

1 **STATE OF WEST VIRGINIA, COUNTY OF MARSHALL, CITY OF**
2 **MOUNDSVILLE, APRIL 6, 2021**

3
4 The Council of the City of Moundsville met in Regular Session in the Council
5 Chambers on April 6, 2021 at 7:00 p.m.

6
7 Meeting was called to order by Mayor David Wood.

8
9 Invocation by Councilman Randy Chamberlain.

10
11 City Clerk Hewitt called the roll and the following Councilpersons were in
12 attendance: Chamberlain, DeWitt, Saunders, Wallace, S. Wood and Mayor David
13 Wood. Absent: Vice Mayor Hunt. Also present were City Manager Healy, City
14 Clerk Hewitt, Finance Director Ankrom, Police Chief Mitchell, Secretary Scarbin
15 and Attorney White.

16
17 **MINUTES:**

18
19 **Regular Council Meeting of March 16, 2021.**

20 Councilman Saunders moved to approve the minutes of the regular council
21 meeting of March 16, 2021, seconded by Councilwoman S. Wood. Motion
22 carried unanimously.

23
24 **GENERAL PUBLIC HEARING:**

25
26 * Will Windsheimer, 56950 Wegee Road, Shadyside, OH, approached council for
27 consideration of leasing the Moundsville Marina on a 10-30 year lease agreement.
28 Councilman Chamberlain moved to discuss the request at the April 13 finance
29 committee meeting, seconded by Councilwoman S. Wood. Motion carried
30 unanimously.

31
32 * A.C. Wiethe, Director of Management Services at Belomar spoke to council
33 concerning the CDBG Emergency Payment Grant, which is a reimbursement grant
34 program. The grant is designed for citizens who are in arrears on their mortgage,
35 rental and utility bill payments (gas, electric, water, waste water, sewer and
36 landline phones) due to Covid. City Manager Healy noted we will be taking
37 \$50,000.00 from the Cares Act money moving it into the account being used for
38 the program and provide to the grant for reimbursement paying back the Cares Act
39 account.

1 * Kanti Patel, American Geotech, provided a presentation of the Geotech Report of
2 the proposed Municipal Building property to Council Via Zoom.

3
4 * Phil Remke, along with Tim McCormick provided a presentation to council for
5 his proposed “Welcome to Moundsville” Sign Project. Mayor D. Wood suggested
6 that Mr. Remke meet with WV DOT District Engineer to secure a letter stating
7 there is funding available for this project.

8
9 **CITY MANAGER ITEMS:**

10
11 City Manager Healy provided the following report to council:

12 1. I will start with an update on the new Municipal Building. The architects, along
13 with engineers met with each department head to review the design of the interior
14 and discuss items such as needs in electrical, communication, safety, lighting, etc.
15 There are still minor changes being made to the interior design including an
16 additional restroom in the dispatch department, consolidation of a detective’s
17 office in the Police Department to allow for an electronic device lab, re-design of
18 the lobby, and other things. On the Council agenda tonight is a first reading on an
19 ordinance regarding financing.

20 2. The full guidance for the American Rescue Plan has still not been received.
21 The Municipal League is keeping us aware of updates, and I also have regular
22 contact with Senator Manchin and Congressman McKinley’s offices. The
23 allotment for Moundsville is still based at \$3.43 Million. This funding will come
24 in two parts - half to be in our hands sometime in or after April, and the second
25 half same time next year. All funds must be expended by 2024. While the primary
26 goal is to get assistance to households, there are other avenues expected to be
27 allowable. Initial guidance shows that the funds can be used for revenue
28 replacement/loss and budget shortfalls, all COVID related expense
29 reimbursements, infrastructure (specifically water, sewer, and broadband), and
30 other economic revitalization projects. The State Auditor’s Office has created a
31 special line item in the budget and all municipalities must be placed in this
32 account. There will be a website dedicated to the expenditures of these funds for
33 full transparency.

34 3. The 30-day period to terminate the lease of the Sanford Center is April 22.
35 Once we pass that date, the building will be padlocked, and all utilities (if they are
36 not already turned off) will be disconnected. The next step is to decide the
37 disposition of all of the items inside. My recommendation is to allow city
38 departments to obtain anything they could use, and the rest be auctioned off. The
39 asbestos inspections are being scheduled.

40 4. The soft opening for the recycling program is delayed a couple weeks due to

1 staffing, and will hopefully kick off on Saturday, April 17. Signage is being made,
2 and staffing issues should be handled by then. In the meantime, all City
3 Departments are doing a great job with their own recycling.

