

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF MOUNDSVILLE**  
2 **MARCH 19, 2013**

3

4 The Council of the City of Moundsville met in regular session in the Council Chambers  
5 on March 19, 2013 at 7:00 PM.

6

7 Meeting was called to order by Mayor Eugene Saunders.

8 Invocation was given by Vice Mayor David Wood.

9

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

16

17 **MINUTES:**

18 **Regular Council Meeting of March 5, 2013**

19 Councilman Paul Haynes made a motion to accept the March 5, 2013 minutes as  
20 presented, Councilwoman DeWitt seconded, and the motion carried unanimously.

21

22 **GENERAL PUBLIC HEARING:**

23 \* Richard King, Jefferson Avenue business owner, commented on several acts of  
24 vandalism affecting Jefferson Avenue businesses. Mr. King contacted an engineer, who  
25 recommends installing wireless surveillance cameras on light poles. Mr. King would  
26 appreciate any financial assistance the City of Moundsville could offer, but it was not  
27 expected. Mr. King was informed that a formal, written request should be submitted for  
28 the Finance Committee's consideration.

29

30 \* Barbara Bettinazzi, owner of the business at 1501 Water Street, thanked the Public  
31 Works Department for the gravel, but pointed out an area that was missed. Ms Bettinazzi  
32 would also like Water Street to be considered for paving this year.

33

34 \* Walter Rhome of Mt Victory Road in Powhatan Point, Ohio provided copies of a colored  
35 map showing the zoning of lots on Water Street. Mr. Rhome stated he has never been  
36 given proper justification for why the lots remain zoned as residential when flood plain  
37 requirements prevent any homes from being built in the area. Mr. Rhome opined a  
38 commercial zoning would benefit property owners, taxpayers, and the City. Attorney  
39 White clarified Mr. Rhome owns Lot 84, at the corner of 15<sup>th</sup> and Water Streets, as  
40 designated on the provided map copy.

41

42 \* Curtis Allen, owner of 308 Jefferson Avenue, commented on the sunken sidewalk in

1 front of his business. The Moundsville Water Board fixed an underlying water leak, which  
2 caused the sidewalk to shift; however, the sidewalk remains a trip hazard. Mr. Allen's  
3 insurance company has taken pictures of the sidewalk, in the event of future liability  
4 claims. Mr. Allen also commented the Police Department did not responded to several  
5 calls he made regarding vandalism in the rear parking lot at 308 Jefferson Avenue. Chief  
6 Mitchell will follow up on this tomorrow.

7  
8 \* Sidney Wood, owner of 1500 Diamond Street, stated he has raised a trailer located at  
9 this address, to the requested 52” to meet flood plain requirements. Mr. Wood talked to  
10 Inspector Schneider today, but is still being told he is out of compliance. Mr. Wood would  
11 like to move forward but does not know what else is required of him.

12  
13 **Public Hearing on the 2013-2014 City of Moundsville General Fund Budget**

14 Councilwoman DeWitt made a motion to amend the proposed 2013-2014 General Fund  
15 Budget to include a \$2,000.00 per year increase, for the next three years, to the  
16 Moundsville Volunteer Fire Department. This would make the City's annual contribution  
17 to the VFD \$76,000.00 for Fiscal Year 2013-2014, \$78,000.00 in 2014-2015, then peaking  
18 at \$80,000.00 in FY 2015-2016. Council can then review the contract at the end of the  
19 three-year period. Motion was seconded by Councilman Paul Haynes. Attorney White  
20 confirmed the contract would have to be approved by both the City and the VFD. Mayor  
21 Saunders called for a roll call vote, and Acting Clerk Ankrom announced the following  
22 tally: 5 yeas. Motion carried unanimously.

23  
24 Councilman Remke asked for the remaining \$12,000.00 be used to help finance  
25 surveillance cameras on Jefferson Avenue. CPA Goddard confirmed the Finance  
26 Committee will recommend how to use any excess funds.

27  
28 **OLD BUSINESS:**

29 **Discussion and Approval of an Ordinance Pertaining to Camp Grounds in the City**  
30 **of Moundsville (Second Reading)**

31  
32 Attorney White read the following ordinance by title only:  
33 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE, WEST**  
34 **VIRGINIA, ENACTING SECTION 735 REGARDING RULES, REGULATIONS,**  
35 **AND LICENSE FEES FOR TRAILER CAMPS IN THE CITY OF**  
36 **MOUNDSVILLE (SECOND READING)**

37  
38 Vice Mayor Wood made a motion to approve the ordinance on second reading, and  
39 Councilwoman DeWitt seconded.

