Councilman Simms made a motion to adopt the ordinance on second reading, which was seconded by
9 Councilman David Haynes.

10
11 Attorney White read the ordinance by title only:
12 **AN ORDINANCE AUTHORIZING AND APPROVING THE LEASING OF THE REAL**
13 **PROPERTY, IMPROVEMENTS, EQUIPMENT, FIXTURES AND ASSOCIATED RIGHTS**
14 **OF WAY AND APPURTENANCES CONSTITUTING THE PROPERTY KNOWN AS THE**
15 **KITTLE HAULING PROPERTY PURCHASED BY THE CITY OF MOUNDSVILLE**
16 **BUILDING COMMISSION WITH PROCEEDS OF ITS LEASE REVENUE BONDS BY THE**
17 **CITY OF MOUNDSVILLE FROM THE CITY OF MOUNDSVILLE BUILDING**
18 **COMMISSION; APPROVING THE SALE, ISSUANCE AND DELIVERY BY THE CITY OF**
19 **MOUNDSVILLE BUILDING COMMISSION OF ITS NOT TO EXCEED \$400,000**
20 **PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, IN ONE OR MORE SERIES, TO**
21 **PROVIDE FUNDS TO FINANCE THE COSTS OF SUCH ACQUISITION OF THE**
22 **PROPERTY AND RELATED COSTS AND EXPENSES; AUTHORIZING THE EXECUTION**
23 **AND DELIVERY OF AN AGREEMENT AND LEASE AND OTHER INSTRUMENTS AND**
24 **AUTHORIZING AND APPROVING OTHER DOCUMENTS AND MATTERS RELATING**
25 **TO THE TERMS AND SECURITY OF SUCH BONDS; AND PROVIDING FOR CERTAIN**
26 **OTHER MATTERS IN CONNECTION THEREWITH**

27
28 Mayor Saunders called for a roll call vote, to which Acting Clerk Ankrom announced the following
29 tally: 5 yeas, 2 nays; with Councilman Paul Haynes and Councilman Remke voting nay. Motion
30 passes.

31
32 **B. Discussion and Approval of a Recommendation by the Moundsville Planning Commission**
33 **to Approve a Zone Change at 303 11th Street from R-M to C-C-C-H (First Reading)**

34
35 Attorney White read the ordinance by title only:
36 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST VIRGINIA**
37 **PROVIDING TO CHANGE A CERTAIN DESIGNATED AREA ON ELEVENTH STREET IN**
38 **THE CITY OF MOUNDSVILLE FROM A MULTI-FAMILY RESIDENTIAL ZONE TO A**
39 **HIGHWAY COMMERCIAL AND INTEGRATED COMMERCIAL CENTERS ZONE (303**
40 **11TH STREET) (FIRST READING)**

41
42 Councilman Simms made the motion to approve the ordinance on first reading, which was seconded by
43 Councilman Paul Haynes. Discussion was held on how the zone change fits in with the City's
44 Comprehensive Plan. The Planning Commission is still working on zoning changes, and this area
45 would be "grandfathered," if approved, into the zoning map. Several properties in this area have
46 already been changed to commercial zones. Mayor Saunders called for a roll call vote; and Acting
7 Clerk Ankrom announced the following tally: 7 yeas. Motion carried unanimously.

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

2 *Councilman David Haynes would like to see the Morton Avenue gate and Sanford Center issues
3 resolved. These items are on the agendas for Monday evening's sub-Committee meetings.

4
5 *Councilman Simms commended Manager Hess for addressing dilapidated housing issues. Twenty
6 structures have been torn down this year.

7
8 **NEW BUSINESS:**

9 **A. Discussion and Approval of a Resolution Authorizing the Purchase of a Controller for
10 Four Seasons Swimming Pool on an Emergency Basis Without Utilizing Competitive Bidding**

11 Councilman Simms made a motion to approve the resolution, which Vice Mayor Wood seconded. The
12 Dectron System was fixed, however, the controller has malfunctioned. Motion carried unanimously.

13
14 **Other Items to be Discussed by Council**

15 Vice Mayor Wood commented that Moundsville Middle School will accept Municipal Government
16 Week presentations on November 5, 2014 starting at 10:15 am.

17
18 Vice Mayor Wood reminded Council that former Mayors of the City of Moundsville will attend a
19 reception on November 18, 2014 at 6:00 PM, with light refreshments to be served.

20
21 Vice Mayor Wood would like to begin forming Council's goals for 2015.

22
23 **MANAGER ITEMS:**

24 • Manager Hess read a letter, from Ronda Francis at the Marshall County Health Department,
25 expressing gratitude to Fire Chief Clarke for his department's quick response to a sick employee at
26 their facility.

27
28 • Manager Hess read a request, from Parks & Recreation Board Chairwoman Kelley Bidka, for City
29 Council to pass an ordinance making all City recreational areas tobacco-free.

30
31 • Manager Hess thanked Building Inspector Richmond for his assistance in getting dilapidated
32 houses torn down.

33
34 • Manager Hess encouraged all in attendance to get out and vote tomorrow!

35
36 **MAYOR ITEMS:**

37 • Mayor Saunders commended Fire Chief Clarke on his speech, and Police Chief Mitchell and Public
38 Works Director Richmond for their diligent work! Mayor Saunders opined that the City of
39 Moundsville's employees do a great job and are underpaid. Director Richmond revealed that he
40 will be retiring December 31, 2014; he encouraged Council to pull together to move the City in one
41 direction!

42
43 • Mayor Saunders noted that the skatepark's three new ramps will arrive soon.

44
45 • Mayor Saunders wished every one good luck in the election!

46
47 • Mayor Saunders would also like to see the Morton Avenue gate and Sanford issues finally settled.

1 • Mayor Saunders commented that the new fire truck looks great!

2
3 **COMMITTEE REPORTS:**

4 **Discussion of Recommendations by the Finance Committee.**
5 The Finance Committee will meet November 10, 2014 at 5:00 PM.

6
7 **Discussion of Recommendations by the Policy Committee.**
8 The Policy Committee will meet immediately following the Finance Committee.

9
10 **Discussion of Recommendations by the Traffic Committee.**
11 The Traffic Committee will meet immediately following the Policy Committee.

12
13 **COUNCIL ITEMS:**

14 * **David Haynes** – Nothing at this time.

15
16 * **Paul Haynes** – Nothing at this time.

17
18 * **DeWitt** – Expressed appreciation for all City employees, and said they do a good job!

19
20 * **Remke** – Nothing at this time.

21
22 * **Wood** – Encouraged everyone to go vote!

23 * Explained that a recent ad in the *Moundsville Daily Echo* bothered him due to the mis-information
24 being printed about City employees and Council's integrity and ethical conduct. He could not let it go
25 unanswered, therefore, he, Councilwoman DeWitt and another citizen drafted a response, which also
26 appeared in a recent issue of the *Echo*.

27
28 ***Simms** – Nothing at this time.

29
30 Mayor Saunders took a moment to thank Manager Hess and acknowledge her for the great job she has
31 done so far!

32
33 Councilman Paul Haynes made the motion to adjourn, which was seconded by Vice Mayor Wood.
34 Meeting adjourned at 8:13 PM.

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40 _____
Karen L Ankrom, Acting City Clerk

Eugene Saunders, Mayor