4 5. In your packets for tonight was the Annual Report for the Moundsville Housing
5 Authority. It was hand delivered by Executive Director Kelly Jobs-Ward along
6 with the check for the PILOT program. The check to the city was \$11,058.88.

7 6. I was at the drive-thru Easter Egg Event sponsored by the Parks & Recreation
8 Department that was held on Saturday, March 27. Close to 200 bags were handed
9 out to children, and all got to see the Easter Bunny, as well. Everything was done
10 COVID safe, and I think it was the best possible event considering. Thanks go to
11 Director White and the entire Recreation Staff, as well as Secretary Kim Scarbin
12 for helping with the event. I would also like to thank United bank, who donated to
13 help sponsor the event.

14 7. A Bid Opening was held this afternoon for the Splash Pad project. There were
15 only two bids received, and the low bid came in about \$68,000 over budget. The
16 engineers are verifying the bids, and a meeting will likely take place early next
17 week to iron out the differences in the bid.

18 8. The bathroom renovation project is on-going at Four Seasons Pool with
19 minimal problems. The rough-in plumbing and concrete floor is completed and
20 interior partition walls are being installed. Patrons are working through the noise
21 and limited changing areas, knowing the end product will be worthwhile.
22 Construction will continue through May.

23 9. The bonds that were approved by Council for the Sanitary Board were signed
24 on April 18, and the contractor who completed the emergency manhole repair has
25 been paid in full.

26 10. We received the permit from the Corps of Engineers to install a retaining wall
27 along Parris Run near Mulberry Avenue. This area has been eroding the bank for
28 some time and a portion of the road has been closed. Work will be done in the
29 dryer summer months and is a partnership with the Street and Stormwater
30 Departments.

31 11. The first meeting of the combined billing task force was held last Monday.
32 Most discussion centered on the reason and hope for an outcome. A second
33 meeting will be held in May. A report will be presented to Council and both
34 Boards at the conclusion of these meetings with the findings.

35 12. The Honorable John K. Chase, who has held the position of Municipal Court
36 Judge for many years has informed me of his retirement. I have appointed the
37 current city prosecutor John Artimez to the Judge position, retroactive to March. I
38 would like to thank Judge Chase for his many years of service to the city and wish
39 him the best.

40 13. At the last Sanitary Board Meeting, Superintendent Larry Bonar announced

1 his upcoming retirement. He will be working his last day on April 30 but will
2 officially retire on July 30. The Board will take action at their next meeting to
3 name an interim Superintendent. I would like Council to consider having Mr.
4 Bonar in to Council near his official retirement date to thank him for his service.

5 14. The individual responsible for the East End vandalism issue that I mentioned
6 at the last Council meeting has been identified and half of the restitution costs have
7 been submitted, with the balance expected within the next two weeks.

8 15. As the COVID numbers continue to decline and more people are vaccinated,
9 please stop into a local store or restaurant. These local small businesses are such a
10 vital part of our community, and they continue to need our patronage.

11
12 Mayor Wood asked council members if there were any questions for the City
13 Manager?

14 * Councilman Chamberlain asked if the water leak during the renovation at the
15 pool has been resolved? Manager Healy said it had been resolved and they
16 determined the leak came from an original installation of the pool.

17 * Councilman Chamberlain asked who was the replacement for Judge Chase?
18 Manager Healy said originally, Adam Barney was going to replace John Chase but
19 a WV Ethics opinion said that a County Prosecutor can not serve as Municipal
20 Court Judges. Manager Healy said he appointed John Artimez as the Municipal
21 Judge and we are searching for a Prosecutor who must be a Marshall County
22 resident.

23 * Councilwoman S. Wood asked Manager Healy if he could compile a list from
24 other cities how they are using the Cares Act Funds. Manager Healy feels the
25 WVML would be able to access that information easier.

26
27 **OLD BUSINESS:**

28
29 **Other Items to be Discussed by Council.**

30 * Councilman Saunders asked for an update of the house at the top of Second
31 Street? Manager Healy said the house was on the demolition list but ended up
32 being sold for taxes. The new owners have obtained building permits to repair the
33 house.

34 * Councilman Saunders said he received a report from a citizen who purchased and
35 placed a swing at the Riverfront Park. The swing is now missing and she was
36 wondering what may have happened to it. City Manager Healy said he will ask
37 Parks Director White if he has any knowledge of it.