40  
41 Mayor Saunders recognized campground owner Brad Varlas, who questioned whether the  
42 \$10.00 annual fee was changed from “per site” to “per campground,” which Attorney

1 White confirmed it was.

2

3 Mayor Saunders called for a roll call vote, and Acting Clerk Ankrom announced the  
4 following tally: 4 yeas, 1 nay; Councilman Remke voted nay due to the minimal fee being  
5 charged. Motion carried.

6

7 **Discussion and Adoption of the 2013-2014 General Fund Budget**

8 Vice Mayor Wood made a motion to approve as amended the 2013-2014 General Fund  
9 Budget, which Councilman Paul Haynes seconded. Mayor Saunders called for a roll call  
10 vote, and Acting Clerk Ankrom announced the following tally: 5 yeas. Motion carried  
11 unanimously.

12

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

14 \* Vice Mayor Wood asked for a “Thank You” letter to be sent to City of Wheeling Mayor  
15 Andy McKenzie for his visit to discuss the Home Rule program.

16

17 \* Vice Mayor Wood talked to Tom Brown of RAZE International and Patrick Kirby, who  
18 are still waiting on the Certificate of Completion for the Fostoria property.

19

20 \* Councilman Remke wishes to resume discussions on vacant building policies. Inspector  
21 Richmond is requesting information from other cities on their respective vacant building  
22 regulations. The Policy Committee will be discussing this in the near future.

23

24 **NEW BUSINESS:**

25 **Discussion and Approval of the Zone Change Ordinance Concerning Property North**  
26 **of 15<sup>th</sup> Street, South by 16<sup>th</sup> Street, West by Water Street, and East by Thompson**  
27 **Avenue from R-N (Neighborhood Retail District) to I (industrial) {Barbara**  
28 **Bettinazzi Property} (First Reading)**

29

30 Vice Mayor Wood made a motion to approve the zone change ordinance on first reading;  
31 motion was seconded by Councilman Paul Haynes.

32

33 Attorney White explained that according to the map copy provided by Mr. Rhome, and  
34 the description on the Planning Commission petition, this zone change would include Mr.  
35 Rhome's lot, in addition to Ms Bettinazzi's. Attorney White read the permitted uses,  
36 according to the City Code, for an Industrial zone, and Mr. Rhome did not object to the  
37 zone change of his lot.

38

39 Mayor Saunders called for a roll call vote, and Acting Clerk Ankrom announced the  
40 following tally: 3 yeas, 2 nays; Mayor Saunders and Councilman Paul Haynes voting nay.  
41 Motion carried.

42

1 **Discussion and Approval of Adopting Mission Statement and Value Statement for**  
2 **the City of Moundsville**

3 Councilman Remke made a motion to authorize adoption of the Mission and Value  
4 Statements, which Councilwoman DeWitt seconded. Councilwoman DeWitt read the  
5 statements aloud. Motion carried unanimously.

6  
7 **Other items to be Discussed by Council**

8 \* Councilman Remke requested a letter of intent be sent to the Governor and State  
9 Legislature confirming the City of Moundsville's interest in participating in Home Rule,  
10 with a detailed plan to be sent at a later date.

11  
12 \* Councilman Remke asked about the posting of the sign at the VFW to honor Julian  
13 Berisford; this will be addressed under the Policy Committee update.

14  
15 \* Councilman Remke asked about templates for the Jefferson Avenue sidewalk, which  
16 will have to go before the Finance Committee.

17  
18 \* Vice Mayor Wood noted a Community Awareness Seminar will be held on Wednesday  
19 at 6:00 PM at the FRN building on 2<sup>nd</sup> Street.

20  
21 \* Vice Mayor Wood commented the WVU School of Law is ready to work with City  
22 officials on the Comprehensive Plan update.

23  
24 \* Vice Mayor Wood reminded Council of the Action Team meetings being held next week.

25  
26 \* Vice Mayor Wood informed Margaret Stout and her students will be in Moundsville  
27 April 26-27; and this will be Professor Stout's last visit to Moundsville.