38
39 **NEW BUSINESS:**

1 **Discussion and Approval of a Bond Authorization Ordinance Relating to the**
2 **Construction of the New Municipal Building. (First Reading)**

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

5
6 **AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF**
7 **MOUNDSVILLE BUILDING COMMISSION OF NOT MORE THAN**
8 **\$9,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF**
9 **MOUNDSVILLE BUILDING COMMISSION LEASE REVENUE BONDS,**
10 **SERIES 2021 A (CITY HALL / PUBLIC SAFETY BUILDING) TO PROVIDE**
11 **ALL OR A PORTION OF THE FUNDS TO ACQUIRE, CONSTRUCT,**
12 **IMPROVE, FURNISH, AND EQUIP A CITY HALL / PUBLIC SAFETY**
13 **BUILDING, AND TO PAY OTHER COSTS IN CONNECTION**
14 **THEREWITH AND APPROVING A LEASE AGREEMENT BETWEEN**
15 **THE CITY OF MOUNDSVILLE BUILDING COMMISSION AND THE**
16 **CITY OF MOUNDSVILLE, WEST VIRGINIA PROVIDING FOR THE**
17 **LEASING OF SAID CITY OF MOUNDSVILLE CITY HALL / PUBLIC**
18 **SAFETY BUILDING TO THE CITY OF MOUNDSVILLE, WEST**
19 **VIRGINIA. (FIRST READING)**

20 Councilman Saunders moved to approve the ordinance, seconded by Councilwoman
21 S. Wood. Mayor D. Wood called for a voice vote. City Clerk Hewitt announced the
22 following tally. 6 yeas. Motion carried unanimously.

23
24 **Discussion and Approval to Amend the Arts & Culture Commission Ordinance**
25 **to Include Two Additional Members to the Commission. (First Reading)**

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

28
29 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOUNDSVILLE,**
30 **WEST VIRGINIA, AMENDING THE COMPOSITION OF THE ARTS AND**
31 **CULTURE COMMISSION BY PROVIDING FOR TWO MORE MEMBERS,**
32 **FOR A TOTAL OF SEVEN MEMBERS. (FIRST READING)**

33 Councilwoman S. Wood moved to approve the ordinance, seconded by Councilman
34 Chamberlain. Mayor D. Wood called for a voice vote. City Clerk Hewitt announced
35 the following tally. 6 yeas. Motion carried unanimously.

36
37 **Discussion and Approval of a Resolution Adopting the Rules & Regulations of**
38 **Council.**

39 Councilwoman S. Wood moved to approve the resolution adopting the rules and
40 regulations, seconded by Councilman Chamberlain. Mayor D. Wood called for a

1 voice vote. City Clerk Hewitt announced the following tally. 6 yeas. Motion
2 carried unanimously.

3

4 **Discussion and Approval of a Resolution to Adopt the WV Local Government**
5 **Purchasing Card Policies and Procedures.**

6 Councilman Saunders moved to approve the resolution to adopt purchasing card
7 policies, seconded by Councilwoman S. Wood. Motion carried unanimously.

8

9 **Discussion and Approval of a Resolution Supporting the WVML 2021 Federal**
10 **Advocacy Agenda.**

11 Councilman Chamberlain moved to approve the resolution supporting WVML
12 Federal Advocacy, seconded by Councilwoman S. Wood. Motion carried
13 unanimously.

14

15 **Discussion and Award of the Sale of City Vehicle Bids.**

16 Councilman Chamberlain moved to award bid for the surplus vehicles to the
17 following bidders: The 2006 Ford Expedition to A-1 Auto Parts in the amount of
18 \$260.00; the 2005 Crown Vic Police Interceptor to A-1 Auto Parts in the amount of
19 \$216.00; the 2005 Chevy Trail Blazer to Frank Biega in the amount of \$611.11; the
20 2006 Dodge Magnum to Ed Richards in the amount of \$1,013.00; and the 2003
21 Crown Vic Fire Car to A-1 Auto Parts in the amount of \$216.00, seconded by
22 Councilman Saunders. Motion carried unanimously.

23

24 **Receive and File the 2021-2022 Operating Budgets by the Sanitary and**
25 **Stormwater Boards.**

26 Councilwoman S. Wood moved to receive and file the 2021-2022 Operating Budgets
27 by the Sanitary Board and the Stormwater Board, seconded by Councilman
28 Chamberlain. Motion carried unanimously.

29

30 **Discussion of Pending Litigation.**

31 Councilman Saunders moved to have an executive session for pending litigation
32 after the regular council meeting, seconded by Councilman Chamberlain. Motion
33 carried unanimously.

34

35 **Discussion and Approval of Council Support Letter for Soap Box Derby.**

36 Councilwoman S. Wood moved to provide Mr. Phil Remke with a support letter for
37 the Soap Box Derby, seconded by Councilwoman DeWitt. Motion carried
38 unanimously.

39

40

1 **Discussion of Current Opioid Litigation by Michelle Marinacci of GKT.**

2 Mayor D. Wood said they will discuss this item under executive session as well.

3
4 **Legal Advertisements.**

5 Attorney White presented legal ads published in the Moundsville Daily Echo to be
6 received and file by council. Councilwoman DeWitt moved to receive and file the
7 legal ads, seconded by Councilman Chamberlain. Motion carried unanimously.

8
9 **Other Items to be Discussed by Council.**

10 * Councilman Saunders said he received a complaint from an individual at South
11 Park Trailer Court who was replacing his water line. When the Water Department
12 turned his water back on the force of the water blew more lines. City Manager Healy
13 said the complainant must attend a Water Board meeting to make the complaint.

14 * Councilwoman DeWitt asked if WV DOT was responsible for the lights on the
15 12th Street bridge? Chief Mitchell feels WV DOT is responsible as he has contacted
16 them before concerning burnt out lights. Manager Healy said he will make contract
17 with DOT and advise them lights are out.

18 * Councilman Saunders asked which bridge will follow the repair of Fostoria
19 Avenue? Elm Avenue or Ash Avenue? Manager Healy said we have nothing set up
20 for Elm Avenue bridge so far. Once we get under construction for the Fostoria
21 Avenue bridge, we can ask Belomar to contact WV DOT to start the application
22 process for the other bridge. The original date for construction of the Fostoria bridge
23 is April.

24
25 **MAYOR ITEMS:**

26 * Mayor D. Wood read a letter from Wendy Hinerman praising City Manager Healy
27 and the Street Department for going above and beyond to help retrieve a sentimental
28 item from the yard her husband's childhood days. Councilman Chamberlain moved
29 to receive and file the letter, seconded by Councilman Saunders. Motion carried
30 unanimously.

31 * Mayor D. Wood spoke to Manager Healy concerning the American Rescue Act
32 once we have more guidelines he will schedule a workshop to look at options.

33 * Mayor D. Wood said with no resolution to the State Income Tax reduction bill we
34 can continue with the Municipal Sales Tax.

35 * Mayor D. Wood asked for an update on paving. City Manager Healy said when
36 he receives the estimates back from the engineer he will provide those to council.
37 Councilwoman Wood moved to discuss the paving estimates at the finance sub-
38 committee meeting, seconded by Councilwoman DeWitt. Motion carried
39 unanimously.

40 * Mayor D. Wood noted Juneteenth is coming up which will be on a Saturday. The

1 committee needs two additional members. Manager Healy said it was advertised in
2 the Echo.

3
4 **COMMITTEE REPORTS:**

5
6 **Reports by the Finance Committee.**

7 The finance meeting is scheduled for April 13, 2021 at 5:00 p.m.

8 **Reports by the Traffic Committee.**

9 The traffic meeting will follow the finance meeting.

10 **Reports by the Policy Committee.**

11 The policy meeting will follow the traffic meeting.

12
13 **COUNCIL ITEMS:**

14 * **Chamberlain** – Thanked Manager Healy & Public Works Director Stocklask for
15 having the old Sanford School sign removed. He reported another pole is located
16 at the 1100 block of Eighth Street.

17 * Asked to place Northwood CEO of Northwood Health Systems on the General
18 Public Hearing Agenda for the next regular meeting.

19
20 Councilwoman DeWitt moved to recess for 5 minutes, seconded by Councilman
21 Saunders. Motion carried unanimously.

22
23 Meeting recessed at 9:07 p.m.

24 Regular session reconvened 9:07 p.m.

25 Executive session began at 9:08 p.m.

26 Executive session recessed at 9:35 p.m.

27 Regular session reconvened at 9:35 p.m.

28
29 Councilman Chamberlain moved to authorize the City Manager and the City
30 Attorney to represent the City of Moundsville in the Opioid Litigation, seconded
31 by Councilman Saunders. Motion carried unanimously.

32
33 Councilman Saunders moved to adjourn, seconded by Councilwoman DeWitt.
34 Motion carried unanimously.

35
36 Meeting adjourned at 9:36 p.m.

37
38
39
40 _____
Sondra J. Hewitt, City Clerk

David Wood, Mayor