28  
29 \* Vice Mayor Wood asked how the Marketing and Public Relations seminar at the FRN  
30 turned out. Manager Hess and Mayor Saunders received some good information and will  
31 provide copies to all of Council.

32  
33 \* Councilwoman DeWitt has a contact who would be willing to address Council on  
34 Robert's Rules of Order.

35  
36 **MANAGER ITEMS:**

37 • Manager Hess confirmed John Icard's re-appointment to the Planning Commission for  
38 a three-year term.

39  
40 • Manager Hess reminded Council Business After Hours will be held at A&B Kia in  
41 Benwood on March 28, from 5:00 to 6:30. Secretary Kaufman should be contacted for  
42 reservations.

1 • Manager Hess thanked everyone who has been involved with the Comprehensive Plan  
2 update, especially Vice Mayor Wood, who has been very diligent!

3  
4 • Attorney White asked for a moment to present the following legal advertisement for  
5 filing:

6 **Civil Suit**

7 Councilwoman DeWitt made a motion to receive and file the legal ad, which Vice Mayor  
8 Wood seconded. Motion carried unanimously.

9  
10 **MAYOR ITEMS:**

11 • Mayor Saunders had nothing to discuss at this time.

12  
13 **COMMITTEE REPORTS:**

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

- 15 1. The Finance Committee received and approved the February 2013 Financial  
16 Statements.
- 17 2. The Finance Committee tabled discussion on possible refurbishing of the front  
18 exterior of the City Building.
- 19 3. The Finance Committee took no action on purchasing property at 107 13<sup>th</sup> Street.
- 20 4. The Finance Committee authorized the Public Works Director to remove a diseased  
21 tree in the City parking lot by Ruttenberg's.

22  
23 ***Discussion of Recommendations by the Policy Committee***

- 24 1. The Policy Committee agreed to adopt the Mission and Value Statements and  
25 recommended copies be made for each department to post.
- 26 2. The Policy Committee tabled revision of Article 1107 – Clarifying definition of  
27 Vacant Building Registration, until more information is received from other cities.
- 28 3. The Policy Committee recommended changing the annual \$10.00 fee per space to  
29 \$10.00 fee per camp site in the campground ordinance, which was previously  
30 approved.
- 31 4. The Policy Committee directed Attorney White to draft the ordinance to change  
32 zoning on Water Street, which has been approved by Council.

33  
34 ***Discussion of Recommendations by the Traffic Committee***

- 35 1. The Traffic Committee directed Manager Hess and Public Works Director  
36 Richmond review the paving list and bring recommendations to the April meeting.
- 37 2. The Traffic Committee made no changes in the current snow removal policy.
- 38 3. The Veterans of Foreign Wars will bring a written request to the next meeting for a  
39 dedication sign to be placed at Grant Avenue and Center Street.

40  
41 **COUNCIL ITEMS:**

42 \* **Paul Haynes** – Mentioned issues on Fostoria Avenue.

1 \* Asked about pot holes around Wood Health Care Clinic and the Huddle House, which  
2 are both private property.

3 \* Noted the State should move quickly on paving Jefferson Avenue.

4 \* Commented that excess tires and “junk” occupying yards should be addressed.

5  
6 \* **DeWitt** – Will discuss issues privately with the City Manager.

7  
8 \* **Remke** – Reminded the 2<sup>nd</sup> Annual Spring Fling will be held on March 30, with events  
9 on Jefferson Avenue and at Riverfront Park.

10 \* Commented that, due to a conflict, the name of the Moundsville Activities Committee  
11 has been changed to the “Uptown Moundsville Activities Committee.”

12 \* Provided copies of a Town 180 Application.

13  
14 \* **Wood** – Noted the west side steps on the Elks building are falling apart.

15 \* Commented a discussion on Home Rule will be broached at the March 20 Community  
16 Awareness Seminar.

17  
18 Dylan Mercer of Boy Scout Troop 79 was introduced as working toward his Eagle Badge.

19  
20 Councilwoman DeWitt made the motion to adjourn, which was seconded by Councilman  
21 Paul Haynes. Meeting adjourned at 8:05 PM.

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23  
24  
25 \_\_\_\_\_  
Karen L Ankrom, Acting City Clerk

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Eugene Saunders, Mayor